

# Public Document Pack



**Meeting:** North Northamptonshire Planning Committee (North)  
**Date:** Wednesday 6<sup>th</sup> December 2023  
**Time:** 7:00 pm  
**Venue:** Council Chamber, Corby Cube, George Street, Corby, NN17 1QG

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To members of the North Northamptonshire Planning Committee (North)

Councillors Wendy Brackenbury (Chair), Cedwien Brown (Vice Chair), Charlie Best, , Robin Carter, Mark Dearing, Alison Dalziel, Dez Dell, Paul Marks, Simon Rielly, David Sims, Geoff Shacklock, Joseph Smyth, and Keli Watts

Substitute Members: Councillors Jean Addison, Ross Armour, Lyn Buckingham, Jim Hakewill, Larry Henson, Ian Jelley, Macaulay Nichol, Jan O'Hara, Anup Pandey, Mike Tebbutt, Sarah Tubb

Agenda			
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04	Applications for planning permission, listed building consent and appeal information*		
	<b>i) NC/23/00207/REG3 33 Ernest Wright House, Willow Brook Road, Corby</b> Conversion of former Warden's 3 bedroomed flat to 2 1 bedroomed flats for the Elderly.	Development Services	7 – 10
	<b>ii) NC/23/00209/REG3 32 Wollongong House, Cannock road, Corby</b> Conversion of former Warden's 3 bedroomed flat to provide two 1 bedroomed flats	Development Services	11 - 14

	<p>iii) <b>NC/23/00112/DPA</b>  <b>Weldon North Industrial Estate, Brakey Road, Corby</b>          Proposal to build a 65,606 square foot mezzanine floor internal structure to the existing site to increase capacity for new business to the area</p> <p>iv) <b>NK/2023/0254</b>  <b>4 Church Street, Burton Latimer</b>          Full Planning Permission: Change of Use of first floor from function room (sui generis) to a 6 no. bedroom, 6 no. person HMO (sui generis). Partial demolition of lean-to structure and replace with timber clad lobby. Timber cladding to existing staircase, additional first floor window in north elevation, secure pedestrian access gate, bin collection/storage points, cycle storage</p> <p>v) <b>NE/23/00524/FUL</b>  <b>40 Main Street, Yarwell</b>          Demolition of existing two storey dwelling and detached garage and erection of new dwelling part single, part two storey dwelling with integral store/garage</p> <p>vi) <b>NC/23/00041/RVC106</b>  <b>Little Stanion</b>          Proposed variation of s106 agreement dated 28th August 2016 relating to LPA ref: 04/00442/OUT dated 5th July 2006 and LPA ref:17/00702/DPA (Detailed) dated 21st May 2018 for 66 residential units, retail space and community hall known as the Multi Use Square Development and 17/00703/OUT dated 6th September 2018 concerning outline planning permission for the erection of not less than 99 dwellings, and a maximum of 135 dwellings plus landscaping and associated works.</p>	<p>Development Services</p> <p>Development Services</p> <p>Development Services</p> <p>Development Services</p>	<p>15 – 22</p> <p>23 – 44</p> <p>45 – 66</p> <p>67 - 202</p>
<b>Urgent Items</b>			
To consider any items of business for which notice has been given to the Proper Officer prior to the meeting and the Chairman considers to be urgent pursuant to the Local Government Act 1972.			
05	Close of Meeting		
	<p>Adele Wylie, Monitoring Officer          North Northamptonshire Council</p>  <p><b>Proper Officer</b>  <b>28<sup>th</sup> November 2023</b></p>		

\*The reports on this agenda include summaries of representations that have been received in response to consultation under the Planning Acts and in accordance with the provisions in the Town and Country Planning (Development Management Procedure) Order 2015.

This agenda has been published by Democratic Services.

**Committee Officer:** Callum Galluzzo

☎ 01536 534268 ✉ [callum.galluzzo@northnorthants.gov.uk](mailto:callum.galluzzo@northnorthants.gov.uk)

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ITEM	NARRATIVE	DEADLINE
Members of the Public Agenda Statements	Members of the Public who live or work in the North Northamptonshire council area may make statements in relation to reports on the public part of this agenda. A request to address the Executive must be received 2 clear working days prior to the meeting at <a href="mailto:democraticservices@northnorthants.gov.uk">democraticservices@northnorthants.gov.uk</a> Each Member of the Public has a maximum of 3 minutes to address the committee.	12 Noon Tuesday 5 <sup>th</sup> December 2023
Member Agenda Statements	Other Members may make statements at meetings in relation to reports on the agenda. A request to address the committee must be received 2 clear working days prior to the meeting. The Member has a maximum of 3 minutes to address the committee. A period of 30 minutes (Chair's Discretion) is allocated for Member Statements.	12 Noon Tuesday 5 <sup>th</sup> December 2023

If you wish to register to speak, please contact the committee administrator

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Members are reminded of their duty to ensure they abide by the approved Member Code of Conduct whilst undertaking their role as a Councillor. Where a matter arises at a meeting which **relates to** a Disclosable Pecuniary Interest, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless granted a dispensation.

Where a matter arises at a meeting which **relates to** other Registerable Interests, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but must not take part in any vote on the matter unless you have been granted a dispensation.

Where a matter arises at a meeting which **relates to** your own financial interest (and is not a Disclosable Pecuniary Interest) or **relates to** a financial interest of a relative, friend or close associate, you must disclose the interest and not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.

Members are reminded that they should continue to adhere to the Council's approved rules and protocols during the conduct of meetings. These are contained in the Council's approved Constitution.

If Members have any queries as to whether a Declaration of Interest should be made please contact the Monitoring Officer at – [monitoringofficer@northnorthants.gov.uk](mailto:monitoringofficer@northnorthants.gov.uk)

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## Minutes of a meeting of the Planning Committee (North)

At 7.00 pm on Wednesday 1st November, 2023 in the  
Council Chamber, Corby Cube, George Street, Corby, NN17 1QG

### Present:-

#### Members

Councillor Wendy Brackenbury (Chair)

Councillor Cedwien Brown

Councillor Robin Carter

Councillor Alison Dalziel

Councillor Dez Dell

Councillor Paul Marks

Councillor Simon Rielly

Councillor Geoff Shacklock

Councillor David Sims

Councillor Joseph John Smyth

#### Officers

Jasbir Sandhu      Development Services

Callum Galluzzo      Democratic Services

### 39      **Apologies for non-attendance**

Apologies for non-attendance were received from Councillors Mark Dearing, Charlie Best and Keli Watts.

It was noted that Councillor Jean Addison was present as a substitute for Councillor Keli Watts.

### 40      **Minutes of the meeting held on 4th October 2023**

**RESOLVED**      that the minutes of the meeting of the Planning Committee (North) held on 4<sup>th</sup> October 2023 be approved as a correct record.

### 41      **Members' Declarations of Interests**

The chair asked members to declare any interests on items present on the agenda.

Councillor David Sims declared a preclial interest on item 4.1 and indicated that he would leave the room during debate.

### 42      **Applications for planning permission, listed building consent and appeal information\***

The Committee considered the following application for planning permission, which were set out in the Development Control Officers Report and supplemented verbally and in writing at the meeting.

The reports included details of applications and, where applicable, results of statutory consultations and representations which had been received from interested bodies and individuals, and the Committee reached the following decisions:-.

**43 NK/2023/0254**

Members received an updated from officers which stated that due to an administrative error within the application process a number of parties had not been duly notified of the item being presented to the committee. Therefore to allow the correct process to be followed and to ensure the matter is dealt with in a fair and transparent way, officers recommended to members that the application be deferred.

Following debate it was proposed by Councillor Paul Marks and seconded by Councillor Carter that the application be DEFERRED in line with the officers recommendation.

(Members voted on the officers' recommendation to DEFER the application)

(Voting: Unanimous)

The application was therefore  
**DEFERRED**

**44 Delegated Officers Report**

None

**45 Exempt Items**

None

**46 Close of Meeting**

The meeting closed at 7.03 pm

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Chair

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Date



## North Northamptonshire Planning Committee (North) 6<sup>th</sup> December 2023

<b>Application Reference</b>	<b>NC/23/00207/REG3</b>
<b>Case Officer</b>	<b>Danielle Wyatt Bond</b>
<b>Location</b>	<b>33 Ernest Wright House, Willow Brook Road, Corby, NN17 2TU</b>
<b>Development</b>	<b>Conversion of former Warden's 3 bedroomed flat to 2 1 bedroomed flats for the Elderly.</b>
<b>Applicant</b>	<b>Dave Parker - Project Surveyor (Capital Works) NNC</b>
<b>Agent</b>	<b>N/A</b>
<b>Ward</b>	<b>Corby West</b>
<b>Original Expiry Date</b>	<b>29.09.2023</b>
<b>Agreed Extension of Time</b>	<b>29.12.2023</b>

### **Scheme of Delegation**

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because the building is Council owned and an application submitted by Housing Services.

#### **1. Recommendation**

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1.1. That planning permission be GRANTED subject to conditions.

#### **2. The Proposal**

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2.1 The application seeks permission to convert a former Warden's flat ( 3 bedrooms) to 2 1- bedrooms flats. The application site is flat 33 within Ernest Wright House which is a retirement housing development owned by NNC. The flat used to house a warden who would permanently live on site, however the flat has been vacant for the last 4 years due to a lack of funding . The retirement development has continued with on-site wardens during the day and with an out of hours warden for the last 4 years. The conversion of the

large flat into 2 1 -bedroomed flats for two separate tenants is a sustainable approach and increases accommodation for the elderly.

### **3. Site Description**

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- 3.1 Ernest Wright House is a development of retirement flats located on Willowbrook Road.

### **4. Relevant Planning History**

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- 4.1 No relevant planning history.

### **5. Consultation Responses**

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A full copy of all comments received can be found on the Council's website

- 5.1 Parish/Town Council  
Consultation sent 04.08.23 but no response received.
- 5.2 Neighbours/Responses to Publicity  
No responses received.
- 5.3 Local Highway Authority (LHA)  
The LHA have no objections in principle (14.09.23)
- 5.4 Informative given from Environmental Health: 09.08.23

### **Acoustic separation (all domestic dwellings) - informative**

The applicant should have regard to the Building Regulations Approved Document E 'resistance to the passage of sound' in order to ensure the acoustic insulation is adequate to minimise airborne and structure borne noise to occupants.

I refer in particular to the separation between the lounge of one flat and the bedroom of the other.

**Reason:** In the interest of residential amenity

### **6. Relevant Planning Policies and Considerations**

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- 6.1 Statutory Duty  
Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.2 National Policy  
National Planning Policy Framework (NPPF) (September 2023)  
National Planning Practice Guidance (NPPG)  
National Design Guide (NDG) (2019)
- 6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)



6.4 Local Plan:  
Part 2 Local Plan for Corby, 2021

## **7. Evaluation**

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The key issues for consideration are:

- Principle of Development
- Impact on Neighbouring Amenity
- Highway Matters

### **7.1 Principle of Development**

7.1.1 Flat 33 is vacant and its conversion would create 2 flats for the elderly in Corby. At present the former 3 bedroom warden's flat is deemed too large for an elderly couple to manage and sheltered schemes are not deemed suitable for a family. By reducing the size of the flat it will make heating more efficient and costs more manageable. The proposal is considered a more sustainable approach as it will provide two 1 bedroomed units for the elderly. It will also bring a vacant unit back into a more beneficial residential use.

### **7.2 Impact on Neighbouring Amenity**

7.2.1 As per Environmental Health's Comments Building Regulations Approved Document E 'resistance to the passage of sound' is to be adhered to.

## **8. Other Matters**

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8.1 Health Impact Assessment: Paragraph 91 of the NPPF states planning policies and decisions should aim to achieve healthy, inclusive, and safe communities and, specifically, criterion c) of this seeks to enable and support healthy lifestyles, for example, through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts which encourage walking and cycling. It is considered that the proposal subject to this application will enable many of these aims to be achieved and therefore it is considered acceptable on health impact grounds. In addition, a contribution is sought towards healthcare services.

## **9. Conclusion/Planning Balance**

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The proposal is considered to be acceptable in principle, as it involves the conversion of a former warden's flat to create an additional unit of residential accommodation for the elderly. It would result in the provision of two upgraded 1 bedroomed flats, that is sustainably located within the main built-up area of Corby. Furthermore, it is considered that the development will not cause any harm to the amenities currently enjoyed by the other occupiers of the existing sheltered accommodation. The proposal is therefore considered to be in accordance with the requirements of the

Policy 8 of the North Northamptonshire Joint Core Strategy and sections 12 and 15 of the National Planning Policy Framework.

## **10. Recommendation**

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10.1 That planning Permission be granted subject to the following conditions:

## **11. Conditions**

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1. The works hereby permitted shall begin before the expiration of three years from the date of this consent.  
Reason: As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be built in accordance with the approved plans as listed below in the 'Schedule of Plans'. The development shall be completed in accordance with the approved plans unless alternative details have been submitted and approved in writing by the Local Planning Authority prior to commencement.  
Reason: To specify the permission and for the avoidance of doubt.
3. All occupiers are to be minimum age of 55 years unless prior agreed in writing by the local authority.  
Reason: In order to comply with the existing use of the sheltered housing scheme and in accordance of policy 11 of the Joint Core Strategy.

## **12. Informatives**

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### **1. Acoustic separation (all domestic dwellings) - informative**

The applicant should have regard to the Building Regulations Approved Document E 'resistance to the passage of sound' in order to ensure the acoustic insulation is adequate to minimise airborne and structure borne noise to occupants.

I refer in particular to the separation between the lounge of one flat and the bedroom of the other.

**Reason:** In the interest of residential amenity



## North Northamptonshire Planning Committee (North) 6<sup>th</sup> December 2023

<b>Application Reference</b>	<b>NC/23/00209/REG3</b>
<b>Case Officer</b>	<b>Danielle Wyatt Bond</b>
<b>Location</b>	<b>32 Wollongong House, Cannock road, Corby, NN17 1YQ</b>
<b>Development</b>	<b>Conversion of former Warden's 3 bedroomed flat to provide two 1 bedroomed flats</b>
<b>Applicant</b>	<b>Dave Parker - Project Surveyor (Capital Works) NNC</b>
<b>Agent</b>	<b>N/A</b>
<b>Ward</b>	<b>Lloyds Ward</b>
<b>Original Expiry Date</b>	<b>16.10.2023</b>
<b>Agreed Extension of Time</b>	<b>29.12.2023</b>

### Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because this is a Council owned property.

#### **1. Recommendation**

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- 1.1. That planning permission be GRANTED subject to conditions.

#### **2. The Proposal**

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- 2.1 The application seeks permission to turn a current 3 bedroom flat into 2 1 bedroomed flats. The application site is flat 33 within Wollongong House which is a retirement housing development owned by NNC. The flat is currently across 2 floors. The flat used to house a warden that would permanently live on site, however the flat has been vacant for the last 4 years due to no funding being available for a warden to live on site. The retirement development continues to have on-site wardens during the day and an out of hours warden service for the last 4 years. The separation of the former warden's flat into 2 smaller ones will enable the flat to be used by 2 separate elderly persons or couples.

### **3. Site Description**

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- 3.1 Wollongong House is a development of retirement flats located on Cannock Road which is located off Occupation Road in the Lloyds area of Corby.

### **4. Relevant Planning History**

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- 4.1 No relevant planning history.

### **5. Consultation Responses**

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A full copy of all comments received can be found on the Council's website

- 5.1 Parish/Town Council  
Consultation sent 21.08.2023 but no response received.
- 5.2 Neighbours/Responses to Publicity  
No responses received.
- 5.3 Local Highway Authority (LHA)  
The LHA have no objections in principle (21.08.23)
- 5.4 Informative given from Environmental Health: 21.08.23

### **Acoustic separation (all domestic dwellings) - informative**

The applicant should have regard to the Building Regulations Approved Document E 'resistance to the passage of sound' in order to ensure the acoustic insulation is adequate to minimise airborne and structure borne noise to occupants.

Where the development is flats or houses in multiple occupation, this shall include individual units and shared amenity spaces.

**Reason:** In the interest of residential amenity

### **6. Relevant Planning Policies and Considerations**

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- 6.1 Statutory Duty  
Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.2 National Policy  
National Planning Policy Framework (NPPF) (September 2023)  
National Planning Practice Guidance (NPPG)  
National Design Guide (NDG) (2019)
- 6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)  
Policy 1 – Presumption in Favour of Sustainable Development  
Policy 8 – Place-Shaping Principles

- 6.4 Local Plan:  
Part 2 Local Plan for Corby, 2021

## **7. Evaluation**

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The key issues for consideration are:

- Principle of Development
- Impact on Neighbouring Amenity
- Highway Matters

### **7.1 Principle of Development**

- 7.1.1 Flat 32 currently lies vacant and the separation would bring the flat back into use creating 2no homes for the elderly in Corby. At present the 3-bedroom flat is deemed too large for an elderly couple to manage and sheltered schemes are not deemed suitable for a family. In addition, the existing staircase is deemed not suitable and the separation of the two flats would result in the staircase being removed. By reducing the size of the flat it will make the heating costs more manageable. The proposal also involves the removal of the internal staircase to assist the conversion to 2 1-bedroomed flats one on the ground floor and the other flat to the first floor. The building already has a lift, and the front door will be created off the existing corridor on the first floor. There have been no objections, and the proposal is a sustainable approach creating an additional unit of social housing unit and beneficial use of a vacant former warden's accommodation.

### **7.2 Impact on Neighbouring Amenity**

- 7.2.1 As per Environmental Health's Comments Building Regulations Approved Document E 'resistance to the passage of sound' is to be adhered to.

## **8. Other Matters**

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- 8.1 Health Impact Assessment: Paragraph 91 of the NPPF states planning policies and decisions should aim to achieve healthy, inclusive, and safe communities and, specifically, criterion c) of this seeks to enable and support healthy lifestyles, for example, through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts which encourage walking and cycling. It is considered that the proposal subject to this application will enable many of these aims to be achieved and therefore it is considered acceptable on health impact grounds. In addition, a contribution is sought towards healthcare services.

