



**PLANNING COMMITTEE:** 24<sup>th</sup> July 2012  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2011/1160:** Demolition of garden centre concession buildings and erection of new supermarket; erection of new retail building and storage building to serve garden centre; re-configuration of service area and new service vehicle road and alterations to access from Newport Pagnell Road. Additional works to parking, landscaping and lighting Northampton Garden Centre, Newport Pagnell Road, Northampton

**WARD:** Nene Valley

**APPLICANT:** Waitrose Ltd and Northampton Garden Centre

**AGENT:** Mr. A. Nicholls; Alyn Nicholls and Associates

**REFERRED BY:** Head of Planning  
**REASON:** Major application

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

**1.1 REFUSAL** for the following reason:

By reason of its out of centre location, it is considered that the development does not accord with the provisions of the sequential assessment as prescribed within the National Planning Policy Framework and Policies N6, N10 and S9 of the emerging West Northamptonshire Joint Core Strategy, Policies 11 and 12 of the submission Northampton Central Area Action Plan. Furthermore, the proposed use at this location would constitute an unsustainable form of development by reason of its poor accessibility and connectivity with the wider area as required by the National Planning Policy Framework.

## **2. THE PROPOSAL**

- 2.1 The applicant seeks planning permission to erect a supermarket within the curtilage of the existing garden centre. The building would have a maximum height of approximately 8m and would have an internal floor space 1,992m<sup>2</sup> of which 1,355m<sup>2</sup> would be for retailing. Of the retail floorspace 85% would be for the sale of convenience goods (for instance, foodstuffs) with the remaining 15% (203m<sup>2</sup>) used for the sale of comparison goods. Permission is also sought for a new garden centre concession building (approximately 186m<sup>2</sup> floor space) that would be displaced by the proposed supermarket. Also included within the application is a warehouse (with a floorspace of approximately 226m<sup>2</sup>) that would serve the existing garden centre.
- 2.2 The application includes the provision of 429 car parking spaces, which would also serve the existing garden centre in addition to the proposed supermarket. The vehicular access to the site for customers would be via a new single wider entrance / exit into the site replacing the current separate entrances and exits from Newport Pagnell Road. A new service road is proposed to be constructed adjacent to the western boundary of the site from Newport Pagnell Road turning to the rear (southern) boundary before proceeding along the southern boundary to the rear of the proposed store.

## **3. SITE DESCRIPTION**

- 3.1 The application site principally consists of a large garden centre building that currently trades as Northampton Garden Centre, although it was formerly a branch of Wyevale. The Garden Centre building is located towards the south western section of the site. The remainder of the site is made up of the garden centre car park (with a variety of surfaces) and concession buildings. Newport Pagnell Road is situated adjacent to the northern boundary, with a school located beyond that. Residential areas lie beyond the eastern boundary. Various leisure and office uses are located to the west of the site. London Road runs to the south of the site, with residential accommodation beyond.
- 3.2 The site is accessed via Newport Pagnell Road, from which all vehicles (customer and service) enter the site. Entrances from this road also serve as the pedestrian entrances to the development. There are no pedestrian linkages between the application site and the residential developments to the east or the other business / leisure uses to the west.

## **4. PLANNING HISTORY**

- 4.1 N/2011/0387 – New entrance foyer extension to side, front extension to close existing entrance, erection of bedding canopy/walkway to side/rear, demolition and replacement of rear canopy, erection of cold store, replacement aquatics building and restaurant extension – Approved.

- 4.2 Various other applications have been submitted in relation to the established use at the site since 1973.

## **5. PLANNING POLICY**

### **5.1 Development Plan**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The current Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

### **5.2 National Policies:**

National Planning Policy Framework and specifically the following paragraphs:

- Paragraph 17 sets out the core principles of planning including the promotion of sustainable developments; seeking to achieve high quality buildings, a good standard of amenity and that planning be a plan led system that provides a practical framework for the determination of planning applications.
- Paragraph 23 of the National Planning Policy Framework states that retailing is a main town centre use and such centres should be the primary location for retailing.
- Paragraph 24 requires that a sequential test be applied to applications for town centre uses.
- Further to this point, Paragraph 27 directs refusal of applications that have failed to comply with the requirements of the sequential test.

Previous national guidance relating to retail and economic development was contained within PPS4 – Planning for Sustainable Economic Growth, which has now been superseded by the National Planning Policy Framework. However, the accompanying PPS4 Practice Guide remains a material, for although it does not constitute formal policy, the guidance within it remains pertinent to this application. In particular, the definitions provided in terms of what constitutes ‘convenience’ and ‘comparison’ goods sales is still referred to in the context of this report

### **5.3 The East Midlands Regional Plan (March 2009)**

Policy 3 – Distribution of new Development

Policy 11 – Development in the Southern Sub-area

Policy 19 - Regional Priorities for Regeneration

Policy 22- Regional Priorities for Town Centres and Retail Development

Policy MKSM SRS Northamptonshire 3 - Northampton Central Area

### **5.4 Northampton Borough Local Plan**

E11 – Trees and Hedgerows

E19 – Implementing Development  
E20 – New Development  
E40 – Planning and Crime

## 5.5 **Supplementary Planning Guidance**

Parking  
Planning out Crime

## 5.6 **Emerging Planning Policies**

On 23<sup>rd</sup> April 2012, Full Council approved the Central Area Action Plan (CAAP) for submission to the Secretary of State. The document has now been submitted and the examination in public is set for September 2012. Given the advanced stage in preparation of the CAAP, it is therefore considered that the relevant policies can be given substantial material weight in the decision making process.

