



PLANNING COMMITTEE: 17th February 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/1427: Application for the permanent diversion of a footpath at the site of the new Waterside Campus, Nunn Mills Road, Northampton

WARD: Delapre and Briar Hill

APPLICANT: The University of Northampton
AGENT: Mills and Reeve LLP

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Application requires agreement to make a Footpath Diversion Order

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 That an Order be made pursuant to Section 257 of the Town and Country Planning Act 1990 in respect of a proposal to permanently divert part of the Public Footpath (HW28) on the site of the new Waterside Campus, Nunn Mills Road.

2. THE PROPOSAL

2.1 The applicant has applied to the Council to permanently divert an existing footpath in order to construct the new university campus, permitted under outline planning permission N/2013/0912.

2.2 The matter of access to the development was considered as part of the outline application and assessed the various entry and exit points of the development and deemed these to be acceptable. As a consequence, the purpose of this application is not to revisit the potential or provided linkages with the surrounding area. Instead there

is a narrow focus that the Council should be satisfied that the diversion order is necessary to enable development to be carried out

- 2.3 If approved, the path would deviate from its existing route adjacent to the Avon building and follow a south easterly direction being following a southern route adjacent to the previously approved site access route. The path would re-join its current route at the southern boundary of the site.

3. SITE DESCRIPTION

- 3.1 The site is located on the south eastern edge of Northampton town centre, on the south side of the River Nene and opposite Beckett's Park and is predominantly level in nature. Road access to the site is available from Bedford Road, which crosses the River Nene and terminates adjacent to the Avon building. A pedestrian right of way runs alongside this road (known as HW28); however, this continues across the new university site in a south westerly direction, before crossing the disused railway line and traversing the currently vacant Ransome Road site. At this point, the path joins other routes, including those accessing the grounds at Delapre Abbey.
- 3.2 Whilst the current path is of a generally uniform width; it is, in parts overgrown, unlit and of varying qualities of surfacing. These factors do serve to diminish the attractiveness of the path to pedestrians.

4. PLANNING HISTORY

- 4.1 N/2013/0912 – Outline planning permission for redevelopment of the site as a new campus for the University of Northampton, including site clearance and enabling works comprising remediation and re-levelling of the site, demolition of all buildings on the site (except the Grade II listed structures). The proposal includes up to 40,000m² university floorspace; up to 15,000m² university expansion floorspace; up to 35,000m² commercial (B1-offices) floorspace; up to 3,550m² of retail floorspace (up to 1,800m² of A1, up to 150m² of A2, and up to 1,600m² A3/A4); up to 1,500 beds of student accommodation; up to 760 car parking spaces for University use; up to 1,100 car parking spaces for commercial / leisure use; a hotel of up to 7,000m² (up to 150 bedrooms); sports hall and floodlit sports facilities; reuse of listed locomotive shed (520m²) and curtilage listed office building; an energy centre of up to 600m²; a new road bridge and junction on to Bedford Road including reconfiguration of Midsummer Meadow car park; a new pedestrian foot/cycle bridge connecting the site to Beckett's Park; and retention of the existing road access – Approved.

5. PLANNING POLICY

National Policies

- 5.1 Paragraph 6 of the National Planning Policy Framework (NPPF) states the purpose of the planning system is to ensure the creation of sustainable development, which is elaborated upon within Paragraph 17, which states that planning decisions should encourage the fullest use of more sustainable means of transport, such as walking. Paragraph 29 also states that sustainable means of travel is of benefit to wider sustainability and health objectives.

West Northamptonshire Joint Core Strategy (JCS)

- 5.2 Policy S10 requires that developments are used to facilitate more sustainable means of transport, whilst Policy C2 states that new developments should mitigate any impacts on the transport system.

Northampton Central Area Action Plan (CAAP)

- 5.3 Policy 4 of the CAAP requires the creation of new developments that include sustainable linkages between Green Infrastructure. Furthermore, Policy 28 – which is specifically linked to this site – requires the maintenance of linkages between Bedford Road, the site and Delapre Park, in addition to delivering the suitable regeneration of the site.