## **9. Conclusion/Planning Balance**

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The proposal is considered to be acceptable in principle as it involves the internal alteration of a property to create a further unit of residential accommodation for the elderly, that is sustainably located within the main built-up area of Corby. Furthermore, it is considered that the development will not harm the amenities

currently enjoyed by the neighbouring properties. The proposal is therefore considered to be in accordance with the requirements of the Policy 8 of the North Northamptonshire Joint Core Strategy and sections 12 and 15 of the National Planning Policy Framework.

## **10. Recommendation**

---

10.1 **That planning Permission be granted subject to the following conditions:**

## **11. Conditions**

---

1. The works hereby permitted shall begin before the expiration of three years from the date of this consent.  
Reason: As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall be built in accordance with the approved plans as listed below in the 'Schedule of Plans'. The development shall be completed in accordance with the approved plans unless alternative details have been submitted and approved in writing by the Local Planning Authority prior to commencement.  
Reason: To specify the permission and for the avoidance of doubt.
3. All occupiers are to be minimum age of 55 years unless prior agreed in writing by the local authority.  
Reason: In order to comply with the existing use of the sheltered housing scheme and in accordance of policy 11 of the Joint Core Strategy.

## **12. Informatives**

---

1. **Acoustic separation (all domestic dwellings) - informative**

The applicant should have regard to the Building Regulations Approved Document E 'resistance to the passage of sound' in order to ensure the acoustic insulation is adequate to minimise airborne and structure borne noise to occupants. Where the development is flats or houses in multiple occupation, this shall include individual units and shared amenity spaces.

**Reason:** In the interest of residential amenity



## North Northamptonshire North Area Planning Committee 6<sup>th</sup> December 2023

<b>Application Reference</b>	<b>NC/23/00112/DPA</b>
<b>Case Officer</b>	<b>Farjana Mazumder</b>
<b>Location</b>	<b>Advanced Supply Chain Group Weldon North Industrial Estate Brakey Road Corby NN17 5LU</b>
<b>Development</b>	<b>Proposal to build a 65,606 square foot mezzanine floor internal structure to the existing site to increase capacity for new business to the area</b>
<b>Applicant</b>	<b>Advanced Supply Chain</b>
<b>Agent</b>	<b>Alpine Planning Ltd</b>
<b>Ward</b>	<b>Corby Rural</b>
<b>Overall Expiry Date</b>	<b>13<sup>th</sup> October 2023</b>
<b>Agreed Extension of Time</b>	<b>8<sup>th</sup> December 2023</b>

### List of Appendices

None.

### Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation because Council is the landowner and comes before the Committee for determination.

#### **1. Recommendation**

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1.1 That planning permission be GRANTED subject to conditions.

#### **2. The Proposal**

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2.1 The applicant for the present application Advanced Supply Chain, seeks detailed planning permission for the development of 65,606 square foot mezzanine floor internal structure to the existing building to increase capacity for new business to the area.

- 2.2 The proposed mezzanine would be positioned within the eastern section of the existing building, above the area that is currently used for dealing with returns.
- 2.3 The applicant has submitted a series of drawings to demonstrate how the proposed scheme might be accommodated on the site. No alterations have been proposed to the external aspect of the building, access arrangements, turning and manoeuvring spaces within the site.

### **3. Site Description**

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- 3.1 The application site is located to the west of Steel Road and south of Hunters Road; and comprises an area of 2.278ha. The site is located within the urban boundary of Corby and surrounded by mixed uses i.e. industrial uses to the south and south-west. To the north the land is largely undeveloped. The settlement of Weldon lies to the north-east beyond Gretton Road.
- 3.2 The application site falls within the Weldon North Industrial Estate as designated within the adopted Part 2 Local Plan for Corby (2021). The subject site consists of a large B8 unit operated by Advanced Supply Chain Group.
- 3.3 Access to the site is from Steel Road, via Hunters Road, and there are suitable areas of hardstanding to the external areas that are laid out for staff parking, visitor parking and HGV loading.

### **4. Relevant Planning History**

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- 4.1 94/00114/CO: Land at Brakey Road Corby - The construction of a car park. 03.06.1994.

### **5. Consultation Responses**

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- 5.1 **Environmental Services: (08.08.2023)** No objection/comments.
- 5.2 **Crime Prevention Officer: (02.08.2023)** No objection.
- 5.3 **Northamptonshire Highways: (31.07.2023)** Requested additional information to fully assess the proposal.

(19.11.2023) Additional response has been provided by highways authority which includes observation on the submitted Transport Assessment (TA). After assessing the document the following key observations have been made:

*Observations:*

*Transport & Highways Addendum (ttc, 210835-03, November 2023)*

*1. The LPA must satisfy themselves as regards parking provision. If solely the 6095sqm of additional development is only to be considered, then this element requires a minimum of:*



- a. 41 car parking spaces
- b. 12 cycle parking spaces (assuming no customer parking is required, otherwise additional 12 required).
- c. 3 motorcycle/PTW spaces.

*The parking accumulation exercise details that would not sufficient spaces available for this level of additional car parking required during the period of 06:00-13:00. It is noted the minimum cycle parking required is to be provided and that the proposals do not intend to result in an increase in the number of FTE staff.*

2. The LPA should satisfy itself as regards EV parking facilities and the retrofitting of existing spaces in the future.

3. A 4-week or one-month Megarider ticket for the local area, one per employee for a period of time (determined as appropriate at occupation, say 3-6 months) should be secured to further encourage the use of the bus links in proximity of the site. Refer to Stagecoach zones for guidance. A pedestrian/cycle connectivity from the site to the existing footway provision on the A6116 to the east should also be considered to provide a more direct route to the bus stops from the site.

4. The Travel Plan (ttc, 210835-02, November 2023) is currently being assessed. Comments from the assessor will be supplied at the earliest upon receipt.

**5.4 Lead Local Flood Authority: (21.09.2023)** No comments/objections.

**5.5 Waste Team: (25.07.2023)** No objection/comments.

**5.6 Corby Town Council:** No comments received.

**5.7 Neighbours-** Letters were sent to 83 neighbouring units. No representation received from neighbours.

## **6. Relevant Planning Policies and Considerations**

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### 6.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities to determine planning applications in accordance with the Development Plan unless material planning considerations are considered to outweigh it.

### 6.2 National Policy

National Planning Policy Framework 2023:

- 2 Achieving sustainable development
- 6 Building a strong competitive economy
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well-designed places

National Planning Practice Guidance (NPPG)

National Design Guide (NDG) (2019)

6.3 North Northamptonshire Joint Core Strategy (NNJCS) (2016)

Policy 1 (Presumption in favour of Sustainable Development)

Policy 6 (Development on Brownfield Land and Land affected by contamination)

Policy 8 (North Northamptonshire Place Shaping Principles)

Policy 9 (Sustainable Buildings)

Policy 10 (Provision of Infrastructure)

Policy 11 (The Network of Urban and Rural Areas)

Policy 15 (Well-connected Towns, Villages and Neighbourhoods)

Policy 18 (HGV Parking)

Policy 22 (Delivering Economic Prosperity)

Policy 23 (Distribution of New Jobs)

Policy 24 (Logistics)

6.4 Part 2 Local Plan for Corby, adopted September 2021

## 7. **Evaluation**

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The key issues for consideration are:

- Principle of Development
- Employment Site
- Highways

### 7.1 **Principle of Development**

7.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities to determine planning applications in accordance with the Development Plan unless material planning considerations are considered to outweigh it.

7.1.2 Policy 1 of the North Northamptonshire Joint Core Strategy (NNJCS) 2016 outlines the presumption in favour of sustainable development that is contained within National Planning Policy Framework (NPPF) 2023, and that the Local Planning Authorities should be taking a positive and proactive approach to applications as a result.

7.1.3 In general terms, paragraphs 81 to 83 of the NPPF seek to build a strong, competitive economy. This includes creating conditions where businesses can invest, expand, and adapt. In addition, planning decisions should recognise and address the specific locational requirements of different sectors, including making provision for storage and distribution operations at a variety of scales and in suitably accessible locations.

7.1.4 The proposed development site is within the Weldon North Industrial Area as designated within the adopted Part 2 Local Plan for Corby (2021). As the site is located within an established Industrial Area, the redevelopment of the site for installation of mezzanine floor is appropriate and acceptable in principle.

7.1.5 Overall, the development of this established employment site is welcomed in principle; however, compliance with other relevant policies of the Development Plan will be assessed to determine the acceptability of the scheme.

## **7.2 Employment Site**

7.2.1 Paragraph 80 of the NPPF states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The Framework goes on stating that planning decisions should recognise and address the specific locational requirements of different sectors (paragraph 82).

7.2.2 JCS Policy 22 stresses the need for safeguarding the existing and committed employment sites which are of the right quality and suitably located in relation to infrastructure and neighbouring uses. It also seeks to enhance existing employment sites/premises through refurbishment and to regenerate previously developed land. These employment areas should be properly managed to ensure they provide the maximum benefit to the local economy and remain available to accommodate a wide range of investment.

7.2.3 The main characteristics of these estates are that they are fully established, serviced and offer wider choice to the market. Policy 9 of the Part 2 Local Plan for Coby indicates that whilst some of the estates are fairly modern with good accessibility and a wide range of good quality units, some estates will require refurbishment of older buildings and some general improvements to access.

7.2.4 A permission sought here of 65,606 square foot mezzanine floor internal structure to the existing site to increase capacity for new business to the area. The proposed scheme for upgrading the employment land is therefore entirely in accordance with the NPPF, Joint Core Strategy and Part 2 Local Plan policies.

7.2.5 In the light of the above, it is considered that the proposed development would support the economic growth and productivity by taking into account both local needs and wider opportunities for development. Therefore, the proposed scheme conforms with NPPF in building a strong, competitive economy.

## **7.3 Highways**

7.3.1 The subject site gains vehicular access from Brakey Road. The bellmouth access provides ingress / egress to the site with security gate present and servicing takes place from Brakey Road. The existing site provide parking spaces for 103 no. vehicles for staff and visitors; and 62 no. spaces for HGVs. There are also cycle parking facilities for staff and visitor. No alterations have been proposed to the access and parking arrangements as part of this application.

7.3.2 The nearest bus stops are approximately 280m to the south of the site on the A43 (Bangrave Road). The site is sufficiently connected to the surrounding highway, footway, and cycleway network.

- 7.3.3 The application submission confirms that 306 no. FTE (full time equivalent) staff currently work at the site. The proposal will result in a GFA uplift of 26% of storage space, however, this will not result in additional FTE staff as outlined within the planning application. On this basis, it is considered that the existing parking provision vehicle spaces would be sufficient to operate the business. The submission also confirms that the existing vehicle parking spaces measure 2.5m x 5.0m and disabled parking spaces measure 3.6m x 6.2m, are in accordance with the Highways Standard.
- 7.3.4 The proposal will provide 12 no. new cycle parking spaces in the form of 6 no. 'Sheffield' stands which is required for the proposed development only. The stands will be covered and secure and laid out in accordance with Northamptonshire Parking Standards (2016).
- 7.3.5 The Transport Assessment (TA) report submitted in support of the proposal demonstrates that the anticipated trip generation from the proposed development will not have any detrimental impact on the operation and safety of the local highway network. Consultation has been carried out with Highways department in relation to highway issues and the officer raised no objection to the proposed scheme. Highways Officer acknowledged the proposed provision of cycle parking and that the proposals do not intend to result in an increase in the number of FTE staff.
- 7.3.6 Overall, it is considered that the proposed development will not cause any detrimental impact in relation to highways safety. No comments have been received from LHA in relation to Travel Plan at the time of writing this report.

## **8. Conclusion**

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- 8.1 Overall, there is a strong emphasis in the NPPF 2023 in delivering overall sustainability objectives including promoting development in the right places. It is acknowledged that the scheme would provide benefit by contributing towards economic development to the local economy.
- 8.2 This proposal if granted permission, would result in a positive increase in economic output and improved use of existing commercial floorspace which is a clear sustainable benefit. The proposed changes are internal only and as submitted does not cause any significant harm to the amenity of the nearby occupiers or result in overdevelopment of the site. Furthermore, it will not give rise to any undue highway safety concerns.
- 8.3 The proposal is therefore considered in accordance with Policies 1, 6, 8, 9, 10, 11, 15, 18, 22, 23 and 24 of the North Northamptonshire joint Core Strategy, Part 2 Local Plan for Corby, National Planning Policy Framework and no other material considerations indicate that the policies of the development plan should not prevail, furthermore the decision has been reached taking into account the National Planning Policy Framework.

## **Recommendation**

- 9.1 It is therefore recommended that the application be Approved subject to conditions as set out below.

## 10. Conditions

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1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision:

- Location & Block Plan, Dwg. No.- 6021 MWK XX 00 DR A 0001 P01
- Existing Ground Floor, Dwg. No.- 6021 MWK 00 XX DR A 0012 P01
- Proposed mezzanine, Dwg. No.- 6021 MWK 00 XX DR A 0013 P01
- Existing Elevations, Dwg. No.- 6021 MWK 00 XX DR A 0014 P01
- Roof Plan, Dwg. No.- 6021 MWK 00 XX DR A 0015 P01
- Existing and Proposed Section A - A', Dwg. No.- 6021 MWK XX 00 DR A 0016 P01
- Planning Statement, June 2023
- Transport Assessment, Ref: 210835-01, July 2023
- Transport and Highways Addendum, November 2023

Reason: For the avoidance of doubt and to ensure a suitable form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. No building or use hereby permitted shall be occupied or the use commenced until, the 12no. cycle parking provision proposed has been completed, and thereafter, be kept free of obstruction and available for the parking of cycles only.

Reason: To ensure the provision and availability of adequate cycle parking in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

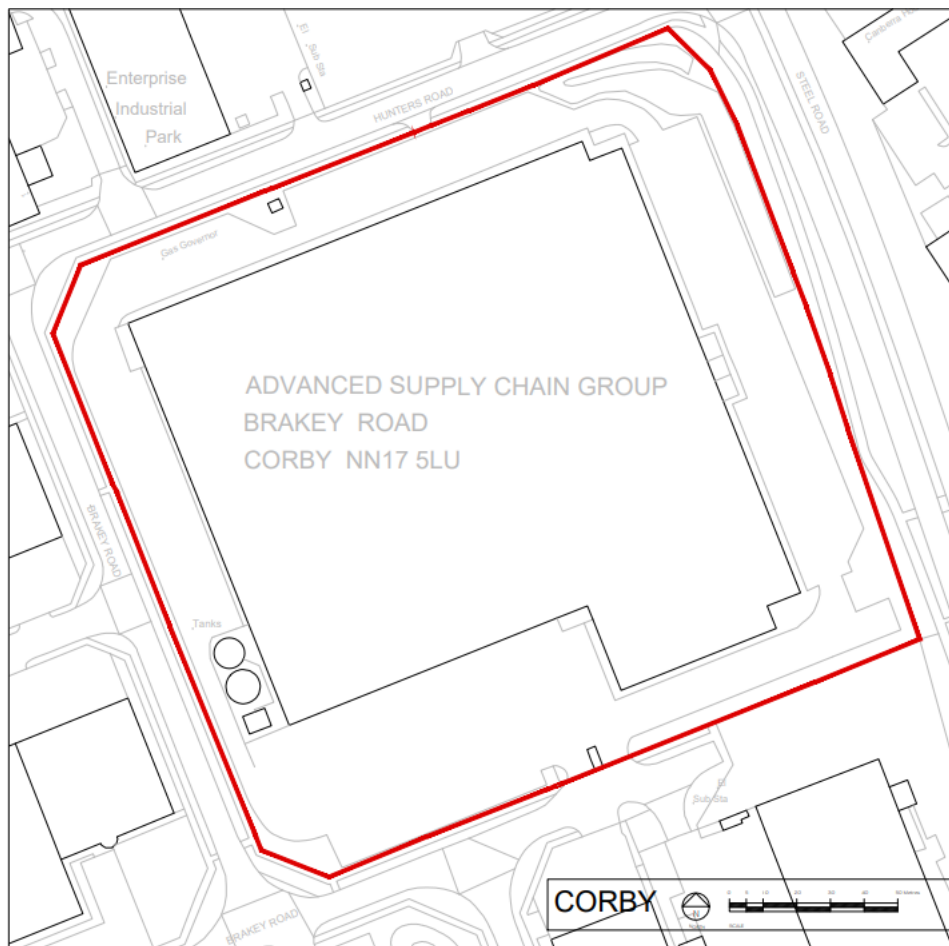
4. No building or use hereby permitted shall be occupied or the use commenced until a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and been approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed travel Plan Targets to the satisfaction of the council.

Reason: In order to deliver sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking & cycling in accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

## 11. Informatives

- 11.1 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the Joint Core Strategy Adopted July 2016, Part 2 Local Plan for Corby, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

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**Advanced Supply Chain Group, Weldon North Industrial Estate, Brakey Road, Corby, NN17 5LU**  
**Planning Application Reference: NC/23/00112/DPA**  
**Planning Committee Date: 06.12.2023**

Scale: 1:1250



## North Northamptonshire Planning Committee (North) 6<sup>th</sup> December 2023

<b>Application Reference</b>	<b>NK/2023/0254</b>
<b>Case Officer</b>	<b>Olawale Duyile</b>
<b>Location</b>	<b>4 Church Street, Burton Latimer</b>
<b>Development</b>	<b>Full Planning Permission: Change of Use of first floor from function room (sui generis) to a 6 no. bedroom, 6 no. person HMO (sui generis). Partial demolition of lean-to structure and replace with timber clad lobby. Timber cladding to existing staircase, additional first floor window in north elevation, secure pedestrian access gate, bin collection/storage points, cycle storage</b>
<b>Applicant</b>	<b>Mr G Tomkins, Cycle Developments</b>
<b>Agent</b>	<b>Mr A Jelley Alpine Planning Ltd</b>
<b>Ward</b>	<b>Burton and Broughton Ward</b>
<b>Overall Expiry Date</b>	<b>05/07/2023</b>
<b>Agreed Extension of Time</b>	

All plans and documents can be viewed using the application reference number at <https://www.kettering.gov.uk/planningApplication/search>

### **List of Appendices**

Appendix 1 Previous Committee Report: 2 August 2023  
Appendix 2 Site Plan

### **Scheme of Delegation**

This application (a non-major scheme) has received more than 5 unresolved, material objections and is therefore referred to Planning Committee.

