



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 10th June 2014
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2014/0462: Application to vary section 106 agreement in respect of application N/1997/0566 to remove the obligation to provide a link road between Berrywood Road and St Crispin Drive at Former St Crispin's Hospital, Berrywood Road

WARD: Upton

APPLICANT: Taylor Wimpey (East Midlands)
AGENT: Barton Wilmore

REFERRED BY: Head of Planning
REASON: Proposes modification of a legal agreement

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **AGREE** variation of the Section 106 agreement to delete the requirement for a link road between Berrywood Road and St Crispin Drive.

2. BACKGROUND

2.1 The development of the former St Crispin's hospital was approved in outline in 2002 subject to a Section 106 agreement. One of the requirements of this agreement was the provision of a link road between Berrywood Road and the road through the St Crispin's development, now known as St Crispin's Drive.

2.2 Subsequently various reserved matters applications were approved for the various phases of the development, resulting in a total of 900 residential units being approved. In addition to this a further 80 dwellings have been approved in a separate application, together with 270 extra care units, the Pendered Centre with 190 beds and the primary school with 150 places. All of these have now been completed

and are occupied, with the exception of the main building and approved adjacent flats which are still under development.

- 2.3 The developer is now proposing to vary the S106 agreement in question to allow the deletion of the requirement for the proposed link road between Berrywood Road and St Crispin Drive.

3. SITE DESCRIPTION

- 3.1 The location of the road as proposed would be between a point on Berrywood Road as defined in the Section 106 agreement and St Crispin's Drive. The exact line of the road is not defined in the legal agreement but has generally been defined as passing through an area of currently vacant land, which has been designated for the provision of sports pitches. The land falls within the St Crispin Conservation Area.

4. PLANNING HISTORY

- 4.1 The development of the former St Crispin's hospital for residential use was approved in outline under application reference N/1997/0566 on 12th November 2002.
- 4.2 A revised application was submitted under reference N/2004/0719 which revised the proposal by removing the previously consented hotel and substituting residential conversion of the old hospital buildings.
- 4.3 Following on from these outline permissions, various reserved matters applications were approved for the detailed layout of the site.

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 saved policies of the Northampton Local Plan.

5.2 National Policies

National Planning Policy Framework (NPPF)

5.3 Northampton Local Plan

E20 – New Development: Design to adequately reflect the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials.

E26 – Conservation Areas: Planning permission for development in conservation areas will be granted so long as the development preserves or enhances the character and appearance of those areas.

E19 – Implementing Development: Planning permission for residential, business or commercial development proposals will only be granted where any adverse effect or impact of the development is allowed for or mitigated and where the infrastructure, services and amenities made necessary by the development are in existence or will be provided by the developer or other agency.

H7 – Housing development outside Primarily Residential Areas: Planning permission for residential development will only be granted where a satisfactory residential environment can be achieved, development would not be at a scale and density which would be detrimental to the character of the surrounding area or would result in an over intensive development of the site, would comply with the council's highway design guide, would not be piecemeal in character, would not result in the loss of, or the loss of social, educational, recreational or other facilities for which there is a need in the area, or trees or land of significant amenity value.

6. CONSULTATIONS/ REPRESENTATIONS

Representations are summarised as follows:

- 6.1 **Local Highway Authority** - no objection to the removal of the link road obligation as this was not a requirement suggested by the Local Highway Authority during the original planning consultation.
- 6.2 **NBC Conservation** - The variation of the Section 106 to remove the need for an additional access road will be of benefit to the heritage assets in the area. The St Crispin Conservation Area will be enhanced by not having an access road cutting through the historic landscape and the setting of the grade II listed chapel will be enhanced by not having a roadway immediately adjacent to it.
- 6.3 One objection received from the occupier of a property on the St Crispin's estate, making the following points:
 - Essential to have another access to the Crispin's Estate.
 - Already difficult to get out of the end of Camelot Way at certain times, without this relief road it will be impossible once the new school is built.

7. APPRAISAL

- 7.1 The St Crispin's development was approved in November 2002, subject to a Section 106 agreement which required the provision of a

link road between Berrywood Drive and the spine road through the St Crispin's site.

