



## **Addendum to Agenda Items Tuesday 24<sup>th</sup> November 2015**

### **4. MATTERS OF URGENCY**

**4a**

**Pineham Business Park**

See Report enclosed.

### **9. ITEMS FOR DETERMINATION**

**9a**

**N/2015/0603**

**Erection of a 2-bed bungalow and detached double garage  
Land to front of 37 Mill Lane**

No update.

**9b**

**N/2015/0756**

**Change of use from single dwelling (use class C3) to a house in multiple occupation (use class C4) for 5 residents  
45 Allen Road**

No update.

**9c**

**N/2015/0757**

**Change of use from single dwelling (use class C3) into house of multiple occupation (use class C4) for 4 residents  
35 Allen Road**

No update.

**9d**

**N/2015/1040**

**Reserved matters application for 1198 bed student accommodation, supporting ancillary facilities (bank, convenience store, GP and multi-faith chaplaincy), a 32 bed hotel school, landscaping and public realm works  
University Site, Nunn Mills Road**

**Northamptonshire Police's Crime Prevention Design Advisor** confirming that previous advice on permeability and creating areas of defensible space has been taken into account. In order to create a secure form of development, recommendations are made with regards to the design of cycle storage.

**Additional condition**

**9)** Prior to the commencement of each phase; full details of the proposed cycle storage, including building materials and locking mechanisms shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of each phase and retained thereafter.

**Reason:** In the interests of creating a secure form of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

**9e**

**N/2015/1067**

**Conversion into 2no. 1-bed flats, 4no. new 1-bed flats and 2no. new 2-bed semi-detached dwellings**

**54 Adams Avenue**

No update.

**9f**

**N/2015/1094**

**Change of use from dwelling (use class c3) to house in multiple occupation (use class c4) for 3 persons**

**58 Lower Adelaide Street**

No update.

**11. ITEMS FOR CONSULTATION**

**11a**

**N/2015/1232**

**Construction of 42 dwellings, formation of vehicular access from Cottingham Drive, pedestrian access to Northampton Lane South and provision of public open space  
Land off Northampton Lane South**

No update.



**PLANNING COMMITTEE:** 24<sup>th</sup> November 2015  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**PURPOSE:** Pineham Business Park:

- 1) To consider devolution of development control powers to South Northamptonshire Council in relation to cross boundary applications; and
- 2) To consider and comment on a fringe area application in relation to S73 application for amendments to outline planning permission S/2014/1603/EIA

**REFERRED BY:** Director of Regeneration, Enterprise and Planning

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## **1. RECOMMENDATION**

- 1.1 That Members agree under Section 101(1) of the Local government Act 1972 to devolve development control powers to South Northamptonshire Council in respect of separate reserved matters applications for Plots 2 and 3 pursuant to outline planning permission S/2014/1603/EIA for the expansion of the Pineham Business Park.
- 1.2 That Members agree under Section 101(1) of the Local Government Act 1972 to devolve development control powers to South Northamptonshire Council in respect of a single reserved matters application for Plots 1 and 2 or a single reserved matters application covering all three plots pursuant to outline planning permission S/2014/1603/EIA for the expansion of the Pineham Business Park.
- 1.3 That Members do not agree to devolve development control powers to South Northamptonshire Council in respect of a reserved matters application for Plot 1 only.
- 1.4 That Members agree under Section 101(1) of the Local Government Act 1972 to devolve development control powers to South Northamptonshire Council for the Section 73 application to vary condition 3 of outline planning permission S/2014/1603/EIA in respect of Plot 1.
- 1.5 That Members resolve to raise **No Objections** to the consultation received on the Section 73 application (SNC reference S/2015/1798/EIA).

## **2. BACKGROUND**

- 2.1 In April 2014 Full Council resolved to delegate decision making powers on an outline application for the expansion of the Pineham Business Park to South Northamptonshire Council (SNC) under Section 101(1) of the Local Government Act 1972.
- 2.2 This decision was taken as the application site straddled the boundary between SNC and Northampton Borough with the larger part of the application site within SNC. In such circumstances, under the provisions of the National Planning Practice Guidance, identical applications should be submitted to the two authorities concerned, with the application fee payable to the authority in which the larger portion of the site is located. In this instance the application fee would therefore have been payable to SNC. Due to the relatively small proportion of the overall site within NBC, to avoid NBC incurring the cost of processing an application with no associated fee and to ensure a more cohesive approach to the outline application, decision making powers were therefore devolved to SNC. This decision related purely to the outline planning application.
- 2.3 An outline planning application for 105,000 square metres of floorspace for Classes B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution) uses was subsequently made to SNC. This Council's Planning Committee resolved to raise no objections when consulted on the application in October 2014 and outline planning permission was granted by SNC, subject to conditions, in February 2015.
- 2.4 In August 2015 Full Council resolved to delegate decisions on whether to devolve development control powers to neighbouring authorities on cross boundary planning applications to the Planning Committee.

