



UPDATE REPORT IN RESPECT OF ALAMEIN WOOD

Prepared by Mr Geoff Armstrong

On Behalf of:

Manor Oak Homes

In Respect of:

Appeal against the decision of South Northamptonshire Council to refuse application

S/2019/0856/MAO

Land south of Grange Park, Quinton Road, Northampton, NN4 5DF

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1.0 INTRODUCTION

- 1.1 This Update Report is submitted on behalf of Manor Oak Homes (hereinafter referred to as 'the appellant') in support of its appeal against the decision by South Northamptonshire Council ('the Council') to refuse planning application reference S/2019/0856/MAO (the 'appeal application') relating to land south of Grange Park, Northampton (the 'appeal site'). It follows discussions and agreement at the Case Conference agreeing the principle of an update in respect of Section 106 matters.
- 1.2 This report specifically seeks to clarify matters in respect of the extent and status of the off-site footpath links through Alamein Wood and Alamein East (the Alamein Link). Whilst no changes are proposed to the works either through the site or beyond into Foxfields Country Park a description of these proposals have been included for completeness.
- 1.3 It also concludes on how the Alamein Wood and Alamein East links are to be delivered, a question that has previously been posed by the Council and Grange Park Parish Council. This follows an investigation into the terms of the current lease of the land and the rights that exist to the freeholder who is also the landowner of the appeal site, the Courteenhall Estate.

2.0 CURRENT POSITION

- 2.1 My evidence already submitted towards the inquiry describes that the appellant proposed two separate northwards pedestrian and cycle links from the appeal sites into Grange Park. The extent of the current proposals is now described in this section.

The Foxfields Country Park Link

- 2.2 The Foxfields Country Park link includes the upgrade of the existing Northamptonshire County Council (NCC) maintained bridleway that leads from Quinton Road to the south of the site, fringing the entirety of the eastern extremity of the site and then leading into Foxfields Country Park to the north. Currently the 375m section of this bridleway that runs through the appeal site, just within its eastern boundary, comprises little more than a muddy fringe to the existing agricultural field. The 925m section running from the north east corner of the site through Foxfields Country Park is a better-quality route, comprising pressed gravel, but is unlit and is often potholed and rutted.
- 2.3 The section of the bridleway running through Foxfields Country Park in turn then firstly links into the wider footpath network within Grange Park around 500m to the north of the site at Foxfields Way. It does, however, continue to run further northwards until it terminates at the confluence of metalled paths running westwards into the estate towards Wake Way.
- 2.4 It is proposed by the appellant to include a 3m-wide fully surfaced shared footway and cycleway through the appeal site, a link which would include a wide retained grass verge that can continue to be used by horseriders in lieu of the existing bridleway. Beyond the appeal site, and through Foxfields Country Park, a contribution is to be paid to NCC to implement the upgrade of the further 925m section of the path. This will comprise making good the existing surfacing through the repair of potholes and the introduction of low-level lit bollards to allow an improvement in security at night.

The Alamein Link

- 2.5 The second link hitherto proposed by the appellant involved the provision of a surfaced footpath in place of what is now a well-used but informal woodland path from the site, through Alamein Wood and the structural landscaping to the immediate north of the site. Currently these provide links to the wide and lit Alamein Greenway which forms an arterial footpath and cycleway running north to south through Grange Park.
- 2.6 As detailed in my evidence the appellant currently proposes a new 80m link running from north to south through Alamein Wood between the northern boundary of the site and the southern end of the Alamein