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 As part of the consideration of the application, initial consultations have been carried and a summary of the comments received are listed below. In the event that members consider the proposal acceptable, a period of more detailed public consultation would take place as part of the Order making process.
- 6.2 **Highway Authority** – Recommend that the route of path HW30 is revised to join up with the new route of path HW28. It is requested that the existing paths within the vicinity of the site are kept clear (or suitable diversions provided) during the construction process.
- 6.3 **Ramblers Association** – No objections to the proposed diversion; however, it is requested that alterations are made to other paths within the vicinity in order to provide increased accessibility.
- 6.4 **Delapre Park Management Committee** – Request that remediation works are carried out in respect of the path south of the site.

7. APPRAISAL

- 7.1 As discussed previously, the relevant test to be applied for an application of this type is whether the proposed division is necessary to enable development to be carried out (i.e. the diversion order must be necessary in the sense that without the order the development could not be carried out). Outline planning permission has been granted for the development of a new university campus on this site,

which would assist in the promotion of Northampton through the development of new and improved education facilities within the town and also deliver regeneration in a key and prominent location.

- 7.2 The outline application included an indicative master plan, which detailed that a building would be constructed on the current route of the path
- 7.3 In order to deliver this objective, it is imperative that a distinctive and attractive campus is provided. The Council is in receipt of Reserved Matters applications for the first stages of the development (comprising a number of academic buildings and an access bridge), which are to be considered at this Committee meeting. It is the view of officers that the scheme is broadly in conformity with the parameters established at the outline stage and that the proposed design are of a good quality that assists in the promotion of visual amenity and a good standard of development.
- 7.4 As a consequence of this, it is considered that in order to implement the acceptable planning permission and to ensure the maintenance of good pedestrian links between Bedford Road and Ransome Road/Delapre a diversion of the path is necessary.
- 7.5 Whilst it is accepted that the new section of the path would have a length of approximately 304m, which would be an increase of 34m over the diverted section, it is considered that the revised route of the path would not increase any inconvenience to pedestrians, as taken as proportion of the total length of the path the increase is not significant. Furthermore, the revised path would provide an enhanced environment for pedestrians through hard surfacing, lighting and a uniform width of 4m. These arrangements are likely to increase the attractiveness of the path to pedestrians irrespective of the increase in length.
- 7.6 Within their consultation response, the Highway Authority and the Ramblers Association have suggested that Footpath HW30, which runs alongside the southern bank of the River Nene be extended to join up with the path that is the subject of the application. In response, it should be noted that such works would fall outside of the scope of this application as matters pertaining to access were included within the outline planning application, which has already been assessed by the Council and deemed acceptable. Furthermore, there is a pathway running alongside the northern bank of the river, which joins the agreed University access. As a consequence, it is considered that there are sufficient opportunities to encourage walking on an east-west route to and from the site.
- 7.7 It is noted that requests have also been received for the carrying out of remedial works to the path south of the University site to Ransome Road. As these works fall outside of the specific site under consideration they cannot be given consideration within this application. Nonetheless, officers will ensure that they are addressed

during discussions with prospective developers of the Ransome Road site. This proposal would also have a neutral impact upon other paths in the vicinity and a Construction Environment Management Plan was secured as part of the outline permission to ensure that the impacts of the development upon the surrounding area could be mitigated.

8. CONCLUSION

- 8.1 It has been demonstrated that the diversion of the path is necessary to implement a development that would bring significant benefits to the wider Northampton area. As it has also been demonstrated that pedestrians would not be unduly impacted by this diversion, it is considered appropriate for a diversion Order to be drawn up under the provisions of Section 257 of the Town and Country Planning Act 1990.

