

permission as recommended above, the Head of Planning be given delegated authority to either refuse or finally dispose of the application (at their discretion) on account of the necessary mitigation measures not having been secured in order to make the proposal acceptable in line with the requirements of Northampton Local Plan Policy E19 and the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The applicant seeks full planning permission to erect a car dealership and associated ancillary items such as a valeting building and external display areas.

3. SITE DESCRIPTION

- 3.1 The application site is reasonably flat in nature and located within a flood zone. The surrounding land uses are a combination of car dealerships, retailing and other business uses. The adjoining site benefits from planning permission for a comparable use that was granted in 2012 (reference: N/2012/0163). Planning permission has been granted on this site for a car dealership (which also included the land to the east of the site) in 2008; however, this permission was not implemented and has since lapsed.

4. PLANNING HISTORY

- 4.1 93/0095 – Outline planning permission was given in 1993 for the development of the whole of Riverside Park for development comprising Classes B1, B2 and B8 purposes, non-food retail, petrol filling station, hotel, fast food diner, car showroom, national fairground museum and riverside conservation park – Approved

98/0659 – Construction of business/industrial/warehousing units (Classes B1, B2 and B8) with parking, internal roads, access and landscaping at Riverside Park – Approved

08/0158/FULWNN – Construction of motor vehicle dealership comprising two storey building including showroom, workshop, Mot testing, vehicle and parts storage offices and single storey valet building; formation of new access, provision of parking and circulation space and new planting and landscaping – Approved

11/0066/REPWNN – Construction of motor vehicle dealership comprising two storey building including showroom, workshop, Mot testing, vehicle and parts storage offices and single storey valet building; formation of new access, provision of parking and circulation space and new planting and landscaping (application for new consent to replace existing planning permission 08/0158/FULWNN, in order to extend the time limit for implementation) – Withdrawn

N/2012/0163 – Construction of a new dealership including two storey showroom building, MOT facility, workshop and car parking areas – Approved

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. This paragraph also states that planning should proactively support economic development.

5.3 Northampton Borough Local Plan

E19 – Implementing Development

E20 – New Development

E40 – Planning and crime and anti-social behaviour

R15 – Car showrooms

5.4 Supplementary Planning Policy

Planning Obligations SPD – agreed by Cabinet 13 February 2013

Northamptonshire County Parking Standards

Planning Out Crime in Northamptonshire

6. CONSULTATIONS / REPRESENTATIONS

6.1 Environment Agency – Request a condition in relation to flood mitigation.

6.2 Environmental Health (NBC) – No objections. Request a condition relating to the investigation of noise.

6.3 Highway Authority (NCC) – Request that the parking layout be revised in order to allow for ease of movement of larger vehicles; that the entry barrier be set back 18m from the edge of the highway; that a Traffic Regulation Order be secured to limit parking within Carousel Way; and a Section 106 Agreement be entered into improvements to cycle ways. (*Officer's note: In response to these comments the scheme*

has now been revised to alter the parking layout in order to enable sufficient manoeuvring space for large vehicles).

7. APPRAISAL

Principle of the development

- 7.1 By reason of the prevailing commercial character of the surrounding area (including a number of car dealerships), the principle of the proposed development is acceptable as it would support the existing commercial function of the locality without negatively impacting upon the viability and vitality of other areas and supports the continued economic development of this area of Northampton. On account of the positioning of the application site and the nature of the surrounding land uses, combined with the proximity of the site to the primary road network, it is considered that the proposed development is in accordance with the requirements of Local Plan Policy R15.
- 7.2 Whilst the proposed design is functional in appearance, it would be viewed against a backdrop of buildings that feature significant variation in terms of style and appearance. For this reason, it is likely that the building would have a neutral impact upon visual amenity.
- 7.3 The developer has proposed that the building be constructed from materials that are consistent with the structure that has been erected on the adjoining, eastern site. For this reason, the proposed development would have a neutral impact upon visual amenity as required by Local Plan Policy E20. The positioning of the building is such that there would be no undue detrimental impact upon the amenities of neighbouring properties.
- 7.4 Whilst it is noted that a request has been made from the Council's Environmental Health section, with regards to a condition covering noise levels from plant and equipment, it is considered that as the application site is situated within an area where comparable activities take place within the adjoining sites such a condition is unnecessary due to the limited impacts that this proposal would have. This approach is consistent with the conditions attached to the planning permission at the adjacent site, which was granted in 2012.

