

PLANNING COMMITTEE: 27th September 2016

DIRECTORATE: Regeneration, Enterprise and Planning

DIRECTOR: Steven Boyes

REPORT TITLE: Confirmation of Refusal Reason of Planning Application N/2015/0335

Redevelopment comprising a new distribution centre (Use Class B8) including related service roads, access and serving arrangements, car parking, landscaping bund and associated works at Milton Ham, Towcester Road

1. RECOMMENDATION

1.1 That the following **reason for refusal** be ratified by Members:

By reason of the design, siting, scale and massing of the proposed development, the proposal would represent an overly dominant and strident feature that would be detrimental to the character, appearance and function of the existing network of green space. Furthermore, the development would adversely impact upon the visual amenity of the area, including the surrounding residential properties. For these reasons, the development is contrary to the policies of the National Planning Policy Framework; Policies BN1, BN5 and S10 of the West Northamptonshire Joint Core Strategy; and Policy E20 of the Northampton Local Plan

2. PURPOSE OF REPORT

2.1 This report seeks Planning Committee's ratification of the detailed refusal reason for the above planning application. The application was refused by the Planning Committee at the meeting held on the 28th July 2015.

2.2 The application is currently the subject of an appeal to be dealt with by Public Inquiry commencing on the 29th November 2016. Queen's Counsel acting on behalf of the Council has advised that the revised refusal reason should be confirmed by Planning Committee.

3. BACKGROUND

3.1 Planning Committee resolved on the 28th July 2015 to refuse Planning Application N/2013/0338. The minutes of the meeting note that the application should be refused on the grounds that:

'By reason of the design, siting, scale and massing of the proposed development, the proposal would represent an overly dominant and strident feature that would be detrimental to the character, appearance and function of the existing network of green space. Furthermore, the development would adversely impact upon the visual amenity of the area, including the surrounding residential properties. For these reasons, the development is contrary to the policies of the National Planning Policy Framework; Policies BN1 and S10 of the West Northamptonshire Joint Core Strategy; and Policy E20 of the Northampton Local Plan'

3.2 In order to defend the refusal of the planning application and in advance of the forthcoming public inquiry, the Council has assembled a team of expert witnesses and appointed a Queen's Counsel.

3.3 Queen's Counsel has indicated that that Council's reason for refusal should be clarified by adding a reference to Policy BN5 of the West Northamptonshire Joint Core Strategy (JCS). This would be read in conjunction with the other policies from the JCS and the Local Plan already cited.

4. CONSIDERATION OF JCS POLICY BN5

4.1 Members are advised to note that since the refusal of planning permission, the Council has received the appeal decision pertaining to the Hardingstone Sustainable Urban Extension, which was received in April 2016. The conclusions of the Inspector and Secretary of State in that appeal are relevant in relation to the application of Policy BN5 of the Joint Core Strategy, Policy BN5 is not limited to matters related to the historic environment, but should be applied to determining proposals impacting upon both the historic environment and the landscape..

4.2 This is of particular relevance as one strand of the reason for refusal relates to the adverse impact upon the character and appearance of the green infrastructure (such as the playing fields and undeveloped land to the north). By reason of the design, siting, scale and massing of the proposed building, it is considered that the proposed development would lead to a significant negative impact upon the landscape, which serves as buffer between areas of the built environment and important recreation areas.

4.3 As a result, Policy BN5 is also relevant and should be read in conjunction with Policy BN1, which is already cited within the decision notice. The addition of this policy therefore adds clarity to the Council's decision.

6. LEGAL IMPLICATIONS

6.1 As set out in the report.

7. SUMMARY AND LINKS TO CORPORATE PLAN

7.1 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.

8. BACKGROUND PAPERS

8.1 Report to Planning Committee and minutes from the meeting held on the 28th July 2015.



Name: **Site Location Plan**
Date: **13th July 2015**
Scale: **1:5000**
Dept: **Planning**
Project: **Planning Committee**

Title

Land at Milton Ham, Towcester Road

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