



PLANNING COMMITTEE: 28th January 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/1182: Installation of fence and gates to cover 4 of the road bridge tunnel entranceways (beneath St James Road) at Footmeadow

WARD: St James

APPLICANT: Northampton Borough Council
AGENT: Groundwork Northamptonshire

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Council application on Council owned land

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The proposed development would not have any adverse impact on the amenity and recreational value of the open space or upon its nature conservation value and would not increase the risk of flooding. The proposal thereby complies with Policies, L1, E18 and L16 of the Northampton Local Plan and Policies BN1, BN2 and BN7 of the adopted West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The proposal is for the installation of fencing with gates, to cover four of the archways beneath the road bridge. The fencing would be palisade fencing with a green finish. The purpose of this fencing is to discourage rough sleepers from using these areas, which was causing problems due to anti-social behaviour.

3. SITE DESCRIPTION

- 3.1 The site comprises four of the archways beneath the road bridge carrying St James Road, within the Footmeadow area of open space.

4. PLANNING HISTORY

- 4.1 None.

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 Development Plan for the purposes of this application comprises the Northampton Local Plan 1997 saved policies and the adopted West Northamptonshire Joint Core Strategy.

5.2 National Policies - National Planning Policy Framework (NPPF)

The NPPF states at Paragraph 74 that existing open space and recreational land should not be built on and at Paragraph 75 that public rights of way and access should be protected and enhanced.

5.3 West Northamptonshire Joint Core Strategy – Adopted December 2015

The JCS provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. The JCS has been adopted by the West Northamptonshire Joint Strategic Planning Committee. Following adoption the JCS forms part of the development plan and is consistent with Section 38(6) and therefore carries significant weight when considering planning applications.

Policy BN1 – Green Infrastructure Connections.

Policy BN2 – Biodiversity.

Policy BN7 – Flood Risk.

5.4 Northampton Local Plan 1997 (Saved Policies)

Policy L1 – Outdoor Recreational Facilities / Open Space.

Policy E18 – Sites Of Acknowledged Nature Conservation Value.

Policy L16 – River Valley Policy Area.

6. **CONSULTATIONS/ REPRESENTATIONS**

- 6.1 **Environment Agency** – Have assessed the information and no objection to the layout as shown.
- 6.2 The application was advertised by **site notice**, no representations received.

7. **APPRAISAL**

- 7.1 The issues to consider are the impact on the amenity value of the area of public open space, as a result of enclosing four of the archways, as well as any implications for flooding.
- 7.2 The proposal is for palisade style fencing and gates, which would be of a green finish. Whilst the fencing and associated gates would introduce a contrasting feature within the area of parkland, this would be viewed against the backdrop of the bridge itself which cuts through this area of parkland. The archways proposed to be enclosed are located in less prominent positions, away from any main footpath, and are currently screened from direct view by vegetation.
- 7.3 In this context it is considered that the visual impact of the proposed enclosures would be acceptable and would not significantly affect the setting of the parkland.
- 7.4 The proposal would also allow for improved management of the park, by facilitating the prevention of anti-social behaviour, thereby improving the park environment.
- 7.5 In respect of green infrastructure connections and biodiversity, as dealt with by the planning policies as referred to above, it should be noted that the proposals merely fully enclose archways which are already partially enclosed, underneath which there is no vegetation and as such it is considered that there would be no loss of connectivity of green spaces and no loss of open space, and as such the impact on green infrastructure and biodiversity will be minimal.
- 7.6 In terms of flood risk, the situation is similar in that there would be no further obstruction to the free flow of water than at present and the proposed fencing would be permeable, the Environment Agency has been consulted on the application and has raised no objection.

8. **CONCLUSION**

- 8.1 The proposal would have a limited impact in visual terms, thereby not affecting the amenity value of the parkland and would also result in an improvement of the management of the area by removing undesirable elements from using the park.

- 8.2 The proposal would have no significant impact on green infrastructure or biodiversity and would not increase the risk of flooding. It is considered that the proposed development is in line with Development 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 hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Footmeadow Section, Diagram A.

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

Informative

Notwithstanding this planning permission, any proposed works affecting ordinary watercourses, statutory main river, within the indicative floodplain or within the byelaw distance requires the prior written consent of the Environment Agency under the relevant statutory legislation and current land drainage byelaws.