Highways considerations

- 7.5 The proposed development includes the provision of some 61 parking spaces (including 3 spaces for people with disabilities), which is consistent with the requirements of the SPG – Parking. As a result of this, there is sufficient parking to meet the needs of the development, without causing undue congestion within the environs of the site.
- 7.6 The County Council as Highway Authority has requested that the entrance barrier be set back 18m from the highway boundary. It would appear that this is to ensure that the articulated lorries can manoeuvre

off of the highway before the barrier is opened in order to prevent the road or pavement from being blocked. However, it is considered that on the grounds that such large vehicles are only likely to arrive at the development site by prior notification and during periods in which the dealership is operational, it is therefore probable that the operators of the site would be in a position to ensure that the barrier is open. Therefore it is not considered necessary to require the applicant to make this amendment.

- 7.7 A request has also been made from the Highway Authority for a financial payment to be made to fund the provision of cycleway improvements within the vicinity of the application site. Given the nature of the location of the site and the fact that it is separated from the rest of Northampton by a number of factors, such as the route of the A45, it is considered that potential visitors and employees would be likely to use private cars to access the development. The provision of an enhanced cycle route is likely to assist in encouraging sustainable means of travel. This approach is consistent with the emphasis upon sustainability that is included within the National Planning Policy Framework.
- 7.8 It is understood that the request for a traffic regulation order within Carousel Way is to limit car parking in order to ensure that there is adequate visibility for vehicles leaving the site. However, due to the presence of sufficient car parking within the application site and the consented scheme on the adjacent site, it is considered that this request does not meet the prescribed tests for necessity and reasonableness for S106 Agreements.

Flooding

- 7.9 As the application site lies within Flood Zones 2 and 3 it is necessary to demonstrate that the proposed development would not give rise to increased flood risk either within the vicinity of the application site or elsewhere. An acceptable flood risk assessment has been submitted and the Environment Agency has not raised any objections subject to a condition. As such the proposal would not increase the potential for increased flooding and as such the development is compliant with the requirements of the National Planning Policy Framework within this regard.

8. CONCLUSION

- 8.1 It is considered that the proposed development represents an acceptable use for this vacant plot and would not cause any undue detriment to neighbour and visual amenity and highway safety. For these reasons, it is considered that the proposed development is compliant with the National Planning Policy Framework and Local Plan policies.

9. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans: (00)001 Rev. P1; 2785/12/G/01 Rev. P2' PL01 Rev. P1; PL02 Rev. P1; PL03 Rev. P2; PLO4 Rev. P1; PL05 Rev. P2; PL06 Rev. P1; PL07 Rev. P1; PL08 Rev. P2; and PL10 Rev P1;

Reason: For the avoidance of doubt and to accord with the planning application.

3. The development hereby permitted shall be constructed from the following facing materials in accordance with the details submitted as part of the application:

Showroom Cladding: Kingspan KS1000MR horizontally laid panels Metallic Silver RAL 9006

Workshop Cladding: Kingspan KS1000MR horizontally laid panels Dark Grey RAL 7016

Roof Cladding: Kingspan Roof Panels: Goosewing Grey RAL 7038.

Reason: In the interests of visual amenity in accordance with the requirements of Local Plan Policy E20.

4. The boundary treatments as shown on drawing PL03 Rev. P2 and 'Manual Arm barrier' specification (as submitted to the Council on the 29/01/13) shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Local Plan Policy E40.

5. The development hereby permitted shall be carried out in accordance with the landscaping scheme as shown in drawing PL05 Rev. P2.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously

damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared and submitted to and agreed by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with the requirements of the National Planning Policy Framework.

8. The development hereby permitted shall be implemented in accordance with the lighting scheme as shown on drawing 2785/12/G/01, which shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: To secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

9. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) BWB Reference NTS/2282/FRA Rev A dated 20 December 2012 and the following mitigation measures detailed within the FRA:

- i. Finished floor levels are set no lower than 52.77m above Ordnance Datum (AOD).
- ii. Finished external levels in the southern section of the development kept commensurate with existing ground levels with no land rising.
- iii. Boundary treatments should not impede flood flows.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants; to ensure that flood water is not impeded; and to ensure that flood water is not impeded in accordance with the National Planning Policy Framework.

