



PLANNING COMMITTEE: 30th July 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0469

LOCATION: Land at Stone Circle Road

DESCRIPTION: Siting of containers, generators and associated air conditioning equipment surrounded by weld mesh fencing, new access and net enclosure for use as a Data Centre (Use Class B8)

WARD: Talavera Ward

APPLICANT: CityFibre
AGENT: WYG

REFERRED BY: Head of Planning
REASON: council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION:

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

The siting, scale and design of the proposed development are not considered to have an undue detrimental impact on the character and appearance of the area, highway safety, trees, security and would not impact on the adjacent playing field or result in loss of any valuable open space. This accords with the aims and objectives of the National Planning Policy Framework, Policies S10, BN3, C1 and RC2 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 Planning Permission is sought for the siting of 2 containers, 2 generators and associated air conditioning equipment surrounded by 2.4 metre high weld mesh fencing with new access for use as a Data Centre (Use Class B8). In addition, ball stop netting would be installed to cover the compound.

2.2 The proposed development would house computer systems and associated components such as telecoms and storage systems. The applicant City Fibre are hoping to expand to Northampton

which will transform the town's digital landscape bringing full connectivity within reach of every building delivering an increase in internet speed and quality.

- 2.3 The proposal would provide significant benefits to local homes and businesses in the area through providing ultra high speed internet which will enhance the area. The operation comprises a centralised repository for storage, distribution and management of data and information connected with the City Fibre network operation. Access would be taken from Stone Circle Road comprising a proposed 3 metre wide track.

3 SITE DESCRIPTION

- 3.1 The application site forms a relatively small parcel of open space on the eastern side of Stone Circle Road approximately 80 metres from the junction with the main roundabout serving Round Spinney. The site is bound by existing trees to the front and rear of the site. The site lies immediately adjacent to a playing field used by a local football team known as Thorplands 81. The distance between the proposed data storage compound and the playing pitch is 3.5 metres. There is a restaurant located approximately 45 metres to the south east of the site with its own area of car parking.
- 3.2 In the Northampton Local Plan Proposals Map, the site is proposed for recreation and leisure uses. The site is not in a conservation area or near any listed buildings and the site is in a low risk flood zone (Flood Zone 1). The whole site comprises Northampton Borough Council own land.

4 PLANNING HISTORY

- 4.1 No recent planning applications.

5 PLANNING POLICY

Statutory Duty

- 5.1 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.

6 National Policies

- 6.1 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 97 Open Space
 - Paragraph 108 and 109 Safe access for all
 - Paragraph 112 Supporting high quality communications
 - Paragraph 127 Requires high standards of design and residential amenity
 - Paragraph 175 Impact on Trees

West Northamptonshire Joint Core Strategy (2014)

- 6.2 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:

C1 - Changing Behaviour and Modal Shift

S10 - Sustainable Development Principles
BN3 - Woodland enhancement and creation
RC2 - Community Facilities

:

Northampton Local Plan 1997 (Saved Policies)

- 6.3 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 policy is material to this application:

E20 Design of new development

Supplementary Planning Documents

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

7 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 7.1 **NBC Planning Policy** - No objection. The Nortoft Open Space study 2018 allocated the area as amenity green space, and identifies it in an area which has the highest provision of amenity green space across the Borough. However, pockets of green space provide stepping stones to support freedom of movement for wildlife, presenting informal recreation opportunities; and these spaces provide a valuable local level service, they also offer a green buffer between commercial premises and residential areas, Immediately adjacent to the site is the Round Spinney grassed playing pitch, the Nortoft Open Space study 2018 identifies this as a single pitch which has difficult access. The loss of the green space would only amount to a small area of the whole site off Stone Circle Road, and due to the overall benefit to the community and Borough wide, the loss of the amenity green space could be justified, in terms of policy.
- 7.2 **Sports England** - No objection.
- 7.3 **NBC Tree Officer** - Some roadside trees will be required to be removed to provide site access. There is not apparently any plans to screen the fence with new planting, ideally some planting would be included in the proposal.
- 7.4 **Northamptonshire Highways** - No comments to make.
- 7.5 **NBC Public Protection** - No comments to make.
- 7.6 **Councillor J Duffy** - Object due to the impact on development of Thorplands 81 football club.

8 APPRAISAL

Main issues

- 8.1 The main issues to consider are the principle of development, loss of open space, impact on the adjacent sports pitch, effect on appearance and character of the area, effect on trees, highway safety and security.

