

PLANNING COMMITTEE: 31st July 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/1583

LOCATION: Morrisons Superstore, Kettering Road

DESCRIPTION: Installation of freestanding two storey restaurant with associated drive through, car parking and landscaping and associated works. Installation of 1no. External play area, 2no customer order displays and associated canopies

WARD: Kingsley Ward

APPLICANT: McDonalds Restaurant LTD & WM Morrison Supermarket
AGENT: Mr Ben Fox

REFERRED BY: Councillor M Hallam
REASON: Concerns on traffic and impact on Bradlaugh Fields

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 development, as part of a balanced assessment, is considered to be acceptable and would not create unacceptable impact on highway safety, visual amenity, general and residential amenity in line with the National Planning Policy Framework, Policies S1, S2, S9, S10, C2, BN2, BN9, INF1 and INF2 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The application seeks planning permission for a new two storey restaurant with drive through, car parking, landscaping and associated works including an external play area, customer order displays with associated canopies, new pedestrian ramp and stair link to Kettering Road, relocation of existing recycling bay, provision of delivery vehicle bay, and alterations to car park layout and barrier.

2.2 The new restaurant would be located in the north eastern corner of the existing supermarket car park. It would measure 12.4 metres in width by 25.2 metres in depth (excluding awnings), with a flat roof measuring 8.8 metres in height and an enclosed service yard to the northern side

measuring 9.7 metres in width by 5.1 metres in depth. The restaurant would also have an outdoor seating and play area set to the western side of the building, with the pedestrian entrances located to the southern and western sides of the building. The drive through would be accessed by vehicles from within the supermarket car park, with vehicles looping around the north of the restaurant to a new roundabout created in the car park, and a new pedestrian ramp and stair link would provide direct pedestrian access from the restaurant to the Kettering Road.

- 2.3 The proposals also include the relocation of the existing recycling bay to opposite the petrol station and the formation of a new delivery bay for the restaurant in its place. A new access ramp to connect the delivery bay to the restaurant would also be created and this would wrap around a bin store structure.

3 SITE DESCRIPTION

- 3.1 The application site is located to the western side of the Kettering Road (A5123) and principally relates to the north eastern corner of the Morrisons supermarket car park adjacent to the Morrisons access road / Kettering Road / Beech Avenue junction. The car park is set on a lower land level to this adjacent junction and includes landscaped banking to the north and eastern sides of the site.
- 3.2 The site is neighboured by a childcare facility to the far side of the access road to the north and the Kettering Road is a dual carriageway to the east of the site, with the eastern side of the Kettering Road lined by residential properties. The Morrisons superstore lies to the south of the site, with a petrol station to the west. Bradlaugh Fields is located to the north west of the site. The site is also close to the Kettering Road / Park Avenue North / Broadmead Avenue / Kenmuir Avenue gyratory.

4 PLANNING HISTORY

- 4.1 N/1993/666: Proposed Safeway store & public open space on disused golf course (Outline). Approved.
- 4.2 N/1994/500: Proposed superstore, petrol filling station, car park and service area (reserved matters). Approved
- 4.3 N/1997/395: Amendment of condition no. 6 on previous approval 93/0666 to extend store opening hours. Approved.
- 4.4 N/1997/397: Amendment of Condition No. 7 on previous approval 93/0666 to extend opening hours of petrol filling station. Approved.
- 4.5 N/ 2017/1584: Installation of freestanding 7.5m totem sign. Pending consideration at time of drafting report.
- 4.6 N/ 2017/1585: Various site signage including 1 no. gateway height restrictor, 9 no. freestanding signs, 1 no. side by side directional, 2 no. banner units and 15 no. DOT signs. Pending consideration at time of drafting report.
- 4.7 N/ 2017/1586: Installation of 7no. fascia signs. Pending consideration at time of drafting report.