#### **1. Recommendation**

1.1 That planning permission be APPROVED subject to conditions.

## 2. Deferred Item Update

- 2.1 At its meeting on the 2<sup>nd</sup> of August this year, the North Northamptonshire Planning Committee (North) considered and resolved to defer this application to enable officers to obtain comments from the Design Out Crime Officer (Northamptonshire Police).
- 2.2 The Crime Prevention Design Advisor provided the following response:
- *The applicants have stated “The main entrance to the first floor is located at the front, off the existing street elevation”. This isn’t how I view the entrance. The entrance is off the street, down a side alleyway, as such the gate becomes the “front door”. It would be preferable for the gate to be moved forward in line with the building elevation (or as far forward as possible). Full details on locking and structure should be provided. I suggest a minimum certified security rating LPS1175 sr2 or equivalent security rating;*
  - *No Parking provision is being supplied for the residents of the application site. Parking accommodation should be provided in accordance with the Northamptonshire Parking Standards, Local Highway Authority (LHA) guidance and satisfy Policy 8 of the North Northamptonshire Joint Core Strategy; and*
  - *The planning statement includes a crime prevention statement 4.40: The scheme must be implemented in accordance with the agreed details and thereafter retained in accordance with the details supplied.*
- 2.3 In response, the Applicant submitted amended plans with the following changes:
- The gate has been moved as far forward as is possible, given the constraints of the site (need to access the ground floor unit from the existing door, and lack of a pedestrian footway on that side of the road;
  - Further details on locking and structure have been provided as requested; and
  - The sliding door onto the laundry room has been replaced with a standard door type, to avoid any issues at the Building Control stage.
- 2.4 The Crime Prevention Design Advisor is satisfied with the changes and made the following observations:
- *With reference to the updated plans, Northamptonshire Police have the following comments, which if implemented will reduce the likelihood of crime, disorder and anti-social behaviour occurring. This is in the interest of the security and quality life of future occupants of the development in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.*
  - *The planning statement includes a crime prevention statement 4.40: The scheme must be implemented in accordance with the agreed details and thereafter retained in accordance with the details supplied.*
- 2.5 Burton Latimer Town Council (BLTC) comments:
1. Believes that this application should not be delegated but should be considered by the NNC Planning Committee;
  2. That Planning Application Reference NK/2023/0254 should be refused for the following reasons:



### Highway Safety:

Church Street has a number of older properties, is part of a protected Conservation area and has some 21 listed properties. The road has narrow footpaths and at the proposed entrance to the HMO the property in question has no footpath at all. Therefore residents will be exiting the building onto the Highway.

Vehicles making deliveries to the Conservative Club must park in the vicinity.

The road is a bus route, has several bends and is difficult for anyone pushing a buggy or using a mobility scooter. Due to lack of space for bins, the road is more hazardous on bin collection days.

### Traffic and Parking issue:

The proposals do not include any off-road parking.

Church Street has extremely limited parking availability. Over recent years BLTC has received a series of complaints about the state of parking in the road, both near to the Olde Victoria Pub (opposite the Conservative Club) and to St Mary's Church. While acknowledging the accuracy of these complaints it has not proved possible to take action to increase parking availability because of the nature of the area.

There is a 37-space public car park near to the Olde Victoria Pub and the application describes this as "ample unrestricted car parking almost immediately adjacent to the site". However, this car park is invariably full, especially in the spring and summer. Consequently, people park anywhere they can which includes nearby streets such as Bakehouse Lane, Meeting Lane and Spring Gardens. This causes increased parking problems for residents.

The application refers to the Parking Stress Survey submitted with the application stating that it "clearly demonstrates that this would not be an issue". This survey was for some unknown reason conducted in the early hours of the morning (*stated hours between 1am and 5.30am*) in February; it states that "on street parking was only ever at 56.52% occupancy" – this is hardly surprising in the middle of the night. For example, the Olde Victoria Pub is usually closed between 1am and 5.30am resulting in less demand on the car park. The survey ignores the parking problems experienced by those wishing to park during the daytime and into the evenings and the increased parking problems in spring and summer.

The submission by the Local Highway Authority includes the following observation:

"At least 6 parking spaces are required in line with Northamptonshire Parking Standards (2016)".

There is no possibility of providing these 6 parking spaces on the site and any attempt to accommodate them on the road would make parking for existing residents even more difficult than it is at present. A previous planning application, code KET/2014/0525, was refused because it was impossible to provide the required two parking spaces.

Privacy- impact on the privacy of adjoining properties:

Residents are entitled to privacy and the peaceful enjoyment of their homes. The use of the fire escape area as one of two amenity areas would provide full visibility into neighbouring properties.

Impact on the neighbourhood of an area :

When this matter was considered by the BLTC Planning Committee, 14 local people attended the meeting in order to give their views to committee members. This shows a level of anxiety by the people who will have to live with the consequences of the proposed development. While there is always a need for such accommodation, it should not be provided in such a way as to impact on existing residents by causing new problems or exacerbating existing ones. It is the Committee's unanimous view that this development would have a deleterious impact on residents of Church Street and surrounding roads.

2.6 At the last meeting, some Members also raised several concerns – each of which is addressed by the case officer below:

- Concerns in relation to the fire escape and its amenity impact:  
*At the August meeting, officers informed Members that an additional condition would be imposed to restrict the use in emergency situations only such as fire outbreak;*
- Cllrs MacDonald and Davies referred to the fact that the HMO didn't have a licence. It should be noted that the licensing process is separate from planning and is therefore not a material planning consideration.  
*Securing planning approval is the first process and a licence and building control approvals would follow;*
- Cllrs MacDonald and Davies suggested that the parking stress survey was carried out at an unusual time.  
*It is understood that the parking stress survey methodology was agreed in advance with the Highways Authority. The times of day, alongside the area of survey, are specifically required by the Highways Authority;*
- Cllr MacDonald suggested that the cladding proposed wouldn't pass fire safety requirements – including a suggestion that the fire escape is insufficient.  
*The robustness of the materials will be considered under Building Regulations;*
- Cllr O'Hara suggested that it was inappropriate to have an HMO in a Conservation Area or in a Public Protection Area.  
*As every application must be assessed in relation to the prevailing Development Plan provisions, there is no specific policy objection to HMOs in Conservation Areas;*

- Cllr O'Hara suggested that the car park opposite is subject to a restriction on overnight parking.  
*It is understood that there is no restriction on parking;*
- Cllr O'Hara suggested that the fire escape was unacceptable.  
*This is a matter covered under the Building Regulations. Furthermore, there is an existing fire escape in place, so concerns relating to overlooking are not defensible as people could already sit on it and look across the adjacent rear gardens. It is recommended that, in addition to the restriction on the use of the emergency access, a further condition be imposed to prevent the flat roof area above the ground floor being used as a sitting out area and for recreation;*
- Cllr O'Hara suggested that the kitchen area is too small.  
*The kitchen is designed to meet the requirements from HMOs based on the number of bedroom spaces to be provided. This is, in any case, not a subject for planning consideration – but part of the HMO licensing process;*
- Cllr Jan O'Hara suggested that there is simply no need for an HMO in this area. *There is no specific planning policy objection to substantiate this;*
- Cllr Carter expressed surprise that there was no police comment.  
*This has now been provided above;*
- Cllr Dell suggested the bin storage/collection details were inadequate.  
*The Waste Management Team have advised that they have no objection to the scheme.*

#### Additional Conditions

- 2.7 In addition to the four conditions in the original report, two additional conditions are recommended to be imposed if the Committee resolves to consent the proposal. These are listed as conditions number 5 and 6 of this report.
- 2.8 The original officer assessment and recommendation remains unchanged save for the additional two conditions set out below.

### **3. Recommendation**

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- 3.1 That planning permission be APPROVED subject to conditions.

### **4. Conditions**

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1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.  
REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.  
REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. No development shall commence on site until a scheme for limiting the transmission of noise between the ground floor and the units of accommodation on the first floor of the building has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved scheme and the scheme shall be completed before any of the units of accommodation is occupied.

REASON: Measures to limit the transition of noise are necessary prior to the commencement of development to protect the amenity of occupants of the proposed flats and adjacent residential properties and because the noise measures may need to be incorporated early in the construction in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. Prior to the commencement of the development (including site clearance and demolition), a suitably licenced Ecologist shall inspect the interior of the building and shall provide a Preliminary Ecological Appraisal (PEA). If any bats, roosts, protected species or habitats are identified from these surveys a European Protected Species Mitigation licence will be required along with appropriate mitigation measures before works in connection with the approved scheme commence and if necessary, the development shall not be carried out other than in accordance with the approved measures.

REASON: In the interest of safeguarding biodiversity (bats) in line with the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended) and Section 9 of the NPPF.

5. The roof of the single storey addition to the rear of the building shall not be used as a balcony, roof garden, sitting out area or for any other purpose of a similar nature without the prior written approval of the Local Planning Authority.

REASON: To safeguard the amenity and living conditions of the adjoining occupiers in relation to overlooking, loss of privacy and other disturbance as required by policy 8 of the adopted North Northamptonshire Joint Core Strategy.

6. Unless otherwise agreed in writing by the Local Planning Authority, the door annotated as 'fire exit only' on the approved first floor plan shall only be used in times of emergency and not for any other purpose or at any other time.

REASON: To safeguard the amenity and living conditions of the adjoining occupiers in relation to overlooking, loss of privacy and other disturbance as required by policy 8 of the adopted North Northamptonshire Joint Core Strategy.

## 5. Informatives

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Positive/Proactive - amendments

List of plans

The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

<b>Title</b>	<b>NK Ref.</b>	<b>Agent's Ref</b>	<b>Received Date</b>
Location plan		(00)05	26/04/23
Block plan		(00)04	26/04/23
Existing elevations & floor plans		(00)001	26/04/23
Proposed elevations & ground floor plan		(00)02B	08/09/23
Proposed first floor plan		(00)03A	08/09/23
3D plan		(00)06	26/04/23
Planning statement	NK/2023/0254/1		26/04/23
Parking stress survey report		V01	26/04/23
Parking stress survey report appendix 1	NK/2023/0254/2		26/04/23
Parking stress survey report appendix 2	NK/2023/0254/3		26/04/23
Parking stress survey report appendix 3	NK/2023/0254/4		26/04/23
Parking stress survey report appendix 4	NK/2023/0254/5		26/04/23
Photos		Appendix A	26/04/23

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**North Northamptonshire Planning Committee (North)  
2<sup>nd</sup> August 2023**

<b>Application Reference</b>	<b>NK/2023/0254</b>
<b>Case Officer</b>	<b>Olawale Duyile</b>
<b>Location</b>	<b>4 Church Street, Burton Latimer</b>
<b>Development</b>	<b>Full Planning Permission: Change of Use of first floor from function room (sui generis) to a 6 no. bedroom, 6 no. person HMO (sui generis). Partial demolition of lean-to structure and replace with timber clad lobby. Timber cladding to existing staircase, additional first floor window in north elevation, secure pedestrian access gate, bin collection/storage points, cycle storage</b>
<b>Applicant</b>	<b>Mr G Tomkins Cycle Developments</b>
<b>Agent</b>	<b>Mr A Jelley Alpine Planning Ltd</b>
<b>Ward</b>	<b>Burton and Broughton Ward</b>
<b>Overall Expiry Date</b>	<b>05/07/2023</b>
<b>Agreed Extension of Time</b>	

All plans and documents can be viewed using the application reference number at <https://www.kettering.gov.uk/planningApplication/search>

**List of Appendices**

Appendix A – Site Plan

**Scheme of Delegation**

The Burton Latimer Town Council have raised objection to the proposal and requested it to be referred to the Planning Committee for determination in view of the number of objections from residents.

**1. Recommendation**

---

1.1 That planning permission be APPROVED subject to conditions

## 2. The Proposal

- 2.1 The proposal seeks permission to convert only the first floor of the 2-storey building from a private members' function room to a 6 bed, 6 person House in Multiple Occupation (HMO). The associated works include the partial demolition of an existing lean-to structure, and replacement with new timber clad lobby, external timber cladding to existing staircase. new first floor window on the north elevation, the installation of new pedestrian access gate and the creation of refuse collection / storage points and cycle storage. The ground floor of the building is not part of the proposal and would continue to function as members' room.



## 3. Site Description

- 3.1 The application site is the Burton Latimer Conservative and Unionist Club, a 2-storey detached building with an open forecourt and located on the south-east side of Church Street in Burton Latimer. There are other structures within the rear garden and photographic evidence suggests that the first floor of the property has been out of use for a considerable period of time and has fallen into a state of disrepair. The upper floor of the building is accessed via a side extension to the northeast of the main building.
- 3.2 The site lies on the edge but outside the Burton Latimer Town Centre boundary as defined in the adopted Local Plan. The building is not listed but within the designated Burton Latimer Conservation Area.

## 4. Relevant Planning History



- 4.1 KET/2001/0946: Renovations and refurbishments – Approved 12 March 2002.
- 4.2 KET/1990/0737: Form an area for children’s swings etc under supervision of existing lawn – Approved 12 September 1990.

## **5. Consultation Responses**

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A full copy of all comments received can be found on the Council’s website at:  
<https://www.kettering.gov.uk/planningApplication/search>

- 5.1 Burton Latimer Town Council have raised objection and commented as follows: – While there is always a need for such accommodation, it should not be provided in such a way as to impact on existing residents by causing new problems or exacerbating existing ones. It is the Committee’s unanimous view that this development would have a deleterious impact on residents of Church Street and surrounding roads and the Committee therefore strongly opposes the application.
- 5.2 NNC Environmental Health  
The application has not provided enough information to demonstrate that the proposal will comply with Policy 8, e), i) & ii) of the Joint Core Strategy, paras. 185 and 187 of the National Planning Policy Framework or has considered Planning Policy Guidance – Noise. The applicant will need to demonstrate that there is suitable acoustic isolation between the ground floor club and the first-floor residential use.
- 5.3 NNC Highways  
The Highway Authority (LHA) acknowledge the parking report submitted. A parking beat survey has been provided by the applicant to the LHA’s specifications - which are applied uniformly across North Northamptonshire. The results of this survey outline a number of roads within the survey zone for which parking is not possible e.g. Spring Gardens which aligns with the findings of the report, and/or has at present, high stress levels. However, the survey also identifies a number of roads which, when viewed in combination in the survey zone, would be able to accommodate the minimum parking arrangements. It is acknowledged that the proposals would result in more on-street parking and this may result in amenity issues however this along with the wider matter of parking is one the LPA will need to make a rounded decision on. From an LHA perspective, it would be difficult to object to the findings of the survey provided by the applicant.
- 5.4 NNC Waste Management  
It should be noted that as a large HMO the majority of waste will be classed as commercial. Otherwise, no comment from NNC Waste Management.
- 5.5 NNC Ecology  
Request for a Preliminary Ecological Appraisal (PEA) for birds and bats to ensure there are no protected species issues. Whether it is demolition or renovation there is still potential to impact on protected species (taking off the roof and walls) with the poor state of repair giving an increase in the likelihood of it being used.

A survey at the start will allow us to determine the potential impacts from the start of the work, rather than coming across something half way through the development which would lead to a multi week delay whilst it was sorted out and the necessary licenses obtained (meaning cost and delays to the owner).

#### 5.6 Neighbours / Responses to Publicity

Twenty-five (25) responses were received – all raising objections to the proposal. A summary of the objections is as follows:

- Noise disturbance;
- Health and safety concerns;
- Parking provision / availability;
- Traffic generation, no footpath and highway safety;
- Building process, construction access and traffic;
- Inadequate and unsatisfactory waste storage provision;
- Impact on residential amenity re loss of privacy;
- Impact on the Conservation Area; and
- Increase in anti-social behaviour.

### **6. Relevant Planning Policies and Other Material Considerations**

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#### The Development Plan

6.1 Section 38(6) of the Planning & Compensation Act 2004 replaces section 54A of the Town & Country Planning Act 1990 and states that if regard is to be had to the development plan for the purpose of any determination (including the assessment of any planning proposal) to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

6.2 The Development Plan comprises the North Northamptonshire Joint Core Strategy 2011 – 2031 (JCS), adopted in July 2016 and the Kettering Site Specific Part 2 Local Plan (LP) – adopted in December 2021. The relevant policies applicable to the proposal under consideration are:

#### North Northamptonshire Joint Core Strategy (2016)

Policy 1 - Presumption in favour of Sustainable Development

Policy 2 – Historic Environment

Policy 4 – Biodiversity and Geodiversity

Policy 5 - Water Environment, Resources and Flood Risk Management

Policy 6 - Development on Brownfield Land and Land Affected by Contamination

Policy 7 - Community Services and Facilities

Policy 8 - North Northamptonshire Place Shaping Principles

Policy 11- The Network of Urban and Rural Areas

Policy 28 - Housing Requirements

Policy 29 - Distribution of New Homes

Policy 30 - Housing Mix & Tenure

#### Kettering Site Specific Part 2 Local Plan (2021)

Policy LOC1 - Settlement Boundaries

Policy HOU1 - Windfall and Infill Development: Principles of Delivery  
Policy TCE3 - (Residential Development within the Town Centres)  
Policy HWC2 - (Protection of Community Facilities and Proposals for New Facilities)  
Policy BLA1 - (Burton Latimer Town Centre Development Principles)

The National Planning Policy Framework (NPPF)

6.3 The NPPF was published on 27 March 2012 but has been amended on several occasions, with the most recent in July 2021. Paragraph 11 of the Framework sets out a presumption in favour of sustainable development. In consonance with section 54A of the Town and Country Planning Act 1990 (referred to above), paragraph 47 states that applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise. The Framework is a material consideration in the assessment and determination of planning applications.

