



Local Plan Part 2 – Irthlingborough East: Nene Park, Diamond Way (Policy EN40)

January 2021

This background paper has been prepared to:

1. Explain the complicated planning history regarding the Nene Park employment area at Irthlingborough (“Irthlingborough East”)
2. Consider the spatial relationships of Irthlingborough East/ Nene Park with other emerging strategic retail and leisure development schemes; and
3. Assess constraints affecting the Irthlingborough East/ Nene Park area and the implications of these upon development potential.

1.0 Introduction and background

1.1 Since the decision to prepare a new District-wide Local Plan Part 2 (April 2016), a number of significant developments featuring retailing and other main town uses have been delivered in the south of the District:

- Rushden Lakes (Phase 1 opened July 2017; phases 2-4 opened July 2019);
- Warth Park – Main town centre uses at Michael Way (Asda, KFC and East Northamptonshire Enterprise Centre) opened from spring 2016;
- Aldi, Attley Way, Irthlingborough, opened November 2018;
- Coop and associated retail units, Church Street, Irthlingborough, completed/ opening in stages (2019-20).

1.2 These various developments are taking place within the proximity of the Nene Park site, to the east of Irthlingborough. This forms part of a group of sites within various ownerships which, as a collective, may be referred to as “Irthlingborough East”. The Nene Park site has a complicated planning history, but since the football stadium was vacated when Rushden and Diamonds Football Club was wound up, its future has become a consideration for the Local Plan Part 2. Following demolition of the stadium in 2017, this site is now the most significant area of previously developed land (7.2ha gross) within the District.

1.3 This report seeks to provide enhanced explanation and information regarding the Irthlingborough East area and the implications of this for the Local Plan Part 2:

- Principal land units that make up the Irthlingborough East area;
- Vacant/ under-developed elements of constituent sites;
- Development of site specific policy/ policies for the Local Plan Part 2.

2.0 Principal land units that make up the Irthlingborough East area

2.1 Recent planning history for the Irthlingborough East employment area is complicated. In order to assist policy making, the site has been broken down into six distinctive parts. **Table 1** (below) shows the most recent lawful use for each of the six parts of Irthlingborough East; the most recent consented uses and planning references. A zonal map of the six main components of Nene Park/ Irthlingborough East area is provided at **Annex 1**.

TABLE 1			
Site reference/ name/ gross site area (ha)	Current lawful use(s)	Most recent consented/ proposed use (if applicable)	Planning application(s)/ permission(s) for proposed use (if applicable)
1: Diamond Business Centre, Attley Way 2.88ha	Vacant - Land west of Diamond Business Centre (0.93ha) Business use - Diamond Business Centre building/ curtilage (1.95ha)	New offices and industrial units (vacant land) Small business units, including offices; dental practice; nursery	01/00746/FUL 01/00746/FUL
2: East of Attley Way (Land Adjacent Marsh Lane), Nene Business Park 5.17ha	Vacant (3.79ha) – residential development anticipated to commence imminently Health centre - Nene Park Outpatients Clinic (1.38ha)	Residential development – 88 No dwellings (under construction) n/a	19/00402/REM & 16/01431/OUT n/a
3: Former Rushden and Diamonds FC stadium/ associated infrastructure, Nene Park, Diamond Way 7.17ha	Vacant – Former football stadium site, cleared 2017	None – previous proposals for retail and leisure uses refused	15/02198/OUT & 15/02199/OUT
4: Lexicon House/ Waterside House Business Centre, Station Road 3.77ha	Warehousing - Lexicon House Business/ offices - Waterside House	n/a Small business/ start-up units	97/00453/FUL n/a
5: Sports And Exhibition Centre, Nene Park, Diamond Way 1.14ha	Business/ Non-residential Institutions/ Assembly and Leisure/ uses	Business/ Non-residential Institutions/ Assembly and Leisure/ uses	12/00628/FUL

