



Area Planning Committee Wellingborough

22 June 2022

Committee Update Report

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UPDATE REPORT

North Northamptonshire Area Planning Committee (Wellingborough)

22 June 2022

Report of the Executive Director Place and Economy

WP/20/00526/FUL - Hearnden Court, Henshaw Road, Wellingborough

Response from NNC Councillor for the Wellingborough Area

Following the publication of the Committee Report, a comment has been received from Councillor Graham Lawman whom advises:

'Welcomes the re-development of the site, but considers it too big for the site due to it being overbearing, excessive massing for the surroundings, overlooking Mannock Road properties in particular, out of character with the houses and street scene, overdevelopment and should be one storey lower and would likely lead to displaced parking in the surrounding streets.

NNC are now being asked to consider viability, however, and whilst the consultant report is noted, the clear comment of the then Nene CCG that there was not the capacity locally for the extra patients is also noted. The planning Committee should, therefore, insist on retaining at least this commitment in the s106 agreement if it is forced to forgo the others. Sure, that this is affordable for Greatwell Homes'.

Please note the comments in paragraph 1 were those made by councillor Graham Lawman as a member of the planning committee when the original application was heard, so are retrospective and may have little bearing on the s106 decision. At that point, councillor Graham Lawman was the County Councillor for Croyland/Swanspool.

Paragraph 2 comments relate to the matter in hand and are made as a councillor, albeit not a ward councillor as the site does not lie within Councillor Graham Lawman's ward. The matter of s106 contributions is of interest to the Executive who would wish to maximise them to the benefit of residents.

Officer's Response

In response to these comments, members are reminded that a resolution to grant planning permission and delegate to the principal planning manager to approve the application subject to the completion of a S106 legal agreement and the conditions set out in the report has already been made by the Borough Council of Wellingborough planning committee where the principle of development, the scale of development, any resultant amenity impacts and parking were found on balance to be acceptable and are therefore not matters for discussion.

Regarding comments pertaining to the viability assessment undertaken and requests for a Healthcare Contribution of £28,979.06 to be retained, the independent viability assessor commissioned by NNC confirmed that 'no financial contribution can be provided as the development is a 100% affordable housing scheme with no units for market sale'. As such, NNC's independent viability assessor concluded that 'any contributions made would render the proposed scheme unviable and could prevent the development coming forward'.

The independent viability assessor did recommend 'should the council be minded to grant consent with a less than policy-compliant S.106 contributions, they would recommend a viability review mechanism in accordance with paragraph 9 of the NPPG should be included in any S.106 agreement. In accordance with the RICS guidance on viability in planning, such review mechanisms should be carried out prior to the implementation of a small scheme. If the council's intention is to ensure that the scheme is started in a timely manner, then they would suggest the review is carried out if the scheme has not reached slab level on 10 no plots within two years of consent being granted. In order to be compliant with CIL Regulation 122 and paragraph 56 of the NPPF, any contributions generated by the review procedure must be capped at the value of the contributions foregone plus indexation from the date of the planning consent, thus meeting the tests set out in those documents'.

Conclusion/Planning Balance

The proposed development complies with the relevant development plan policies and is consistent with the provisions in the revised NPPF with regards to viability and the provision of affordable housing. In line with policy 30 (d) of the JCS, the submitted viability assessment has been independently assessed and confirmed that no financial contribution can be provided with a 100% affordable housing scheme. However, the council's independent viability assessor recommends a viability review mechanism in accordance with paragraph 9 of the NPPG should be included in any S.106 agreement.

Recommendation

That planning permission be **GRANTED** subject the completion of a Section 106 Legal Agreement and the conditions set out at the end of the annexed report or any further extension agreed in writing between the applicant and NNC and the conditions set out at the end of the report.

That should the Section 106 legal agreement not be completed by 31 January 2023 or any further extension agreed in writing between the applicant and NNC that it be delegated to the (Interim) Principal Planning and Enforcement Manager to **REFUSE** planning permission.