6.4 The following headings and content of the NPPF are relevant to the consideration of the proposal under consideration:

Section 2: Achieving sustainable development  
Section 4: Decision-making  
Section 5: Delivering a sufficient supply of homes  
Section 8: Promoting healthy and safe communities  
Section 9: Promoting sustainable transport  
Section 11: Making effective use of land  
Section 12: Achieving well-designed places  
Section 15: Conserving and enhancing the natural environment  
Section 16: Conserving and enhancing the historic environment

National Planning Practice Guidance (NPPG)

6.5 In March 2014 the Government launched its planning practice guidance web-based resource. This was accompanied by a Written Ministerial Statement which includes a list of the previous planning policy guidance documents cancelled when the NPPF was launched. The NPPG contains a range of subject areas, with each area containing several subtopics. Those of particular relevance to the assessment of this proposal comprise:

- Design
- Determining a planning application
- Use of planning conditions

Other Relevant Legislation and Documents

6.6 Section 149 of The Equalities Act 2010 created the public sector equality duty which requires public authorities to have due regard where there are equality implications arising from a proposal in the assessment and determination of planning applications.

6.7 - Sustainable Design SPD  
- Planning Out Crime in Northamptonshire SPD  
- Northamptonshire Parking Standards SPD

- North Northamptonshire Council: Amenity Standards A guide to amenity and space standards for landlords of Houses in Multiple Occupation

## **7. Evaluation and Assessment**

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7.1 Having regard to the provisions of the NPPF and the Development Plan, it is considered that the proposal raises the following issues, with each addressed in turn.

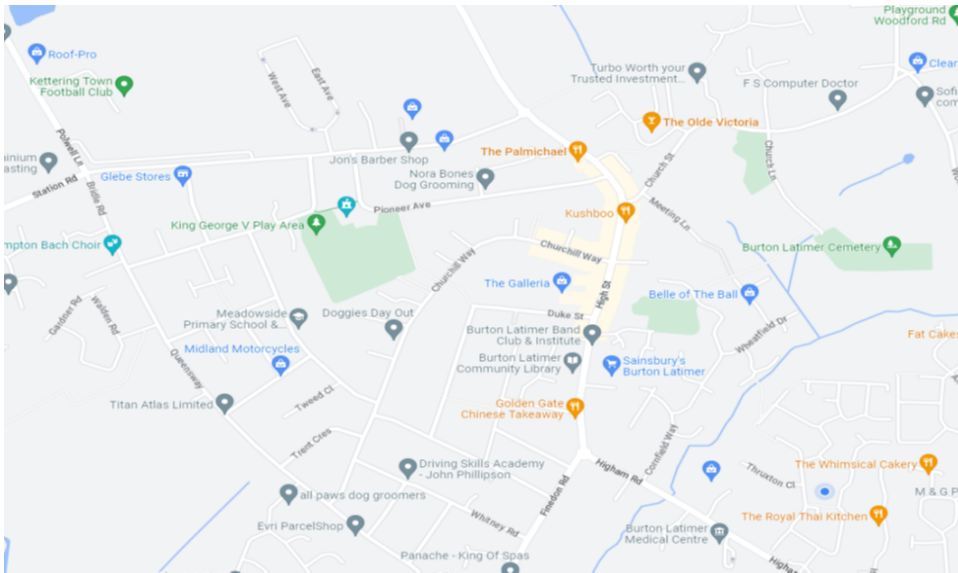
- Principle of Development
- Character and Appearance of the Conservation Area & Heritage Impact
- Impact on Living Conditions and Residential Standards
- Parking Provision and Highway Safety

### **Principle of Development**

7.2 The Development Plan (JCS and LP) seeks to safeguard community facilities. A social club is listed at page 52 of the LP as one of the uses which is regarded as a community facility. The objectives of JCS policy 7(c) and LP policy HWC2 are to protect, support and enhance community services where appropriate. Proposals that result in the loss of community facilities will be resisted, unless it can be demonstrated that: the loss of the service or facility will not have a negative impact on the vitality and viability of a settlement or local area; and the site is no longer viable to the market as a community facility as demonstrated by evidence that it has been actively marketed as a community facility for a period of 12 months.

7.3 The existing use of the first floor of the building is linked to the extant use of the ground floor as a social club. It is understood that the first floor (the application site) has been vacant for over 10 years and photographic evidence suggests that it is dilapidated with accumulation of rubbish. It is also used for storage ancillary to the ground floor use as a social club. The site has not been marketed, but nonetheless, its conversion is not in conflict with the Development Plan as there is no material loss of a community facility.

7.4 Notwithstanding the foregoing, it should be noted that there is no shortage of community facilities in Burton Latimer. Function rooms of that kind are available in several locations nearby, including facilities at Meeting Lane (Baptist Church), the High Street (at the Harold Mason Centre), and at the George V Recreation Ground (the Community Centre) to mention a few.



7.5 There is no specific policy objection to the provision of HMOs in the Development Plan but LP policy HOU1 states that windfall and infill development within settlement boundaries will generally be accepted in principle providing there is no erosion to the character and appearance of the area and no detrimental effects to the environmental quality, amenity and privacy enjoyed by existing residents.

7.6 In view of the foregoing, the proposal is acceptable in principle and is consistent with the provisions at paragraph 86 (f) of the NPPF, which recognises residential development as playing an important role in ensuring the vitality of centres.

**Character and Appearance of the Conservation Area & Heritage Impact**

7.7 Policy 2 of the JCS sets out the policy background for the protection, preservation and enhancement of the historic environment. The policy aligns with section 16 of the NPPF and section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which places a statutory duty on the decision maker to pay special attention to the need to preserve or enhance the character or appearance of a conservation area.

7.8 The scale, design and detail of the existing structure would be retained in full. The only changes would be in the use of the first floor concerning necessary repairs and renovation to ensure that the spaces are fit for habitation and that the structural integrity of the property is secured.

7.9 The proposed alterations to the lobby and stairwell would enhance the appearance of the existing building and the wider Conservation Area. Furthermore, the proposal would bring a vacant part of the building into productive use and in the circumstances, the proposed use and the associated alterations are satisfactory with no adverse impact on the character and appearance of the area, in compliance with JCS policies 2 and 8, section 16 of the NPPF and therefore passes the statutory test under section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7.10 The buildings on the site are neither listed nor in proximity of any listed buildings or other heritage assets. As the proposal only involves minor external alterations with no physical increase in the scale or built envelope, it is considered that it would not be harmful to the setting and significance of any heritage asset.

**Impact on Living Conditions and Residential Standards**

7.11 JCS policy 8, amongst other things, seeks to ensure that the living conditions of the existing and future occupiers are protected from noise, vibration, smell, light or other pollution, loss of light or overlooking; and the prevention of both new and existing development from contributing to or being adversely affected by unacceptable levels of soil, air, light, water or noise pollution or land instability.

7.12 Although LP policy HOU1 is supportive of windfall and infill residential development within settlement boundaries, it is caveated that such development is only acceptable providing there is no erosion of character and appearance of the area and no detrimental effects to the environmental quality, amenity and privacy enjoyed by existing residents.

7.13 The Development Plan policies referred to above are both consistent with section 12 of the NPPF which refers to design and the standard of amenity. Paragraph 130 paragraph f) states among other things that planning policies and decisions should ensure that developments:

*“Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.”*

7.14 There would be no loss of light, no loss of privacy or overbearing impact as a result of the proposed change of use, as the existing structure would be retained with only one window opening on the north elevation, which faces the street and away from the residential properties surrounding the site.

7.15 The proposed HMO is compatible with the surrounding uses and the necessary noise insulation measures from the noisy activities on the ground floor would be dealt with at the Building Control stage. In response to the Council’s Environmental Health Officer’s observations, the applicant has submitted details of flooring in relation to noise and fire insulation. This notwithstanding, a pre-commencement condition requesting details of noise insulation measures is recommended.

7.16 Several residents are concerned about noise impact and disturbance arising from the proposed use, but it is worth noting that the first floor could be reoccupied as an extension to the ground floor use, which could result in far higher levels of noise generation than the proposed HMO.

7.17 The submitted plans illustrate the type and location of bin stores associated with the proposed HMO. These are separated from the ground floor use and are secured and covered in accordance with standards. The Council’s Waste Management Team have not raised any concerns about the refuse storage arrangement.

7.18 In the light of the foregoing, the proposal complies with JCS policy 8 and LP policy HOU1 and therefore consistent with the relevant NPPF provisions.

7.19 There are no documented applicable national and local standards in relation to Development Management for HMOs. However, it should be noted that Environmental Health (Licensing) and Building Control, through their respective legislative provisions would ensure that the units are fit for habitation. All the 6 units exceed 10 square metres – suitable for single occupancy and where no separate communal living room is provided. The shared kitchen measures 15 square metres, which is suitable for 6 occupants, thereby complying with the Environmental Protection Licensing standards: ***Amenity Standards A guide to amenity and space standards for landlords of Houses in Multiple Occupation***'.

#### **Parking Provision and Highway Safety**

7.20 The proposal makes no provision for off-street vehicle spaces. However, the parking provision requirement for the proposed use has to be weighed and balanced against the existing lawful use. There are no time restrictions in relation to the existing lawful use of the site and there can be no doubt that if the first floor were to be regularly used as a function room, it would result in many more vehicular movements greater disturbance than the proposal. The Highways Authority have not objected to the scheme and have accepted the findings of the parking stress survey – which identifies the availability of parking spaces in the surrounding area to meet the needs of the proposal.

7.21 It should also be noted that the site is located in an urban area with proximity to public transport. Furthermore, this part of Church Street has restrictions (double yellow lines) to deter on-street parking and ensure free flow of traffic in the main thoroughfare. The proposed units are for single person occupation and are unsuitable for family households and this is likely to reduce demand for car parking spaces. These factors combined, make this site suitable for car-free development in accordance with the relevant NPPF provisions. Therefore, the lack of off-street vehicle parking is not sufficient to decline the application.

7.22 The proposals will incorporate secure cycle storage for each bed space; as required by the Development Plan. This is shown on the accompanying plan. and has been designed in accordance with the Council's adopted standards.

### **8. Other Matters**

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8.1 There are no identified habitats within the site's open curtilage. However, given that the application part of the building has been vacant for many years, a comprehensive preliminary ecological survey and appraisal of the building is necessary to ensure that there are no habitats such as bat roosts present. A pre-commencement condition in this regard is also recommended.

## **9. Conclusion / Planning Balance**

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- 9.1 The proposed conversion is acceptable in principle as there would no material loss of a functioning community facility. Notwithstanding, the theoretical loss has to be weighed against the benefits of the conversion. The current state of the first-floor space and the fact that it has not been used for a considerable period, and the availability within the immediate surroundings of a number of alternative function rooms for hire together, make a compelling case for consenting the proposal.
- 9.2 The proposed conversion would bring a vacant space into productive use, which would be beneficial and enhance the appearance and character of the designated conservation area. The scheme would have no material impact on any heritage assets.
- 9.3 The proposed use is compatible with the surrounding uses and the scheme would not have a detrimental impact on the living conditions of the existing and future occupiers. Given the location, scale and nature of the proposal, it is considered that its impact would not be to a level that would undermine highway safety.
- 9.4 In the circumstances, subject to the imposition of suitably worded conditions requiring the development to be carried out in accordance with the approved plans and the submission of a pre-commencement ecological survey of the building and details of noise insulation, the proposal accords with the Development Plan and is consistent with the NPPF and is therefore recommended for approval.

## **10. Recommendation**

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- 10.1 APPROVE with conditions.

## **11. Conditions / Reasons for Refusal**

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1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.  
REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.  
REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.
3. No development shall commence on site until a scheme for limiting the transmission of noise between the ground floor and the units of accommodation on the first floor of the building has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved scheme and the scheme shall be completed before any of the units of accommodation is occupied.



REASON: Measures to limit the transition of noise are necessary prior to the commencement of development to protect the amenity of occupants of the proposed flats and adjacent residential properties and because the noise measures may need to be incorporated early in the construction in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. Prior to the commencement of the development (including site clearance and demolition), a suitably licenced Ecologist shall inspect the interior of the building and shall provide a Preliminary Ecological Appraisal (PEA). If any bats, roosts, protected species, or habitats are identified from these surveys a European Protected Species Mitigation licence will be required along with appropriate mitigation measures before works in connection with the approved scheme commence and if necessary, the development shall not be carried out other than in accordance with the approved measures.

REASON: In the interest of safeguarding biodiversity (bats) in line with the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended) and Section 9 of the NPPF.

## 12. Informatives

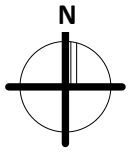
Positive/Proactive - amendments

List of plans

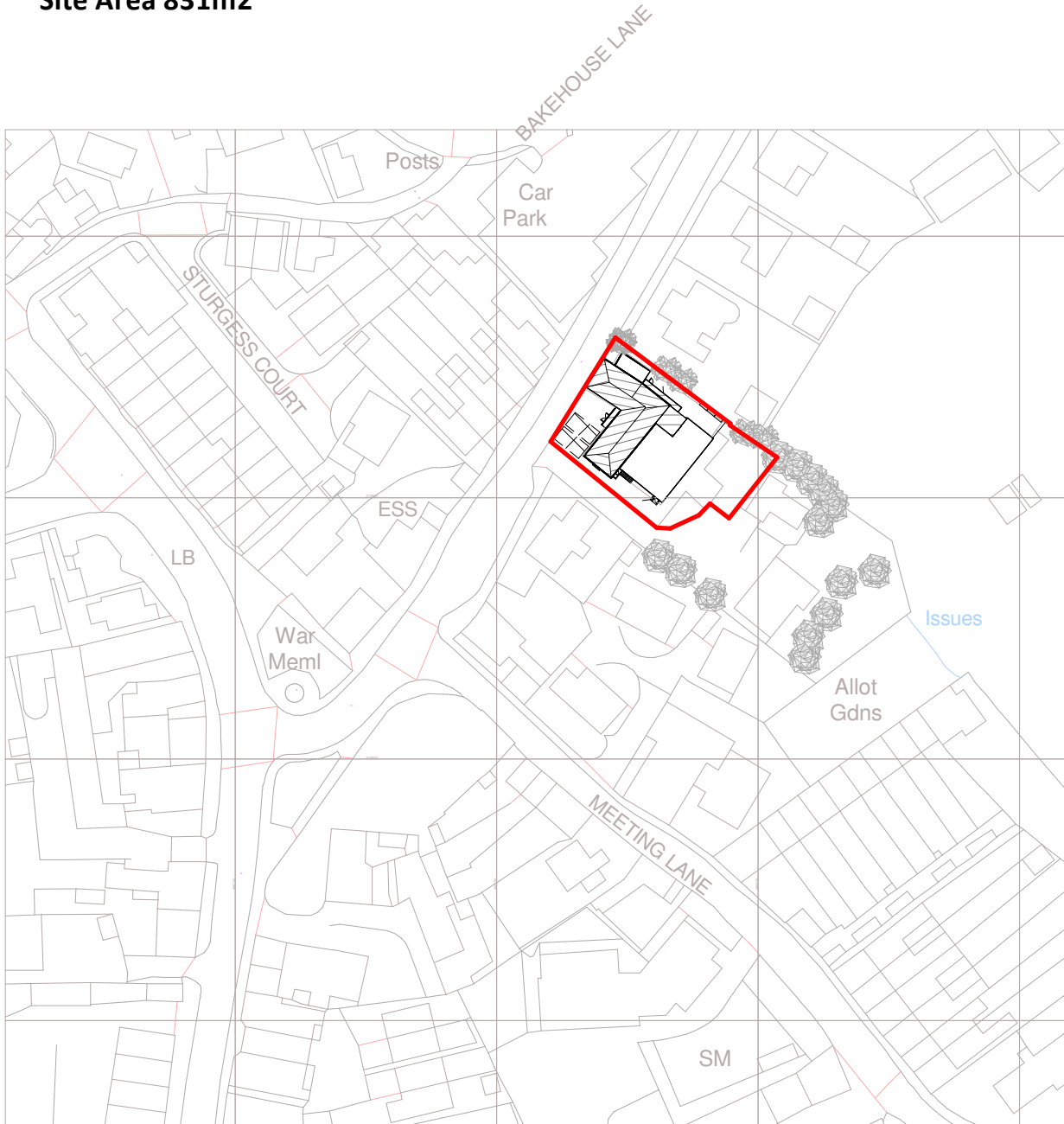
The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

Title	NK Ref.	Agent's Ref	Received Date	Status
Location plan		(00)05	26/04/23	Approved
Block plan		(00)04	26/04/23	Approved
Existing elevations & floor plans		(00)001	26/04/23	Information
Proposed elevations & ground floor plan		(00)02A	10/05/23	Approved
Proposed first floor plan		(00)03	26/04/23	Approved
3D plan		(00)06	26/04/23	Approved
Planning statement	NK/2023/0254/1		26/04/23	Information
Parking stress survey report		V01	26/04/23	Information
Parking stress survey report appendix 1	NK/2023/0254/2		26/04/23	Information
Parking stress survey report appendix 2	NK/2023/0254/3		26/04/23	Information
Parking stress survey report appendix 3	NK/2023/0254/4		26/04/23	Information
Parking stress survey report appendix 4	NK/2023/0254/5		26/04/23	Information
Photos		Appendix A	26/04/23	Information

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**Site Area 831m<sup>2</sup>**



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**REGISTERED OFFICE**

Idea Architectural Technology  
The Buttery  
Tithe Farm - Holcot  
Northampton NN6 9SH

**CONTACT DETAILS**

Tel : 07813 685 151  
e-mail : js@idea-at.com  
web : www.idea-at.com

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**Dwg No:** (00)05

**Date:**

**Rev:**

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## North Northamptonshire Planning Committee (North) 6<sup>th</sup> December 2023

<b>Application Reference</b>	<b>NE/23/00524/FUL</b>
<b>Case Officer</b>	<b>Sunny Bains</b>
<b>Location</b>	<b>40 Main Street, Yarwell, Northamptonshire</b>
<b>Development</b>	<b>Demolition of existing two storey dwelling and detached garage and erection of new dwelling part single, part two storey dwelling with integral store/garage</b>
<b>Applicant</b>	<b>Mr &amp; Mrs D Currie</b>
<b>Agent</b>	<b>RAW Architecture Ltd – Ms Helen Raymond</b>
<b>Ward</b>	<b>Oundle</b>
<b>Overall Expiry Date</b>	<b>15 December 2023</b>
<b>Agreed Extension of Time</b>	<b>15 December 2023</b>

### Appendix A – Location and Site Plan

### Appendix B – Appeal Decision (APP/M2840/W/22/3302907)

### Scheme of Delegation

This application is brought to committee because it falls outside of the Council's Scheme of Delegation due to the Officers recommendation being different to that of the Town Council.