Benefits of the proposed development

- 8.2 Section 10 of the NPPF sets out one of the key aims of Government which is to advance high quality and reliable communications infrastructure and identifies this as essential for economic growth and social well-being. Decisions should support the expansion of electronic communications networks, including next generation mobile technology.

- 8.3 Policy C1 of the Joint Core Strategy requires new development to be accessed by fibre technology enabling access to superfast broadband. The proposal would bring about significant benefits to the local area providing enhanced internet connectivity speed.

Loss of existing open space

- 8.4 The NPPF states that existing open space or playing fields should not be built on unless an assessment has been undertaken which clearly shows the open space is surplus to requirements, the loss resulting from the proposed development would be replaced by equivalent or better provision or the benefits clearly outweigh loss of current or former use.
- 8.5 Policy RC2 of the Joint Core Strategy sets out that the loss of community facilities including open space, will be resisted unless it be demonstrated that: there is evidence that improvements can be made through the provision of a replacement facility of equal or better quality, taking into account accessibility, or the proposal will bring about community benefits that outweigh the loss of the facility or having regard to the relevant open space study, the space is surplus or is little used.
- 8.6 The proposal does not result in the loss of any meaningful open space and would contribute to providing local benefits to nearby homes/businesses. The Council's Policy Officers agree that the loss of the green space would only amount to a small area. Due to the overall benefit to the community, the loss of the amenity green space could be justified.

Impact on adjacent Sports Playing Pitch

- 8.7 As the site is adjacent to an existing sports pitch used by a local football club. Sports England are a statutory consultee and have commented on the proposal. They originally objected due to the potential for stray footballs from the adjacent pitch entering the proposed compound. The applicant has amended their plans to include a ball stopping net enclosure to prevent stray balls from the pitch entering the site and Sports England have removed their original holding objection. The impact on provision of sports would therefore be considered limited.

Impact on the appearance and character of the area and street scene

- 8.8 The Local Plan Policy E20 sets out that the design of new development should adequately reflect the character of its surroundings in terms of layout, sitting, form, scale and use of appropriate materials. The need for good design is also emphasised under Policy S10 of the Joint Core Strategy. The main part of the site would be set back almost 20 metres from the footpath adjacent to Stone Circle Road and therefore not appear overly prominent. Even though the proposed net enclosure and weld mesh fencing is not a common feature in the immediate area, its design is nonetheless considered acceptable. Visually, the proposed development with the help of additional landscaping would over time assimilate into its surroundings.

Landscaping and Impact on Trees

- 8.9 The site has trees to the front close to Stone Circle Road and also at the rear. Some trees would have to be removed close to the site access to allow the development to proceed. The loss of trees is regrettable, however, there would still be a meaningful tree belt along Stone Circle Road. A condition is recommended to require the applicant to submit details of works to ensure that the loss of trees would be kept to a minimum.

Impact on amenity of neighbouring occupiers

- 8.10 Given the separation of over 200 metres to the nearest residential properties on Thorpeville to the west, it is considered that there would be no effect on neighbouring properties in terms of noise, loss of outlook, light and visual intrusion.

Access and Highway Safety

- 8.11 The proposal includes a new 3 metre wide access track serving the development off Stone Circle Road with the provision of vision splays on either side. The site is also some distance from the roundabout to the south and traffic volumes on Stone Circle Road are reasonably low. The Local Highway Authority raise no objection to the proposal.

Security and Crime Prevention

- 8.12 Policy S10 of the Joint Core Strategy and the County Council Supplementary Planning Guide on Planning Out Crime seek to encourage high standards of security and crime prevention in new development. The proposal includes the erection of 2.4 metre high weld mesh fence which would help to secure the site.

9. CONCLUSION

- 9.1 The benefits of the scheme are recognised in its contribution to the local area and the proposal would have an acceptable impact on the adjacent playing pitch, while not leading to unacceptable loss of open space. The proposal is considered to be compliant to the aims of the both national and development plan policy.

10. 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: P1808/038/PL/002C, 003C, 003C, 004C, 005D 005E, 006D.

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

- 3) The site shall be used as a data centre and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In the interest of amenity and to ensure that effective planning control is retained by the Local Planning Authority in accordance with the National Planning Policy Framework.

- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), the use of the site shall not be changed without prior written consent of the Local Planning Authority.

Reason: In the interests of amenity as the site may not be suitable to be used for other B Use Classes development in accordance with the National Planning Policy Framework.

- 5) Prior to the first use of the development hereby approved, the new access shall be installed as per the approved drawings and shall be retained throughout the lifetime of the development.

Reason: In the interests of highway safety to accord with the aims of the National Planning Policy Framework.

