

PLANNING COMMITTEE:	25 th October 2016
DIRECTORATE:	Regeneration, Enterprise and Planning
DIRECTOR:	Steven Boyes
APPLICATION REF:	N/2016/1208
LOCATION:	Land adjacent Skew Bridge Ski Slope, Rushden Lakes, Rushden
DESCRIPTION:	Erection of a leisure building to include a cinema, other leisure uses and restaurant units and erection of retail units, cycle hire facilities together with proposals for access, parking and servicing space, hard and soft landscaping and other associated works (16/01662/FUL)
WARD:	Other Authority
APPLICANT:	LxB (RP) Rushden Limited
AGENT:	Quod
REFERRED BY:	Director of Regeneration, Enterprise and Planning
REASON:	Major Fringe Development
DEPARTURE:	No

APPLICATION FOR CONSULTATION BY EAST NORTHAMPTONSHIRE COUNCIL:

1. RECOMMENDATION

- 1.1 That Northampton Borough Council **OBJECT** to the development as proposed.
- 1.2 Northampton Borough Council objected to the original application for the development proposals for Rushden Lakes, allowed on appeal by the Secretary of State in 2014 following a public inquiry, regarding the potential impacts of the development on the viability and vitality of Northampton.
- 1.3 It is acknowledged that the principle of development has been established through the grant of planning permission by the Secretary of State, and subsequent approval of amendments to the original scheme.
- 1.4 However, the site has been subject to several amendments since the original permission in 2014, and the current proposal represents a further increase in the level of retail (Use Class A1) development, in excess of 5,000 sq. m.
- 1.5 As such, the Council consider the development as proposed has the potential to lead to significant adverse impacts on the vitality and viability of Northampton Town Centre.

2. THE PROPOSAL

- 2.1 This is a consultation from East Northamptonshire Council regarding an application for the erection of a leisure building to include a cinema, other leisure uses and restaurant units and erection of retail units, cycle hire facilities together with proposals for access, parking and servicing space, hard and soft landscaping and other associated works.
- 2.2 The proposed development comprises of three main elements:
- A Leisure Terrace comprising a cinema, other leisure uses and restaurant units on the western part of the site, which encompasses the reconfiguration and repositioning of the previously approved Leisure Terrace granted permission in August 2016.
 - An extension to the previously approved Retail Terrace A proposing a further two retail units adjacent to terrace A in the space vacated by the repositioning of the Leisure Terrace.
 - The erection of Retail Terrace D, which replaces the previously approved hotel, leisure club and restaurant.

3. SITE DESCRIPTION

- 3.1 The application site lies entirely within the administrative boundary of East Northamptonshire Council, comprising of two main elements; the Skew Bridge Ski Lake and Delta Lake and an area of brownfield land to the south.
- 3.2 The 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 of Rushden is just over 1km away to the south; Higham Ferrers and Irthlingborough, situated 1km to the east and north respectively.

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; plus removal of the 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 (14/1938/FUL) to amend the original scheme approved in May 2015 approved a reconfiguration of the outdoor area of the garden centre to create an additional 2,597 sq. m of open Class A1 retail floorspace and increases/decrease in the floorspace of other retail units resulting in an overall decrease in retail floorspace and an increase in restaurant floorspace from 928 sq. m to 2,164 sq. m.
- 4.3 A further application (15/1127/VAR) approved in November 2015 sought to vary conditions in relation to the number and size of retail units resulting in an overall increase in retail floorspace of 1,797 sq. m from that approved under the 2014 amendment resulting in an overall increase of 3.6% of gross retail floorspace, the addition of a pontoon, increase in size of garage/store and parking and cycle spaces, changes to site levels and variations in relation to the floor space allowed by occupation of units for the sale of clothing and footwear and the range of goods sold at the garden centre.

- 4.4 Another application in 2015, replaced the proposed garden centre and outdoor planting area with a new leisure building, including the provision of leisure facilities, restaurants/cafes and further retail. The submitted details for this application indicated an overall decrease in the extent of A1 uses to that previously approved.

5. PLANNING POLICY

5.1 Statutory Duty

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 Development Plan for the purposes 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 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. CONSULTATIONS/ REPRESENTATIONS

- 6.1 None.

7. APPRAISAL

- 7.1 The principle of the development of the site has previously been established through the grant of planning permission by the Secretary of State in 2014 and subsequent approval of amended schemes in 2015.

- 7.2 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.

- 7.3 In commenting on previous amendments to the original scheme at this site, the Council has accepted that, whilst the proposal will inevitably make the Rushden Lakes scheme more of a 'town centre offer' retail and leisure destination, the varying changes in retail, restaurant and café uses and leisure uses are unlikely to represent any significant increased impacts on more local town centres, particularly given that the Secretary of State and the Inspector's decision placed so much weight on the positive benefits of Rushden Lakes.