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6	Food retail store and day care centre	Aldi Food retail store and day care centre	15/01191/FUL & 17/01337/VAR
West of Attley Way, Nene Business Park 1.20ha	Aldi opened November 2018; day care under construction (spring 2020)		

2.2 Considering each of the six main parts of the Irthlingborough East area, the focus for the Local Plan Part 2 should be bringing the redundant (vacant/ disused) parts of the area back into productive use:

- Site 1 – Land west of Diamond Business Centre (0.93ha); and
- Site 3 – Former Rushden and Diamonds FC stadium/ associated infrastructure, Nene Park, Diamond Way (7.17ha);

2.3 The redundant/ under-used parts of the Irthlingborough East employment area total 8.1ha, out of a total 21.33ha gross site area. Currently, therefore, 38% of the gross site area is vacant/ unused. The two remaining vacant sites (1 and 3) are physically separated, so each could be expected to be developed as freestanding projects. Notwithstanding, the vacant Rushden and Diamonds FC stadium site (Nene Park) is a significant derelict/ brownfield site and therefore a challenge for the Local Plan Part 2.

3.0 Site 1 – Land west of Diamond Business Centre

3.1 Permission for the refurbishment/ re-use of the listed records building for office accommodation, new offices and industrial units was first granted in May 2002 (reference 01/00746/FUL). It was intended that this scheme would be implemented in two phases:

1. Conversion/ refurbishment of the former records building; then
2. Erection of new offices and industrial units.

3.2 Phase 1 was implemented in around 2002-3; since when the records office has hosted a range of small and medium sized enterprises (SMEs). However, no progress has been made with delivering phase 2 (0.93ha developable area), although the 2002 planning permission remains “live”.

4.0 Site 3 – Former Rushden and Diamonds FC stadium/ associated infrastructure, Nene Park, Diamond Way

4.1 The 7.17ha vacant former Rushden and Diamonds FC (Nene Park) stadium site remains the largest single vacant constituent part of the Irthlingborough East area. Proposals for the comprehensive redevelopment of the former stadium site were submitted in late-2015 (references 15/02198/OUT & 15/02199/OUT).

4.2 The application proposals by Conalgen Enterprises SA, for a new retail and leisure development included retail (A1), cinema (D2), hotel (C1), restaurants (A3/ A5) and new community football facility, were refused in July 2016, for the following reasons:

- Location, scale and type of development – impact upon existing town centres; and
- Flood risk – requirements of national planning policy exception test for fluvial flooding had not been satisfactorily fulfilled.

4.3 The refusal reasons reflect the challenging development constraints facing the Local Plan Part 2 in setting a deliverable policy for the site. In both cases, the application proposals had not fulfilled the requirements of the town centres and flood risk sequential and exception tests, respectively.

5.0 Development of site specific policy/ policies for the Local Plan Part 2

5.1 In order to develop robust and workable policies for the vacant/ under-used parts of the Irthlingborough East area, it is necessary to address the following questions:

- Is there sufficient justification for any site specific proposals?
- If so, are site specific proposals deliverable?

Site 1 – Land west of Diamond Business Centre

5.2 For Land west of Diamond Business Centre (Attley Way), the 2002 planning permission (reference 01/00746/FUL) remains extant. Nearly 20 years since the development of new offices and industrial units adjacent to the Diamond Business Centre was consented nothing has happened to bring this second phase of the development forward.

5.3 The scheme was consented as an employment land allocation from the 1996 District Local Plan (former Policy IR2). However, the JCS allows the release of existing and committed employment sites for alternative uses, where there is no reasonable prospect of the site coming forward for the consented use (Policy 22(c)). Given that nearly 20 years has passed since planning permission for the second phase (new build employment units) was granted, it could not reasonably be argued that this part of the consented scheme will ever be delivered.

5.4 Notwithstanding, Policy 22(c) allows, in principle, for the consented (albeit unimplemented) part of the development to be released for alternative uses. That is not to say that this should necessarily be put forward as a new allocation in the Local Plan, given that the site is heavily constrained by topography and potential access arrangements.