5.7 The CAAP establishes a number of policies that are pertinent to the determination of this application. In particular, Policy 11 requires that developments for main town centre uses (such as retailing) be subject to a sequential assessment when over 1000m<sup>2</sup> of gross floor space is proposed. Policy 12 defines the town centre as being the main focus for shopping within Northampton. In addition, Policy 14 established a need to deliver 45,000m<sup>2</sup> of net comparison goods retail floor space and 3,000m<sup>2</sup> of net convenience goods retailing within the town centre in the period leading up to 2026.

5.8 Following the receipt of consultation responses, the pre-submission West Northamptonshire Joint Core Strategy establishes a number of policies that are material to the determination of this application. Of specific relevance is Policy N6, which seeks to establish a Sustainable Urban Extension in the area to the south of Brackmills and east of Wootton and Hardingstone, which would include the provision of approximately 1000 dwellings and establish a local centre, which would include retail outlets of an appropriate scale in conjunction with other community facilities. Furthermore, this policy requires the development of an integrated transport system focussing on the provision of sustainable means of transports, including walking and cycling networks. The pre-submission Joint Core Strategy also identifies that this location does not have any heritage constraints, is not located within any strategic flood plain and is of medium sensitivity in terms of biodiversity.

5.9 Policy N10 of the pre-submission Joint Core Strategy requires that provision be made for the delivery of convenience retailing within the local centres of the proposed Sustainable Urban Extensions.

5.10 Changes to the Joint Core Strategy are to be considered by the West Northamptonshire Joint Strategic Planning Committee for the purposes of consultation on 16 July. The current Local Development Scheme anticipates that the JCS will be submitted to the Secretary of State in December 2012.

## 6. CONSULTATIONS / REPRESENTATIONS

- 6.1 **Arboricultural Officer** – The details within the Arboricultural assessment are agreed and tree protection measures should be secured by condition.
- 6.2 **Environment Agency** – Having reviewed the revised Flood Risk Assessment, it is possible to withdraw their objections to the proposed development, subject to a condition in the event of the proposed development being approved requiring that the development is carried out in accordance with the submitted details and the mitigation measures detailed therein.
- 6.3 **Environmental Health** – Would recommend that if the application be approved, conditions be applied that would require the submission of controls of noise from lorries, deliveries (it is recommended that these take place between 6am and 11pm) and more detailed investigation into contamination. The submitted lighting and air quality assessments are satisfactory.
- 6.4 **Highways Agency** – No objections.
- 6.5 **Highway Authority (NCC)** – The revised layout is acceptable and a condition is proposed that would require the agreement of all highways works prior to the commencement of development. The level of car parking shown (92%) is above the desirable maximum occupancy of 85%. This should not adversely affect the highway in this instance, but should be considered by the Planning Authority. The operation of the site entrance should not hinder the operation of Newport Pagnell Road. It is requested that if the application be approved, it be subject to the securing of improvements of bus routes and bus stops that serve the site.
- 6.6 **Northamptonshire Police Crime Prevention Design Advisor** – The installation of a sliding gate to the service yard is a positive, but more details should be secured relating to its height and materials. Further details of the CCTV system should be agreed.
- 6.7 **Urban Designer (NBC)** – It is considered that the design and layout of the development could be improved upon in order to create a stronger design and more distinctive sense of place.
- 6.8 **Wootton and East Hunsbury Parish Council** – Support the application, particularly given the growth that is forecast within the area as this will place pressure on existing faculties. The Garden Centre is a well used local facility, of which trips could be extended to include visiting the proposed store. The store should not have any detrimental impact upon existing centres. The proposed building is in keeping with its surroundings. Consideration should be given to reducing the speed

limit in Newport Pagnell Road, securing the site and installing separate entrances and exits to the application site.

6.9 Various representations have been received from the representatives of **Legal and General** (Northampton Shopping Centre Partnership) objecting to the proposal as the development would represent the creation of 'out of centre' retailing that is in conflict with national and local planning policies. This proposal, combined with other recently consented schemes would draw trade away from the town centre. A more robust retail impact assessment should be submitted. The Grosvenor Centre extension would provide new retail floorspace for such proposals. It is encouraged that this application be considered simultaneously with other retail developments.