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 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 17 - Core Planning Principles
Section 4 - Promoting Sustainable Transport
Section 7 - Requiring good design
Section 8 - Promoting healthy communities
Section 10 - Meeting the challenge of climate change, flooding and coastal change
Section 11 - Conserving and enhancing the natural environment

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 S1 – Distribution of Development
Policy S2 – Hierarchy of Centres
Policy S7 – Provision of Jobs
Policy S9 – Distribution of Retail Development
Policy S10 – Sustainable Development Principles
Policy C2 – New Developments
Policy BN2 – Biodiversity
Policy BN9 – Planning for Pollution Control
Policy INF1 – Approach to Infrastructure Delivery
Policy INF2 – Contributions to Infrastructure Requirements

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 E20 – New Development (Design)

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

6.1 Councillor Mike Hallam – Call in the application and objects to the application on the following grounds:

Traffic Concerns

Have previously contacted the Highways Department regarding numerous complaints about the level of traffic at Star Island and in particular the congestion caused by traffic waiting on red lights at Kenmuir Avenue causing congestion for traffic coming through from both Kettering Road (heading to Kenmuir Avenue) and Park Avenue North. Understand that several different light timings have been tried here, but none really improve the situation because of the sheer level of

traffic. A McDonalds in this location will only add to traffic - diverting traffic from McDonalds in Weston Favell to this location instead.

The traffic situation here is only worsened by the level of houses currently being developed on the other side of the Borough boundary and crucially the traffic situation here is far worse than when the original SafeWay/Bradlaugh Fields development was undertaken on this site some 20+ years ago.

Planning History

Local residents are rightly concerned about the further development of a site that had a long history in the build up to its redevelopment in the 1990s. An agreement was reached between the local communities surrounding the site, a developer and the Council to develop the old Golf Course site with a supermarket at the front and a wildlife park at the back. Unsure whether the application formally contravenes anything in the original agreement. One of the reasons for developing Bradlaugh Fields was the animals and rare species that had previously been located in that area and do not think the implications of any changes to the front of the site have taken this into account. Whilst, the site itself is developed, it is surrounded by trees and wildlife and these need to be seriously looked at as part of any changes to the supermarket part of the old golf course site.

- 6.2 **NBC Public Protection** – No objections subject to a conditions relating to grease traps, a Construction Environment Management Plan, fume extraction, external plant, external lighting, and refuse storage. There is no requirement for an air quality assessment and the provision of a Travel Plan and cycle parking would provide sufficient air quality mitigation.
- 6.3 **NCC Highways** - Following a review of the information submitted the Local Highway Authority (LHA) would make the following observations:

Layout

Following the submission of the Addendum TA and amended site plan, the LHA is content with the revised layout. Additionally, the route and tracking of HGVs is now accepted, following a change to the route and agreements in place regarding the use of a staff car park / entrance to service yard area to be used for manoeuvring.

Parking Provision

Based upon the existing demand for Morrisons and predicted demand for McDonalds, the car park will be well within practical capacity and will therefore have no negative impact on the highway.

Transport Assessment

To understand the impact of the traffic through the junctions, a LINSIG model was used, which assesses the impact of traffic through signalised junctions and its effects on capacity and queuing. There has been much correspondence between the applicant's consultant and the LHA modelling review team to ensure the LINSIG modelling is representative and the impact shown is as accurate as possible. This included combining the Kettering Road / Morrisons Access / Beech Avenue junction with the Kettering Road / Park Avenue North / Broadmead Avenue / Kenmuir Avenue Gyratory in the model to determine how they would operate as a single network (due to the interaction between the two, especially if / when queuing back between the junctions takes place which appears likely from the assessment work to date).

The results from each scenario (pre and post development) show that the Kettering Road / Morrisons Access / Beech Avenue junction is forecast to operate over its practical reserve capacity and the Kettering Road / Park Avenue North / Broadmead Avenue / Kenmuir Avenue Gyratory would be over capacity in all modelled scenarios (both Friday and Saturday peaks in both 2019 and 2031 future year scenarios). When a junction is operating over capacity it will result in additional vehicles being added to the queue after each green phase, which will continue to accumulate until traffic added to decreases. However, whilst the development traffic will increase queueing between the two junctions, the increased queues can be accommodated within the existing lanes without interfering with any other junctions on the network.

As the junctions are operating over practical reserve capacity for some arms, consideration has been given to any potential mitigation scheme to offset the impact of the development. However, after consideration it is clear that the scale of any potential mitigation required to provide a 'nil-detriment' improvement scheme would not be proportional to the impact in this particular instance.

In conclusion, although the development traffic would increase some localised queuing, the additional queuing will not affect the wider network. Therefore, the LHA does not object to this application or request any highway improvements.