5.5 Consideration could be given to the possible release of the site for residential development, given its proximity to local services and employment (Diamond

Business Centre, Aldi supermarket and NHS outpatient's clinic). The capacity of the site for residential development, taking account of topography, possible development constraints and applying the JCS standard 35 dwellings per ha @ 85% developable area would equate to between 20 and 25 dwellings. The site is not currently being promoted for development, but if this position changes then it could be counted as windfall.

Site 3 – Former Rushden and Diamonds FC stadium/ associated infrastructure, Nene Park, Diamond Way

- 5.6 The former Rushden and Diamonds FC stadium site forms the largest and most challenging part of the six main sites/ plots that make up the Irthlingborough East area. The challenges to bringing forward a comprehensive redevelopment scheme for this site are well illustrated by the recent unsuccessful application proposals (15/02198/OUT & 15/02199/OUT) to comprehensively redevelop the site for retail and leisure uses.
- 5.7 The site's current status as over 7ha of derelict land within Irthlingborough mean that delivering a successful redevelopment of the site should be a priority for the Local Plan Part 2. This was recognised in the 1st draft version of the Plan (November 2018), which proposed a criterion-based policy for managing redevelopment of this site (EN39).

Policy EN39: Former Rushden and Diamonds FC Stadium site, Nene Park, Diamond Way, Irthlingborough

The former Rushden and Diamonds FC Stadium site, as shown on the Policies Map, is allocated for a mix of main town centre, business and leisure uses. Proposals should deliver:

- a) Flood compatible employment uses such as tourism, cultural or leisure related development, complementing the nearby offers of Irthlingborough, Higham Ferrers and Rushden town centres, and Rushden Lakes;
- b) Appropriate flood risk mitigation measures;
- c) Measures to enhance biodiversity, deliver ecosystem services and ensure that any development does not have a significant adverse impact upon the adjacent SPA/ Ramsar site;
- d) Improved arrangements for pedestrian and cyclists, crossing the A6 to Station Road and the town centre (east);
- e) Pedestrian and cycle connections to the East Northamptonshire Greenway, via the Old Bridge and Marsh Lane (west);
- f) High quality landscaping; and
- g) Provision for new moorings along the River Nene Navigation and direct riparian access.

- 5.8 The draft Policy EN39 was developed with reference to advice provided by the Environment Agency in association with the preparation of the 1st draft Local Plan Part 2 (summer/ autumn 2018). Responding to consultation (November 2018 – February 2019), the landowner/ promoters (represented by Montagu Evans and Conalgen Enterprises SA) objected that the range of uses was overly restrictive and based upon what was argued to be “*an incorrect and flawed Flood designation for the site*” (Montagu Evans). In response to these representations the Planning Policy Committee (11th March 2019, Item 5, Appendix 1¹), agreed that additional evidence would be required to address this matter.
- 5.9 Consideration also had to be given to the Environment Agency’s supporting representation (14th December 2018), which supported the range of uses proposed in the draft Policy 39 provided that this meets the definitions of water compatible vulnerability set out in national policy and guidance. The promoters accepted that they would need to assemble additional evidence to overcome concerns that the Environment Agency would have were the range of uses to be broadened as was being proposed.
- 5.10 Additional evidence base was submitted by the promoters in September 2019. The full evidence base was published alongside the Strategic Flood Risk Assessment (SFRA), Appendix 4²; February 2020. Publication of the SFRA should allow the range of uses proposed in the draft Policy EN39 to be reviewed and allow for a deliverable and sustainable development proposal to potentially come forward for the Nene Park (former stadium) site.

