

PLANNING COMMITTEE: 28th January 2015

DIRECTORATE: Regeneration, Enterprise and Planning

DIRECTOR: Steven Boyes

REPORT TITLE: Confirmation of Refusal Reason

N/2013/0338 – Outline planning application for the development of a sustainable urban extension to include up to 1,000 dwellings (Class C3); local centre up to 1,320 sqm net floor space of retail, professional and financial services, restaurant/cafes (Classes A1, A2 and A3); up to 375 sqm net public house (Class A4); 2.09ha of land for a two form entry primary school (Class D1); up to 750 sqm of community uses to include a medical centre, pharmacy and community centre (Class D1). Infrastructure improvements including a pumping station, green infrastructure and highway access from Landimore Road and Newport Pagnell Road (as amended by revised plans received 14/03/14 & revised Transport Assessment- January 2014) at Land to the east of Hardingstone north of Newport Pagnell Road, Northampton.

1. RECOMMENDATION

1.1 That the following **reasons for refusal** be ratified by Members:

1) The highway mitigation measures proposed fail to sufficiently demonstrate that this major development would not have a residual cumulative impact on the A45 trunk road and associated junctions such that the cumulative impacts of the development would not be severe. These adverse highway impacts in turn will lead to a detrimental impact on the highway network adversely affecting all users including occupiers of business premises located in Brackmills Industrial Estate thus acting as an impediment to the operation of the business park and its future sustainable economic growth.

The development would therefore be contrary to the overarching intentions of the National Planning Policy Framework.

2) The site is identified in the Northampton Landscape and Green Infrastructure Study 2009 as being of high-medium landscape and visual sensitivity comprising of a rural landscape which has a stronger visual connection with the surrounding countryside than with Northampton. Furthermore, Policy E7 of the Northampton Local Plan identifies part of the site as an important skyline between Great Houghton and Hardingstone as seen from the Nene Valley. Public Footpath KN6 runs across the site in a south-easterly direction providing amenity access through the rural landscape. The National Planning Policy Framework seeks to ensure that any detrimental effects on the environment, the landscape and recreational opportunities arising from major developments are moderated. The proposed development would have an urbanising effect and be of a scale and density detrimental to the existing rural character of the surrounding area and would result in the loss of land of significant amenity value. In the absence of sufficient information to demonstrate appropriate mitigation for the impact of the development on the landscape, skyline and rural character of the area the proposal is therefore contrary to Policies E1, E7 and H7 of the Northampton Local Plan and the overarching intentions of the National Planning Policy Framework.

2. PURPOSE OF REPORT

- 2.1 This report seeks Planning Committee's ratification of the detailed refusal reason agreed by the Chair and Deputy Chair for the above application following a Committee resolution to refuse the development proposals on 6th May 2014.
- 2.2 The application is currently the subject of an appeal to be dealt with by Public Inquiry. Queen's Counsel acting on behalf of the Council has advised that the refusal reason should be confirmed by Planning Committee.
- 2.3 As the reasons for refusal have been identified in the appeal documents submitted to the Planning Inspectorate, members are advised that given the stage that the application is at in the appeal process, it is not possible to amend the existing wording of the refusal reasons, or further extend the scope of reasons for refusal.

3. BACKGROUND

- 3.1 Planning Committee resolved on 6th May 2014 to refuse Planning Application N/2013/0338. The minutes of the meeting note that the application should be REFUSED on the grounds that:

'The development fails to comply with Policy H7 of the Northampton Local Plan and is not in conformity with the overarching intentions of the National Planning Policy Framework.'

- 3.2 It was agreed at Committee although not subsequently minuted that the detailed wording of the refusal reason be agreed by the Chair and Vice Chair of Committee in conjunction with the Head of Planning.
- 3.3 The detailed wording for refusal was subsequently agreed by the Chair and Deputy Chair and the Director of Regeneration, Planning and Enterprise on the 14th May 2014 in accordance with the wording detailed in Section 1.1 of this report and a decision notice issued to this effect on 15th May 2015.
- 3.4 Queen's Counsel has indicated that as the Planning Committee Minutes did not identify that the detailed wording of the reason for refusal was to be delegated to the Chair and Vice Chair of Committee in conjunction with the Head of Planning, procedurally this needs to be rectified through Planning Committee confirming the reasons for refusal.

4. ADOPTION OF THE WEST NORTHAMPTONSHIRE JOINT CORE STRATEGY

- 4.1 Members are advised to note that since the refusal of planning permission Local Plan Policies E1 & H7 as referred to in the refusal reason have been replaced following the adoption of the West Northamptonshire Joint Core Strategy (JCS) by the Strategic Planning Committee in December 2014.
- 4.2 As such Policy E1 is replaced by Policy BN2: Biodiversity and Policy BN5: The Historic Environment of the JCS and Policy H7 is replaced by Policy H1: Housing Density and Mix and Type of Dwelling.
- 4.3 The replacement of these Local Plan Policies with those in the JCS in the context of the refusal reason will be a matter for further discussion with Queen's Counsel throughout the course of preparing the Council's case for the planning appeal.

