



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 15 March 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/0785

LOCATION: Delapre Golf Complex, Eagle Drive, Northampton,
Northamptonshire, NN4 7DU

DESCRIPTION: Car park extension, associated groundworks and pit
with channel for ball collecting - part retrospective.

WARD: Delapre & Briar Ward

APPLICANT: Mr Tony Channing
AGENT: GP Planning Ltd

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: NBC owns the land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

REFUSAL for the following reason:

It has not been adequately demonstrated what the level of harm to the significance of the heritage asset, comprising part of the site of the Battle of Northampton, resulting from the development would be, or that this harm would be outweighed by any public benefit. The proposal is thereby contrary to Policy BN5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The proposal is a retrospective application for the provision of an additional area of car parking within the site of the existing golf club and the creation of a pit with a channel for golf ball collection.

3. SITE DESCRIPTION

3.1 The site comprises an established golf club extending across a significant part of Delapre Abbey Park. The site of the proposal specifically relates to a small area of land close to the club house. This is within the Registered Battlefield.

4. PLANNING HISTORY

- 4.1 The golf course was originally approved in 1974 under reference 74/0333, with associated buildings approved later the same year under reference 74/0632.
- 4.2 Following on from this various additional applications were made for additional buildings, extensions to the course etc, which are not directly relevant to the current proposal.
- 4.3 In 2003 earthworks and landscaping to the course were approved, under reference N/2003/1322.
- 4.4 In 2012 an application for an extension to the car park at the golf club was made and subsequently withdrawn, under reference N/2012/1065.

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 that states that planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

Paragraph 126 States that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

Paragraph 130: States that evidence of deliberate damage should not be taken into account in any decision.

Paragraph 131: In determining applications Local Planning Authorities should take account of: The desirability of sustaining the significance of heritage assets and putting them to viable uses consistent with their conservation; The positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation and any harm should require clear and convincing justification. Substantial harm to or loss of designated heritage assets of the highest significance,

notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 133: Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, LPA's should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss.

Paragraph 134: Where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

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 BN5: The Historic Environment and Landscape.

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 E9: Locally Important Landscape Areas gives special importance to the impact of proposals to the character of locally important landscape areas.

Policy E20 "New Development", which states that the design of any new building or extension should adequately reflect the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials and that development should be designed, located and used in a manner which ensures adequate standards of privacy, daylight and sunlight.

Policy E38 which states that planning permission will not be granted for development which would adversely affect the character or setting of a nationally important ancient monument (whether scheduled or not), important historic landscape or the site of the Battle of Northampton.

5.5 **Supplementary Planning Documents**

The Site of the Battle of Northampton 1460 – Conservation Management Plan
Northamptonshire County Parking Standards SPG 2003
Planning out Crime in Northamptonshire SPG 2004

6. **CONSULTATIONS/ REPRESENTATIONS**

- 6.1 **Historic England** – *Comments on initial submission*: Do not consider that sufficient evidence has been provided to understand the impact of the proposal on the significance of the heritage asset affected. It therefore does not meet the requirements of paragraph 128 of the National Planning Policy Framework. Advise that the Council should request further information.

On receipt of further information: Advice has not changed, the application does not address the issues raised previously of significance of material identified in the archaeological assessment, clarification regarding previous ground disturbance, clear and detailed statement of need for the additional parking spaces. Do not agree with the statements or conclusions in the submitted heritage assessment report. It remains Historic England's view that the loss of green space and change to the character of the development site will be harmful to the significance of the registered battlefield. **On the basis of the currently submitted information the proposals would constitute unjustified harm to a designated heritage asset of the highest significance**