Travel Plan

The Travel Plan has been approved.

6.4 **85 letters of objection** have been received. These letters include the following points:

- Previous applications for a public house on the adjacent nursery site were refused by the Council (N/1999/265 and N/1998/988) on the grounds of neighbour impact by reason of additional activities, traffic and likely disturbance and also visual amenity; these concerns are also valid to the current application. (Officer Note: A subsequent appeal relating to the public house refusals was dismissed on the grounds of its impact on character of the area, with the Inspector determining that it would not unacceptably affect the living conditions of nearby residents).
- Concerned regarding the impact of the proposed fast food development on public health and the wellbeing of the community, given its close proximity of schools (walking distance), the adjacent childcare nursery and the links between fast food and obesity / poor health. Public Health England have produced guidance relating to the regulation of the growth of fast food outlets and promoting healthier lifestyles and there have also been newspaper articles relating to this. In addition, the promotion of unhealthy lifestyles will impact on the economy through increased sick leave.
- There are multiple McDonalds in the area and already a restaurant at the supermarket on site. In addition, there is also already an abundance of takeaways in the area such that the development is not needed.
- The development will take business away from the other McDonalds on this side of town as well as local businesses and will detract from Kingsley local centre.
- The development would reduce the visual appeal of the area and change the nature of the residential neighbourhood to the detriment of the community.
- The site is in a residential / suburban area and the development would appear overly commercial.
- The proposal would be an overdevelopment of the supermarket site.
- There would be a loss of open aspect.
- It a standard building design with no adjustments to reflect the character of the locality.
- Two storey scale is inappropriate for the area and would be overbearing; original permission for supermarket restricted the scale of the building to single storey and also required the land to be lowered.
- Loss of trees and shrubs will impact on visual amenity and wildlife.
- Neighbours would be affected by reason of noise, disturbance, odour, overlooking, loss of privacy and overshadowing.
- The proposed 24 hour opening hours would generate night time noise, disturbance and light pollution to residential neighbours, including a nearby nursing home.
- There are restrictions on the opening and delivery for the supermarket and these should be applied to the proposed development; there are no other 24 hour businesses in the area.
- The area becomes peaceful at night once the supermarket has closed and traffic dies down.
- The drive through would generate more noise than visitors to the existing supermarket.
- Increased deliveries to the site would also contribute to the increase in noise.
- Concerns caravans would park in car park.
- Littering and vermin/pests in the area will greatly increase; this is already a problem in the area.
- The site is close to Bradlaugh Fields and littering from the development would adversely affect wildlife on this nature site including protected species.
- The Kettering Road is not a main arterial road.
- There has been a large increase in the volume of traffic on the Kettering Road over the last few years and this is set to increase due to additional housing in the wider area.

- The existing junctions are roads are already gridlocked at peak times, with traffic backing up into wider network. The road infrastructure cannot cope with any more development.
- The proposal will significantly increase traffic leading to increased congestion.
- There have been many road traffic accidents in the area and this will be exacerbated by increased traffic and additional vehicles speeding.
- Traffic increases and idling cars will result in more pollution.
- The application proposals are not comparable to the examples cited in the Transport Statement.
- Car park is currently insufficient in size for the existing use with cars parking in neighbouring roads and this will increase due to the proposal.
- The development is not on a cycle route.
- A drive through restaurant would encourage car use.
- Concerned that anti-social behaviour will increase in the car park during the night and the play area would also attract anti-social behaviour.
- Concerned at loss of recycling facilities (Officer Note: Recycling facilities are being relocated and not lost as part of the proposal).
- There would be poor vehicular visibility for the new recycling location.
- Fire access arrangements unclear.
- Loss of views.
- Adverse effect on local house prices. .

6.5 **Four letters of support** have been received. These letters include the following points

- Proposal would increase the choice of food in the area; there is nothing like this in this part of town and it is much needed.
- The proposals are been portrayed as unhealthy but there are many more unhealthy products in the neighbouring supermarket.
- The part of the car park the subject of the application is always empty.
- The proposal would create local jobs and would be an asset to the local economy.