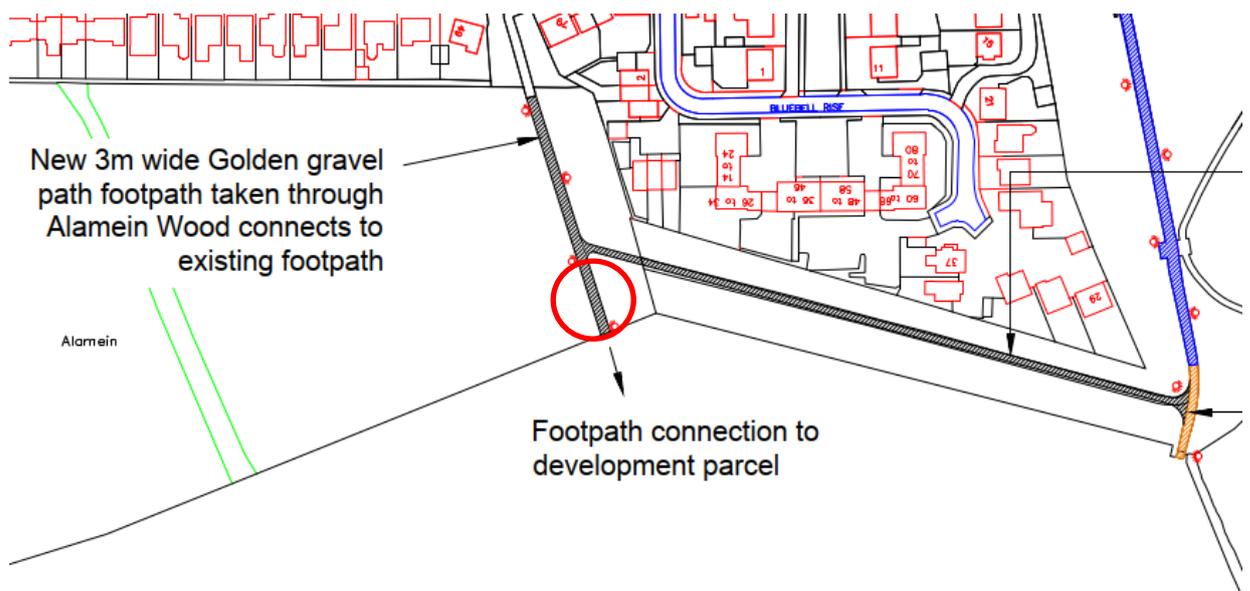
Greenway. This would comprise a 3m wide golden gravel path which would also feature low level bollard lighting to allow for illumination at night. In addition, the Alamein works would also include the provision of a formal 3m-wide east to west link running from this path and then meeting the existing bridleway running through Foxfields Country Park (described above). This east west link would similarly be constructed to a golden gravel surface although currently it is not proposed to provide lighting along this route.

- 2.7 Full details of the previously footpath work described in my evidence can be found at **Appendix GAA1** of this report.

3.0 CHANGE OF CIRCUMSTANCE

- 3.1 The works detailed at **Appendix GAA1** of this report represent those that were negotiated with South Northamptonshire Council (SNC) and NCC during the course of the appeal application. Since these were agreed, however, concerns have been raised by a combination of Grange Park Parish Council (GPPC) and SNC that the implementation of any new paths may require planning permission in their own right and also that on this basis the current ownership of the land may potentially preclude the delivery of these works.
- 3.2 Accordingly, the appellant has undertaken further investigation into these issues and as a result has sought to revise the extent of the Alamein Link in order to remove any doubt in respect of either the need for planning permission or the ability to implement these works. In addition, and through a full review of the provisions of the existing lease over the land, it has also been possible to confirm that the works can be delivered either by or on behalf of the mutual landowner of both Alamein Wood and the appeal site.
- 3.3 Firstly, upon detailed investigation of the planning status of the paths through Alamein Woods and Alamein East it transpires that a short 20m section of the proposed footpath works does not currently benefit from planning permission. This section is the short link beginning at the northern boundary of the appeal site and joining on to the junction of the Alamein Wood and Alamein East footpaths. This section is shown circled in red on the extract of the footpath plan below, at **Figure GAA1**:

Figure GAA1: Alamein Wood and Alamein East Links



- 3.4 Otherwise the remainder of the Alamein Wood and Alamein East works shown in grey on the above figure

currently benefit from lawful consent following discharge of the relevant conditions pursuant to Condition 20 of S/1997/0129/PO and further secured as a result of the Section 106 completed in respect of this permission (**Appendix GAA2**), Clause 5 specifically. On this basis, any work to these paths including their resurfacing and upgrade would comprise maintenance rather than the creation of a new series of footpath links and would not require any further formal planning consent.

