



**NORTHAMPTON**  
BOROUGH COUNCIL

# COUNCIL

## 19<sup>th</sup> SEPTEMBER 2016

**Agenda Status:** Public

**Directorate:** Regeneration, Enterprise  
and Planning

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| <b>Report Title</b> | <b>Delegation of planning decision making authority in respect of Pineham Business Park</b> |
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### 1. Purpose

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- 1.1 To seek the approval of Full Council to the delegation of the Council's decision making authority as local planning authority to South Northamptonshire Council (SNC) to enable SNC to determine an anticipated cross-boundary Section 73 planning application to vary planning conditions in respect of outline planning permission S/2015/1798/EIA and anticipated subsequent reserved matters application for Plot 2A of the development at Pineham Business Park.

### 2. Recommendations

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- 2.1 Full Council delegate it's decision making authority as local planning authority to SNC in respect of:
- (i) the determination of an anticipated cross boundary planning application pursuant to Section 73 of the Town and Country Planning Act 1990 in respect of outline planning permission S/2015/1798/EIA and
  - (ii) the approval of subsequent reserved matters for Plot 2A of the development at Pineham Business Park.

### 3. Issues and Choices

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#### Report Background

- 3.1 The Prologis site at Pineham, adjacent to the M1, has gradually developed over the last few years and is now an established employment site.

- 3.2 An expansion of this site was proposed by Prologis to the west and north-west of the existing development on 34.15 hectares of green field land.
- 3.3 In April 2014, Full Council resolved to delegated decision making powers on an outline planning application for the expansion of the Pineham Business Park to South Northamptonshire Council (SNC) under Section 101(1) of the Local Government Act 1972.
- 3.4 This decision was taken as the application site straddled the boundary between SNC and Northampton Borough (NBC) 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.
- 3.5 An outline planning application S/2014/1603/EIA for 105,000 square metres of floorspace (divided into 3 development plots) for Classes B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution) uses was subsequently approved by SNC, subject to conditions, in February 2015.
- 3.6 In September 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 to the end of the municipal year i.e. end of April 2016.
- 3.7 In November 2015, the Planning Committee agreed to devolve development control powers to SNC in respect of potential reserved matters applications that may involve buildings that substantially fall within SNC as well as for a Section 73 application to vary condition 3 of the outline planning permission S/2014/1603/EIA in respect of Plot 1 of the Pineham development.

### **Current Situation**

- 3.8 Following the approval of the outline planning application, Prologis has secured a commitment from a warehouse occupier (Class B8) for part of Plot 2 on the site and will be submitting a reserved matters application for this plot to SNC to enable a start on site in early 2017. However, the reserved matters details necessitate a number of amendments to the extant outline planning permission including:
- Minor adjustment to red line boundary
  - Minor adjustment to on plot site areas and boundaries
  - Minor adjustment to the configuration of the illustrative landscape bund between Plots 1 and 2
  - Revision to maximum haunch height in part of Plot 2 from 15m to 18m

- Revision to maximum building height in part of Plot 2 from 92.25 AOD to 93.00 AOD
  - To allow for roof plant, relative to building height
  - Minor amendment to approved access arrangement off Style Way
- 3.9 Prologis is currently in the process of preparing a Section 73 planning application to be submitted to SNC. The majority of the site lies within SNC's administrative area. The developer is seeking confirmation from NBC that their decision making powers, in relation to the proposed Section 73 application will once again be delegated to SNC.
- 3.10 In addition, they are also seeking confirmation from NBC that the reserved matters submission for Plot 2a, will be also be determined by SNC only without a duplicate application to NBC.
- 3.11 Due to the nature and extent of the proposed development associated with the expansion of the Prologis site at Pineham that falls within Northampton Borough's administrative boundary, it is recommended that Full Council delegate its development control powers to SNC in respect of the forthcoming Section 73 application to vary planning conditions for the outline planning permission as well as the subsequent reserved matters application for Plot 2a (the majority of the site falls within SNC's administrative boundary) in accordance with Section 101(1) of the Local Government Act 1972.

#### **4. Implications (including financial implications)**

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##### **4.1 Policy**

- 4.1.1 This has no policy implications.

##### **4.2 Resources and Risk**

- 4.2.1 Costs for public consultation and associated administrative costs would be borne by SNC. Council should note that no planning application fee would be payable to the Borough and in the event that this Council decides not to delegate its decision making powers the full cost of the administration of the application would fall to the Council.