#### **1. Recommendation**

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- 1.1 That planning permission be GRANTED subject to conditions.

#### **2. The Proposal**

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- 2.1 This application seeks full planning permission for the demolition of an existing dwelling with a detached double garage and the erection of a new 5 bed roomed dwelling with an integral garage.

- 2.2 The proposed dwelling would measure 7.7 metres high with a width of 20.5 metres and a depth of 21.1 metres. It would consist of a two-storey side element off the western elevation that projects past the principal elevation and up to the front boundary of the site.
- 2.3 The proposal also includes partial removal of the front wall to enable parking provision and manoeuvring of a vehicle within the drive and garage.
- 2.4 The proposed dwelling would utilise the existing access off Main Street.
- 2.5 A recent appeal decision (APP/M2840/W/22/3302907) has been issued on the application site which allowed a similar development as this proposed scheme. The elevations plan (A301 / H) illustrates the difference between the approved scheme and the proposed scheme.

### **3. Site Description**

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- 3.1 The application site is situated within the settlement of Yarwell and is located to the south of Main Street. A detached dwelling with a detached double garage is located on the site.
- 3.2 The site is predominately surrounded by residential dwelling, of which the closest Grade II Listed Buildings to the site are Nos.30, 39 and 44 Main Street. The site also lies within flood zone 1 which is a low risk area of flooding.

### **4. Relevant Planning History**

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- 4.1 NE/21/00535/FUL – Demolition of existing two storey dwelling and detached garage and erection of new dwelling part single, part two storey dwelling with integral garage – Allowed at Appeal (APP/M2840/W/22/3302907) – 06.12.22.
- 4.2 84/00781/FUL – Single storey extension and double garage – Approved – 13.06.84.

### **5. Consultation Responses**

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A full copy of all comments received can be found on the Council's website.

#### **5.1 Yarwell Parish Council**

Object for the following reasons:

- Impact on residential amenity;
- Harm to heritage assets;
- Impact on the local character;
- Overdevelopment of the site

## 5.2 Neighbours / Responses to Publicity

Three number of letters have been received. The issues raised are summarised below:

- Impact on residential amenity;
- Harm to heritage assets;
- Impact on the local character;
- Overdevelopment of the site;
- parking unsatisfactory;
- It would be used for Airbnb.

## 5.3 Nature Space

It is considered that the proposed development would present a low risk to great crested newts and/or their habitats. However, as the development is within the Amber Impact Risk Zone, as modelled by district licence mapping, I recommend that the following informative should be attached to planning consent:

"The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence."

If the applicant wishes to completely avoid any risks relating to great crested newts, they have the option to enquire for North Northamptonshire Council's District Licence, which provides full legal cover for any impacts to great crested newts and therefore removes the risk of having to stop works if great crested newts are found on site. More details on the District Licensing Scheme operated by the council can be found at [www.naturespaceuk.com](http://www.naturespaceuk.com).

## 5.4 Highways

In respect of the above planning application, the local highway authority (LHA) has the following observations, comments and recommendations:  
The LHA can confirm no objections to this application however please note the following observations;

- The applicant must ensure that the foundations and construction of the boundary wall does not undermine or encroach upon the highway.
- The applicant will be required to obtain the correct licensing, from NNC Highways Regulations in order to install or alter the site access

and the vehicle crossover of public highway land. Please note also that the works necessary to be undertaken within publicly maintained highway land must be undertaken only by a Northamptonshire Highways Approved Contactor; who has the required and necessary public liability insurance in place.

#### 5.5 Environmental Protection

Due to the close proximity to residential properties I suggest the below condition is included in any permissions granted:

There shall be no burning of any material during construction, demolition or site preparation works.

Reason: In the interests of safeguarding highway safety, safeguarding residential amenity and reducing pollution in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031.

#### 5.6 Principal Conservation Officer

In light of the appeal decision there is no objection to the proposed scheme.

#### 5.7 Principal Ecological Officer

The application and ecological report have been reviewed and we are satisfied that there is a limited possibility that protected species may be affected by the demolition of the dwelling.

The recommendations within the report should be followed:

*"Bats*

*Bat boxes should be installed on the new building in a south facing position at a height of not less than three metres.*

*Any external lighting should be kept to a minimum and directed downwards using hoods and cowls; particular care will be taken to avoid lighting newly created roost features.*

*Birds*

*Nest boxes for House Sparrow and Swift (in groups of three) should be installed on the new building to enhance the biodiversity of the site."*

#### 5.9 Waste Management

No comments.

#### 5.10 Consultee comments not received:

- Senior Tree and Landscape Officer
- Community Development Officer
- Natural England



## **6. Relevant Planning Policies and Considerations**

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### 6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

### 6.2 National Policy

National Planning Policy Framework (NPPF) (2021)

National Planning Practice Guidance (NPPG)

National Design Guide (NDG) (2019)

### 6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

Policy 1 - Presumption in Favour of Sustainable Development

Policy 2 - Historic Environment

Policy 3 - Landscape Character

Policy 4 - Biodiversity and Geodiversity

Policy 5 - Water Environment, Resources and Flood Risk Management

Policy 6 - Development on Brownfield Land and Land Affected by Contamination

Policy 8 - North Northamptonshire Place Shaping Principles

Policy 9 - Sustainable Buildings and Allowable Solutions

Policy 11 - The Network of Urban and Rural Areas

Policy 28 - Housing Requirements and Strategic Opportunities

Policy 29 - Distribution of New homes

Policy 30 - Housing Mix and Tenure

### 6.4 Rural North, Oundle and Thrapston Plan (RNOTP) (2011)

Policy 2 - Windfall Development in Settlements

Policy 9 - Buildings of Local Architectural or Historic Interest

### 6.5 Emerging East Northamptonshire Local Plan Part 2 (LPP2)

Policy EN1 – Spatial Development Strategy

Policy EN2 – Settlement Boundary Criteria (Urban Areas)

Policy EN3 – Settlement Boundary Criteria (Freestanding Villages)

Policy EN4 – Settlement Boundary Criteria (Ribbon Developments)

Policy EN13 – Design of Buildings / Extensions

Policy EN14 – Designated Heritage Assets

Policy EN15 – Non-Designated Heritage Assets

### 6.6 Other Relevant Documents

Northamptonshire County Council - Local Highway Authority Standing Advice for Local Planning Authorities (2016)

Northamptonshire County Council - Local Highway Authority Parking Standards (2016)

East Northamptonshire Council - Domestic Waste Storage and Collection Supplementary Planning Document (2012)

## **7. Evaluation**

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The key issues for consideration are:

- Principle of Development
- Character, Appearance and Historic Environment
- Residential Amenity
- Highway Matters

### **7.1 Principle of Development**

- 7.1.1 The proposal seeks a replacement dwelling on the application site which is located within the settlement of Yarwell. Policy 11 of the JCS, Policy 2 of the RNOTP and Policy EN1 of the LPP2 supports residential development within the settlement boundary. The previous appeal decision also establishes the principle of development for a single dwelling

### **7.2 Character, Appearance and Historic Environment**

- 7.2.1 Main Street is characterised by residential dwellings of mixed scale, mass and age; albeit, the more traditional appearance of the surrounding buildings is a distinctive character.
- 7.2.2 Nos 30, 39 and 44 Main Street are located within close proximity to the application site and are designated as Grade II Listed buildings. The existing building onsite is not designated as a listed building, although it is recognised as a non-designated heritage asset due to its historical and architectural merit.
- 7.2.3 The council is required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. This is similarly reflected by Policy 2 of the JCS and Paragraph 199 of the NPPF. Policy 2 of the JCS and Paragraph 203 of the NPPF also seek the conservation of non-designated heritage assets and requires a decision maker to make a balanced judgement regarding any harm and loss of the heritage asset.
- 7.2.4 It is noted from the comments of Yarwell Parish Council as well as local representations that they consider the proposal would cause harm to the setting of the listed buildings as well as the local character due to its modern design, scale, mass and materials.
- 7.2.5 The blue outline on elevation plan (A301 / H) depicts the approved scheme permitted by the appeal (APP/M2840/W/22/3302907). This plan also illustrates that the majority of the smaller elements of the approved scheme would be taller than the proposed scheme, except for the ridge height of the proposed main dwelling which would be slightly higher (circa 200mm) than the approved scheme. The bulk of the proposed scheme would be less overall than the approved scheme.

- 7.2.6 The proposed materials reflect those of the approved scheme which the Planning Inspector found to be acceptable and not to have an adverse impact on the setting of the surrounding listed buildings or the local character. A condition is recommended to ensure that samples of the proposed materials are submitted for approval, given the sensitivities of the site.
- 7.2.7 Regarding the non-designated heritage building onsite, the Planning Inspector concluded the following:

*‘The proposed development includes the demolition of the appeal building and erection of a new dwelling. Although not recorded on a local list of designated heritage assets, consistent with the approach outlined within the Planning Practice Guidance, the Council identified the building as being a non-designated heritage asset as part of the decision-making process on the planning application.*

*The evidence indicates that the original, L-shaped thatched cottage was established in the late nineteenth century, during which time, the building served as the village shop. Historically, the appeal building and Post Office on the opposite side of Main Street (now a residential dwelling) provided a central focus to the village and supported its future growth and independence. These factors combined contribute to the significance of the building.*

*As it stands today, the dwelling is somewhat unremarkable within the context of the village and more significantly, unrecognisable from the historical structure. The thatched roof has been replaced with interlocking tiles and, while some of the original stone remains on the front and side elevations, the upper floor is largely of a single brick skin, with a part rendered finish. The traditional appearance and modest proportions of the original cottage have been further eroded by subsequent extensions to the property together with other external alterations including the replacement and alterations of openings. Internally, there is limited evidence of the original building or its historical function remaining and my attention has not been drawn by the Council to any features of notable value. Consequently, whilst work to bring the building closer to its original form and significance may be theoretically possible, the above modifications have significantly undermined the building’s historical integrity, architectural interest and overall significance.*

*Therefore, notwithstanding the historical association of the building with the village, other than its location, I find it to be of very limited heritage significance. Although the appeal proposal would result in the complete loss of the non-designated heritage asset, the replacement dwelling would largely reflect the L-shaped layout of the existing building and would occupy a similar position albeit substantially larger in scale. The site would therefore continue to provide built form of a similar nature as it has historically, and the development would thus maintain the site’s presence and contribution to the street scene. Consequently, on the basis of the balanced judgement required by the National Planning Policy*

*Framework (the Framework) and based on the available evidence indicating that the heritage significance of the existing building is, with the exception of its location, now largely negligible, I find that the proposed development is acceptable and would preserve the site's remaining heritage significance.*

*Accordingly, the proposed development would not have an unacceptable effect on the significance of a non-designated heritage asset. The proposal therefore accords with Policy 2 of the North Northamptonshire Joint Core Strategy 2016 which seeks to protect, preserve and where appropriate enhance heritage assets. The proposal is also consistent with the Framework, which amongst other objectives seek to conserve and enhance the historic environment.'*

- 7.2.8 The proposal reflects similar characteristics as the approved scheme, and although there are material differences such as orientation of part of the dwelling, scale and mass, fenestration arrangement, and roof lines, they are not considered to be of a significant difference that would substantiate a reason for refusal.
- 7.2.9 The Principal Conservation Officer also considers that the proposal would not cause harm to the setting of the listed building or the non-designated heritage asset and thus has no objection to the proposed scheme.
- 7.2.10 As such, on balance, it is considered that the proposal would not cause adverse harm to the significance of the non-designated heritage asset or the setting of the listed buildings or the character of the local area. Therefore, the proposal complies with Policy 2 of the JCS, EN14 and 15 of the LPP2 and the historical policies of the NPPF.

### **7.3 Residential Amenity**

- 7.3.1 The side elevation of the proposed dwelling would be circa 2.1 metres from the side elevation of No.32 Main Street (No.32) and 1.2 metres from the side elevation of No.44 Main Street (No.44).
- 7.3.2 The side windows of No.32 would look directly at the side flank elevation of the proposed dwelling, however, currently this occurs with the existing dwelling and compared to the approved scheme the proposed western section of the development would be positioned further away from No.32 and would have a sloping roof away from the neighbouring property so therefore would have less impact. As such, it is not considered that the outlook from these windows would be demonstrably impacted. Likewise, the rooflights on the slope of the roof facing No.32 is not considered to result in loss of privacy or overlooking due to the being at an oblique angle.
- 7.3.3 No.44 has a flank side wall and the side windows that are closest to No.44 would be obscure glazed and therefore no harm would occur in terms of overlooking and loss of privacy. The proposed side windows on the main dwelling that face No.44 would overlook the front garden of No.44 which is visible from the public realm and currently occurs with the existing dwelling so therefore it is not considered to result in significant harm in terms of overlooking and loss of privacy.

- 7.3.4 Given the orientation of the built form, position of the proposed dwelling and the plot sizes of the neighbouring properties, it is considered that the proposed dwelling would not cause adverse harm to the amenity of the neighbouring properties in terms of overshadowing, overbearing, outlook and overlooking.
- 7.3.5 The Planning Inspector also noted that the approved scheme, which is not too dissimilar from the proposed scheme, would not cause adverse harm to the residential amenity of neighbouring properties.
- 7.3.5 The proposed dwelling would comply with the internal National Space Standards and retain an adequate level of private external amenity space.
- 7.3.6 Whilst, the concerns of the Parish Council and local residents are noted, given the above, the concerns would not substantiate a reason for refusal.
- 7.3.7 Overall, the proposed development complies Policy 8(e) of the JCS, Policy EN13 and Paragraph 130 of the NPPF.

#### **7.4 Highways**

- 7.4.1 The proposal would utilise the existing access off Main Street. The Local Highway Authority does not object to the proposed development but it is highlighted that the construction of the boundary wall should not encroach on the highway and that the correct licensing would need to be obtained from Highways. These points can be added as informatives.
- 7.4.2 The Northamptonshire Parking Standards stipulate that a dwelling with 4 bedrooms or more should provide three car parking spaces onsite. The site plan (A100 J) illustrates that three cars could park onsite with the introduction of the proposed scheme.
- 7.4.3 As such, the proposed development complies with Policy 8(b) of the JCS.

### **8. Other Matters**

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- 8.1 Neighbour comments: representations from local residents have been taken into consideration and addressed above.
- 8.2 Concerns has been raised by the objectors in relation to the proposed dwelling being used for Airbnb. This is not a material planning consideration. Should the dwelling be used for anything other than a C3 Use (residential) or subdivided into more planning units then it would require planning permission in its own right, and enforcement action could be taken to remedy this. This planning application has been assessed on its planning merits.
- 8.2 Equality: It is not considered that the proposal raises any concerns in relation to the Equality Act (2010).
- 8.3 Pre-Commencement Condition: The pre-commencement condition has been agreed by the Applicant.

## **9. Conclusion / Planning Balance**

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- 9.1 The principle of development is supported by national and local plan policy and the application site has permission for a replacement dwelling similar to that of the proposed scheme consented by the appeal decision APP/M2840/W/22/3302907). This therefore establishes the principle of development which is considered to be acceptable.
- 9.2 The proposed development is not considered to cause adverse harm to the character of the local area, setting of the nearby listed buildings, the non-designated heritage building, residential amenity of neighbouring and future occupants and in respect to highways.
- 9.3 As such, the proposed development would comply with national and local plan policies and is therefore recommended that planning permission is granted subject to conditions.

## **10. Recommendation**

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- 10.1 That planning permission be GRANTED subject to conditions.

## **11. Conditions**

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1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. No development shall commence until details of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels of the existing and adjoining sites have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the precise height of the development can be considered in relation to adjoining dwellings.

3. No development shall take place above slab level until details of the materials to be used in the construction of the external surfaces of the development hereby permitted including samples of the wall and roof materials together with joinery details have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To achieve a satisfactory elevational appearance for the development.

4. No development shall take place above slab level until details of sustainable design measures to be incorporated within the proposed dwelling have been submitted to and approved in writing by the local planning authority. The details shall include an electrical vehicle charging point and water and energy efficiency measures. The measures shall thereafter be implemented in accordance with the approved details prior to the first occupation of the dwelling and retained as such thereafter.

Reason: In the interest of climate change and environmental protection.

5. Prior to the first occupation of the development the proposed access and on-site parking/turning area shall be laid out in accordance with the approved plan (Drawing No. A102/P), surfaced in a hard bound material and drained within the site. The parking/turning area, surfacing and drainage shall thereafter be permanently retained for the purposes of parking and turning only.

Reason: In the interest of highway safety.

6. No gates shall be installed within a minimum 5.5 metres distance from the highway boundary. Gates must be hung to open inwards only.

Reason: To ensure compliance with Section 91 of the Town and Country Planning Act 1990 (as amended).

7. Precautions shall be taken to prevent the deposit of mud and other debris on adjacent roads by vehicles travelling to and from the construction site. Any mud or other debris deposited on the road as a result of the development must be removed immediately by the operator/contractor.