10. BACKGROUND PAPERS

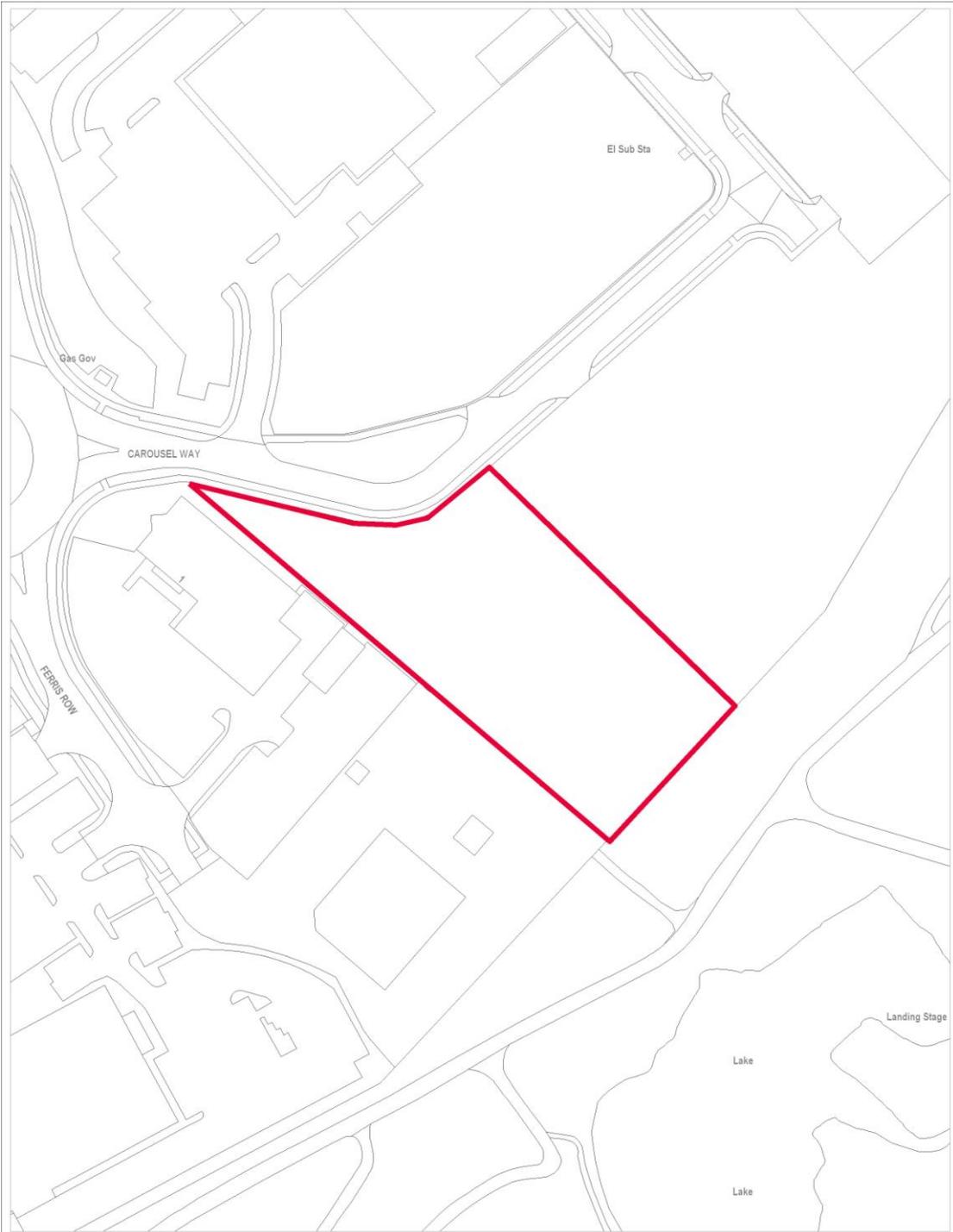
- 10.1 N/2012/1271, 93/0095, 98/0659, 08/0158/FULWNN, 11/0066/REPWNN, 08/0158/FULWNN and N/2012/0163

11. LEGAL IMPLICATIONS

11.1 None.

12. 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.



Name: **Planning**
Date: **19th February 2013**
Scale: **1:1250**
Dept: **Planning**
Project: **Committee**

Title

Riverside Prime Site, Carousel Way

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