6.10 **563 Representations in favour** of the proposed development have been received. Comments can be summarised as:

- The proposal would increase customer choice, be convenient and meet local needs
- The store will enhance the area and provide a leisure facility, when combined with the garden centre
- The proposal would provide more employment opportunities although it has been requested that jobs go to local people
- The development would have a neutral impact upon traffic
- The location of the development will mean people will be able to walk to the store
- Although supportive of the proposal, there are concerns regarding the impacts upon highways and comments are made on reducing the speed limit within Newport Pagnell Road and it is requested that these points are addressed
- Positive comments in respect of the products stocked by the applicant
- Trips to similar retailers are currently made to out of town locations
- Requesting the existing fruit and vegetable stall is retained and contributions be made for litter reduction. Further comments are made on the potential impact on other business viability.
- The developer will support local charities

6.11 **26 Representations against** the development have been received. Comments can be summarised as:

- The need for the store is questioned
- The proposed development would have an adverse impact upon the highway system particularly as traffic turning right from the site would have a join a lane of traffic from the town centre carrying increased traffic
- Alternative points of access to the site would alleviate some of these matters
- Traffic levels within the application have been understated within the application.

- The proposed store is in close proximity to schools, which already generate significant amounts of traffic, which will be exacerbated by the proposed development.
- There are a number of local stores within the vicinity and existing business viability may be harmed by the proposal.
- Newport Pagnell Road is already very busy.
- The proposal could attract crime and anti-social behaviour and potentially impact upon the Turners/Simpson Manor estates
- The existing fruit and vegetable stall may close
- The product range stocked by the applicant is expensive

## **7. APPRAISAL**

### ***Principle of the development***

- 7.1 The Northampton Local Plan does not have an allocated use for the application site; however, it is clear from existing national and local planning policies that retail developments should be located within the town centre, with options being investigated for locating the development within district and local centres and only then following sequentially preferable options outside of these recognised centres.
- 7.2 The majority of policies relating to new retail provision in the Local Plan were not saved and, due to its age, it is considered that the Northampton Local Plan has largely been superseded in terms of assessing retail developments by more recent national policies and specifically, the National Planning Policy Framework. However, Appendix 15 of the Local Plan provides a schedule of 66 recognised shopping centres but does not distinguish between any of these in terms of scale or hierarchy. Sequentially, these established centres are a more preferable location for developments of the type proposed. Therefore, the proposal pursued in this instance represents a less sequentially preferable option and is clearly in an out of centre location.
- 7.3 In terms of local planning policies, the Development Plan for the area currently comprises the East Midlands Regional Plan (RSS8) and the saved policies of the Northampton Local Plan. Whilst the Government has made clear its intention to revoke this through legislation in the Localism Bill, the East Midlands Regional Plan (RSS8) remains part of the Development Plan and is therefore a material consideration in the determination of this planning application. The age of the Northampton Local Plan (which was adopted in June 1997), in that the National Planning Policy Framework states that this is of relevance in determining the weight that can be placed on any 'saved' policy.
- 7.4 The policies within the RSS8, which are considered relevant to the determination of this application are Policy 22, Policy MKSM SRS Northamptonshire 2 (Northampton Implementation Area) and Policy MKSM SRS Northamptonshire 3 (Northampton Central Area). The policies within the RSS8 are, as can be expected due to the broader

overview of such a planning policy documents, are of a strategic nature, but its aims are broadly consistent with those aims of the National Planning Policy Framework. Policy MKSM SRS Northamptonshire 2 identifies Northampton as the Principal Urban Area for the sub-region and Policy MKSM SRS Northamptonshire 3 identifies Northampton's Central Area the main destination for office, retail and leisure proposals. MKSM SRB Northamptonshire 1 establishes that Northampton is a major focus for growth in the sub-region.

- 7.5 The National Planning Policy Framework gives an element of weight to emerging planning policies, which as identified within Section 5 of this report, comprises the Central Area Action Plan that has now been submitted to the Secretary of State and the West Northamptonshire Joint Core Strategy, which has been subjected to a number of focussed changes following the receipt and consideration of a number of consultation responses. The National Planning Policy Framework states that the amount of weight that can be placed upon such policies is determined by the stage at which the plans have reached in terms of preparation, the extent to which there are any unresolved objections to relevant policies and the degree of consistency with the aims and objectives of the National Planning Policy Framework.
- 7.6 Given the above, significant weight can be attached to the policies of the Central Area Action Plan (specifically, Policies 11 and 14) and whilst the site falls outside of the area covered by this plan, it does clearly define the optimal location for retail developments. Policies 12 and 14 also indicate that Northampton Primary Shopping Area will be the main focus for shopping activity within the Borough and that 61,000 square metres (gross) / 45,000 square metres (net) of comparison retail floor space and 4,500 square metres (gross) / 3,000 square metres (net) of convenience floorspace will be accommodated within the Town Centre in the period to 2026. Reference should also be made to the requirements of Paragraph 17 of the National Planning Policy Framework, which states that planning should operate within a plan lead system.
- 7.7 Although focussing on a more strategic level, Policy S9 of the emerging West Northamptonshire Joint Core Strategy clearly identifies that new retailing facilities should be located within the town centre, with other sites being sequentially assessed after this point if no town centre sites are available.
- 7.8 The focussed changes to the West Northamptonshire Core Strategy following consultations on the contents means that weight can be attached to these policies. Of particular relevance to this application is that a Sustainable Urban Extension of approximately 1000 dwellings and including appropriate retail facilities is proposed within a local centre to serve this Urban Extension. Given that Policy N6 (see Paragraph 5.8) identifies a lack of constraints (in terms of heritage, biodiversity and flooding impacts), it is considered that this Urban



Extension represents a deliverable element of the growth in Northampton. Furthermore, it is a policy requirement of the emerging Joint Core Strategy that the centres that service these Urban Extensions include the provision of sufficient and appropriate convenience retailing facilities. As a result of the emerging planning policies, it is considered that an assessment should be undertaken regarding the potential impacts of the proposed development upon this proposed centre and in particular, be included within any sequential assessment.

