



**PLANNING COMMITTEE:** 28<sup>th</sup> July 2015  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**N/2015/0730:** Variation of conditions 1, 5, 6, 8, 14, 37, 38, 41, 42, 43, 44, 45, 46, 47 and 48 (as per section 2 of the submitted planning statement) pursuant to planning permission 14/01938/VAR (Variation of conditions 1, 5, 6, 8, 15, 38, 39, 42, 43, 44, 45, 46, and 47 (as per section 2 of the submitted planning statement) pursuant to planning permission 12/00010/FUL - Rushden Lakes: Hybrid Planning Application comprising: Full application for the erection of a home and garden centre, retail units, drive thru restaurant, gatehouse, lakeside visitor centre, restaurants and boat house, together with proposals for access. Outline: application for the erection of a hotel, crèche and leisure club with some matters reserved (appearance). Plus removal of ski slope and associated site levelling, landscaping, habitat management and improvement works, vehicular access and servicing proposals together with the provision of car and cycle parking and a bus stop. (East Northamptonshire Council Consultation)

**WARD:** N/A

**APPLICANT:** LXB RP (Rushden) Limited  
**AGENT:** Mr Matthew Sherwood - Quod

**REFERRED BY:** Director of Regeneration, Enterprise and Planning  
**REASON:** Major Fringe Area Planning Application

**DEPARTURE:** N/A

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**APPLICATION FOR CONSULTATION BY EAST NORTHAMPTONSHIRE COUNCIL:**

**1. RECOMMENDATION**

- 1.1 That Northampton Borough Council has **NO OBJECTION** to the variation of conditions as proposed.

Whilst Northampton Borough Council objected to the original application for the development proposals and remain concerned regarding the potential impacts of

the development on the viability and vitality of Northampton, it is acknowledged that the principle of the development has now been established through the grant of planning permission by the Secretary of State in 2014 and the subsequent approval of the amended scheme in 2015.

It is not considered that the increase in retail floorspace proposed under this amended scheme which represents an overall increase of 3.6% retail gross floorspace would be likely to represent any significant increased impacts on the viability and vitality of Northampton to that already approved.

The other amendments proposed including the addition of a slipway, increase in size of garage/store, alterations to Boathouse and Visitor Centre, parking and change in site levels are not considered to have any wider impacts that are considered to affect Northampton Borough.

## **2. THE PROPOSAL**

2.1 This is a consultation from East Northamptonshire Council regarding a Section 73 application to vary conditions of planning permission 14/01938/VAR which was an amendment to the original permission granted by the Secretary of State in 2014, reference 12/00010/FUL.

2.2 The variation of conditions seeks to amend the approved application as follows:

- Alterations to the approved retail units in number and size resulting in an overall increase in retail floorspace of 1,797 sq m from that approved under the previous amendment in 2014 resulting in an overall increase in 3.6% of gross retail floorspace;
- Elevation changes to the units to accommodate the proposed floorspace alterations;
- The addition of a pontoon to the slipway at Skew Bridge Ski Lake and development of landscaping design to boardwalk and central avenue;
- Increase in size of garage/store to rear of Terrace C;
- Internal alterations to Boathouse and Visitor Centre;
- Increase of 5 parking spaces, 12 cycle space, relocation of bus stop to site entrance;
- Increase in site levels across site by max 450mm;
- The variation of Condition 45 to increase the gross internal floor area allowed by occupation of retailers whose operation is predominantly the sale of clothing and footwear from 4,183 sq m to 7,038 sq m;
- The variation of Condition 46 relating to the range of goods that can be sold at the garden centre.

2.3 The supporting statement submitted with the application advises that the changes proposed arise from specific retailer requirements and as a result of the development of the detailed design of the scheme.

2.4 The application is accompanied by revised retail, transport and environmental assessments.

## **3. SITE DESCRIPTION**

3.1 The application site extends to roughly 30 hectares and is bound by the River Nene on its northern boundary and the A45 to the south. Beyond the A45,

immediately to the south, is an area of mixed commercial, industrial and retail development. The town centre of Rushden is just over a kilometre away to the south, with Higham Ferrers and Irthlingborough situated a kilometre to the east and north respectively.