3.5 In addition the wood was included in the zones of the Grange Park development entitled as both country park and structural landscaping. On this basis they currently exist as publicly accessible space that can be used freely by pedestrians. This is in accordance with the approvals described below.

3.6 On the issue of the ownership of the land, the freehold is held by the same Estate as the appeal site but is also subject of a long leasehold held by the developer of Grange Park. I am advised by the appellant's legal team that there are a number of options to deliver the works to upgrade the existing footpath links including the mutual landowner of both Alamein Wood and the appeal site undertaking the works on behalf of the appellant as allowed by the current lease with the developer. It is the same landowner who originally owned and enabled the delivery of Grange Park and the country park.

3.7 To illustrate the position described above this report is appended by a suite of documents demonstrating the requirement to implement these works and the extent of the footpath network identified in **Figure GAA1** above that now benefits from the since implemented consent. These are as follows:

- Planning Permission Reference S/1997/0129/PO for the original Grange Park development, dated 8th May 1998 (**Appendix GAA3**);
- Extract of the approved Development Brief (September 1997) detailing the extent of the landscaping works to be implemented at the site, including the Alamein and Alamein East links (**Appendix GAA4**);
- Decision Notice relating to Discharge of Condition Application 1998/1216, approved on 24th February 2000 (**Appendix GAA5**);
- Decision Notice relating to Discharge of Condition Application 2001/0060, approved on 28th August 2001 (**Appendix GAA6**);
- Drawing 0103.S.531 'Alamein East Structural Landscape Belt', approved under Discharge of Condition Application Reference 1998/1216 (**Appendix GAA7**);
- Exchange of letters in respect of Application Reference 2001/0060 in respect of submission of Alamein Wood Ride drawings and linking the application to the discharge of the S106 requirements (**Appendix GAA8**); and
- Drawing 0103.556 'Alamein Greenway Alamein Wood Ride', approved under Discharge of Condition Application Reference 2001/0060 (**Appendix GAA9**).

4.0 REVISED FOOTPATH AND CYCLEWAY PROPOSALS

- 4.1 Resultant of the above position, and the extent of the approved and implemented footpath network in particular, the appellant has sought to revise the extent of works through Alamein Wood and Alamein East to correspond to the route which benefits from planning permission. These now omit the 20m section of footpath shown at my **Figure GAA1**, the only element of the previous scheme of off-site works that does not correspond with an existing approved and implemented footpath link. Whilst this area does not form part of the approved footpath network, it is already in use informally and there is no reason why this situation would not be maintained.
- 4.2 Instead, the appellant now proposes further upgrades to the east-west Alamein East link which will once again be finished with a 3m wide golden gravel surface but will also now include low-level bollard lighting identical to those to be provided through Foxfield Country Park and along the northern section of the Alamein Wood ride. Details of the revised Alamein works is shown by Drawing 6473/ASP01C included as **Appendix GAA10** of this statement. In turn a mechanism to secure these works will be linked to and secured by the agreed Grampian Condition to be attached to any permission.
- 4.3 This revision of the extent of the formal footpath works to be provided would extend the distance from the site to Grange Park via Alamein Wood by approximately 150m. Accordingly, this report includes amendments to Tables GA1 and GA2 included in my evidence to reflect this. The revised distances from the edge of the site to the various shops, services and facilities in Grange Park via the Alamein Wood link compared with both the additional route via Foxfields Country Park and the comparable distances to services from the Wootton Fields scheme are now as follows:

Table GAA1: Walking Distance from Amenities to the Entrance of the Sites

Facility / Amenity	Appeal Site (Alamein entrance)	Appeal Site (Foxfields Country Park entrance)	Wootton Fields
Primary School	On site*	On site	1.7km*
Equipped Play Area	On site	On site	Adjacent
Public Open Space	Adjacent	Adjacent	1.3km
Sports Pitches	Adjacent	Adjacent	1.8km
Pre-School / Nursery	1.35km	1.4km	1.7km*
Community Centre	1.35km*	1.4km	+2.0km
Convenience Store	1.45km*	1.5km	1.7km*
Local Employment	1.55km*	1.6km	2.0km*
Doctors Surgery	1.55km*	1.6km	+2.0km
Dental Surgery	1.55km*	1.6km	+2.0km

Pharmacy	1.55km*	1.6km	+2.0km
Public House	1.55km	1.6km	+2.0km
Eatery / Restaurant	1.55km	1.6km	+2.0km
Coffee Shop	1.55km	1.6km	+2.0km
Secondary School	+2.0km	+2.0km	1.7km*

4.4 Similarly, the distances from the centre of the site to the nearest shops and services via the same routes detailed above are as follows:

Table GAA2: Walking Distances from Amenities to the Centre of the Developable Area of Each Site

Facility / Amenity	Appeal Site (Alamein entrance)	Appeal Site (Foxfields Country Park entrance)	Wootton Fields
Primary School	On site	On site	1.8km
Equipped Play Area	On site	On site	0.1km
Public Open Space	0.2km	0.2km	1.4km
Sports Pitches	0.2km	0.2km	1.9km
Pre-School / Nursery	1.55km	1.6km	1.8km
Community Centre	1.55km	1.6km	+2.0km
Convenience Store	1.65km	1.7km	1.8km
Local Employment	1.75km	1.8km	+2.0km
Doctors Surgery	1.75km	1.8km	+2.0km
Dental Surgery	1.75km	1.8km	+2.0km
Pharmacy	1.75km	1.8km	+2.0km
Public House	1.75km	1.8km	+2.0km
Eatery / Restaurant	1.75km	1.8km	+2.0km
Coffee Shop	1.75km	1.8km	+2.0km
Secondary School	+2.0km	+2.0km	1.8km

4.5 Importantly all of these distances still fall within the maximum acceptable walking distance of 2km set out at Table 3.2 of the Chartered Institution of Highways and Transportation (CIHT) publication 'Providing Journeys on Foot' which remains the recognised industry standard. In addition, in each instance – either via the Alamein or Foxfields links – the site remains more accessible than the Wootton Fields development, one which was unequivocally recognised as sustainable and accessible by SNC's planning committee in 2018.

4.6 In which case the proposed amendments to the off-site footpath works, along with the above revisions in respect of the resultant walking distances, do not alter the commentary and conclusions set out in my

evidence where it is concluded that the links to and from the site as more than sufficient to accommodate a sustainable new residential development.

5.0 CONCLUSIONS

5.1 In conclusion, then, and in light of the proposed amendments to the Alamein Link the following is clear:

- The proposed scheme of works in its entirety relates to an approved and existing scheme of well-used footpath links (the Alamein ride) which were secured and delivered as part of permission reference S/1997/0129/PO;
- On this basis there would be no requirement for any further formal planning permission as the upgrade works would represent maintenance and upgrade rather than the creation of a new footpath;
- The ownership position in respect of the land does not represent a barrier to implementation – the terms of the lease over the land does not preclude the freeholder, who in this instance is the same landowner as the appeal site, from entering the land and undertaking the works;
- On the basis of this fully implementable scheme of footpath works the walking distances from the site to the range of shops, services and facilities in Grange Park would still fall well within the CIHT acceptable walking distance guidelines and as such my conclusions presented in my main evidence are still entirely applicable; and
- The use of a Grampian condition is an entirely proper mechanism to ensure the delivery of the upgrade of the current footpaths which are already well-used by the public.