

Date of Determination 15/9/2020



EAST NORTHAMPTONSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

REFUSAL OF PLANNING PERMISSION

18/00982/FUL

Location

Land North Of Northampton Road Rushden Northamptonshire

Proposal

Full planning permission for the erection of a supermarket (Class A1) of 1,725 sqm, non-food retail floorspace (Class A1) of 2,300sqm, Class A1/A3 Drive Thru (167 sqm), 60 bed unit care home (Class C2), and 18,260 sqm of business floorspace (Class B1c, B2, B8 (with ancillary offices), together with a new area of public space, balancing ponds and associated highway works, access, infrastructure, car parking and landscaping.

Applicant

Ashfield Land Developments Ltd

C/o Agent

Agent

Mr B Cansfield - Pegasus Group

10 Albemarle Street London W1S 4HH

Date received

11 May 2018

Date valid

12 June 2018

Under the provisions of the Town and Country Planning Act 1990 the Local Planning Authority hereby **REFUSE PLANNING PERMISSION** for the above development in accordance with the application and plans submitted, for the following reasons:

1. The proposal does not accord with Policy 35 of the North Northamptonshire Joint Core Strategy in that it proposes retail and storage / distribution amongst the primary uses. The inclusion of a care home is also not considered to be compatible with the proposed primary uses.
2. The two landmark buildings (Units 1 and 2) fall short of the quality expected for a prominent gateway site. This is contrary to Policies 8 d) i. and 35 f) of the North Northamptonshire Joint Core Strategy and Paragraph 130 of the NPPF.
3. The layout, particularly for Unit 1, fails to take the opportunities available for improving the character and quality of the area, by creating unacceptable conflicts between large goods vehicle and pedestrian movements. This is to the detriment of pedestrian safety and is likely to prejudice modal shift, contrary to Policy 8 b) i and d) i, and Policy 35 e) of the North Northamptonshire Joint Core Strategy and Paragraph 130 of the National Planning Policy Framework.

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Decision Date
15 September 2020

Signed:



Paul Bland
Head of Planning Services

NOTES:

In reaching this decision the Council has implemented the requirement in the NPPF to deliver sustainable development in a proactive and positive way in accordance with paragraph 38.

A full report is available at www.east-northamptonshire.gov.uk.

APPEALS TO THE SECRETARY OF STATE:

If you are aggrieved by the decision of the local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against the local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application, if you want to appeal against the local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against the local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against the local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- In all other circumstances if you want to appeal against the local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals can be made online at:

<https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

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If you intend to submit an appeal that you would like examined by Inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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18/00982/FUL - Rushden Gateway