- 3.2 The site comprises of two main elements, the Skew Bridge Ski Lake and Delta Lake and an area of brownfield land to the south of the lakes.

#### **4. PLANNING HISTORY**

- 4.1 The original application was the subject of an appeal by public inquiry in 2013. The application was subsequently approved by the Secretary of State in June 2014 granting full planning permission for the erection of a home and garden centre, retail units, drive thru restaurant, gatehouse, lakeside visitor centre, restaurants, boathouse, together with proposals for access and outline planning permission for the erection of a hotel, crèche and leisure club with some matters reserved (appearance); plus removal of ski slope and associated levelling, landscaping, habitat management and improvement works, vehicular access and servicing proposals together with the provision of car and cycle parking and a bus stop.
- 4.2 A subsequent application (14/01938/FUL) to amend the original scheme approved in May 2015 which involved a reconfiguration of the outdoor planting area within the garden centre using the majority of the floorspace to create an additional 2,597 sq m of open A1 retail floorspace; the amendment of conditions to allow more potential town centre type retail sales from the Garden Centre/adjacent terrace of shops, an increase to the floorspace of one of the anchor stores and an increase in number of retail units by decreasing the size of some larger units with an overall decrease in retail floorspace and an increase in restaurant floorspace from 928 sq m to 2,164 sq.m.

#### **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 relevant Development Plan for the determination of this application is the Development Plan for East Northamptonshire Council.

##### **5.2 National Policies**

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraph 23 – seeks to ensure the viability and vitality of town centres and promote competitive town centre environments and allocate appropriate edge of centre sites for main town centre uses that are well connected to the town centre where suitable and viable town centre sites are not available. If sufficient edge of

centres sites cannot be identified, set policies for meeting identified needs in other accessible locations well connected to the town centre.

Paragraph 24 – requires a sequential test for applications for town centre uses not in an existing centre and not in accordance with an up-to-date Local Plan.

Paragraph 26 – requires an impact assessment if the development is over a proportionate, locally set floorspace threshold or if no threshold, 2,500 sq m.

## **6. APPRAISAL**

- 6.1 The principle of the development has previously been established through the grant of planning permission by the Secretary of State in 2014 and the subsequent approval of the amended scheme in 2015.
- 6.2 The main issue for consideration therefore is as to whether the proposed amendments would lead to any significant impact on the viability and vitality of Northampton town centre when compared to the impacts arising from the existing permitted schemes.
- 6.3 The proposal will inevitably make the Rushden Lakes scheme more of a 'town centre' offer retail destination. However, the proposed increase in retail floorspace of 1,797 sq m from that previously approved under the amended scheme in 2014 to the approved Secretary of State scheme represents an overall increase of 3.6% retail gross floorspace. It is not considered that this increase would be likely to represent any significant increased impacts on more local town centres particularly given that the Secretary of State and the Inspector's decision letters placed so much weight on the positive benefits of Rushden Lakes.
- 6.4 The other amendments proposed including the addition of a slipway, increase in size of garage/store, alterations to Boathouse and Visitor Centre, parking and change in site levels are not considered to have any wider impacts that are considered to affect Northampton Borough.

## **7. CONCLUSION**

- 7.1 In view of the existing permitted schemes it is not considered that the amendments proposed under the current scheme would lead to any significant increased impact on the viability and vitality of Northampton to that already approved.