6.0 Conclusion/ recommendations

- 6.1 The latest site assessment for Irthlingborough East has found that there is 8.1ha of remaining undeveloped land, across two separate sites (0.93ha + 7.17ha). It is necessary to consider what (if any) amendments to the draft policies are needed to provide a robust policy framework for managing the prospective release of the two vacant/ undeveloped sites within the area.
- 6.2 The undeveloped part of site 1, to the west of the Diamond Business Centre, Attley Way, retains an extant permission for a comprehensive development of new offices and industrial units (reference 01/00746/FUL). There may be opportunities to release this land for alternative uses under the already adopted Local Plan spatial framework (JCS Policy 22(c)). The quantum of development that could be achieved is considered to represent what could be regarded as windfall if alternative proposals for this land come forward.
- 6.3 It is noted that the former Rushden and Diamonds FC stadium site (site 3) represents a significant challenge due to significant development constraints; particularly the current EA Flood Zone status of the land (predominantly Flood Zone 3, which precludes the majority of development or land uses). It was on

¹ https://www.east-northamptonshire.gov.uk/meetings/meeting/944/planning_policy_committee

² https://www.east-northamptonshire.gov.uk/info/200190/annual_monitoring_report/68/evidence_base_and_monitoring/9

this basis that Policy EN39 was drafted for the 1st draft version Local Plan Part 2 (November 2018).

- 6.4 On 11th March 2019 the Planning Policy Committee approved the Council's response to representations regarding draft Policy EN39. A number of these representations have entailed further evidence gather and/ or amendments to the policy text. In particular, the landowners/ promoters of the land commissioned additional bespoke flood risk survey work to determine the detailed flood risk status of the former Rushden and Diamonds FC stadium site. This was published as Appendix 3 to the updated Level 1 SFRA (February 2020).
- 6.5 The draft policy text has been reviewed and updated, with reference to representations by the promoters, Lead Local Flood Authority, Environment Agency, Historic England and Natural England. The revised policy text, taking account of these, is shown below.

Policy ~~EN39~~ EN40: Former Rushden and Diamonds FC Stadium site, Nene Park, Diamond Way, Irthlingborough

The former Rushden and Diamonds FC Stadium site, as shown on the Policies Map, is allocated for ~~a mix of main town centre~~ **employment uses, with an emphasis on** business ~~and~~, leisure **and tourism** uses. Proposals should deliver:

- a) Flood compatible employment uses such as tourism, cultural or leisure related development **in accordance with the current EA flood zone status**, complementing the nearby offers of Irthlingborough, Higham Ferrers and Rushden town centres, and Rushden Lakes;
- b) Appropriate flood risk mitigation measures;
- c) Measures to enhance biodiversity, deliver ecosystem services and ensure that any development does not have a significant adverse impact upon the adjacent SPA/ Ramsar site;
- d) **Suitable access and highways arrangements to enable the site to be served by public transport;**
- e) Improved arrangements for pedestrian and cyclists, crossing the A6 to Station Road and **accessing** the town centre (east);
- f) Pedestrian and cycle connections to the East Northamptonshire Greenway, via the Old Bridge and Marsh Lane (west);
- g) High quality landscaping, **recognising the setting of nearby heritage assets such as Irthlingborough Bridge and Crow Hill Iron Age Fort;** and
- h) Provision for new moorings along the River Nene Navigation ~~and~~ **allowing** direct riparian access.

- 6.6 Overall, it is considered necessary to review and update the draft Policy EN39 (now EN40) in view of representations received through the 1st draft Local Plan Part 2 consultation (November 2018 – February 2019) and the latest evidence (SFRA update, February 2020). The Nene Park (former stadium) site is brownfield land within the urban area, so in this regard the principle of redevelopment should be supported, in accordance with JCS policies 6 and 11. Given the significant development constraints it is necessary to provide direction as to the types of development that could be supported, subject to viability.

Prepared by:
Michael Burton (Principal Planning Policy Officer)

Annex 1: Irthlingborough East (Nene Park) – map of sites:

<https://www.east-northamptonshire.gov.uk/downloads/file/11260/irthlingborough-east-map-of-sites>