### ***Sequential Assessment / Site Selection***

- 7.9 The nearest local centres to the site are those contained within the villages of Wootton and Hardingstone. By reason of the scale of the proposal, it is clear that neither centre could accommodate a development of the scale and type proposed due to the lack of available sites that could accommodate development of this scale. It is likely that such a development within these established centres could also be unacceptable in highways terms. Therefore, these centres can be discounted in sequential terms.
- 7.10 In terms of other local centres, it would appear that there are no available sites within the Mereway Local Centre, which although sequentially preferable, does not include any vacant sites that could accommodate development of the type proposed. Furthermore, it should be noted that the site is the subject of an as yet unimplemented planning permission to extend the existing superstore. Therefore, the proposed development could not be reasonably located within this centre and can therefore be discounted in sequential terms.
- 7.11 The applicant has assessed the presence of available sites within the Far Cotton centre and whilst a number of sites have been identified as potential locations for retail developments, these sites are too small to accommodate a development of the type and scale of that proposed in this application. Therefore, this centre can be discounted in sequential terms.
- 7.12 The applicant has suggested that the town centre be excluded from any sequential assessment on account of the developer already operating a store within the Kingsthorpe centre. It is therefore contended by the applicant that a second store within the town centre would have an adverse impact upon their business viability. Whilst this position is noted, it is considered that due to the distance involved between the town centre and the Kingsthorpe centre, a second store could potentially be accommodated within the town centre due to it serving a potentially different market (such as those residents living to the south of the town centre, who may be unwilling to undertake journeys to Kingsthorpe). Officers consider that the town centre should not be excluded from any sequential assessment on this basis.

- 7.13 A potential location for the proposed development would be within an extended Grosvenor Centre. Whilst the Council is in receipt of representations that would indicate that such an extension would include sufficient retail floor space accommodate the proposed development, there has been no clarification as to whether such an extension would include a unit of the size required by the applicant. Furthermore, it is unclear at this stage as to how such an extension would operate and meet the operational needs of the applicant. In particular, the timescale for the delivery of such an extension at the time of preparing this report is uncertain. As a result of this, it is considered that at this time, the Grosvenor Centre can be excluded from any sequential assessment.
- 7.14 The applicant has also considered various other town centre and other centre locations, include the Chronicle and Echo site within The Mounts and the St James Road bus depot. As they are in centre locations, they are sequentially more preferable; however, they have been discounted due to availability and size considerations. Whilst the Chronicle and Echo site is currently under active marketing, officers hold concerns that this site may not be appropriate for the development currently under consideration. In particular, issues pertaining to accessibility and traffic generation may render such a retail redevelopment unacceptable. Furthermore, the site is in close proximity to large numbers of residential properties and as such this would represent a constraint on the development of the site in terms of potential impacts upon residential amenity arising from outlook, design and amenity matters.
- 7.15 Whilst, it is accepted that there is a potential lack of available sites within existing centres, it is established within Paragraph 7.5 of this report that weight can be applied to the policies contained within emerging documents, such as the West Northamptonshire Joint Core Strategy.
- 7.16 Policy N6 of the Joint Core Strategy requires the creation of a local centre within the South of Brackmills Sustainable Urban Extension. This centre would be in close proximity to the application site and by virtue of its status as a proposal in an emerging development plan would represent a sequentially preferable option to the application site. Furthermore, the proposed development would be of a suitable scale (at 1,355m<sup>2</sup>) for accommodation within a local centre to act as an anchor store, but without dominating other activities within such a centre. Of additional note, is that the relatively small level of comparison goods retailing (203m<sup>2</sup>) is such that this element of the proposal would not result in the local centre competing with more significant centres (i.e. district centres and the town centre) within Northampton's hierarchy.
- 7.17 As a consequence of locating the proposed development within this centre, Policy N10 of the emerging Joint Core Strategy would be complied with as it would facilitate the provision of appropriately scaled

convenience retail facilities while avoiding an over-concentration of comparison goods retailing.