Reason: In the interests of residential amenity, highway safety and visual amenity.

8. There shall be no burning of any material during construction, demolition or site preparation works.

Reason: To minimise the threat of pollution and disturbance to local amenity.

9. No demolition or construction work (including deliveries to or from the site) shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 on Saturdays, and at no times on Sundays or Bank/Public Holidays.

Reason: To ensure the protection of the local amenity throughout construction works.

10. During the demolition and construction phases the developer shall provide, maintain and use a supply of water and means of dispensing it, to dampen dust in order to minimise its emission from the development site. The developer shall not permit the processing or sweeping of any dust or dusty material without effectively treating it with water or other substance in order to minimise dust emission from the development site. The developer shall provide and use suitably covered skips and enclosed chutes, or take other

suitable measures in order to minimise dust emission to the atmosphere when materials and waste are removed from the development site.

Reason: To ensure the protection of the local amenity throughout construction works.

11. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plans of similar size and species.

Reason: In order to protect and safeguard the amenities of the area.

12. Prior to the occupation of the development hereby permitted, Bat boxes (in a south facing position at a height of not less than three metres) and nest boxes for House Sparrow and Swift (in groups of three) shall be installed on the new building and any external lighting shall be kept to a minimum and directed downwards using hoods and cowls. Particular care must be taken to avoid lighting newly created roost features. These feature shall thereafter be retained and maintained in a serviceable manner in perpetuity.

Reason: In the interest of biodiversity enhancement.

13. Prior to the development above slab level of the development hereby permitted, details of the boundary treatment shall be submitted to and approved by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved plans and the all approved boundary screening shall have been installed prior to the first occupation of the development hereby permitted.

Reason: In the interest of protecting the local amenity.

14. The development hereby permitted shall be carried out in accordance with the following approved plans;
  - Drawing No. A100/J – Site Location and Site Plan;
  - Drawing No. A102/P – Proposed Floor Plans;
  - Drawing No. A301/H – Elevations – Proposed.

Reason: In order to clarify the terms of the planning permission and to ensure that the development is carried out as permitted.



## 12. Informatives

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1. The North Northamptonshire Joint Core Spatial Strategy 2011-2031 policy 10 (e), Provision of Infrastructure, encourages developers to provide for fast broadband to new buildings (including but not exclusive to housing, commercial, retail or leisure). This should be gigabit capable and where possible, full fibre broadband connectivity. Early agreement with a telecoms provider is key to being able to enhance your asset. The network capability delivered by full fibre technology supports the fastest broadband speeds available, is considered future proof, and will bring a multitude of opportunities, savings and benefits. It may also add value to the development and is a major selling point to attract potential homebuyers and occupiers, with many people now regarding fast broadband as one of the most important considerations. Proposals should be compliant with Part R, Schedule 1 of the Building Regulations 2010 (soon to be amended to strengthen requirements for gigabit connectivity to new dwellings) and the Approved Document R.

Some telecoms network providers have dedicated online portals providing advice for developers, including:

Openreach Developer Portal ([openreach.co.uk](http://openreach.co.uk))

Virgin Media <http://www.virginmedia.com/lightning/network-expansion/property-developers>

Gigaclearnetworkbuildcare@gigaclear.com (rural areas and some market towns)

OFNL (GTC) <http://www.ofnl.co.uk/developers>

CityFibre <http://cityfibre.com/property-developers>

Details of other fibre network providers operating locally can be found here <http://www.superfastnorthamptonshire.net/how-we-are-delivering/Pages/telecoms-providers.aspx>.

For help and advice on broadband connectivity in North Northamptonshire please email [bigidea.ncc@northnorthants.gov.uk](mailto:bigidea.ncc@northnorthants.gov.uk)

2. The applicant must ensure that the foundations and construction of the boundary wall does not undermine or encroach upon the highway.
3. The applicant will be required to obtain the correct licensing, from NNC Highways Regulations in order to install or alter the site access and the vehicle crossover of public highway land. Please note also that the works necessary to be undertaken within publicly maintained highway land must be undertaken only by a Northamptonshire Highways Approved Contactor; who has the required and necessary public liability insurance in place.

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## Appeal Decision

Site visit made on 6 December 2022

**by H Wilkinson BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 17<sup>th</sup> February 2023**

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**Appeal Ref: APP/M2840/W/22/3302907**

**40 Main Street, Yarwell, PE8 6PR**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr and Mrs D Currie against the decision of North Northamptonshire Council.
  - The application Ref NE/21/00535/FUL, dated 21 March 2021, was refused by notice dated 16 May 2022.
  - The development proposed is the demolition of existing two storey dwelling and detached garage and erection of new dwelling part single, part two storey dwelling with integral garage.
- 

### Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing two storey dwelling and detached garage and erection of new dwelling part single, part two storey dwelling with integral garage at 40 Main Street, Yarwell, PE8 6PR in accordance with the terms of the application, Ref NE/21/00535/FUL, dated 21 March 2021, subject to the conditions set out in the schedule to this decision.

### Main Issue

2. The main issue is the effect of the proposed development on the significance of a non-designated heritage asset.

### Reasons

3. The appeal building comprises a large, detached 2 storey dwelling which occupies a prominent position on Main Street - the principal route through the village. Dwellings predominantly front Main Street and although their age, scale and materials vary along the street, the overall rustic appearance of the village is a notable characteristic.
4. The proposed development includes the demolition of the appeal building and erection of a new dwelling. Although not recorded on a local list of designated heritage assets, consistent with the approach outlined within the Planning Practice Guidance, the Council identified the building as being a non-designated heritage asset as part of the decision-making process on the planning application.
5. The evidence indicates that the original, L-shaped thatched cottage was established in the late nineteenth century, during which time, the building served as the village shop. Historically, the appeal building and Post Office on the opposite side of Main Street (now a residential dwelling) provided a central focus to the village and supported its future growth and independence. These factors combined contribute to the significance of the building.

6. As it stands today, the dwelling is somewhat unremarkable within the context of the village and more significantly, unrecognisable from the historical structure. The thatched roof has been replaced with interlocking tiles and, while some of the original stone remains on the front and side elevations, the upper floor is largely of a single brick skin, with a part rendered finish. The traditional appearance and modest proportions of the original cottage have been further eroded by subsequent extensions to the property together with other external alterations including the replacement and alterations of openings. Internally, there is limited evidence of the original building or its historical function remaining and my attention has not been drawn by the Council to any features of notable value. Consequently, whilst work to bring the building closer to its original form and significance may be theoretically possible, the above modifications have significantly undermined the building's historical integrity, architectural interest and overall significance.
7. Therefore, notwithstanding the historical association of the building with the village, other than its location, I find it to be of very limited heritage significance. Although the appeal proposal would result in the complete loss of the non-designated heritage asset, the replacement dwelling would largely reflect the L-shaped layout of the existing building and would occupy a similar position albeit substantially larger in scale. The site would therefore continue to provide built form of a similar nature as it has historically, and the development would thus maintain the site's presence and contribution to the street scene. Consequently, on the basis of the balanced judgement required by the National Planning Policy Framework (the Framework) and based on the available evidence indicating that the heritage significance of the existing building is, with the exception of its location, now largely negligible, I find that the proposed development is acceptable and would preserve the site's remaining heritage significance.
8. Accordingly, the proposed development would not have an unacceptable effect on the significance of a non-designated heritage asset. The proposal therefore accords with Policy 2 of the North Northamptonshire Joint Core Strategy 2016 which seeks to protect, preserve and where appropriate enhance heritage assets. The proposal is also consistent with the Framework, which amongst other objectives seek to conserve and enhance the historic environment.

### **Other Matters**

9. The appeal site is located within proximity of a number of listed buildings and therefore, in determining this appeal, I am mindful of Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Notwithstanding the scale of the proposed dwelling, on the basis of the plans before me and subject to a condition requiring details of existing ground and finished floor levels, I am satisfied that the appeal development would not harm the setting of the nearby listed buildings. For the same reasons, I find that the effect of the proposal on the character and appearance of the surrounding area would be acceptable.
10. It has been put to me by interested parties that the proposed development would adversely affect living conditions, with particular regard to overshadowing. These issues are largely identified within the Council's delegated report and the Council did not consider that matters relating to the effect of the proposal on living conditions was reason to refuse the application. Indeed, I have not been provided with any compelling evidence which would prompt me to disagree with the Council's conclusions on this matter. Therefore, whilst sympathetic of the concerns expressed, they do not lead me to a different conclusion.
11. Matters relating to the procedures followed by the Council in determining the planning application including the thoroughness of their considerations, potential

future use of the proposed dwelling as a house in multiple occupation and encroachment on third party land have also been raised by interested parties. Whilst I have had full regard to these concerns, they have no bearing on my considerations of the merits of the appeal proposal. I am also mindful of the concerns raised in respect of parking and additional traffic. The Council's delegated report, whilst acknowledging a discrepancy between the site location plan and proposed floor plans, confirms that 3 parking spaces would be provided in accordance with the Northamptonshire Parking Standards. On this basis and subject to a suitable condition securing implementation, I am satisfied that sufficient onsite parking provision would be provided.

### **Conditions**

12. I have had regard to the various planning conditions suggested by the Council and have considered them against the tests in the Framework and the advice in the Planning Practice Guidance. I have made such amendments as necessary to comply with those documents and for clarity and consistency.
13. In addition to the standard time limit condition, and in the interests of certainty, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. The appeal site occupies a prominent position and is located within proximity of a number of listed buildings. Therefore, in the interests of the character and appearance of the area and in order to preserve the setting of nearby listed buildings, a condition requiring details of existing ground and finished floor levels is necessary. For the same reason, a condition requiring details of external materials and joinery is imposed. The established landscaping within the site positively contributes to the character and appearance of the area and would further benefit the assimilation of the proposed development within the appeal site, particularly given the increased footprint. As such, a condition preventing the removal of trees within the appeal site is considered necessary in the interests of the character and appearance of the area.
14. In the interests of sustainable design and energy efficiency a condition relating to the incorporation of sustainable technologies is necessary. A condition requiring the provision of adequate onsite parking and turning provision is also necessary in the interests of highway safety. Similarly, a condition requiring any entrance gate to be sufficiently set back and capable of opening inwards only is necessary. As a further safeguard, I have imposed a condition requiring any mud or waste deposited on the highway to be removed immediately.
15. A condition prohibiting the burning of any waste materials arising from the demolition of the existing dwelling and construction of the proposed development is necessary in order to safeguard the living conditions of the occupants of neighbouring properties. For the same reason, a condition requiring the management of dust together with a condition limiting the hours of construction related activities is necessary.

### **Conclusion**

16. For the reasons outlined above, having regard to the development plan as a whole and all other relevant material considerations, including the Framework, the appeal is allowed.

*H Wilkinson*

INSPECTOR

## **SCHEDULE OF CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three year from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans;
  - Drawing No. A100/E – Site Location and Site Plan;
  - Drawing No. A102/L – Proposed Floor Plans;
  - Drawing No. A301/F – Elevations – Proposed.
3. No development shall commence until details of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels of the existing and adjoining sites have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
4. No development shall take place above slab level until details of the materials to be used in the construction of the external surfaces of the development hereby permitted including samples of the wall and roof materials together with joinery details have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
5. No development shall take place above slab level until details of sustainable design measures to be incorporated within the proposed dwelling have been submitted to and approved in writing by the local planning authority. The details shall include an electrical vehicle charging point and water and energy efficiency measures. The measures shall thereafter be implemented in accordance with the approved details prior to the first occupation of the dwelling and retained as such thereafter.
6. Prior to the first occupation of the development the proposed access and on-site parking/turning area shall be laid out in accordance with the approved plan (Drawing No. A102/L), surfaced in a hard bound material and drained within the site. The parking/turning area, surfacing and drainage shall thereafter be permanently retained.
7. No gates shall be installed within a minimum 5.5 metres distance from the highway boundary. Gates must be hung to open inwards only.
8. Precautions shall be taken to prevent the deposit of mud and other debris on adjacent roads by vehicles travelling to and from the construction site. Any mud or other debris deposited on the road as a result of the development must be removed immediately by the operator/contractor.
9. There shall be no burning of any material during construction, demolition or site preparation works.
10. No demolition or construction work (including deliveries to or from the site) shall take place on the site outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 on Saturdays, and at no times on Sundays or Bank/Public Holidays.



11. During the demolition and construction phases the developer shall provide, maintain and use a supply of water and means of dispensing it, to dampen dust in order to minimise its emission from the development site. The developer shall not permit the processing or sweeping of any dust or dusty material without effectively treating it with water or other substance in order to minimise dust emission from the development site. The developer shall provide and use suitably covered skips and enclosed chutes, or take other suitable measures in order to minimise dust emission to the atmosphere when materials and waste are removed from the development site.
  
12. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

**END OF SCHEDULE**

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## North Northamptonshire North Area Planning Committee Addendum Report 6<sup>th</sup> December 2023

<b>Application Reference</b>	<b>NC/23/00041/RVC106</b>
Case Officer	Robert Young
<b>Location</b>	Little Stanion
<b>Development</b>	Proposed variation of s106 agreement dated 28 <sup>th</sup> August 2016 relating to LPA ref: 04/00442/OUT dated 5 <sup>th</sup> July 2006 and LPA ref:17/00702/DPA (Detailed) dated 21 <sup>st</sup> May 2018 for 66 residential units, retail space and community hall known as the Multi Use Square Development and 17/00703/OUT dated 6 <sup>th</sup> September 2018 concerning outline planning permission for the erection of not less than 99 dwellings, and a maximum of 135 dwellings plus landscaping and associated works.
<b>Applicant</b>	<b>JME Developments Ltd</b>
<b>Agent</b>	iPlan Solutions Ltd
<b>Ward</b>	<b>Little Stanion</b>
<b>Original Expiry Date</b>	<b>8<sup>th</sup> February 2023</b>
<b>Agreed Extension of Time</b>	<b>30<sup>th</sup> December 2023</b>

### List of Appendices

<b>Appendix A</b> (Pg 75 – 160)	Committee Report for 4 <sup>th</sup> October 2023
<b>Appendix B</b> (Pg 161 – 196)	Applicant's response to Committee deferral dated 24 <sup>th</sup> October 2023
<b>Appendix C</b> (Pg 197 – 200)	Applicant's Position Statement: Summary dated 20 <sup>th</sup> November 2023
<b>Appendix D</b> (Pg 201 – 202)	Council's Tree Officer email response dated 27 <sup>th</sup> November 2023

## **1. Introduction**

- 1.1 This application was deferred by members of the Committee at its meeting on 4<sup>th</sup> October 2023 for the following reasons:-
- i) To enable the Council to further investigate the issue of whether or not the Multi Use Games Area (MUGA) had indeed been substituted for the obligation to provide a football pitch and the issue relating to land owned by Tata Steel.
  - ii) Resolve outstanding issues relating to changes to approved landscaping and especially trees on the site;
  - iii) Resolve the financing and construction of a community hall to be provided on the Site and for the security of the same to be delivered at the point of letting the contract for the construction of the community hall to be within 6-9 months of the date of the approved further variation to the 106 Agreement; such bond to be valued in relation to the delivery of the specification for the community hall, such specification to be prepared by the Owner and approved by the local planning authority within the above time frame.
  - iv) Enable negotiations between the Owner, Little Stanion Parish Council and the local planning authority to take place with a view to transferring management of the Community Hall, and parking area once built, to the Parish Council. (Members voted on the motion to defer the application) relates to a major development and a s106 variation application which concerns the delivery of a community asset (Village Hall and Football Pitch), amendments to two current obligations, wider viability issues, and legal matters to be considered.
- 1.2 To assist members the Officer's report to Committee on the 4<sup>th</sup> October 2023 and Committee minutes is appended (**Appendix A**)
- 1.3 Negotiations have continued between the applicant and Council officers, focussing primarily upon securing the construction of the Village Hall and parking area which is nearly four years behind its completion schedule. Officers consider that matters have not been progressed to a conclusion whereby the Village Hall can be securely delivered.

## **2. Further negotiations**

- 2.1 In response to the Committee's deferral on 4<sup>th</sup> October 2023, the applicant sent a detailed response dated 24<sup>th</sup> October 2023. This appended in full (**Appendix B**). In summary:
- i) The applicant reiterated the serious financial consequences of the Council's delay in approving amendments to the existing s.106 obligations and that the development continues not to be financially viable unless and until the amendments proposed by the applicant are formally approved.
  - ii) If they were *freed from the roof tax* (within the existing s106 agreement), they would have sufficient funds to pay for the Village Hall and MUGA.

- iii) They set out how the former Corby Borough Council agreed to replace the proposed football pitch with a MUGA in 2018. They set out the benefits of a MUGA and the ownership issues in securing further land for a football pitch.
- iv) The applicant confirms they will resolve any issues with the on-site landscaping.
- v) To secure delivery of the Village Hall, they offer a 'Security Restriction', whereby they will not be able to start construction of the 22 apartments in Block C unless and until the Village Hall has been constructed. They offer an obligation to submit the Village Hall specification within 3 months.
- vi) They confirm the completed Village Hall will be transferred to the Parish Council or the Council in the usual way.

2.2 Officers considered the applicant's response and set out the Council's position (by way of an email dated 2<sup>nd</sup> November 2023) as follows:

- i) In relation to the Village Hall, the applicant could either (1) transfer the land for the Village Hall and £1.2 million to the Council or (2) build out the Village Hall (within the timescales offered) with an insurance bond in the sum of £1.2m in place to secure delivery.
- ii) The 'Security Restriction' being offered does not give the Council adequate security that the Village Hall will be delivered. The Council must have an insurance bond in place if the developer is to deliver the Village Hall.
- iii) Regarding the MUGA, the Council would request that the applicant concludes negotiations with the neighbouring landowner to obtain the land originally allocated for the football pitch being a much more appropriate leisure facility for younger children.
- iv) To lay out the landscaping as per the approved masterplan and landscaping plans, and to rectify any deficiencies identified by the Council.