9. BACKGROUND PAPERS

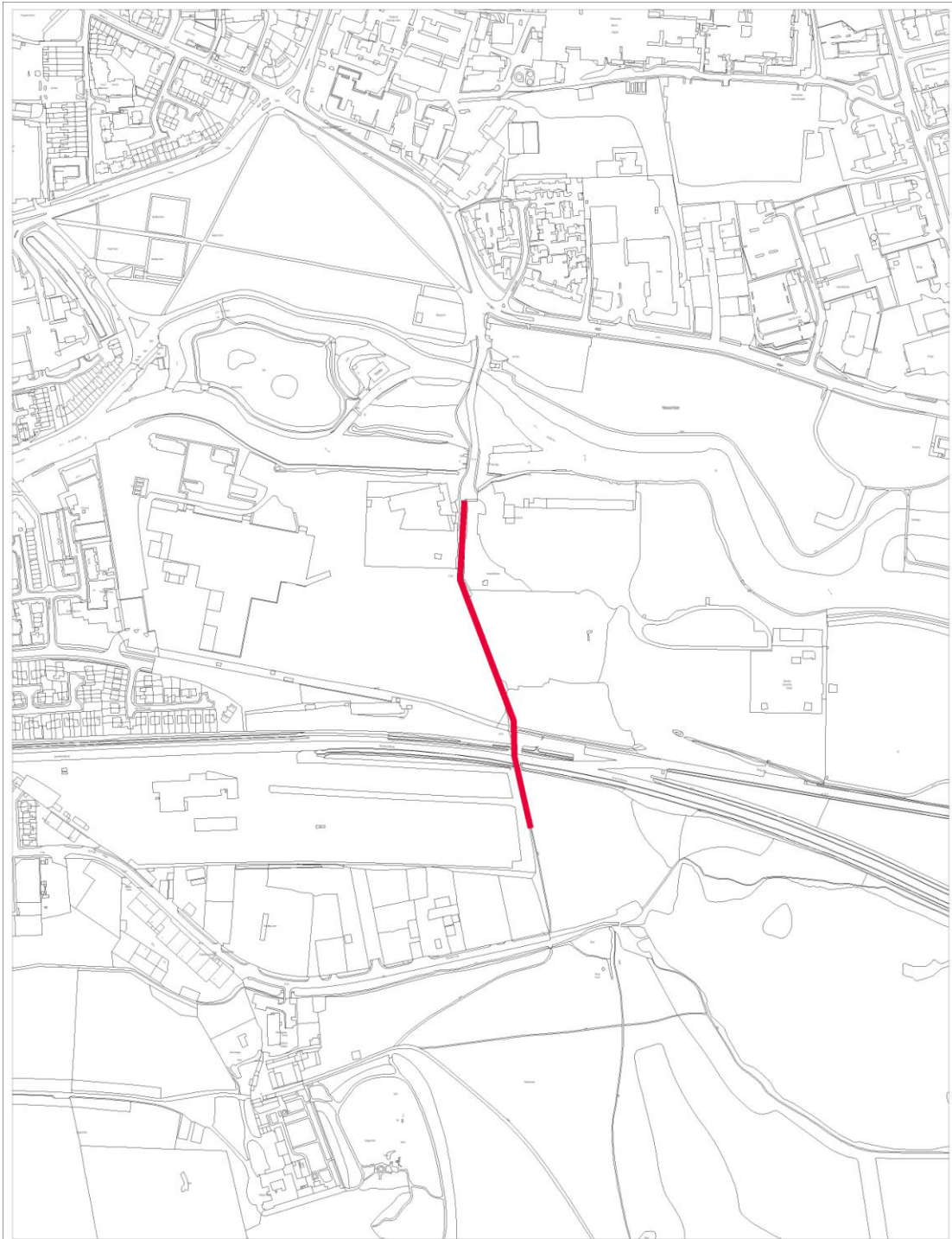
- 9.1 N/2013/0912

10.1 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.



Name: **Location Plan**
Date: **6th February 2015**
Scale: **1:5000**
Dept: **Planning**
Project: **Planning Committee**

Title

Footpath, Waterside Campus, Nunn Mills Road

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