## **8. BACKGROUND PAPERS**

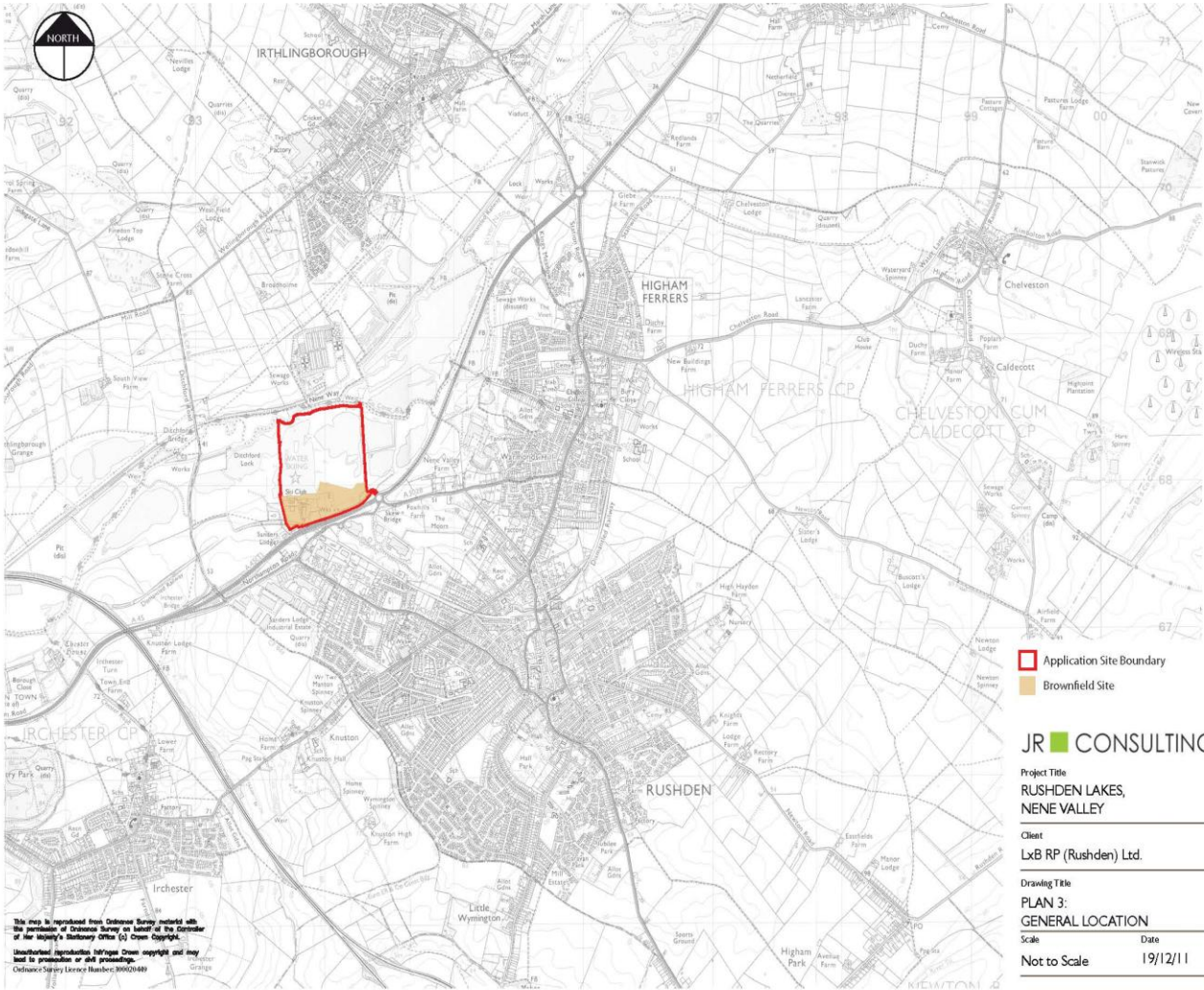
- 8.1 N/2015/0730

## **9. LEGAL IMPLICATIONS**

- 9.1 None.

## **10. SUMMARY AND LINKS TO CORPORATE PLAN**

- 10.1 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.



- Application Site Boundary
- Brownfield Site

**JR CONSULTING**

Project Title  
**RUSHDEN LAKES,  
 NENE VALLEY**

Client  
**LxB RP (Rushden) Ltd.**

Drawing Title  
**PLAN 3:  
 GENERAL LOCATION**

Scale Date  
**Not to Scale 19/12/11**

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