- 7.4 The current scheme proposes the reconfiguration and repositioning of the previously approved Leisure Terrace, the extension of the previously approved Retail Terrace A, and the erection of a new retail terrace, Terrace D of some 6,500 sq. m.
- 7.5 Taking into account all subsequent amended schemes since the original grant of approval in 2014, the proposed scheme would increase the extent of retail (Use Class A1) from that originally approved at appeal of 43,289 sq. m to 48,355 sq. m.
- 7.6 Whilst it is accepted that the principle of development of the overall site has previously been established, it is considered that this further incremental increase in the level of retail provision proposed at the site, gives cause to reiterate the Council's initial objection regarding the Rushden Lake Scheme, on the potential impacts on the viability and vitality of Northampton Town Centre.

8. CONCLUSION

- 8.1 It is considered that the proposed further amendments and incremental increase in retail provision, since the original scheme approved by the Secretary of State, would further impact on the viability and vitality of Northampton Town Centre to the detriment of the town centre.

9. BACKGROUND PAPERS

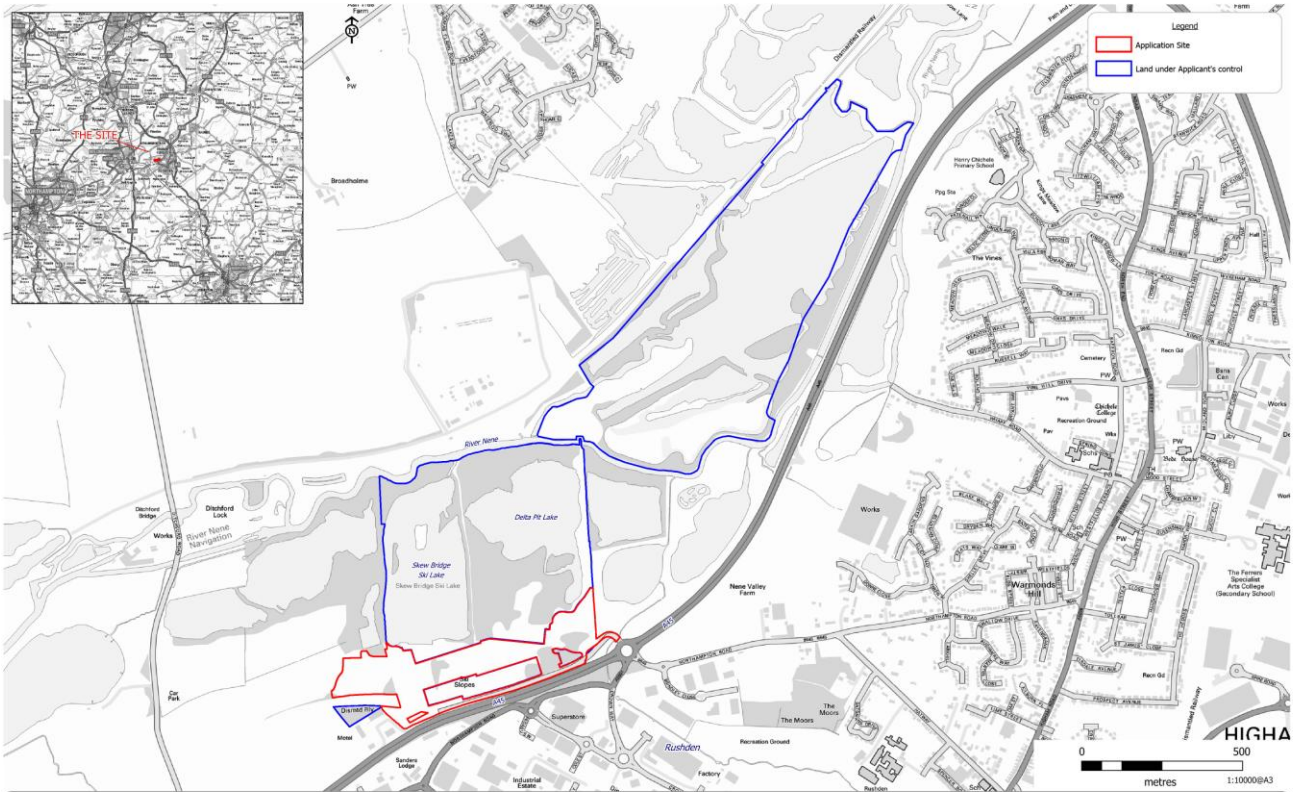
- 9.1 N/2016/1208

10. 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.



Rushden Lakes, Leisure and Retail 2016
 Client: LXB Rushden (RP) Ltd and Shoemaker GP Ltd

Site Location Plan

Scale: 1:10000@A3 - Sheet 1 of 500000000
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 Job Number: 12345
 Drawn by: JAC
 Checked by: JAC
 File No. / Job No./Revision: 12345 / A
 File Location: R:\12345 - 12345\12345 - Rushden Lakes phase 3 & 4\Project_Workspace\Phase 3 - Rushden Lakes Retail Terrain D Application (off in Output)
 Date (Sheet/History): 01/06/2016 04:00:00, PWS Team, 01/06/16, MP

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