7 **APPRAISAL**

Principle of development

- 7.1 The proposed location of the restaurant would comply with Policy S1 of the Joint Core Strategy, which details that development should be concentrated primarily in and adjoining the principal area of Northampton.
- 7.2 In addition, the Policy S7 of the Joint Core Strategy encourages the provisions of jobs in West Northamptonshire and the NPPF seeks to proactive drive and support sustainable economic growth. The supporting documents accompanying the application detail that the proposed development would employ some 65 staff and therefore there would be economic benefits arising from the proposal.
- 7.3 However, national and local planning policies also require that main town centre developments such as the application proposals are directed towards allocated centres. Within Northampton, the allocated centres are Northampton Town Centre; the Kingsthorpe and Weston Favell district centres; and the local centres of St James End, Far Cotton (St Leonards Road), Wellingborough Road and Kettering Road (Kingsley). As the application site falls outside of these locations, the development needs to be subject to a sequential assessment to establish whether the development can be accommodated within an allocated centre, and failing this, edge of centre before well connected out of centres locations such as the application proposals should be considered. Such a sequential assessment should include a consideration of the suitability of sequentially preferable sites, the size and layout of such sites (with reference to whether there is a scope for flexibility in format to accommodate the development in a sequentially preferable site), and their availability. In addition, consideration should be given to whether the proposed development would put at risk future investment in Northampton Town Centre or impact on the long term future viability and vitality of the allocated centres.

- 7.4 There is a named applicant for the proposed drive through restaurant (McDonalds). As such, and given that a drive through use cannot be disaggregated from the restaurant and takeaway element of the proposed development, it is considered that there is limited scope for flexibility in format for the proposed development. Furthermore, it is considered that Northampton Town Centre and Weston Favell can be discounted from the sequential assessment as the applicant already operates a number of restaurants in these locations.
- 7.5 In respect of the other centres, it would appear that there are no currently available sites that are of appropriate size and layout to accommodate a McDonalds drive through restaurant within or adjacent to the centres. In this respect, consideration has been given to the former St James Bus Garage (in St James) and Bective Works (adjacent to the Kingsthorpe centre) sites are currently vacant, it is understood that the current owners of these sites are progressing their own plans for redevelopment. Therefore these site can also be discounted from the sequential assessment due to a lack of availability. Notwithstanding this, these sites are also considerably larger than the format sought by McDonalds and it is considered that the piecemeal development of these sites would not be desirable. There are no units available within the Far Cotton (St Leonards Road) centre that could accommodate the proposed development in its entirety. In addition, planning permission has been granted to the intended operator to operate a business within St James Retail Park (within the currently vacantly former Boots unit), which is in close proximity to this allocated centre. Furthermore, the Far Cotton and St James centres, together with the Kingsley and Wellingborough Road centres have a high street layout and thus are not readily suited to the drive through element sought as part of this application.
- 7.6 In light of the above, it is considered that the development could not be readily accommodated within any allocated centre. As such, and given the high accessibility of the application site, it is considered that the sequential test for main town centre uses has been satisfied for the application proposal.
- 7.7 Turning to the impact of the proposed development on Northampton Town Centre and other allocated centres, as detailed above, the majority of the centres including the town centre already benefit from or are close to a McDonalds' restaurant. Therefore, it is considered that an additional McDonalds drive through restaurant on the Kettering Road would not significantly divert trade from these existing centres. The site is in close proximity to the Kingsley centre, however this centre already features an array of food establishments. As a consequence, the proposed development is unlikely to make the application site and its wider environs more attractive at the expense of the viability and vitality of the Kingsley centre. In addition, there is already a main town centre use on the application site and therefore the proposal would have less impact than the introduction of a main town centre use in an out of centre location without such a use. Overall, it is considered that the development not unduly harm the viability and vitality of this or any other allocated centre.

Design and layout

- 7.8 Policy S10 of the Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan seek high quality design and this approach is supported by the NPPF.
- 7.9 The application site comprises part of a large car park serving a Morrisons supermarket. The car park and supermarket is set on a lower land level to the Kettering Road, with banking including some trees to the boundary with the Kettering Road and the access road to the north. The supermarket is predominantly single storey in scale and has a large footprint with a hipped roof including a large flat crown; however it does benefit from a taller feature to the north east front corner of the building with a two storey scale and pyramidal roof form. The childcare nursery to the north of the site is a single storey structure with a hipped roof and is set on a high land level than the application site. There are residential houses to the east side of the Kettering Road and these properties all have gabled roof but vary in age and appearance. The supermarket site backs on to Bradlaugh Fields and an allotments.
- 7.10 The application proposes the introduction of a two storey drive through restaurant with a flat roof form. Whilst the height of the building would be greater than the single storey nursery building to