5. CONCLUSION

- 5.1 Members' ratification of the refusal reason will solidify the decision and provide clarity on the decision making process by the Council in relation to this application which may be subject to scrutiny during the course of the Public Inquiry.

6. LEGAL IMPLICATIONS

- 6.1 As set out in the report.

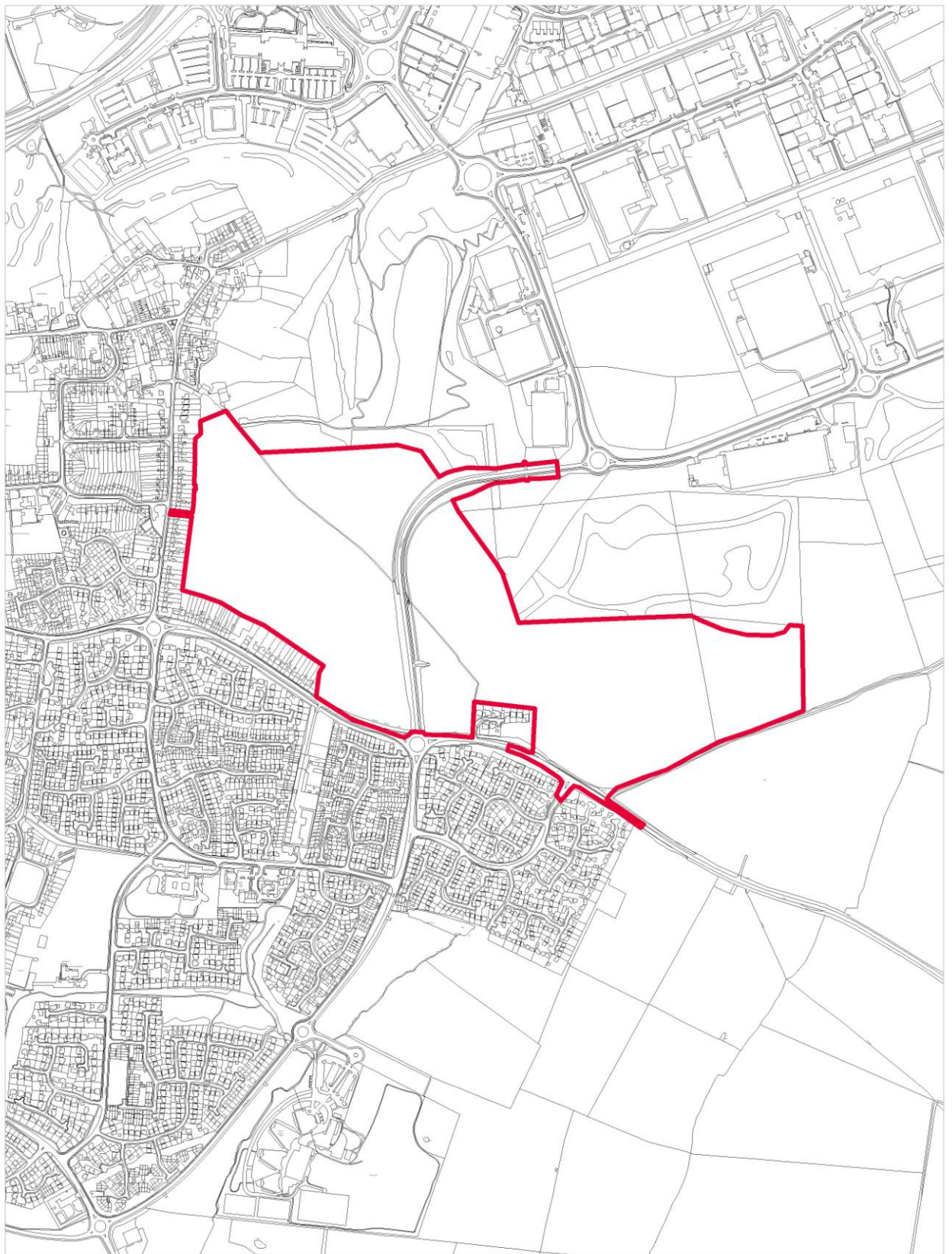
7. SUMMARY AND LINKS TO CORPORATE PLAN

- 7.1 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.

8. BACKGROUND PAPERS

8.1 Report to Planning Committee 6th May – N/2013/0338.

8.2 Committee Minutes 6th May – N/2013/0338



Name: **Planning**
Date: **20th January 2015**
Scale: **1:10000**
Dept: **Planning**
Project: **Planning Committee**

Title

Land to the East of Hardingstone North of Pagnell Rd

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