## **3. CURRENT SITUATION**

- 3.1 Following the decision of SNC to grant outline planning permission the issue of reserved matters must be considered. The developer has indicated to SNC their intention to submit three individual reserved matters applications consistent with the three buildings shown on the masterplan submitted with the outline application. Two of these would be substantially within SNC however one would be predominantly within NBC's administrative boundary.
- 3.2 In addition, SNC have received an application under Section 73 of the 1990 Town and Country Planning Act to vary a condition of the outline planning permission restricting the development to specific plans. SNC have consulted NBC on this application (reference N/2015/1173).

These issues will be addressed in turn below.

### **Reserved Matters**

- 3.3 As outlined previously, under the advice of the National Planning Practice Guidance, duplicate reserved matters applications would need to be submitted to both SNC and NBC pursuant to the outline permission previously granted. It has been indicated that the developer intends to submit three separate reserved matters applications one for each of the buildings shown on the original masterplan. Plots 2 and 3 are substantially within SNC and consequently NBC

would incur the costs of processing these applications but without the benefit of receiving an application fee.

- 3.4 However the majority of Plot 1 is within NBC and it is considered that it would be appropriate for this reserved matters application to be determined by this Authority. In this instance the fee would be payable to NBC.
- 3.5 It is therefore recommended to Members to devolve decision making powers to SNC regarding the determination of forthcoming reserved matters applications for Plots 2 and 3 this development, but not for any application related only to Plot 1.
- 3.6 In the event that one single reserved matters application is submitted then SNC will be the determining authority as the majority of the site would fall within their administrative boundary.
- 3.7 In addition, if a subsequent reserved matters application covers Plots 1 and 2 together then again SNC should be the determining authority as the majority of the site would fall within their administrative boundary.
- 3.8 NBC would be consulted as a neighbouring authority in any event.

### **Section 73 Application**

- 3.9 The application made to SNC to vary a condition concerns Plot 1 of the development. This is the northernmost plot, the majority of which is within NBC's administrative area. The changes concern the layout of the site in terms of the configuration of the access, increased car parking and the introduction of associated plant and equipment to the external areas and do not affect either the position or footprint of the building.
- 3.10 At present the application has only been made to SNC whereas applications should have been submitted to both authorities. NBC has been consulted under application N/2015/1173 as the neighbouring authority. Should an application be submitted to NBC, as outlined previously, no fee would be received. The costs of processing the application would therefore be borne by the Authority. In addition given the condition was imposed by SNC it is considered to be in the interests of good planning for Members to delegate decision making powers in respect of this Section 73 application to SNC.
- 3.11 Given the scale and nature of the changes to the approved plans and that the fundamental nature of the development of Plot 1 would be unaffected it is also recommended to Members to raise no objections to the consultation under application N/2015/1173.

## **4. CONCLUSION**

- 4.1 It is recommended that Members agree under Section 101(1) of the Local Government Act 1972 to devolve development control powers to South Northamptonshire Council in respect of separate reserved matters applications for Plots 2 and 3 pursuant to outline planning permission S/2014/1603/EIA for the expansion of the Pineham Business Park.
- 4.2 It is recommended that Members agree under Section 101(1) of the Local Government Act 1972 to devolve development control powers to South Northamptonshire Council in respect of a single reserved matters application for

Plots 1 and 2 or a single reserved matters application covering all three plots pursuant to outline planning permission S/2014/1603/EIA for the expansion of the Pineham Business Park.

- 4.3 It is recommended that Members do not agree to devolve development control powers to South Northamptonshire Council in respect of a reserved matters application for Plot 1 only.
- 4.4 It is also recommended that Members agree under Section 101(1) of the Local Government Act 1972 to devolve development control powers to South Northamptonshire Council for a Section 73 application to vary condition 3 of outline planning permission S/2014/1603/EIA in respect of Plot 1.
- 4.5 That Members resolve to raise no objections to the consultation received on the Section 73 application (N/2015/1173) described at Paragraph 3.9 above (SNC reference S/2015/1798/EIA).