- 7.2 The requirement for a link road was not, however, set out in Policy and comments from the Highway Authority at the time do not indicate a requirement for this road.
- 7.3 It is now proposed, by means of this application, to delete the requirement for this link road. The issue to consider is whether the development as approved would be acceptable in the absence of the link road.

Technical Assessment

- 7.4 In support of the application a technical assessment has been provided to demonstrate that the link road is not required. The methodology for this assessment was agreed in advance by the Highway Authority and the assessment entailed the carrying out of automatic and manual traffic counts, assessment of existing junction capacities and the modelling of future predicted travel flows, including that which would be generated from future developments including the Northampton West SUE, with and without the link road.
- 7.5 The findings of the report were that the addition of the link road would make some journeys quicker, but would add significant pressure to the junction of Berrywood Road and Main Road, whilst having only a slight benefit on the junction of Berrywood Drive and Berrywood Road. The junction of St Crispin Drive and the A4500 Weedon Road was found to have spare capacity and would not be benefitted or affected by the addition of the link road.
- 7.6 The conclusion of the report is that the link road is not justified in order to improve traffic flows and would adversely impact on the junction of Berrywood Drive and Main Road. On this basis it is considered that it has been satisfactorily demonstrated that the link road is not necessary.

Other Factors

- 7.7 In addition to the technical study, the perceived advantages of a link road should also be considered. In this respect it should be noted that the development of the St Crispin's area has largely been completed, meaning that traffic flows within the area will not be increased significantly from any further development.
- 7.8 An additional consideration is the area around St Luke's school, which has been the subject of complaints in the past and undoubtedly does suffer from traffic congestion at certain times of the day. The provision of the link road would allow for an alternative means of accessing this school site but would not provide a means of by-passing congestion at

the school for traffic between the St Crispin's development and the A4500 Weedon Road.

- 7.9 Furthermore, the development of the former Princess Marina site is now underway and this includes the provision of a road through the Princess Marina site, which would connect the A4500 to Kent Road in the vicinity of the St Crispin Local Centre. This road has planning permission and given that development of the surrounding housing site is underway, it is reasonable to assume that this will be built. This will provide an alternative access into the St Crispin estate, by-passing the area of potential congestion at St Luke's school.

Disadvantages of the Link Road

- 7.10 It is also pertinent to consider the disadvantages of the link road, notwithstanding the fact that it has been shown to be unnecessary. The principal disadvantage is that the road would cut through the proposed playing fields which would serve the St Crispin Development. This would reduce the area available for pitches and also have a detrimental impact on the playing environment provided. Uncertainty as to whether the road will be required is currently delaying the provision of these playing pitches.
- 7.11 The siting of the road would also reduce the options for the provision of the new community centre, the provision of which is also a requirement of the S106 agreement.
- 7.12 The road would affect the character of the conservation area by cutting through the open space, as well as the setting of the grade II listed church, which the proposed road would pass close by.

Possible alternative route for the link road

- 7.13 In theory, an alternative route could be considered under the terms of the S106 agreement for the link road to be built along the existing section of Old Kent Road, which is currently closed to traffic and used as a footpath only. However, this would be more problematic as not all the land which would be required is in the ownership of the developer.
- 7.14 This alternative route has, nevertheless, been explored as a possibility and it has been confirmed by the Highway Authority that a road of adoptable standard could only be provided if significant numbers of trees were to be felled. As the site is within the conservation area, the loss of these trees would not be acceptable. An upgraded road in this location would also pass close to the front of the grade II listed church. The construction of a road in this alternative location would, therefore, have a significantly detrimental impact on the conservation area and on the setting of the listed building.

8. CONCLUSION

- 8.1 The technical assessment report submitted demonstrates that the link road as required by the S106 agreement is not necessary. If constructed in spite of this, the road would have a detrimental impact on the provision of playing fields for the St Crispin's estate, the character of the conservation area and the setting of the grade II listed church. It is recommended, therefore, that the application to vary the Section 106 agreement by removing the obligation to provide a link road is agreed.

