

PLANNING COMMITTEE:	10 th April 2018
DIRECTORATE:	Regeneration, Enterprise and Planning
HEAD OF PLANNING:	Peter Baguley
APPLICATION REF:	N/2018/0264
LOCATION:	Land For Road Development, St James Mill Road
DESCRIPTION:	The construction of a section of highway linking the two ends of St James Mill Road together; resulting in the creation of a road corridor
WARD:	St James Ward
APPLICANT:	Northampton Borough Council
AGENT:	N/A
REFERRED BY:	Head of Planning
REASON:	NBC is the applicant
DEPARTURE:	No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The proposed link road would deliver a key strategic link corridor through the Northampton Enterprise Zone assisting in the economic growth of the area. Subject to the conditions below, the proposal would not lead to any undue impacts on the existing highway network, drainage or ecology in accordance with the requirements of Policies E3, S10 and BN7 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The application is for the construction of a section of highway that would link St. James Mill Road and St. James Mill Road East resulting in the creation of a road corridor. The purpose of the scheme is to deliver a key strategic link corridor through the Northampton Enterprise Zone which will result in a continuous link between the A5123 Towcester Road in the east and the A4500 St. James Road in the north. The proposal includes a new junction providing a new exit for vehicles from the servicing area to the rear of the commercial units currently accessed from St. James Mill Road East. Vehicles would continue to enter the servicing area from the existing access and exit via the new junction.

3. SITE DESCRIPTION

- 3.1 The application site is an area of disused land situated between the western and eastern sections of St. James Mill Road. A disused railway line, the Northampton to Bedford Train Line, extends north to south across the site with a number of self-set trees scattered either side along its alignment. Part of the proposed road has been constructed to base level as part of the Cosworth development situated to the west of the disused railway line. The site is bound by industrial and commercial uses, with the River Nene located to the south and parts of the site situated within flood zones 2 and 3. The site lies within the Northampton Enterprise Zone.

4. PLANNING HISTORY

- 4.1 No relevant planning history.

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 comprises the adopted West Northamptonshire Joint Core Strategy (2014) and the Northampton Local Plan (1997) saved policies.

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 14 – at the heart of the NPPF is a presumption in favour of sustainable development.

Paragraph 18 – the Government is committed to ensuring that planning supports sustainable economic growth.

Paragraph 35 – developments should create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

Paragraph 103 – in determining applications, should ensure flood risk is not increased elsewhere.

5.3 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

Policy E3: Technology Realm, SEMLEP Northampton Waterside Enterprise Zone

Policy S10: Sustainable Development Principles

Policy BN7: Flood Risk

West Northamptonshire Joint Core Strategy – Infrastructure Delivery Plan (Update 2017) (December 2017)

T66 - identifies an infrastructure requirement for the St. James Mill Link Road, required for growth at the Northampton Waterside Enterprise Zone.

5.4 **Northampton Local Plan 1997 (Saved Policies)**

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

Policy T3, although no longer a saved policy, is of note, and identified the St. James Mill Link Road as a Safeguarded Corridor. The policy has since been replaced by the requirements of the Infrastructure Delivery Plan referred to above.

5.5 **Supplementary Planning Documents**

Planning out Crime in Northamptonshire SPG 2004

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** – no objection, but recommend conditions for a Construction Management Plan and contamination.
- 6.2 **NBC Arboricultural Officer** – whilst there are trees around the site, they are of poor quality and are not considered a material constraint upon construction.
- 6.3 **NCC Archaeology** – require revised Archaeological Assessment to include information with regard to the potential extent and levels of ground disturbance.
- 6.4 **Environment Agency** – object. If the Authority classify the development as 'less vulnerable' we would expect the road to be constructed to the 0.5% probability (1 in 200 chance) flood level occurring in any year, including an appropriate climate change. The Flood Risk Assessment should be amended to address these concerns.
- 6.5 **NCC Lead Local Flood Authority** - no objection subject to a condition requiring the submission of a surface water drainage scheme, a verification report for the installed system, and a scheme for the ownership and maintenance of the surface water drainage system.
- 6.6 **NCC Ecologist** – recommends a condition regarding vegetation clearance in relation to nesting birds and reptiles. A Bat Survey is required due to the proximity of the site to both the railway bridge (which was assessed as having low potential for roosting bats) and the river. There are most certainly bats in the area, using the river as a commuting/foraging corridor. Any mitigation needs to be identified beforehand so the mitigation can be conditioned.
- 6.7 **Crime Prevention Design Advisor** - it is strongly suggested that consideration is given to the funding of Police-connected Automatic Number Plate Recognition cameras (ANPR) should the proposed road go ahead.
- 6.8 **NCC Highway Authority** – comments are awaited and will be reported on the addendum to this agenda.
- 6.9 9 objections have been received, and an objection from the English Regional Transport Association (ERTA), and 1 comment. The comments are summarised as follows:

- The development will impinge in a detrimental way the former Northampton-Bedford/Brackmills Branch corridor and make re-opening much harder. Studies in the last 20 years indicate the line could provide a worthwhile role and function beneficial to the area it would serve, including Northampton.
- The railway would enable a quicker transit to and from Northampton and Bedford, East-West Rail to Cambridge.
- The rejuvenation of town centres with more footfall and spend minus the traffic is a benefit to make this rail corridor worthy of protection.
- The road scheme links two congestion hot spots with no way out of the current congested London Road artery. This is short termism and fails to see the wider picture.
- New road will lead to long term increase in traffic and increase CO2 emissions.
- For the sake of good planning we should not be building on or over them (railway lines).
- Northampton needs to look beyond a small link road and support the reopening of this track to the East for its economic growth
- Preserving the track bed would provide fast rail links to Luton and Gatwick Airports, direct access to St. Pancras International, greater access for students of University of Northampton, improved socio-economic benefits.
- Are there any plans to extend the cycle route to meet up with the Norbital route coming from the river crossing?
- The narrow link on St. James Mill Road by Beckett Retail Park is noted, but no changes are proposed to allow wheelchair users, pushchairs and the blind to use the footway safely.
- How does it affect the old railway to Brackmills purchased for the conversion into a cycle route?
- No provision for pedestrian crossing as St. James Mill Road at Towcester Road.
- Have the needs of cyclists been considered in the design of the junction (left hand lane turn at St. James Mill Road/Towcester Road)?
- What walking and cycling facilities will the new road have and how will existing be affected?
- St James Mill Road has always suffered with subsidence, how till the road be made level?

7. APPRAISAL

Principle

- 7.1 The requirement for the St. James Mill Link Road was originally identified in the Northampton Local Plan and has subsequently been identified as an infrastructure requirement in association with growth within the Northampton Waterside Enterprise Zone.
- 7.2 Policy E3 of the JCS seeks to encourage the growth of business within the Enterprise Zone. The proposed road link is envisaged to support this aim by providing a key strategic vehicle link through the Enterprise Zone and providing betterment for the surrounding road network.
- 7.3 The proposal is therefore considered to be in accordance with policy requirements and the aims of the NPPF to support economic growth.

Highways

- 7.4 The application is supported by a Transport Assessment which advises that the traffic impact of the proposed link road has been assessed by carrying out detailed modelling and individual junction capacity assessment at three key junctions along St. James Mill Road, junctions most likely to suffer operational impacts from the introduction of the link road:
- A4500 St. James Road/ St. James Mill Road signalised cross roads;
 - Harvey Reeves Road/ St. James Mill Road signalised T-junction; and
 - St. James Mill Road East/ Towcester Road roundabout.

As part of the overall scheme, betterment solutions are proposed at these three junctions comprising road widening and re-mapping of lanes to provide wider benefits to the local highway network when the link road is constructed and in operation.

- 7.5 Although no specific cycle lane is proposed as part of the road link, the new road will enable links to the existing cycleway along the tow path accessed from St. James Mill Road East, and to the shared pedestrian/cycleway along Edgar Mobbs Way. Reference has been made to proposals for the old railway to Brackmills purchased for conversion into a cycle route. This is an area of railway line located to the east of the site and would remain unaffected by the development proposal.
- 7.6 The comments of the Highway Authority are awaited and will be reported in the addendum to this agenda.

Flood Risk and Drainage

- 7.7 Parts of the site are situated within Flood Zone 2 (having 1%-0.1% annual probability of river flooding) and Flood Zone 3 (having a 1% or greater probability of river flooding).
- 7.8 The NPPF advises that inappropriate development in areas as risk of flooding should be avoided by directing development to areas of less risk. Where development is necessary, it should be made safe without increasing flood risk elsewhere. A Sequential Test and an Exception Test should be applied to ensure a risk-based approach is taken to avoid where possible flood risk to people and property.
- 7.9 The location of the proposed link road is determined by the existing sections of St. James Mill Road situated at either end of the proposed link and is identified as necessary infrastructure to improve access within the Northampton Enterprise Zone. Although it is intended to construct the link road above potential flood levels, the link road is considered 'less vulnerable' development, as it would be closed in times of flooding as the points of connection at either end on St. James Mill Road and St. James Mill Road East would be flooded, and therefore the link would not be a primary route for emergency services.
- 7.10 The Flood Risk Assessment advises that as part of the final design, appropriate measures will be implemented to ensure any surface water is directed away from existing and proposed properties. Conditions are recommended in accordance with the requirements of the Lead Local Flood Authority for the submission and approval of an appropriate surface water drainage scheme to ensure flood risk is not increased elsewhere in accordance with the requirements of Policy BN7 of the JCS and the NPPF.
- 7.11 The further comments of the Environment Agency are awaited and will be reported in the addendum to this agenda.