2.3 The applicant's solicitor responded to the above position and made the following points:

- i) The development will be largely shut down if the Council do not approve the s106A modifications by 31<sup>st</sup> December 2023. There would be no economic basis to continue in the New Year.
- ii) The respective viability consultants have agreed that the development is not viable if the *roof tax* remains imposed but if removed, the development can still fund a community building up to a cost of £1.2 million and the construction of a MUGA (cost approximately £100,000).
- iii) The money to build the Village Hall and MUGA would come from the sale of the 114 apartments/houses for which planning permission has been granted. There is no further money to pay for either an insurance bond or

land for a football pitch. The applicant would have to reduce the design and specification of the Village Hall to cover the cost of an insurance bond.

- iv) The applicant is not able to transfer the land for the Village Hall and £1.2 million to the Council. The only option for delivery of the Village Hall is for the applicant to fund the build cost out of the sale proceeds from the remaining units on the site.
- v) The applicant is unsure whether they could secure an insurance bond or the likely cost. They will only agree to use *reasonable endeavours* to secure an insurance bond.
- vi) The applicant will agree to use *reasonable endeavours* to secure additional land to provide a football pitch. Again, there is no money to acquire the land.
- vii) The applicant suggests the Council uses its compulsory purchase powers to secure land for a football pitch.
- viii) The applicant maintains that a football pitch would not be preferable to a MUGA.

2.4 The applicant's planning consultant has sent a summary of the applicant's position, which is appended (**Appendix C**). In summary:

- i) There is no extra money available for anything if the new Village Hall and MUGA are built.
- ii) If the Council do not agree to the applicant's requested variations to the s106, the site will be *mothballed* at the end of the year.
- iii) The completed Village Hall will be transferred to the Parish Council or the Council.
- iv) The applicant will rectify any deficiencies with the on-site landscaping.
- v) The applicant will use *reasonable endeavours* to negotiate transfer of land for a football pitch but there is no money to cover purchase costs.
- vi) They maintain a MUGA is more versatile and usable than a football pitch
- vii) There is no spare money to pay for an insurance bond for the Village Hall. They will only use *reasonable endeavours* to secure the bond. The cost of any bond will have to come off the cost of delivering the Village Hall.

### **3. The respective positions**

3.1 Officers will respond to the applicant's position in order of the deferral decision at the 4<sup>th</sup> October meeting.

3.2 The Multi Use Games Area -This facility will only be delivered if there is s106A variation removing the *roof tax* and the applicant being able to continue with the final phase of the residential development. Officers would prefer that the

applicant concludes negotiations with the neighbouring landowner to obtain the land originally allocated for the football pitch being a much more appropriate leisure facility for younger children. The applicant has confirmed they would not have the resources to deliver a football pitch in addition to the MUGA, which they advise is fundable. The applicant believes that a MUGA is a more appropriate facility than a football pitch. The applicant will agree to use *reasonable endeavours* to negotiate a transfer of land for a football pitch but maintains there is no money to cover purchase costs. The applicant's view is that the Council should negotiate with the neighbouring landowner direct or use its compulsory purchase powers to secure the football pitch.

Officers would comment that if the Council were to use its compulsory purchase powers, it has to pay the market rate for land and cover professional costs. There is no guarantee that a compulsory purchase would be successful.

- 3.3 Landscaping – The applicant has given assurances that the on-site landscaping will be delivered as per approved plans and that they will rectify any deficiencies. The Council's Tree Officer is surveying the central landscaped area and monitoring is ongoing. Officers will continue to monitor and consider enforcement action if necessary. Please see the Tree Officer's comments **(Appendix D)**
- 3.4 Delivery of the Village Hall – Both parties agree that (if the applicant is to deliver the Village Hall) the applicant will submit a specification for the Village Hall to the local planning authority for approval within 3 months of the variation to the s106 being agreed and will then build the Village Hall within a further 6-9 months of approval of the specification. The Council is seeking to secure delivery of the Village Hall. Officers would advise that the applicant be required to secure an insurance bond on approval of the specification for the Village Hall. The applicant has stated that they are only willing to use *reasonable endeavours* to secure a bond and that the costs of such a bond (they say likely to be up to £250,000) would need to come off the build cost of the Village Hall. The applicant is also willing to offer a restriction on the construction of the Block C apartments until the Village Hall is constructed (referred to them as 'the Security Restriction'). Officers advise that the 'Security Restriction' being offered does not give the Council adequate security that the Village Hall will be delivered. Officers maintain that the Council must have an insurance bond in place if the applicant is to deliver the Village Hall.
- 3.5 Transfer of the Village Hall – The applicant does not object to the transfer of the Village Hall building and parking area to either NCC or the Parish Council and would seek an early transfer once the Village Hall is completed. Officers confirm that the existing s106 provides for transfer of the completed Village Hall to the Parish Council or the Council in the usual way.

#### **4.0 Conclusion**

- 4.1 The applicant's solicitors and planning consultant's statements in support of the s106 Variation is set out in full in Appendices B and C to enable members to examine both statement in full.

- 4.2 Officers' position is set out in this report.
- 4.2 If the applicant is to deliver the Village Hall, the applicant will agree to submit a specification for the Village Hall and parking area to the LPA for approval within 3 months of the variation being agreed and a commitment to then build the Village Hall within 6-9 months of approval of this specification.
- 4.3 Officers view is that if the s106 obligations are rescinded without an insurance bond in place and a short-term build contract that the risks of non-delivery of the Village Hall and the MUGA would be too high. The applicant will only agree to use *reasonable endeavours* to secure an insurance bond and the cost of such a bond would need to come off the build cost of the Village Hall. Officers maintain that an insurance bond must be in place.
- 4.4 Taking into account the Council's concerns, the applicant has suggested an alternative agreeing a restriction upon the construction of Block C until the new Village Hall and its parking area are completed. Officers consider this could present enforcement difficulties in the event of non-compliance and would not ultimately guarantee delivery of the Village Hall.
- 4.5 This is a complex situation with the delivery of the Village Hall and MUGA at risk. Officers maintain that either land and money for the Village Hall must be transferred to the Council or if the applicant is to deliver the Village Hall, there must be an insurance bond in place to secure its delivery.

## **Recommendations**

### **Recommendation A:**

That the Council agree to modify the s106 agreement by removing the "The Little Stanion Community sum" and "The Little Stanion Up-lift sum" obligations (together referred to as the *roof tax*) subject to EITHER:

The applicant will transfer the land (fully serviced and with public rights of access) for the Village Hall and parking area known as Block E on plan 1616-P1001 to the Council, together with the sum of £1.2 million, prior to the commencement of the final residential phase (114 units ) of the Little Stanion development

OR

The applicant will submit a specification for the Village Hall and parking area to the local planning authority for approval within 3 months of the variation being agreed; the applicant will then build the Village Hall within 6-9 months of the LPA's approval of the specification; upon approval of the Village Hall specification, the applicant will obtain an insurance bond at their own expense and to the reasonable satisfaction of the local planning authority to secure delivery of the Village Hall

TOGETHER WITH the applicant will use reasonable endeavours to conclude negotiations with the neighbouring landowner to acquire land for a football pitch at their own expense and will then provide a football pitch in lieu of a MUGA.



### **Recommendation B:**

That the proposed s106 variation sought by the applicant to omit planning obligations set out in para 2.1 of the 4th October 2023 committee report be refused. This would be due to an unacceptable risk that the applicant's proposed phasing of the residential development without pre-payment and a land transfer for the Village Hall would not enable the Council to recover the funds related to the remaining planning obligations. Alternatively, if the applicant were to deliver the Village Hall without an insurance bond in place, there is an unacceptable risk that the Village Hall and MUGA would not be delivered.

### **Recommendation C:**

That the proposed s106 variation sought by the applicant to omit planning obligations set out in paragraph 2.1 of the 4<sup>th</sup> October 2023 committee report be approved, subject to: (1) the applicant will submit a specification for the Village Hall and parking area to the local planning authority for approval within 3 months of the variation being agreed; (2) the applicant will then build the Village Hall within 6-9 months of approval of the specification; (3) the appellant using *reasonable endeavours* to obtain an insurance bond to secure delivery of the Village Hall on approval of the specification (with the cost of such bond coming off the build cost of the Village Hall) and (4) a restriction on the construction of the Block C apartments until the new Village Hall and MUGA have been constructed (referred to by the applicant as 'the Security Restriction')

**Members are asked to note that the existing s106 agreement provides for the completed Village Hall and MUGA to be transferred to either the Parish Council or the Council in the usual way.**

**Members are asked to further note that the applicant has given assurances that the on-site landscaping will be delivered as per approved plans and that they will rectify any deficiencies. Officers will continue to monitor and consider enforcement action if necessary.**

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## Agenda Item 4.1 5th October 2023

### North Northamptonshire Planning Committee (North) 4<sup>th</sup> October 2023

<b>Application Reference</b>	<b>NC/23/00041/RVC106</b>
Case Officer	Robert Young
<b>Location</b>	Little Stanion
<b>Development</b>	Proposed variation of s106 agreement dated 28 <sup>th</sup> August 2016 relating to LPA ref: 04/00442/OUT dated 5 <sup>th</sup> July 2006 and LPA ref:17/00702/DPA (Detailed) dated 21 <sup>st</sup> May 2018 for 66 residential units, retail space and community hall known as the Multi Use Square Development and 17/00703/OUT dated 6 <sup>th</sup> September 2018 concerning outline planning permission for the erection of not less than 99 dwellings, and a maximum of 135 dwellings plus landscaping and associated works.
<b>Applicant</b>	<b>JME Developments Ltd</b>
<b>Agent</b>	iPlan Solutions Ltd
<b>Ward</b>	<b>Little Stanion</b>
<b>Original Expiry Date</b>	<b>8<sup>th</sup> February 2023</b>
<b>Agreed Extension of Time</b>	<b>31st October 2023</b>

#### List of Appendices

**Appendix A** – Applicant’s agent update on planning history and background and Approved Masterplan for Landscaping/ Public Open Space

**Appendix B** – Plans of the Proposed Community Building E

**Appendix C** Applicant’s Viability statement (Aspinall Verdi) 2021 and March 2022

**Appendix D** Council’s viability Assessor White Land Strategies Response Statement dated 21<sup>st</sup> September 2022

**Appendix E** Masterplan and Village Square Context Plan

**Appendix F** Applicants projected phasing programme for the final phase of residential/retail development.

## **Scheme of Delegation**

This application is brought to committee because it falls outside of the Council's Scheme of Delegation and relates to a major development and a s106 variation application which concerns the delivery of a community asset (Village Hall and Football Pitch), amendments to two current obligations, wider viability issues, and legal matters to be considered. Negotiations are ongoing in respect of the terms and conditions of the s106 variation, and the Head of Legal Services will provide an update at the meeting.

### **1. Recommendation**

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#### **Recommendation A**

- 1.1. That planning permission be GRANTED to vary the terms and conditions of the current s106 agreement related to planning permission 04/00442/OUT dated 5<sup>th</sup> July 2006 varied on the 28<sup>th</sup> August 2016 and permissions 17/00702/DPA dated 21<sup>st</sup> May 2018 and 17/00703/OUT dated 6<sup>th</sup> September 2018. 17/00701/DPA dated 21<sup>st</sup> May 2018 approved the Landscaping and Public Open Space for the Little Stanion development. The proposed s106A is to be varied under LPA ref: NC/23/00041/RVC and completed within 3 months of the date of the Committee's decision.
- 1.2. That should the variation of the Section 106 Legal Agreement not be completed within 3 months or other date to be agreed, that it be delegated to Executive Director of Place and Economy to REFUSE permission for the s106 variation.
- 1.3. That the proposed modifications to the s106 obligations are only acceptable subject to the following: -
- 1.4. The applicant to agree to the implementation of an important element of the original agreement, being the construction of the community hall, following assessment of the updated viability statements of the Applicant and Council's appointed viability consultants, but to ensure enforceability of the following terms on the following terms:
  1. The transfer of land for the Community Hall and parking area known as Block E on plan 1616-P1001 to either the Council, Parish Council or an appointed management company prior to the commencement of the final residential phase (99 units) of the Little Stanion Development.
  2. That the applicant agrees to provide a sum on deposit in the sum of £1.2m in line with the applicant's submitted cost details for the construction of the village hall and parking area and vehicular and pedestrian access thereto as previously granted permission.
  3. The Football Pitch to be constructed within 3 months of the completion of s106A variation agreement.

- 4 Landscaping and Public Open Space provided under application 17/00701/to be monitored by officers to ensure full compliance with the approved landscape master plan (please see Appendix A)

## 1.5 Recommendation B

That the proposed s106 variation sought by the applicant to omit planning obligations set out in para 2.2 of the report be refused. This would be due to a risk that the applicant's proposed phasing of the residential development over 5- year period without pre-payment and a land transfer for the village hall would not enable the Council to recover the funds related to the remaining planning obligations. Consequently, the applicant's proposal may fail to deliver the deliver the construction of the Village Hall and Football pitch.

## 2. The Proposal

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2.1 The applicants are JME Developments Ltd civil engineers for the previous developed phases of the Little Stanion residential development, now freeholders of the final phases of the development.

The applicant seeks to modify the s106 agreement related to 17/00702/DPA and 17/00703/OUT with a proposed s106 variation agreement. The relevant Town and Country Planning Act 1990 s106 planning obligations a roof tax and uplift clause proposed to be modified /omitted are as follows:

a) " The Little Stanion Community sum" which equates to £11,000 for every dwelling to be used for reimbursing the public purse towards the costs of the Little Stanion Primary School;

b) The Little Stanion Up-lift sum " defined as a sum equal to 34% of the additional dwelling sales profit, also contributing as above towards the costs of the primary school.

c) The applicant undertakes upon the Council's acceptance of the omission of the two key obligations ( in a) and b) above ) to proceed to complete the final phases of development (99 units plus building C for 22 flats and 2 retail units). Public Open space and landscaping is now completed under application ref: 17/00701/D and will be checked by officers to ensure compliance with the approved masterplan The applicant's agent has also produced a summary which is also under Appendix A The applicant then confirms that this will facilitate the funding fund the construction of the Village community hall Building E on plan1616-P100I ( **Appendix B** )

The applicant's agent also confirms under para 18 of his latest letter which is as follows:

*"Upon this further S.106a modification application being approved, the 2-year delivery period for the new community building village hall will be triggered as per the 2016 S.106a modification. JME are agreeable to the provision of a requested £1.2m bond to be put in place after the 2-year period in the event that the village hall has not been completed by the end of this two-year period. If it has been constructed within the time period then the need for such security falls away.*

## **Viability Issues-Applicant's perspective**

- 2.2 The scheme has been subject to a number of viability assessments since its original start on site. The latest viability assessment commissioned by the Applicant was produced and submitted by Aspinall Verdi in 2021 and updated in April 2022 and has since been added to by the applicant Solicitors Gatesby. The applicant viability consultant contends that the final phase would not be considered viable if the above two s106 obligations were complied with.

The applicant seeks the removal of the above two s106 obligations, which they contend would make it financially viable to complete the final phase of residential development ( 99 dwellings ) plus the final phase of the Village Square and the construct the village hall (Building E).The proposed building is identified on the Village Centre Plan

The applicant's solicitor/agent advises that if the s106 variation is not approved, then the applicant considers that the obligation trigger points in the current s106 agreement could not be met. As a result, the final phase of development would stall and without the revenue stream the Community Hall would not be constructed.

- 2.3 In addition, there is the matter of the football pitch provision. The landscaping with in the Public Open space has been previously approved and implemented leaving landscaping related to the final phase of development.

### **Council's Viability Assessment**

- 2.4

The Council commissioned an independent viability assessment of the Aspinall Verdi submission. White Land Strategies was instructed by the former Corby Borough Council to undertake a viability appraisal of the residential and retail and community development proposed on the Little Stanion site, in Corby. The latest viability review was undertaken in 2021/2 due to ongoing viability matters identified by the applicant's viability assessor Aspinall Verdi. This assessment was a further re-appraisal following the 2019 viability assessment.

Both reports with conclusions are appended under (**Appendix C and D**). The key conclusions of the Council's viability response are set out in the main part of this report. In summary, members are being asked by the applicant to agree a number of variations which exclude any further financial obligations other than to secure the construction of the community hall and football pitch.

- 2.6 The current review by White Land Strategies is dated 21<sup>st</sup> September 2022 with further minor updates related to this s 106A application. It is understood, to have been submitted to demonstrate that viability issues have not changed since 2019. The 2022 submission by Aspinall Verdi consisted of the 2 appraisals.

The NPPF allows for an Applicant to submit an appraisal with a reasonable sum of money allocated to the land value. Aspinall Verdi submitted one appraisal with the Land Value (at £1,342,000) included plus a s106 contribution of £1,980,000 to reflect the Consent with approved obligation

contributions.”

The second appraisal assumed no land value and no s106 contribution in order to demonstrate that the contributions could not be met even if land value was excluded. The scheme proposed is for 99 houses on Parcel 5, 66 apartments and 15 houses on Parcel (the latter already constructed). The village square development –originally comprised 66 flats of which Building C -22 flats and ground floor retail are still to be constructed plus the Village Community Hall (400m2) Context Plan  
**(Appendix E).**

- 2.7 The independent assessor concluded that the assumptions considered by Aspinall Verdi in their appraisals were reasonable overall. The NPPF allows for the applicant to receive a reasonable profit allowance within the appraisal. The applicant contends that removal of the requested financial obligations is required to allow for an NPPF compliant profit and importantly in order to facilitate the construction of the Community Hall, plus some sports pitches. The applicant’s viability statement (dated March 2022) and its conclusions has been agreed by the Council’s viability assessor. Since the Council’s assessment of the updated Viability Statement in March 2023 interest rates have increased substantially.

The applicant considers that this has further affected the financial position of his company which has not improved increasing the development risk.

#### Current Viability Position

- 2.8 The applicant was required to provide further information on the costs apportioned to the infrastructure and the village hall as these not backed up by evidence in the case of the infrastructure and the village hall was an estimated cost without a specification.