9. BACKGROUND PAPERS

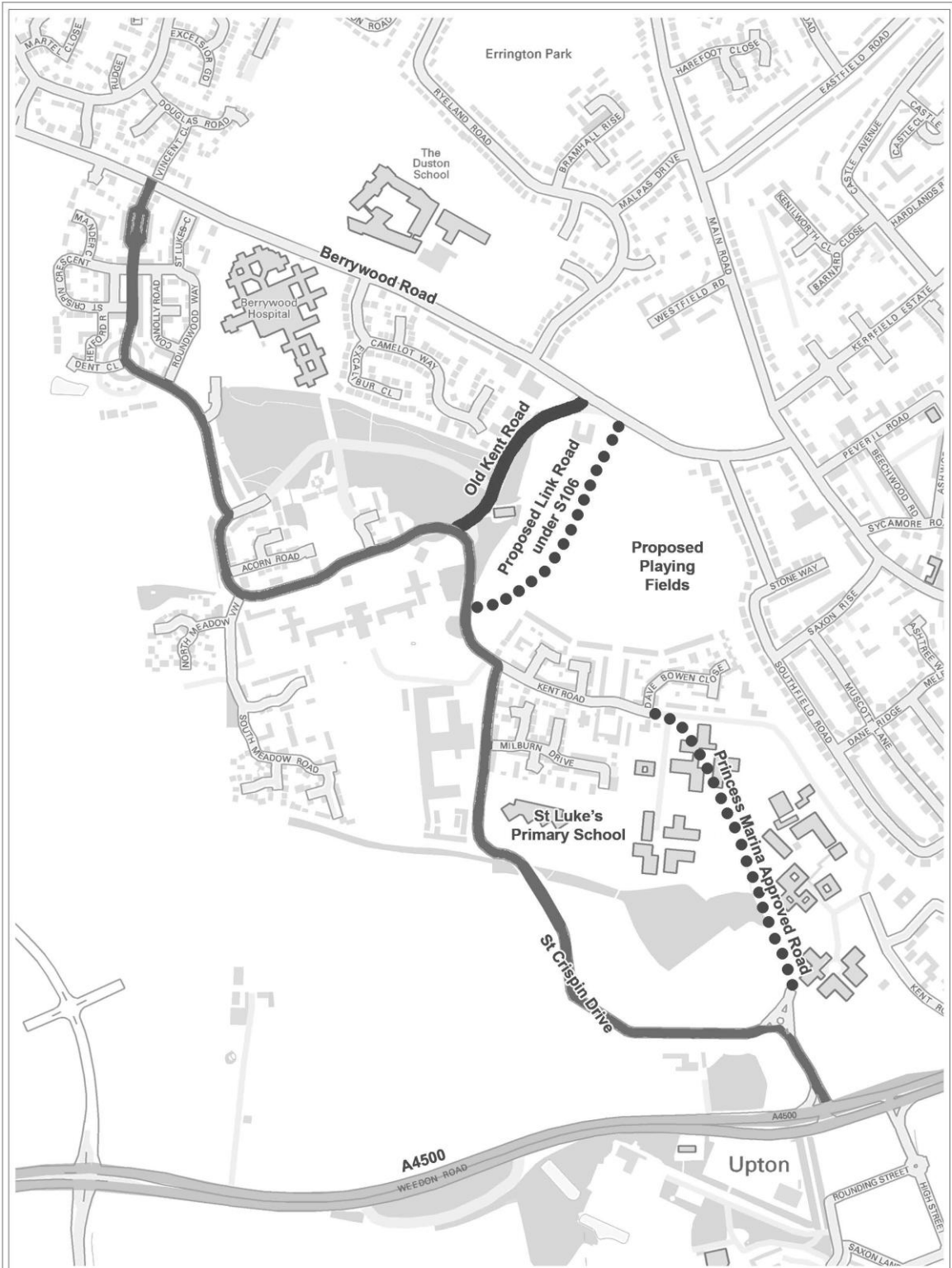
- 9.1 Application files N/2014/0462 and N/1991/0566

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.



St Crispin Development

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