##### **4.3 Legal**

- 4.3.1 None

##### **4.4 Equality**

- 4.4.1 There are no equality issues all sections of the population will be consulted by SNC

##### **4.5 Other Implications**

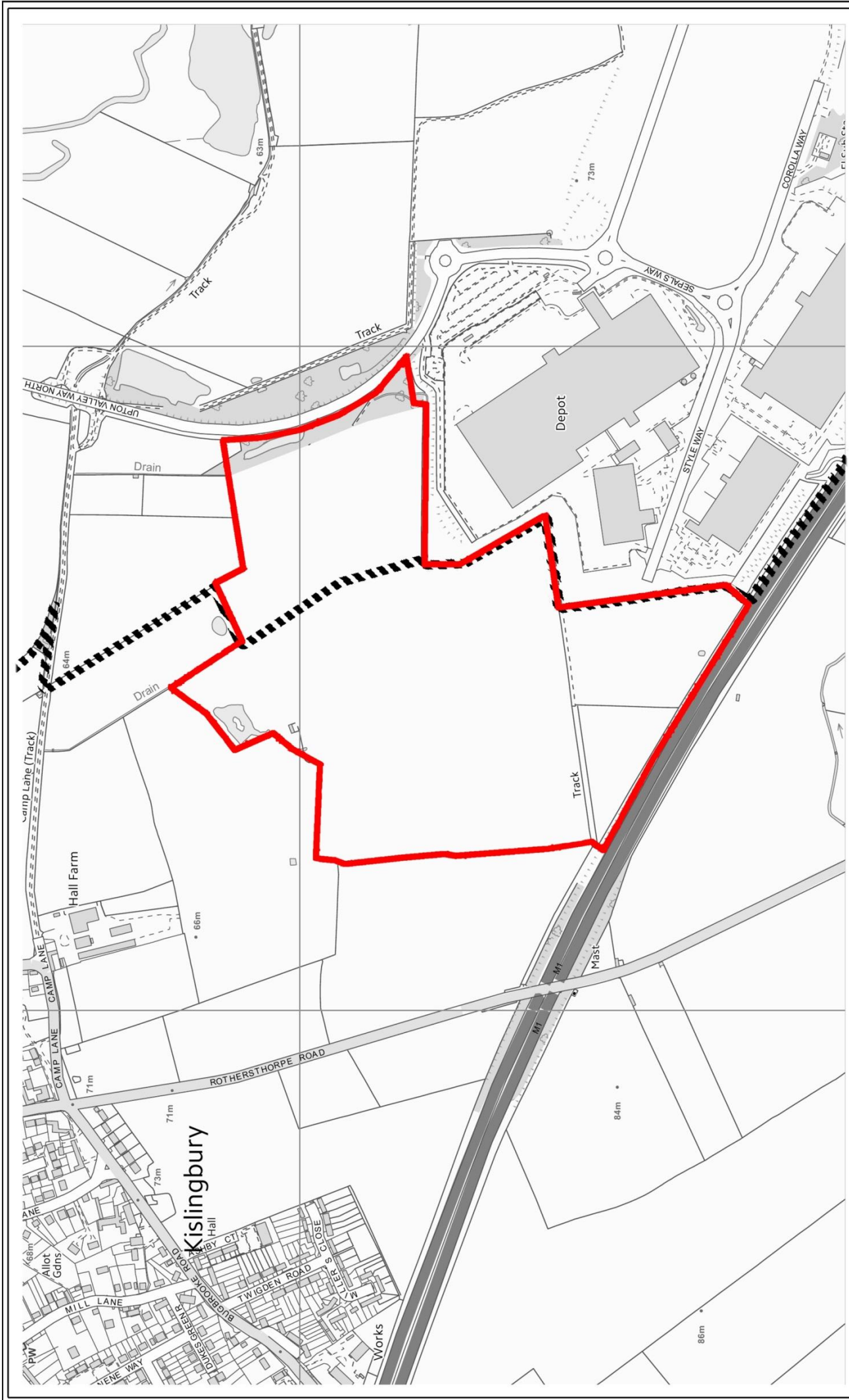
- 4.5.1 None.

#### **5. Background Papers**

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5.1 West Northamptonshire Joint Core Strategy.

**David Kennedy**  
**Chief Executive**





# Pineham Business Park

1:7500 @ A4  
8th April 2014

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 Site Boundary  
 NBC Boundary