## **5. BACKGROUND PAPERS**

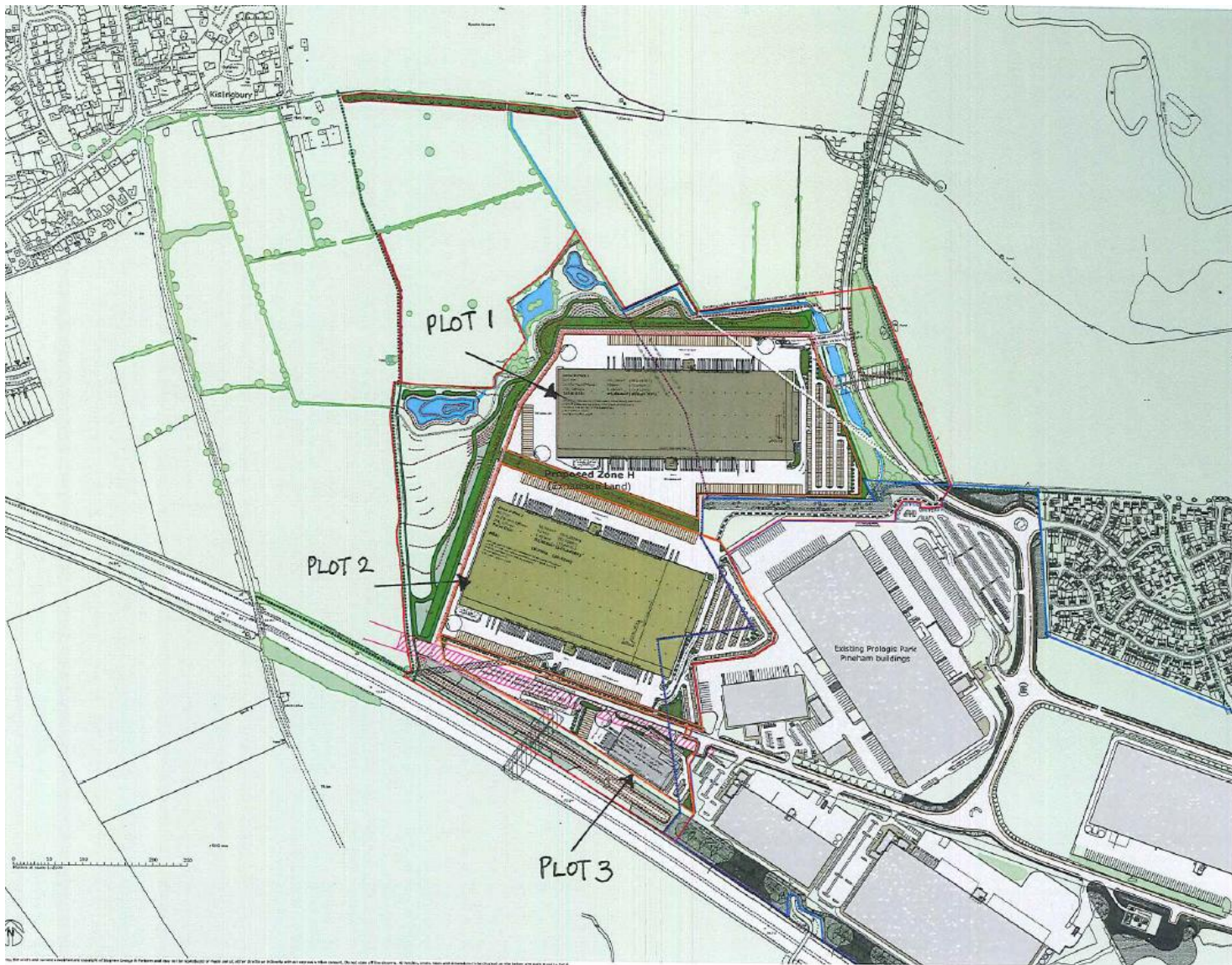
- 5.1 N/2014/1057  
N/2015/1173

## **6. LEGAL IMPLICATIONS**

- 6.1 None.

## **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.



**Notes:**  
 Civil, Structural, Highway engineering works and surface water management are illustrated only to be designed and constructed to landscape architect's design, details and specification.  
 Landscape design is illustrative only, to be designed and constructed to landscape architect's design, details and specification.

**Distance Survey Data:**  
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**Revisions:**  
 A. RS 21.01.2014  
 Scale has amended: administrative boundary added.  
 B. RS 22.03.2014  
 Toxter Wayway residential scheme added.  
 C. RS 23.05.2014  
 Updated following infrastructure meeting 21.05.2014.  
 D. RS 28.05.2014  
 USA added to Plot 1 as requested by Client.  
 E. RS 28.06.2014  
 Amendments following design team meeting 28.06.2014 and to reflect decisions.  
 F. RS 22.04.2014  
 ZEP1 reviewed fence-line added.  
 G. RS 22.07.2014  
 Off to landscape negotiator added, Wildlife element amended.  
 H. RS 04.03.2014  
 Scale increased to 1:2,500, notes amended.  
 I. RS 05.06.2014  
 Road line amended adjacent to Plot 3 access. Plot 3 HATCH height reduced to 12m.  
 J. RS 06.08.2014  
 Review of red line amended to include proposed footpaths.  
 K. RS 07.08.2014  
 Stage amendments to footpath diversion east of Upper Valley Way North.

**Key:**

- Planning boundary
- Existing Prologis UK estate edge line
- Developable Areas
- Existing landscaping
- Proposed structural landscaping
- Administrative boundary
- Existing overhead powerlines and structures
- Proposed overhead walkways for power cables
- Existing Public footpath to be retained
- Public footpaths to be diverted
- Route of new footpath
- Gas and Cable pipe/cable trench

Max. total GFA: 105,000m<sup>2</sup>



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**Northampton, Pinham Expansion Land (Zone H) Illustrative Master Plan**

Drawing status:	Final Review
CDR reference:	13/0707/04/001
Drawn:	RS
Checked:	SG
Date:	13/12/2012
Scale:	1:2,500/000

Project no:	Design no:	Rev:
10002	EJ24-001	L