Ecology

- 7.12 The majority of the site currently comprises an area of scrubland with self-set trees. The undeveloped nature of the site together with its proximity to the banks of the River Nene and to the railway bridge provide the potential for nesting birds, reptiles and bats.
- 7.13 Further survey work is being carried out in response to the comments of the County Ecologist and any further comments received will be reported on the addendum to this agenda.

Other Matters

- 7.14 Objections have been raised in relation to the development impinging on any potential re-opening of the Northampton-Bedford/Brackmills Branch corridor.
- 7.15 The Northampton to Bedford Train line was last used for passenger service in March 1962. Since that time various parts of the track were used for crew training, rail enthusiast travel/tours, and some use to supply coal to Northampton Power Station up until 1975, and to serve the MOD's Piddington depot. The last use was to supply Giesmar UK Ltd at Brackmills which ceased in 1994. Significant sections of the railway have been dismantled between Northampton – Piddington – Olney – Bedford.
- 7.16 The Council is in the process of purchasing the area of land owned by Network Rail affected by the application. Notwithstanding this, a section of the railway line to the east comprising a 2 mile stretch of the disused railway line from Brackmills Industrial Estate to the Northampton Enterprise Zone was brought by West Northamptonshire Development Corporation (WNDC) from Network Rail in October 2013. As part of this process Network Rail gave notice of its intention to dispose of the land to the Office of Rail Regulations in 2012, who concluded that there was no reasonably foreseeable railway use for the land. The disposal of the land was subject to consultation. The disposal of this area of land would therefore in effect already prohibit the re-opening of the Northampton-Bedford/Brackmills Branch Corridor.
- 7.17 The applicant is in the process of revising details in respect of archaeology requirements. Any further comments received will be reported on the addendum to this agenda.
- 7.18 The provision of ANPR cameras as requested by the Crime Prevention Officer is under discussion, and any further comments will be reported on the addendum to this agenda.

8. CONCLUSION

- 8.1 The principle of the proposed link road would be in accordance with infrastructure requirements defined in the JCS Infrastructure Delivery Plan (2017) in order to assist in the growth and development of the Northampton Waterside Enterprise Zone, and is considered to be in accordance with the local and national policy requirements outline above.
- 8.2 Subject to all outstanding consultee requirements being addressed, the proposal is considered acceptable and therefore, recommended for approval.

9. CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: R4054-000-01 Rev A and R4054-100-001 Rev A.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

4. Prior to the commencement of any works, a Construction Method Statement shall be submitted in writing to, and approved by, the Local Planning Authority. This shall include details relating to:

- The control of noise and vibration emissions from construction activities including groundwork's and the formation of infrastructure including arrangements to monitor noise emissions from the development site during the construction phase;

- The control of dust including arrangements to monitor dust emissions from the development site during the construction phase;
- Measures to reduce mud deposition offsite from vehicles leaving the site.

The development shall be carried out in accordance with the approved Construction Method Statement.

Reason: In the interests of surrounding amenity and to ensure a satisfactory standard of development in accordance with the requirements of Policies BN9 and S10 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure information is submitted in a timely manner.

4. No development shall take place until a desk top study in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure information is submitted in a timely manner.

5. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 4 above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 4, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition 4.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

6. Before construction commences, a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to the local planning authority for approval in writing. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The details of the scheme shall include:
 - a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets, attenuation basins and soakaways.
 - b) Cross referenced calculations.

c) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy BN7 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure information is submitted in a timely manner.

7. No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

The scheme shall include a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used, and a site plan including access points, maintenance access easements and outfalls.

Maintenance operational areas shall be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site. Details of expected design life of all assets with a schedule of when replacement assets may be required.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy BN7 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure information is submitted in a timely manner.