the north of the site, the car park is set on a markedly lower land level than this neighbouring site. Furthermore, there are two storey properties in the locality of the site such that it is considered the scale of the proposed building would be appropriate for the site. The design and materials for the new building would not reflect the appearance of neighbouring buildings, however there is no strong built form character in the locality as the development. Moreover, the development is located in a supermarket car park and, in this context, it is considered that the development would not appear out of place. It is however recommended that conditions are imposed related to material and slab levels, together with a landscaping condition to help integrate the development into its surroundings. As such, subject to the aforementioned conditions, no objections are raised to the impact of the proposed development on the character and appearance of the area.

Residential Amenity

- 7.11 Saved Policy E20 of the Local Plan and the Core Planning Principles in the NPPF seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.12 There are neighbouring residential properties to the east side of the Kettering Road and it is noted that a large number of concerns have been received from local residents regarding noise, disturbance and pollution from the new use and in particular the 24 hour operation of the proposed business. It is also noted that there are historic planning conditions restricting on the hours of operation of the existing Morrisons supermarket and petrol filling station with, for example, the hours of opening of the petrol filling station limited to 7am to 10:30pm.
- 7.13 However, the site is adjacent to the Kettering Road, which is a one of the main arterial routes towards the north east of the town centre and thus is subject to vehicle movements throughout the day and night. The adjacent section of the Kettering Road is also a dual carriageway such that there would be 40 metres between the nearest part of the drive through facility and the closest dwelling. In addition, the ground floor of the proposed building would be on a significantly lower level than the Kettering Road and there are no pedestrian entrances to the eastern elevation of the building, with the outdoor eating and play area set to the far (western) side of the building from the residential properties. The customer order terminals for the drive through would also be located to the western side of the building, but the collection kiosks would be located to the eastern side of the building. However, this element of the proposal would be at a significantly lower land level than the Kettering Road as previously detailed. In addition, the delivery arrangements for the new use would utilise the existing recycling bay on the Morrisons access road and would therefore be over 80 metres from the nearest dwelling, with the new recycling bay located adjacent to the petrol filling station. .
- 7.14 In addition, the proposal has been assessed by the Council's Environmental Protection team and they raise no objections to the proposed use, including the 24 hour operation of the business, the delivery arrangements and the noise, odour, litter/refuse and air quality implications. This is however subject to conditions to secure the proposed CEMP, fume extraction, refuse and cycle storage and further details of external plant and lighting and grease traps.
- 7.15 In terms of the restrictions on delivery times and opening hours for Morrisons, it should also be noted that the supermarket and its rear delivery yard neighbour are set on a higher land level than the rear gardens of residential properties on Kenmuir Avenue. Therefore, this existing relationship differs significantly from the relationship of the application proposals to residential properties located on the other side of the elevated Kettering Road.
- 7.16 In light of the above, it is considered that a condition restricting hours of opening or delivery would not be reasonable or necessary for the proposed development. Furthermore, subject to the conditions recommended by the Council's Environmental Protection team, it is considered that the proposal would not adversely impact on the residential amenities of any neighbouring property.