- 6.2 **County Archaeologist** – The application has not considered the impact of the proposed development in relation to the guidance within the National Planning Policy Framework and the Conservation Management Plan. *One receipt of further information:* reiterate advice given in last response.
- 6.2 **NBC Conservation** – It is not possible to support the proposal as submitted due to a lack of information demonstrating need and the lack of a clear justification. Further information would be required which clearly demonstrates need for additional parking and associated works including the proposed ball pit and channel and clearly evaluating the historic significance of the two areas proposed for works and the potential impact the development will have on the heritage asset. There would need to be a clear and convincing justification for the works, clearly demonstrating how the harm to the historic significance would be outweighed by the public benefit the proposal could deliver. *One receipt of further information:* The application does not demonstrate the need for a car park extension or offer robust justification for the acknowledged harm to the heritage asset. Issues relating to the ball pit and associated works have not been addressed.
- 6.3 **Local Highway Authority** – No observations to make.
- 6.4 **Police Crime Prevention Design Adviser** – The applicant has not considered the implications for crime when designing this car park and further crime prevention measures (CCTV for example) should be required should the application be granted permission.
- 6.4 217 objections received from local, national and international objectors, The Richard the 3rd Society, the Battlefields Trust and the Northampton Battlefield Society, making the following points in summary:
- The site is on the nationally important Historic England designated battlefield of Northampton.
 - Concerned that the Battlefield Management Plan has not been properly considered. States that NBC should resist any further development.
 - Must not destroy Northampton's heritage by building a car park.
 - No development should be allowed within the registered battlefield.
 - Site could be a cultural draw to Northampton
 - Parking is for cars from Brackmills, not associated with the golf club, no need for this development for the club itself.
 - Robotic ball return will damage what is left of the site.
 - Report that nothing of archaeological significance was found during the survey is inaccurate
 - Concerned that shortcuts are being taken and correct procedures not followed.

- Any building should only be undertaken once full archaeological research has been completed.
- Application does not demonstrate the need for additional parking.
- By allowing the application would be condoning the golf clubs action of illegally carrying out the work.
- Would prevent future development as a heritage site
- Application fails to demonstrate why there is an exceptional need.
- Local authorities should be safeguarding historical sites and not permitting them to be destroyed.
- Any loss to the historic landscape will be irretrievable.
- The application does not identify any public benefits.
- Will make it impossible to undertake research into the battle of Northampton
- Area concerned is green space and parkland, development would erode the sense of open space.
- Has there been a risk assessment carried out on the impact of more traffic on Eagle Drive?

7. APPRAISAL

- 7.1 The issues to consider in the determination of this application relate to the harm which would be caused to the registered battlefield, a designated heritage asset, and whether such harm can be justified.
- 7.2 The work which has been carried out to date involves the removal of topsoil from the site, the further work as proposed would involve the removal of more layers and the installation of a car park area with the use of road planings to create a suitable surface for parking.
- 7.3 As set out in the National Planning Policy Framework, as referred to above, any harm or loss to a heritage asset requires clear and convincing justification, whereas substantial harm or loss to an asset of the highest significance should be wholly exceptional.
- 7.4 In making this assessment, the importance of the asset must first be considered. The site is within the registered battlefield site of the Battle of Northampton. The National Planning Policy Framework states that a registered battlefield represents a heritage asset of the highest significance and this is confirmed in advice in this respect from Historic England.
- 7.5 Turning to the assessment of the level of harm, the application was accompanied by a programme of archaeological assessment for the unauthorised works already carried out, but did not include any assessment of the harm which would be caused by further works to complete the installation of the car park. The submitted Heritage Assessment concedes that development would lead to harm to the heritage asset, but argues that this would not be substantial, as it would not lead to a total loss of significance. This conclusion is based on the small area of land involved. This conclusion is not accepted by Historic England who consider that further information as to the level of harm is required.
- 7.6 Even without such information, it is clear that harm would occur. If such harm could be considered to be less than substantial, justification is still required. The only justification which is provided is that the area would provide additional car parking for the golf course, rather than remaining “disused”. No assessment is made as to why

this car parking or the ball collection facilities are necessary for the functioning of the club.

- 7.7 It should also be noted that a significant number of parking spaces within the existing parking area of the golf club have been sub-let to business users in nearby Brackmills. This is understood to be a temporary arrangement. Therefore even if the area of parking as proposed in this application could be shown to be necessary at present for the continued functioning of the club, in time the arrangement of subletting parking spaces would come to an end. Therefore the permanent harm to an area of the historic battlefield to make up this temporary shortfall could not be justified.

8. CONCLUSION

- 8.1 In considering the merits of this proposal, the positive and negative aspects must be carefully weighed up in accordance with the NPPF.
- 8.2 In this case, on the negative side it is clear that harm would be caused to a heritage asset of the highest significance. It is not clear at present whether this would represent substantial harm or less than substantial harm.
- 8.3 If the proposal would represent substantial harm, this would only be acceptable in wholly exceptional circumstances. If the proposal represented less than substantial harm, it would need to be demonstrated that significant public benefits would result and which would outweigh the negative impact of this harm. This has not been demonstrated.
- 8.4 During the course of the application the applicants have been given the opportunity, through their agents, to provide further evidence of the degree of harm and the justification for such harm. Further details were provided and these were assessed but still found to be insufficient. The opportunity to provide still further justification has also been given. At the time of writing this report such justification has not been provided and it must therefore be concluded that it has not been adequately demonstrated what the level of harm caused by the development would be, or that the harm caused would be outweighed by public benefits.
- 8.5 The application also includes a proposal for a ball pit and channel. Despite requests no assessment of the level of harm which would result from this or any justification for any harm which would result has been provided. It must therefore be concluded that this element of the proposal has also not been demonstrated to be acceptable.