8. Prior to the first use of the road hereby permitted a Verification Report for the installed surface water drainage system for the site shall be submitted in writing for approval by the Local Planning Authority based on the approved Flood risk assessment. This shall include:

- a) Any departure from the agreed design is in keeping with the approved principles;
- b) Any As-Built Drawings and accompanying photos;
- c) Results of any Performance Testing undertaken as a part of the application process (if required / necessary);
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.

Reason: In the interest of flood prevention both on and off site in accordance with the NPPF and Policy BN7 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

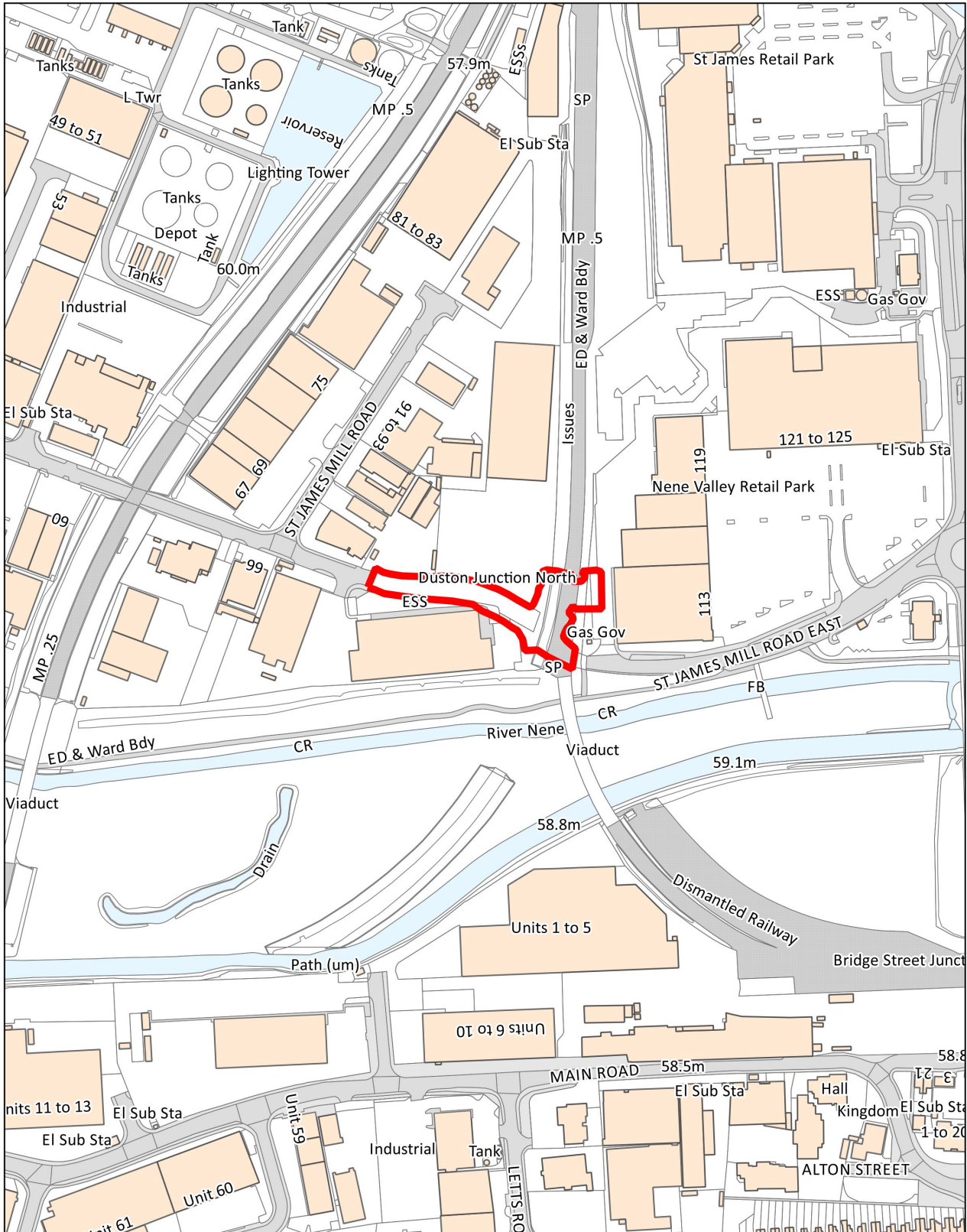
- 10.1 N/2018/0264

11. LEGAL IMPLICATIONS

- 11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 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.



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: St James Mill Road/ St James Mill Road East</p>	<p>Date: 20-03-2018</p>
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