10. BACKGROUND PAPERS

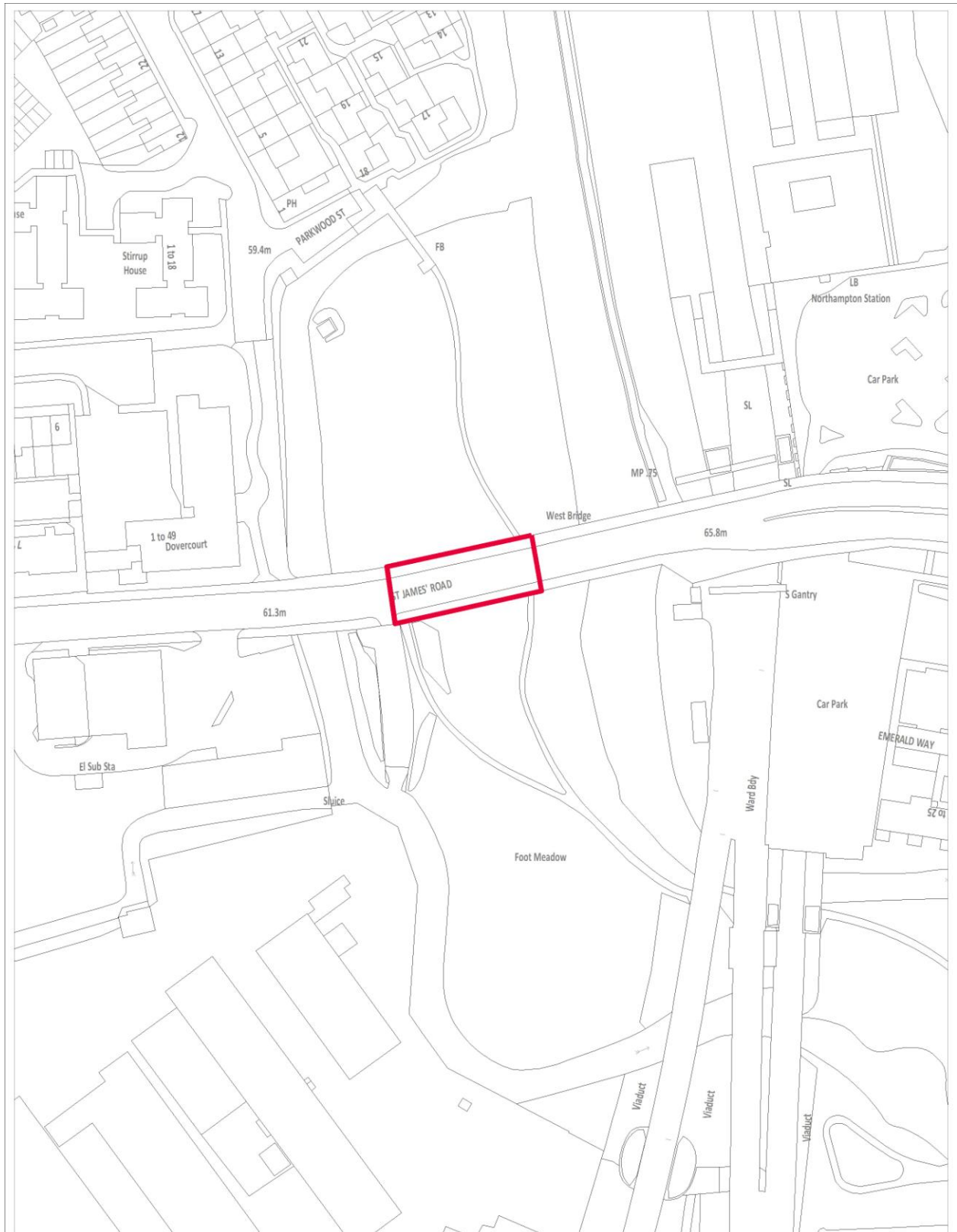
- 10.1 Application File N/2014/1182

11. LEGAL IMPLICATIONS

- 11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 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: **Location Plan**
 Date: **3rd December 2014**
 Scale: **1:1250**
 Dept: **Planning**
 Project: **Planning Committee**

Title

Open Space Footmeadow, Westbridge

Produced from the 2011 Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright
 Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100019655