- 7.18 Therefore, on this basis, it would appear that the proposed development could be accommodated within this centre, without detriment to the viability and vitality of the rest of the town. Therefore, it is considered that there is a sequentially preferable alternative for the proposed development. Furthermore, by locating the development within the local centre serving the Sustainable Urban Extension, the proposed development would be accessible for the residents of this future residential development and the existing residents in Wootton and Hardingstone.
- 7.19 An additional benefit of locating the proposed store in the Sustainable Urban Extension is that it would enable the development to be designed in such a way so as to encourage greater pedestrian and cycle links with the surrounding properties and as result, this would reduce reliance upon private cars as a means of travel. From this, it is possible to conclude that a more sustainable form of development could be achieved within the Sustainable Urban Extension in compliance the requirements of Paragraph 17 of the National Planning Policy Framework.
- 7.20 The applicant has contended that there is a strong local need for the proposed store by reason of the lack of such retail facilities within the vicinity of the application site. Whilst it is accepted that there are no supermarkets within the Wootton / Hardingstone areas, it should be acknowledged that the site is in comfortable travelling distance to allocated centres within Mereway and Far Cotton, which contain comparable facilities to the development proposed within this application. In addition to this point, the Wootton and Hardingstone centres each contain a small provision of convenience retailing.
- 7.21 For the foregoing reasons it is considered that the area is reasonably well served by convenience retailing activities and there is no overriding local need in terms of access to such a facility that would justify a departure from the Development Plan and deviation from the National Planning Policy Framework and emerging development plan policy.
- 7.22 Therefore, in summary, it is considered that although the proposed development could not be readily accommodated within an established centre, there remains a sequentially preferably alternative in the form of the South of Brackmills Sustainable Urban Extension, which would accommodate the proposed development without detriment to the viability and vitality of the established hierarchy of centres. The provision of a supermarket of this size and scale within the proposed local centre would enhance the viability and vitality of the new local centre. It would also assist in the creation of a sustainable form of development as envisaged in the National Planning Policy Framework as opportunities to link the proposed retail outlet to proposed and

existing residential areas in a more comprehensive fashion would be part of the masterplan for the Sustainable Urban Extension. As such, the current development fails to comply with the requirements of the National Planning Policy Framework in this regard and the policies contained within the emerging Joint Core Strategy. Moreover, there is no over-riding local need for the proposed development that would warrant a departure from these policies. It should be noted in this context that the landowner of the Sustainable Urban Extension (the Homes and Communities Agency - HCA), is in pre-application discussions with the Council, is well advanced with the associated Environmental Assessment work and has commenced consultation with the local community and the development of a masterplan.

- 7.23 Whilst it is accepted that a retail development in the location proposed could serve the Sustainable Urban Extension, this would not represent a satisfactory solution as retail development of the type proposed within this location would not represent sustainable development due to its relatively poor links and integration with the surrounding communities. Furthermore, the location of a supermarket in this location outside of the hierarchy of centres would not be in accordance with Paragraph 17 the National Planning Policy Framework, which requires that decision-making be undertaken in a consistent, plan-lead manner.

#### ***Impact Assessment***

- 7.24 In assessing retail impact, regard should be paid to the National Planning Policy Framework, which establishes a number of criteria against which retail developments should be judged. Therefore, developers are required to submit an impact assessment covering the following:
- The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
  - The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.
- 7.25 The applicants have submitted a retail assessment with the application. The question of retail impact is a key concern in the consideration of this application. The National Planning Policy Framework is explicit in requiring that applications should be refused where there would be a 'significant adverse' impact upon existing centres. The nature of any such assessment is therefore, to predict the change to shoppers' behaviour should any particular development be approved. The consequence of this is that a number of assumptions need to be made regarding likely behavioural patterns.

- 7.26 In terms of the proposed development, it would appear likely that there would be changes to the shopping patterns in the vicinity of the development by reason of a store being located in closer proximity to the Hardingstone and Wootton areas (although as established within Paragraph 7.21, there is no over-riding local need argument in favour of the proposal). However, given that the existing stores located in these centres are generally of a smaller scale and likely to be the focus of occasional or small scale purchases as opposed to more significant shopping trips where a larger number / range of product is likely to be purchased, it is considered that this development would not unduly impinge upon the viability of these established centres.
- 7.27 With regards to the larger centres, the primary matter of concern is in regard to convenience goods. It is likely that due to the scale of the proposed development in relation to the extent of activities carried out within the Mereway centre, there would be no undue impact upon the viability of this centre. Instead, the primary area of concern lies re the potential impacts on the town centre.
- 7.28 In assessing this matter, the conclusions of a number of retail assessments need to be synthesised, including the findings of the recent West Northamptonshire Retail Capacity Study Update, which has been published by the Joint Planning Unit. It is therefore considered that there is sufficient capacity to accommodate a store of the proposed size without detriment to the viability and vitality of the town centre. Furthermore, the nature of the store's location (i.e. in a not overly accessible, out of centre location) means that it would not operate in conjunction with other facilities to direct trade away from the established hierarchy of centres. In reaching this conclusion, weight has been placed on the relatively low level of comparison goods retailing that has been included within the proposal (203m<sup>2</sup>). Therefore, it is strongly recommended that if members are minded to approve the application, it be subject to controls being imposed that would clearly define the meaning of comparison goods and maintain the proposed limit.