Parking and Highways

- 7.17 The application has been accompanied by a Transport Assessment and a Travel Plan. However, following the receipt of concerns from a large number of local residents, the Ward Member and the County Highway Authority, additional and extensive modelling of the highway network has taken place, which have resulted in the submission of a Transport Addendum and a revised Travel Plan. In addition, there have been minor revisions to the parking layout within the site following the submission of the application to omit parking spaces that would have been accessed directly off the new car park roundabout.
- 7.18 The submitted Transport Assessment details that the total traffic associated with the proposed development would be 111 vehicles at the Friday PM Peak (16:00 - 17:00 hours) and 119 vehicles at the Saturday Peak (12:00 - 13:00 hours). However, the TA also includes an analysis of other McDonalds drive through restaurants in out of town centre locations close to a supermarket and finds that only 46% of trips on a Friday and 23% of trips on Saturday are additional trips to the restaurant, with the remainder comprising existing trips on the network (i.e. diverted trips, pass by trips and shared trips with the supermarket). As a result, the Transport Assessment finds that the additional traffic generated by the proposed development would be 51 vehicles at the Friday PM Peak and 27 vehicles at the Saturday Peak.
- 7.19 The impact of this traffic has been assessed using a LINSIG network model and this modelling has been comprehensively reviewed by the County Highway Authority. This modelling finds that the Morrisons access Road / Kettering Road / Beech Avenue junction would operate within capacity in both 2019 and 2031 taking into account the traffic from the proposal, with the queue impact comprising only a few vehicles (one to three vehicles).
- 7.20 Turning to the Kettering Road / Park Avenue North / Broadmead Avenue / Kenmuir Avenue gyratory, the LINSIG network modelling finds that without the proposed development the gyratory would be at capacity in 2019 and would be over capacity in 2031. As such, the proposed development would add to the queues at the gyratory. However, the largest addition to the queues would be nine vehicles to the ahead lane for Kettering Road North and the modelling shows this lane could accommodate this traffic without traffic backing up to the Morrisons junction. Furthermore, the increase in queues to other lanes would only be limited to a few vehicles (one to four) and in the context of the 2031 base line flows for the gyratory (3,317 vehicles during the Friday PM Peak and 3,136 vehicles during the Saturday Peak) the proposed traffic increase would be equivalent to 2% during the Friday Peak and 1.7% during the Saturday peak. As such, it is considered that the impact of the development on the highway network would only be minor and would not be severe in NPPF terms.
- 7.21 It should be noted that the County Highway Authority have explored whether there are mitigation schemes that could offset this minor impact. However, they have advised that the scale of any mitigation required to provide a 'nil-detriment' improvement scheme would not be proportional to the impact in this particular instance and raise no objections to the highway impacts of the proposed development.
- 7.22 In terms of parking, the existing Morrisons car park contains 547 parking spaces and surveys contained within the submitted Transport Assessment detail that on a Friday and Saturday in mid-June 2017 the maximum occupancy of spaces was 40% and 60% respectively. The proposal would result in the loss of 85 parking spaces, but 8 new spaces would be created such that there would be 470 spaces on the site to serve both the Morrisons supermarket and the proposed development. Taking into account the existing demand for Morrisons and the predicted demand for the new development, the Transport Assessment (as adjusted to take into account the revised parking layout) indicates that the car park would only be at 76% capacity (359 spaces occupied) at the Saturday Peak, with some 111 spaces still available. Furthermore, the County Highway Authority raise no objections to the quantum of parking shared between the existing and proposed development on the site and have also advised that the revised car parking and manoeuvring layout is acceptable.
- 7.23 In respect of deliveries for the proposed development, the proposal seeks to utilise the existing recycling bins layby for deliveries to the new restaurant and relocate the recycling bins to a new

layby opposite the petrol filling station. The County Highway Authority has assessed the routes and tracking for HGV vehicles utilising these laybys and advises that the arrangements are acceptable.

- 7.24 In light of the above, and given that the County Highway Authority raise no objections to the scheme, it is considered that the proposal is acceptable on parking and highway safety grounds subject to conditions to secure revised cycle and vehicle parking for the site, the provision of the delivery vehicle bay and the implementation of the Travel Plan.

Other considerations

- 7.25 A large number of the objections to this application raise issues relating to the impact of the proposed development on the health and wellbeing of the community, and in particular raise concerns relating to the location of the site in relation to nearby schools and the neighbouring childcare nursery and the impacts of this on obesity. In this respect, it is acknowledged that the NPPF seeks to promote healthy communities and that there are links between health and planning. However, there are presently no development plan policies that seek to restrict fast food premises near to schools or childcare facilities. Therefore, in the absence of such policies back by evidence, an objection could not be sustained on the basis of the proximity of the proposal to local schools or childcare facilities.
- 7.26 Littering associated with fast food restaurants and its impact on wildlife at Bradlaugh Fields is also raised in a large number of the objection letters. There is a small buffer between the site and Bradlaugh Fields from the intervening car park and access road, with the proposal seeking to develop a car park, such that there is no evidence of any direct impacts on protected species or biodiversity. Although, it is recognised some patrons of the new development may consume purchases in Bradlaugh Fields and the surrounding area with associated littering taking place. However, there is no evidence that this littering would be of a magnitude to warrant a refusal or a planning policy to support such an approach. Notwithstanding this, the applicant has provided supporting information that details a commitment to tackling litter, including having a company policy to conduct a minimum of three daily litter patrols per day in the vicinity of the application. Whilst it is considered that it would not be reasonable to condition such as company policy, this nonetheless provides some limited assurances on the littering issue.
- 7.27 Representations have been received regarding the potential for the development to attract anti-social behaviour to the existing Morrisons car park during the night. However, the proposal would introduce custodians into the car park during the night and would also have active frontages such that it would provide good surveillance of the car park during the day and night. Therefore, it is considered that the proposal has the potential to reduce anti-social behaviour in the car park during the night.
- 7.28 Neighbour concerns have also been received relating to the effect of the proposed development on property values, however this is not a material planning consideration.