9. BACKGROUND PAPERS

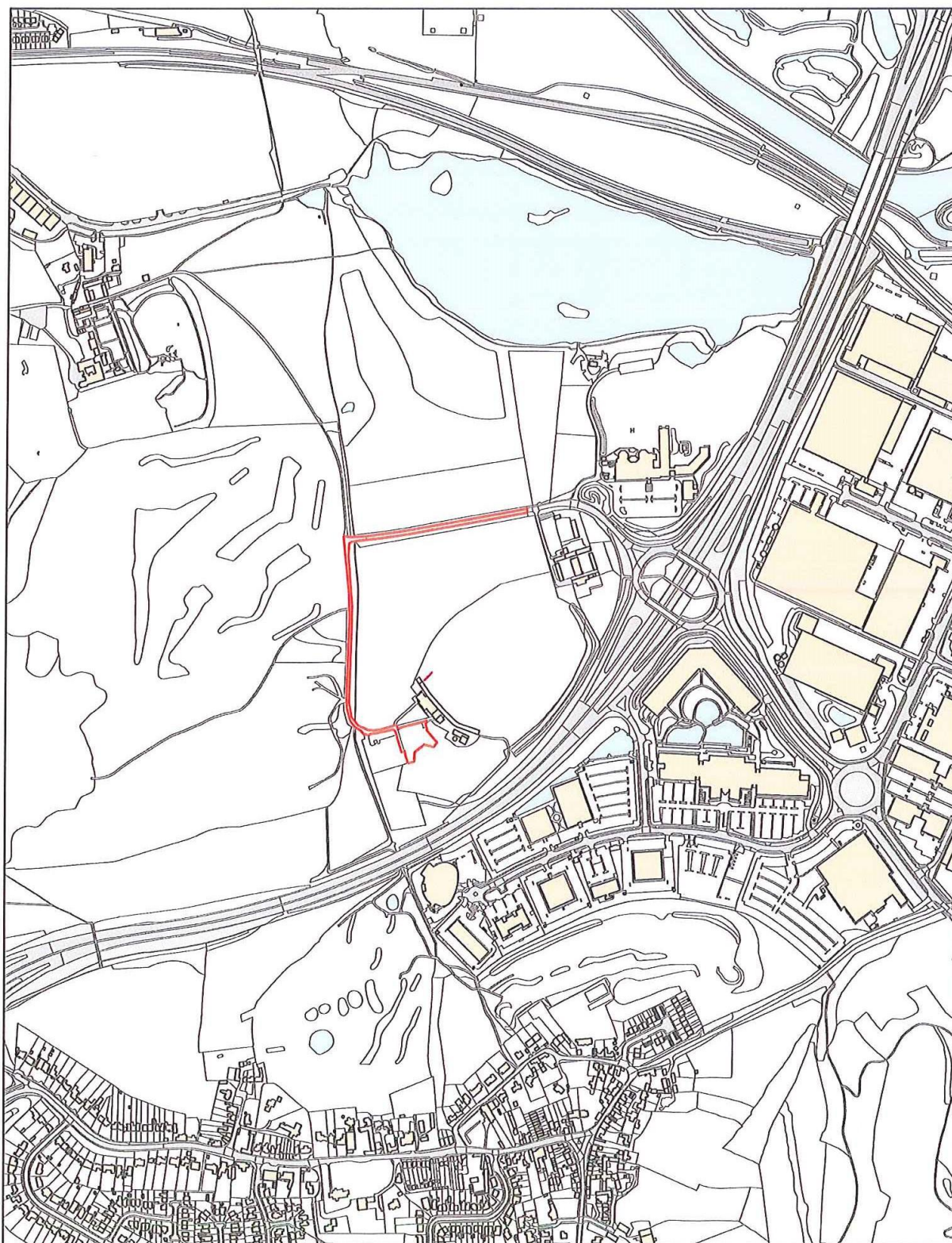
- 9.1 Application file N/2015/0785

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.



Title: **Delapre Golf Complex, Eagle Drive**

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