### ***Cumulative Impact Assessment***

- 7.29 In determining this application, consideration should be given to other applications that are currently under consideration for comparable proposals as although each application could prove acceptable individually, the cumulative impact of a number of out of centre retail developments could be to direct an overly significant level of trade away from the hierarchy of centres to the detriment of viability and vitality. As a result of this, the scheme should be assessed with reference to the potential impacts of the proposed Tesco store within the former Barrack Road Sorting Office, which features on this Committee Agenda (reference N/2011/0998) and a proposed Marks and Spencer food store within Sixfields Retail Park, Gambrel Road (reference N/2012/0010). In addition any cumulative assessment should also include recently consented developments, primary of which

are the extensions to the Tesco at Mereway and Sainsbury's at Sixfields.

- 7.30 Given the profile of applications currently under consideration, it is likely that the bulk of any cumulative impact would be experienced within the Town Centre and Kingsthorpe Centre. In terms of the town centre if all three applications were to be approved, the overall loss of comparison good retailing would be approximately 6%, with the cumulative redirection of convenience goods being 40.1%. Whilst the latter figure, in particular, is not immaterial, it is considered that the overwhelming majority of the redirected trade will be from the larger proposals that have either been determined or are under consideration. As a result of this, it is unlikely that the proposed development would lead to an adverse impact upon the town centre, particularly if the controls on comparison goods retailing as identified within Paragraph 7.28 of this report were imposed (planning conditions covering comparison goods floor space).
- 7.31 In terms of the impact of Kingsthorpe centre, the redirection of comparison goods retailing would be 9.6% in combination with all proposals, with again the bulk of this redirection being accounted for by the larger proposals. In terms of convenience goods retailing the figure would be 25% on the existing Asda and Waitrose supermarkets and 15.7% upon local shops. Again, the bulk of the redirection is as a result of the permitted and proposed larger retail stores. Furthermore, it should be recognised that the applicant of this proposal operates a store in the Kingsthorpe centre and therefore the impacts on this facility as a result of this development being permitted are essentially an investment decision by the applicant.
- 7.32 Therefore, whilst the proposed development is acceptable in impact terms either individually or in combination with any other development, it is considered that the matter of impact is one of a combination of material planning considerations and as such this conclusion does not overcome the failure to comply with the sequential assessment as previously identified.

### ***Design and Appearance***

- 7.33 Notwithstanding the aforementioned conclusions regarding the sequential assessment, it is necessary to consider all other relevant matters. In terms of the design, it is considered that by reason of the mixture of building types, which is in itself a function of the variety of land uses within the vicinity of the application site, the proposed store has an acceptable design and would have a neutral impact upon visual amenity. In particular, the proposed building is of similar proportions to the adjacent garden centre, which would ensure a degree of harmony between the two buildings. Although the adjacent Turners Court residential development to the east features a number of two storey buildings, the buildings which are situated adjacent to the eastern boundary of the site are of three storeys in height and therefore the

relationship between these dwellings and the proposed store is acceptable. The design of the store features various windows and the entrance on the northern elevation, which would add a dimension of activity to this key elevation.

- 7.34 Various forms of landscaping are proposed, including works adjacent to Newport Pagnell Road and within the car park, which would ensure that a satisfactory standard of development. Furthermore, the proposed palette of materials is of a comparable nature to the recently approved revised entrance to the garden centre.
- 7.35 The indicative materials also reflect the proposed relationship between the store and the appearance of the residential accommodation that is situated to the east of the site. The use of the various detailing bricks and elements of cladding and glazing also assists in breaking up the massing of the building, which is in the interests of visual amenity. This approach also creates interest on the rear elevation. This is of importance due to the proximity of the store to London Road, which is heavily trafficked.
- 7.36 The proposed layout includes the provision of a number of pedestrian routes across the site, which would assist in the safe movement of pedestrians across the development. Furthermore, the car park layout has been revised to ensure the maximum width of pavement in front of the store. This is considered important due to the presence of trolley storage and an ATM machine within the front elevation, which could otherwise result in the congregation of people in front of the store. Suitable, well positioned disabled car parking would also be secured.

#### ***Impact on Neighbouring Properties***

- 7.37 On account of the separation distances between the proposed store and the nearest residential properties (approximately 65m), it is considered that the development would not give rise to a detrimental impact upon residential amenity as a result of an increased impact upon light, outlook and privacy levels.
- 7.38 The proposed development includes the provision of replacement lighting, which has been assessed by the Council's Environmental Health Section and this has established that the proposed lighting would not give rise to an undue detrimental impact upon residential amenity as a result of disturbance from the lighting. This could be controlled via condition.
- 7.39 It is recognised that the proposed development could create an adverse impact upon neighbour amenity through increased noise and disturbance emanating from activities such as people congregating outside of the proposed store or deliveries being made. A noise assessment has been submitted, which has demonstrated that the proposed development would not have an adverse impact upon neighbour amenity. It is considered that should the application be

approved, it should be subject to a condition requiring that the development be carried out in accordance with the agreed details.