8 CONCLUSION

- 8.1 The proposed development, as part of a balanced assessment, is considered to generate economic benefits and to have a neutral impact upon the viability and vitality of the hierarchy of allocated centres. Furthermore, it is considered that the impacts of the proposal on the character of the area, residential amenity and the highway network are acceptable and objections could not be sustained on the grounds of the proximity of the site to childcare facilities / schools and littering. As such, no objections are raised to the proposal with regards to the National Planning Policy Framework, Policies S1, S2, S9, S10, C2, BN2, BN9, INF1 and INF2 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

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 attached schedule of approved plans.

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

3. Prior to the commencement of the development hereby permitted, a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP which shall include:

- i. Traffic management and signage during construction
- ii. Storage areas for plant and materials
- iii. The erection and maintenance of security fencing/hoardings and lighting
- iv. Welfare and other site facilities
- v. Working hours and delivery times
- vi. Measures to control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms.
- vii. Measures to prevent mud and other debris being deposited on the surrounding highway.

Reason: To minimise the impact of the development during the construction phase in accordance with the National Planning Policy Framework.

4. Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of amenity in accordance with Saved Policy E20 of the Northampton Local Plan. This is a pre-commencement condition to ensure timely submission of details.

5. Prior to the commencement of development hereby permitted above ground floor slab level, full details of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity in accordance with Policy E20 of the Northampton Local Plan.

6. Prior to the commencement of development hereby permitted above ground floor slab level, full details of all external refrigeration, air handling plant or other such equipment and measures for acoustically treating such equipment, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity in accordance with Policy E20 of the Northampton Local Plan and Policy BN9 of the West Northamptonshire Joint Core Strategy.

7. Notwithstanding the submitted details, prior to the construction of the development hereby permitted above ground floor slab level, full details of all external lighting within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of amenity and crime prevention in accordance with Policies BN9 and S10 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

8. Notwithstanding the submitted details and prior to the occupation of the development hereby permitted, a detailed scheme of hard and soft landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

9. Prior to the occupation of the development hereby permitted, full details of facilities for the parking of bicycles and bin storage shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle and bin storage shall be provided prior to the occupation of the development hereby permitted and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

10. Prior to the occupation of the development hereby permitted, details of a means to prevent grease, fat and food debris from entering the foul drainage system serving the premises shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the development hereby permitted and maintained in accordance with the approved details thereafter

Reason: In the interests of amenity in accordance with Policy E20 of the Northampton Local Plan and Policy BN9 of the West Northamptonshire Joint Core Strategy

11. The alterations to the parking layout and new delivery and recycling bays shown on the approved plans shall be constructed prior to the occupation of the building hereby approved. The new parking spaces and delivery and recycling bays shall thereafter be retained.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with Policy S10 and C2 of the West Northamptonshire Joint Core Strategy and the guidance in the National Planning Policy Framework.

12. The kitchen extract equipment shall be constructed in accordance with approved drawing number MCD/SCH/1001 and submitted Odour Statement prior to the occupation of the building hereby approved and maintained in accordance with the approved details thereafter.

Reason: In the interests of amenity and to ensure that the development will integrate acceptably with its surroundings in accordance with Policy E20 of the Northampton Local Plan.