- 6) The proposed net enclosure as shown on the approved plans shall be implemented prior to the first use of the development hereby approved and retained in its position throughout the lifetime of the development.

Reason: In order not to prejudice the use of the adjacent sports field in accordance with the aims of the National Planning Policy Framework.

- 7) Prior to the commencement of development, full survey details to identify the number of trees that requires to be removed to accommodate the proposed access shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

11. BACKGROUND PAPERS

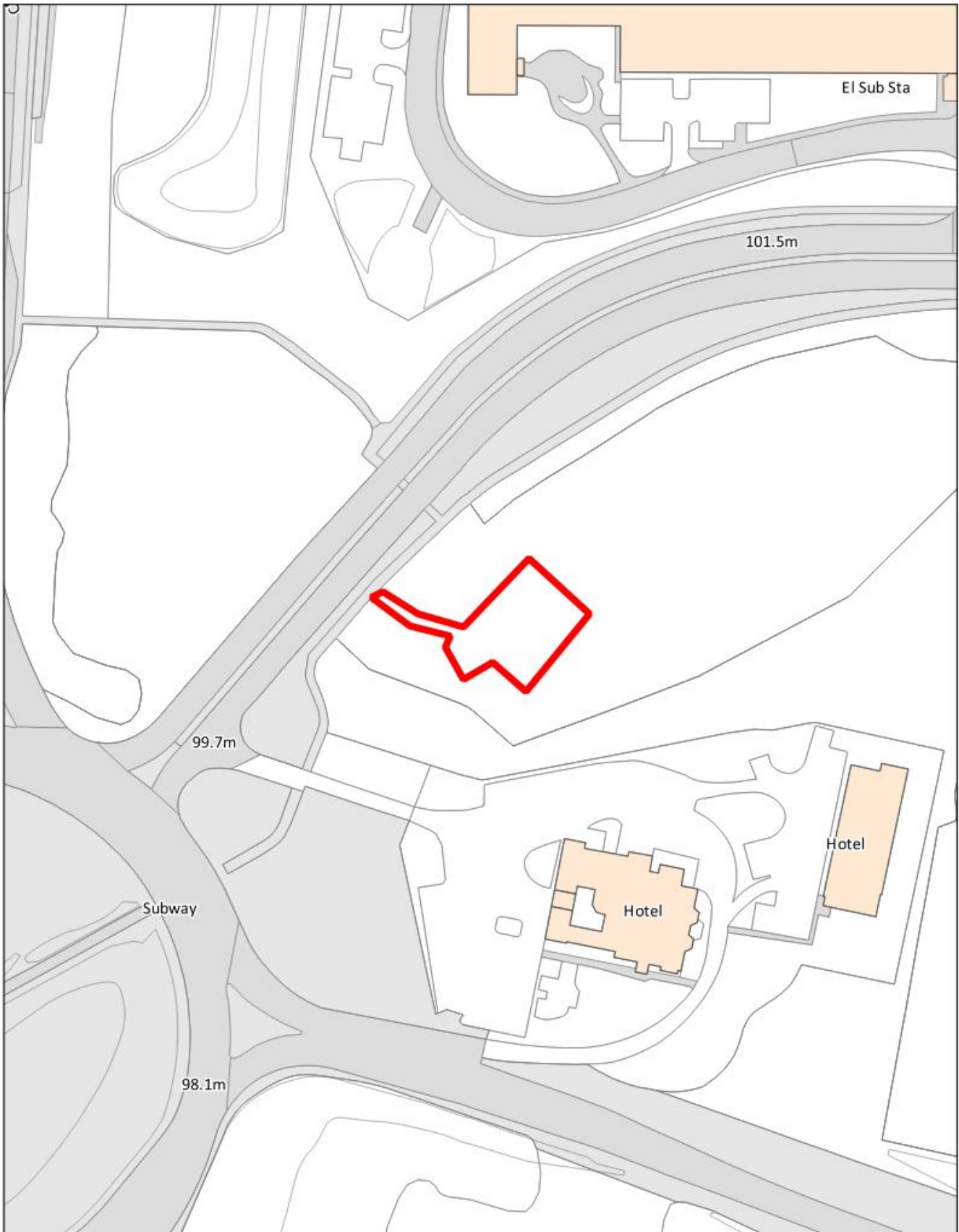
- 11.1 N/2019/0469.

12. LEGAL IMPLICATIONS

- 12.1 The development is not CIL liable.

13. SUMMARY AND LINKS TO CORPORATE PLAN

- 13.1 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: **Land at Stone Circle Road**

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Date: 16-07-2019

Scale: 1:1,250

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