- 7.40 It is also considered that the separation distances between the application site and the surrounding properties would reduce the impacts of the proposed development upon the occupiers of neighbouring properties. Furthermore, the access to the service area of the proposed development would direct activity away from the eastern boundary of the site, which is likely to be the more sensitive as a result of the greater number of residential properties within close proximity to this element of the site. Any further impacts (such as those arising from deliveries) could be adequately mitigated against by condition if required,

### ***Highways Considerations***

- 7.41 It is noted that Newport Pagnell Road is one of the main routes into Northampton, and thus experiences a relatively high level of traffic. In order to mitigate the effects of the development, there would be a number of alterations within Newport Pagnell Road, which would broadly comprise of the installation of addition lane for vehicles travelling in an easterly direction to use whilst entering the site. It is considered that this arrangement is sufficient to prevent the significant queuing of vehicles entering the site creating congestion to detriment of highway safety.
- 7.42 Representations have been received from the Highway Authority with regards to the capacity of the car park. It is understood that the crux of the concerns is that prospective patrons, could possibly at busy times, have to wait until a car parking space becomes available. Given the layout of the site, it is considered that any patrons in this situation would be able to wait within on the site's service road. As a result of this, there would be no back queuing onto the highway. Therefore, it is considered that this matter is in affect, a site management issue, which has been bought to the attention of the applicant.
- 7.43 No objections have been received from the Highways Agency and therefore, it is likely that the proposed development would not have any demonstrable impact upon the strategic highway network, primarily of which is London Road (the A45).
- 7.44 Notwithstanding the above, it is considered that the application site, by reason of its out of centre location, does not represent an overly accessible location by reason of its lack of accessibility to public transport and distance from the wider areas of Wootton and Hardingstone, combined with a lack of connectivity with the adjacent residential and commercial/leisure sites. As a result of this, it is likely that the proposed development would not be overly accessible and most visitors would rely upon private cars for their journeys.



- 7.45 Whilst the developer has offered to enter into a Section 106 Agreement to provide enhancements to public transport in the vicinity of the application site. Whilst this is noted, it is likely that any such enhancement would only secure such improvements on a temporary basis and would not address the underlying lack of sustainability of the proposed location. Furthermore, whilst such a contribution would reduce the reliance upon private cars, the general lack of accessibility in terms of pedestrian and cycle ways would not be addressed through this contribution. It is likely that locating the development within a more sequentially preferable location would enable a more holistic solution to this matter for it would enable strong pedestrian linkages to be designed into the development from the outset.
- 7.46 The developer has also agreed that should the application be approved improvements to bus shelters outside of the application site would be provided. This enhancement could be secured via a Grampian style condition.
- 7.47 The proposed highway works would also see an increased width to the pavement in front of the application site running alongside Newport Pagnell Road to incorporate a cycle way. The stretch of pavement affected is relatively small (i.e. it encompasses the stretch of frontage serving the application site and the adjacent garden centre, which is 250m in length) and whilst this would improve the experience for those passing or entering the site, it would not serve to overcome the underlying deficiencies in terms of the accessibility to the wider area.

***Garden Centre concession and storage buildings***

- 7.48 These elements of the proposal would be of a limited scale and in would replace existing facilities within the application site. In addition, it is considered that due to the limited scale of these elements of the proposal the overall impacts upon visual and neighbour amenity are unlikely to be significant. It is recommended, however, that should the application be approved, it be subject to a condition that would require that these structures be subject to conditions limiting their use to storage purposes and the sale of garden related items. This approach is consistent with that taken in the recently approved application for alterations to the garden centre (reference N/2011/0387).

***Additional Matters***

- 7.49 Representations have been received from the Environment Agency raising concerns regarding the site's drainage and the potential for this to create flooding. However, the applicant has submitted a revised Flood Risk Assessment, which details a new drainage network that would accommodate the run off from the application site in addition to the adjacent Garden Centre site. Therefore, the proposal offers sufficient mitigation to offset any flood risk concerns and as a result of this, the proposal is compliant with the requirements of the National

Planning Policy Framework within this regard. This could be secured via condition.

- 7.50 The developer has submitted an arboricultural assessment that details the potential impacts upon the site's trees. The trees that would be removed are generally of a low level of amenity, whilst protection measures have been identified for the more significant trees. For this reason, it is considered that the proposed development is compliant with the requirements of Local Plan Policy E11.
- 7.51 It is noted that a contamination assessment has been submitted, which although generally acceptable does not include all measurements on the presence of ground gas. Ultimately, this matter can be overcome through the imposition of suitable planning conditions.
- 7.52 A number of representations have been received that have commented upon the desirability of attracting the applicant to this location and their product range. Whilst these points are noted, it should be recognised that in planning terms, the proposal is for a supermarket and little weight can be attached to the nature of the proposed operator.
- 7.53 Representations have also been made regarding the possible retention of a fruit and vegetable stall that operates within the curtilage of the Garden Centre site and whilst the concerns raised are understood the retention of this stall is effectively a site management issue and not one that can be controlled through the planning process.