13. The approved Travel Plan (ADL/CC/3383/06B) shall be implemented at all times that the development is occupied unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the reliance on the private car for journeys to work in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

10 BACKGROUND PAPERS

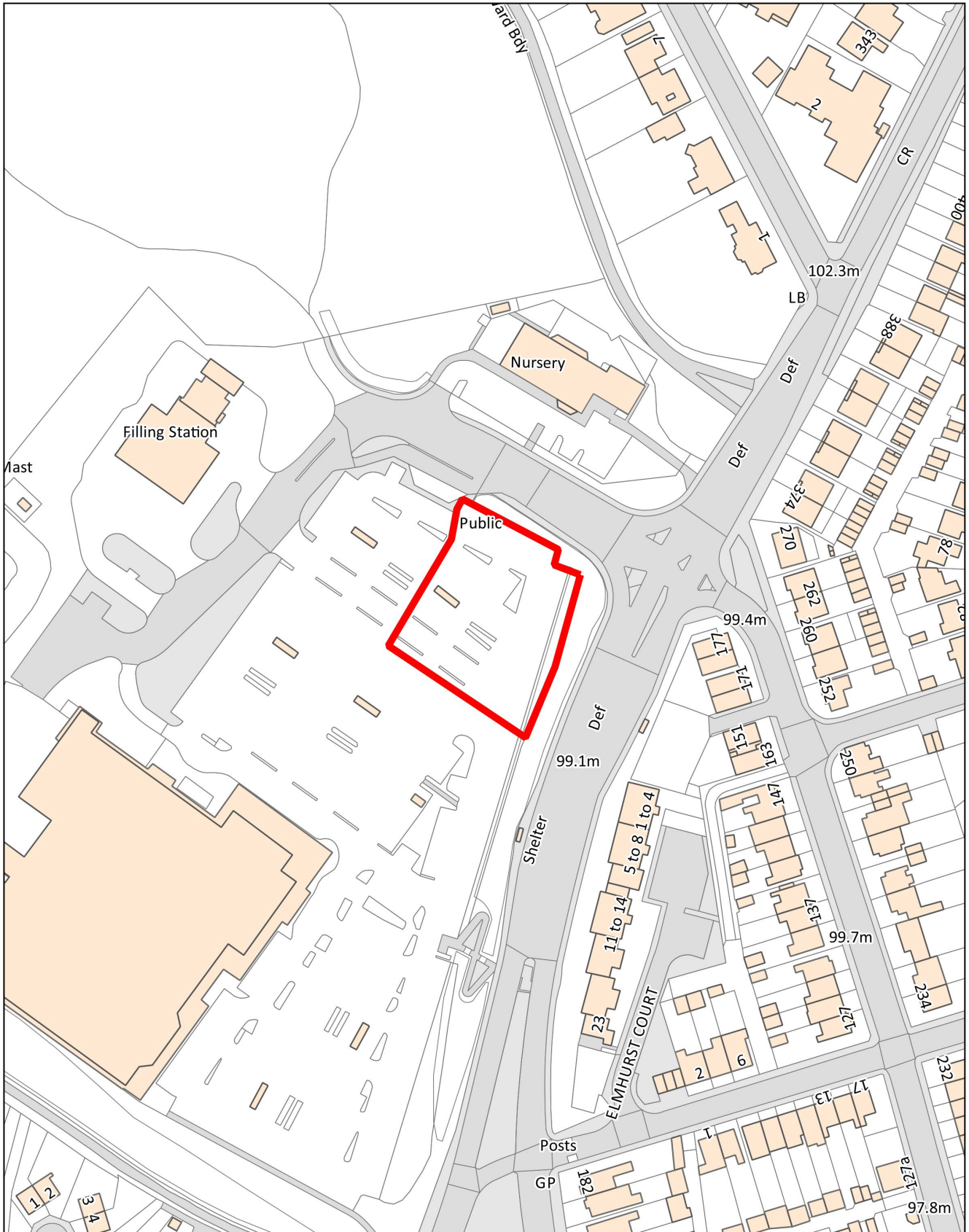
- 10.1 N/1993/666; N/1994/500; N/1997/395; N/1997/397; N/2017/1584; N/2017/1585; and N/ 2017/1586.

11 LEGAL IMPLICATIONS

11.1 The development is not CIL liable.

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.



Title: **Morrisons Superstore. Kettering Road**

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Date: 05-07-2018

Scale: 1:1.492

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