## **8. CONCLUSION**

- 8.1 It is accepted that the proposed scheme is not without merit; for example, the proposed design is of an acceptable standard. However, there are more significant concerns relating to the principle of the proposed development. In particular, it is considered that there is a sequentially more preferable alternative site for the development as it could be located within the local centre that would serve the South of Brackmills Sustainable Urban Extension as identified within the emerging West Northamptonshire Joint Core Strategy.
- 8.2 In addition to this point, it is considered that the proposed development does not comply with the core principles of planning as established within the National Planning Policy Framework by reason of its out of centre location and lack of accessibility. As a consequence of this, it is considered that the proposed development does not constitute sustainable development.

## **9. BACKGROUND PAPERS**

- 9.1 N/2011/0387 and N/2011/1160.

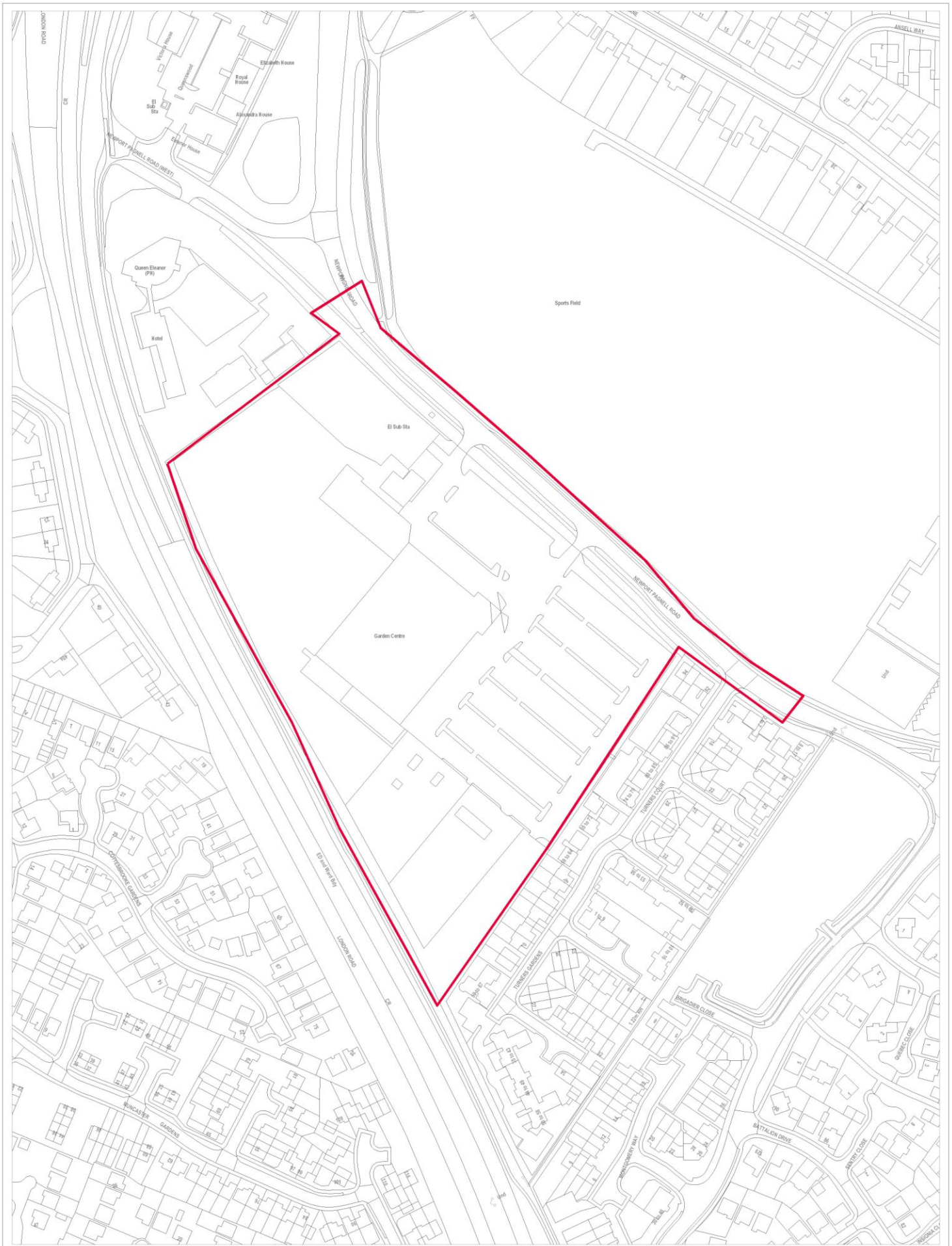
## **10. LEGAL IMPLICATIONS**

10.1 None.

## **11. SUMMARY AND LINKS TO CORPORATE PLAN**

11.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date:</b>
<b>Author:</b>	Ben Clarke	13 July 2012
<b>Development Control Manager Agreed:</b>	Gareth Jones	16 July 2012



Name: N/2011/1160  
 Date: 16th July 2012  
 Scale: 1:2500  
 Dept: Planning  
 Project: Location Plan

**Title**

# Northampton Garden Centre, Newport Pagnell Road

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