White Land Strategies assessed the response against the original report. The original cost submitted by Aspinall Verdi for the Village Hall was £1,035,300. The QS review submitted for the 2023 cost justification was provided as a range of £1,085,014 to £1,395,626 depending on the indices used.

The specification for the Village Hall is key to understanding the costs as to whether the specification is what the Council expect/want or rather what does the community expect/want because if the specification is correct then the costs flow from that and the best comparison is then a rates-based approach.

On that basis the price quoted in the 2023 update would suggest that their original cost estimate was about right in today’s money. White Land Strategies concluded that no adjustment to the cost estimate for the Village Hall in the viability appraisal would be necessary. In that regard the original cost estimate could be considered high but equally in current day it is not unreasonable.

- 2.9. In terms of the infrastructure costs White Land Strategies concluded that these were less referenceable to a dataset such as the Building Cost Information Service (BCIS). To really analyse these costs a Quantity Surveyor would be

needed to query the Applicant's QS rates. The quantities would need a review as much as the rates estimates do.

- 2.10 White Land Strategies was only able to undertake a high-level review of these costs and concluded in the absence of a QS review that the applicant's costs estimate for the roads appeared within the expected range for similar roads considered on other FVA studies undertaken (assuming the linear metre costs provided are correct).

The prelims/Overheads & profits rates were considered too high were reduced by WLSL however this reduction would not lower the 2023 cost to a figure below the FVA assessment submitted by Aspinall Verdi.

- 2.11 On the two points therefore White Land Strategies concluded that it would be difficult to suggest that the Applicant/Aspinall Verdi FVA submission is unreasonable.

It is arguable that the original Village Hall estimate was likely too high but at current day pricing it is likely reasonable subject to agreeing a specification. Regarding the infrastructure costs they would appear reasonable subject to someone measuring the quantities to which the rates are applied. On balance the 2023 submission cost estimates are not unreasonable.

- 2.12 In the context of the original FVA the NPPF allows for the applicant to assume a land value. The 2023 assessment would show that there is only marginal surplus if no land value allowance is assumed. As the NPPF allows an Applicant a reasonable land allowance even if there were a cost reduction the applicant would be within their right (in NPPF terms) to call for the land value to be taken into account which would reduce any surplus identified.

As it stands the Village Hall costs would be recommended to remain as per the FVA. The infrastructure costs could arguably be adjusted upwards worsening viability unfortunately.

### **Principle of Development**

- 2.13 The principle of the development of the site and the final phases have already been established through approval, firstly the outline application in 2006 and subsequent reserved matters for development phases, the s73 variation and discharge of conditions. The key matters for consideration are the applicant's proposed modifications/variations to the s106A agreement completed in 2016, when the previous owners Silent Pride Ltd were in administration. This followed the financial crash in 2008. This application has been brought forward by Silent Pride Ltd following the cessation of administration agreement of a modified S106a (04/00442/OUT dated 28.08.2016) with the Administrator, linked to the original permission.

### **Village Square Current Progress**



2.14. The relevant permissions linked to the extant s106A agreement are as follows:

i) LPA ref: 17/00702/DPA, a detailed permission granted on 21<sup>st</sup> May 2018 for 66 2-bedroomed apartments, (Blocks A-D), 588m<sup>2</sup> of retail space ground floor, of Blocks D already constructed. This leaves the community building to be constructed on parcel E.

2.15 Blocks A and B are completed and occupied, the retail food store Block D is now complete, and operational. Block C comprising 22-2 bedroomed flats and two Retail units 78m<sup>2</sup> and 85m<sup>2</sup> plus 33 car parking spaces has not been constructed.

Drawing 1616-P100 Rev D comprises the approved layout with approved drawings for Block C, the Village Centre Layout are relevant. (Appendix G)

#### **2.16 Parcel 5 and 6 for Residential Development Only**

ii) LPA ref: 17/00703/OUT an outline permission granted for a minimum of 99 to maximum of 135 dwellings. This projected final phase will comprise 99 dwellings, not constructed as yet. Parcel 6 is complete with 15 dwellings all sold. This makes a total of 114 dwellings when parcel 5 is complete.

2.17 To date, the current situation for Parcel 5 and 6 leaves a total of 99 residential units on parcel 5 to be constructed, completed, and occupied. The applicant contends that if the development phasing is not progressed and completed and the current planning obligations remain unmodified would be the loss of the community hall project unless funded separately. In discussions with the applicant, it is anticipated that the football pitch and landscaping will remain as a commitment to be delivered.

The lack of viability in this case to deliver the key financial obligations has been evaluated by the Council's viability statement in response referred to later in this report.

#### **The Current S106 Agreement dated 28<sup>th</sup> August 2018**

2.18 The s106 agreement which the applicant now seeks to vary relates to two permissions described in para 2.1 being an outline planning permission granted in September 2018 circa 99 dwellings with associated infrastructure across the two parcels of land. Plus, a detailed application 66 dwellings retail centre granted in 2018 and partly complete. The host outline permission was granted in 2016.

The applicant advises that construction works have continued to a point where any further development would trigger the specific obligations which the applicant contends would make the final phases of the Little Stanion development unviable.

2.19 To date, the current situation for both sites, leaves a total of 99 residential units to be constructed, completed, and occupied plus Buildings C and E within the Village Hall development. The applicant states that if the development phasing was not completed, it would be unviable to construct the community hall project. Officers can confirm that this does not include the football pitch and

landscaping.

The lack of viability in this case to deliver the other financial obligations is supported by the Council's viability statement in response to the applicant's viability statement referred to later in this report.

### **Applicant's Proposed s106a Modifications**

2.20 The applicant's intention is to complete the final phase of the Little Stanion development, which will then facilitate the construction of the Community Hall the football pitch and landscaping would not be affected. The applicant contends that this can only be facilitated by modifying the s106 agreement omitting the following contributions: -

1. The applicant supported by their viability statement seeks to remove the Little Stanion Community sum being £11,000 for each dwelling completed towards part reimbursement of some of the costs for the Little Stanion Primary School. Total contribution ...

2. Deletion of the Little Stanion Up-lift sum defined as a sum equal to 34% of the additional sales profit, also as a contribution towards the pre-incurred costs of providing Little Stanion Primary school.

2.21 The applicant considers that without the removal of these historic costs obligations, the other obligations the delivery of the community hall and football pitch would be unlikely to be met.

### **The Planning Obligations- Legal Perspective**

2.22 In planning law terms, the key issue is whether the proposed s106 variation will meet the s106 obligation tests set out in the NNPf Para 56 and in s106 of the Town and Country Planning Act 1990 as amended. Then whether the amended obligations would serve a useful purpose compared to the extant s106 agreement. This then needs to be balanced with the viability outcomes.

In this case both the applicant's and Council's' viability assessors agree that the final phasing would not be viable if the obligations referred to in above para 2.20 were enforced.

The applicant advises that this would result in the development stalling and by default, the community hall not being constructed.

2.23 The lack of viability in this case to deliver the other financial obligations is supported by the Council's viability statement in response to the applicant's viability statement referred to later in this report.

### Background to the current development situation

2.24 As a further outline planning application, it stands apart from the previous scheme; albeit that the previous extant and partially delivered approval is a material consideration. A further two applications have also been approved by the Local Planning Authority (LPA) 17/00702/DPA, and 17/00703/OUT –

detailing plans for further residential phases, public open space, and a new village centre (residential retail and a community hall).

### **3 Site Description**

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- 3.1 The application site comprises 4.02ha of land which is split over two parcels at Little Stanion, Corby. Little Stanion New Village is located to the southeast of the town of Corby and is accessed via the A43 and Long Croft Road. The topography of the site is such that there is a drop from north to south.
- 3.2 The application site forms part of a much larger residential site of 935 dwellings in total. The main site comprises various phases of residential development (houses and flats totalling 935 dwellings including 1,2, and 3 bedroomed dwellings ,2 bedroomed apartments, plus a primary school, and a recently constructed Village retail and residential centre.
- 3.3 A proposed community hall, which formed part of the 2016 s106 obligation has not been constructed (see Appendix B). Also, the primary school was built in 2018 with the former County Council funds which were not subsequently reimbursed by the previous applicant/owner.
- 3.4 Plus, in March 2023 the temporary retail food shop was replaced by a modern brick-built retail food store situated on the ground floor of Block D, which also comprises 30 2-bedroomed flats.
- 3.5 In terms of construction works, the applicants have advised that 99 dwellings are constructed without the impediment of the above-mentioned contributions then the community centre and sports pitch will be constructed.
- 3.6 The application site falls within extant permission (04/00442/OUT) with a modified s106 agreement following the previous owners Silent Pride Ltd entering administration when the site was set aside for residential development. It forms part of the wider Little Stanion New Village. The two parcels are the subject of an extant planning permission under 04/00442/OUT dated 28<sup>th</sup> August 2016, and set aside predominantly for residential development.
- 3.7 The parcels forms part of the wider Little Stanion New Village. The larger part of the two parcels is situated to the East of the wider site and the second parcel is set to the South of the subject site both, are vacant and undeveloped, cleared by the developer in anticipation for the commencement of developing the site. The applicant is not seeking any substantive changes to the proposed layout or designs but seeks to vary the current s106 agreement and omit two key planning obligations described in page 1 para 2.2.

#### **Relevant Planning History**

- 3.8 The relevant planning history is as follows: -

04/00442/OUT (Residential Development of not more than 970 dwellings; public open space, primary school, and community facilities, associated development

including provision of roads and infrastructure, access from Longcroft Road) – Approved 05/07/2006 - Various Reserved Matters and Condition discharges related to 04/00442/OUT. Primary School completed in 2018 and Tesco Food store now open in March 2023 (Block D).

3.9 17/00701 /DPA Landscaping public open space and 17/00703/OUT-dated 21<sup>st</sup> May 2018

17/00703/OUT Outline planning permission for the erection of between 99 dwellings and no more than 135 dwellings, landscaping and associated works granted permission 6<sup>th</sup> September 2018.( *known as Parcels 5 and 6* )

17/00702/DPA Detailed planning permission for the erection of 66 2-bedroomed apartments split between Blocks A-D, 598m<sup>2</sup> of retail space within block C and D, plus a Community hall granted permission on the 21<sup>st</sup> May 2018.( *Community Hall (not constructed)* ).

19/00541/REM reserved matters approved for 15 dwellings dated 19<sup>th</sup> March 2020 linked to 17/00703/OUT. ( *Parcel 6 since constructed* )

21/00031/REM reserved matters approval dated 26<sup>th</sup> July 2021  
S.73 variation of condition applications approved, amending the main planning permission 17/00702/DPA.

20/00301/RVC Condition 13 was amended by planning permission on 12 November 2020.

20/0059/RVC Condition 14 was amended by planning permission on 23 March 2021.

20/00551/NMA approved 6<sup>th</sup> January 2021.

NC/21/00034/RVC s.73 application granted permission dated 26<sup>th</sup> July 2021 linked to Parcel 5 residential phase.

NC/22/00078/RVC related to Block C (not constructed) granted permission on 1<sup>st</sup> June 2022 for ground floor retail floorspace to be subdivided in to 2 units.

17/007/702 /DPA -condition 16 concerning street lighting was approved on 11<sup>th</sup> March 2021

3.10 NC/23/00199/RVC under consideration relating to amendments to Block C prior to construction. ( **Current Application** )

## 4 Consultation Responses

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4.1 Council Consultation Newspaper advertisement/notification, as this involves a s106A variation application. It relates to a modification of agreed terms to the extant s106 agreement completed in 2016 between Silver Pride Ltd who were in administration at that time and the administrator/receiver and the

former Corby Borough Council.

#### 4.2 Parish/Town Council

Little Stanion Parish Council have expressed a number of concerns relating to failure by the applicants to construct the community hall, the football pitch and management issues relating to public open space. Plus, concerns about previous financial management of the development.

The Parish Council's key concerns are as follows:

Key changes to the original S106 in 2016

In order to produce a viable scheme for JME to continue with the development and exit administration [in 2016] a number of key changes were made to the original S106 [2006 version]. The key changes to improve JMEs viability involved allowing additional houses and apartments to be built, these are covered in planning applications: 17/00702/DPA [Apartments etc] and 17/00703/OUT [Additional houses].

The additional houses required extra land to build on, this resulted in:

1. Loss of some of the designated Public Open Space; Some of this land is on Brecon Close, where the 15 new houses have been built; The rest is within the as yet undeveloped area.
2. The loss of the 1 acre site for the Community Centre [Village Hall] with associated outside space; The Community Centre [Village Hall] was relocated to the centre of the roundabout, with no useable outside space for events.
3. The loss of the football pitch. It was originally promised that it would be relocated to another part of LS; however, it 'disappeared' in a subsequent planning application.

Additionally, the Parish Council state that following key changes occurred:

1. A reduction in s106 financial contributions, from circa £5.8m to circa £2m. [For, partial, funding of the construction of the Primary School, to be collected via a 'roof tax' of £11k per property].
2. All requirements for the provision of affordable housing were removed.
3. The change in the ownership and management of the Public Open Space. The change in the ownership and management of the Public Open Space, was the most controversial

In the original S106[2006] the Public Open Space was to be owned and managed by former Corby Borough Council - it would be paid for out of the normal council tax with no additional management fee.

Instead, when the S106[2006] was revised in 2016 the ownership and management of the Public Open Space was given to a private company: Little Stanion Farm Management Company. With the associated management charge in addition to the council tax.

The management company has transferred large sums of money to the development company. The decision to allow these changes was rather controversial, it was only passed on the casting vote of the chairman of the Corby Borough Council Development Control Committee

#### 4.3 Neighbours/Responses to Publicity

One objection from a local resident expressing a number of concerns summarised as follows:-

The monies this developer wishes to be let off of was already blocked by the previous authority so it would be incorrect for NNC to not uphold the same.

1. The monies this developer want to be let up of, both the roof tax and the uplift payment is public money, money that belongs to all the tax payers under NNC, therefore if he is let off of these payments, in effect the tax payers are funding his building, a number of properties have already been sold and occupied, has the funds been paid over for these? At the time of writing, it now is evident that Tesco have taken possession of one of the shop units, have funds from this been paid?
2. Comments redacted
3. Comments redacted
4. Concerns about speeding along Longcroft Road, Longcroft Road has no form of speed control (Part redacted.)
5. Concerns about CCTV (since resolved).
6. Omission of sports pitch as an obligation in the original S106 agreement not delivered.
7. A cycle path to Great Oakley was promised, never delivered.
8. Lack of a village sign.
9. In another application a completion date for the village hall was given to CBC this passed some two years apocenters about continual delays.
10. Concerns that the development has never been monitored.
11. Considers that in the past various objections were made both by residents and the Parish Council to the old CBC, these were totally ignored.
12. The viability report shows a short fall of around seven million, even if the developer is let of the circa two million, were to the other five million going to come from, it is clear that this development is and always has been under capitalised, to the detriment of the residents.
13. Despite promises and agreements sections of both highway and pavement still remain unfinished and in a dangerous condition, I am aware that persons have fallen over because of this, and I am given to understand that the developer have done nothing to rectify this, against health and safety?
14. Comments about the applicant redacted.

15. Concerns about the operation of the Little Stanion Management Company part redacted.

16. Concerns about continued delays in completing the development phases.

#### 4.3 Local Highway Authority (LHA)

No matters identified by officers related to the S106 variation.

### **5 Relevant Planning Policies and Considerations**

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#### 5.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

#### 5.2 National Policy

National Planning Policy Framework (NPPF) (2023)

National Planning Practice Guidance (NPPG)

Town and Country Planning Modification and Discharge of Planning Obligations) Regulations 1992 as amended ( 1993).

NPPF 2023– Paras Para 57 states “Planning obligations must only be sought where they meet all of the following tests:

a) necessary to make the development acceptable in planning terms;

b) directly related to the development; and

c) fairly and reasonably related in scale and kind to the development.”

This is set out in the CIL Regulations 2010.

Planning Practice Guidance – Planning Obligations Para23b-020

#### 5.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

Policy 1: Presumption in Favour of Sustainable Development.

Policy 2: Historic Environment

Policy 3: Landscape Character

Policy 4: Biodiversity & Geodiversity

Policy 5: Water Environment, Resources and Flood Risk Management

Policy 6: Development on Brownfield Land and Land Affected by Contamination

Policy 7: Community Services & Facilities

Policy 8: North Northamptonshire Place Shaping Principles

Policy 9: Sustainable Buildings

Policy 10: Provision of Infrastructure

Policy 11: The Network of Urban & Rural Areas

Policy 12: Town Centres and Town Centre Uses

Policy 15: Well-connected towns, villages, and neighbourhoods

Policy 16: Connecting the network of settlements

Policy 19: The Delivery of Green Infrastructure

Policy 22: Delivering Economic Prosperity

Policy 28: Housing Requirements  
Policy 29: Distributing of New Homes  
Policy 30: Housing Mix & Tenure

#### 5.4 Local Plan –Local Plan 2 for Corby (2021)

#### 5.5 Neighbourhood Plan – (N/A)

#### 5.6 Other Relevant Documents

Town and Country Planning Act 1990 , 1993 Modification Regulations

The key issues for consideration are:

- Principle of Development
- Planning Obligations
- Delivery of the Community Building the Football pitch Landscaping

#### 5.7 **Principle of Development**

The principle of the development of the main site and the final phases have already been established through approval of reserved matters, s73 variation and discharge of conditions. This is set out in the relevant planning history The key matters for consideration are the modifications to the s106 agreement completed in 2016.

#### 5.8 **Town and Country Planning Act 1990 -s106 Matters**

In planning law terms, the key issue is whether the planning obligations which were completed on the 25<sup>th</sup> August 2016 between the applicant and the former Corby Council would perform a useful purpose if modified as proposed by the applicant, JME Developments Ltd. The relevant Town and Country Planning Act 1990 s106 planning obligations agreed at that time ( 2016) to be modified, and or omitted as follows:

- a) “ The Little Stanion Community sum” which equates to £11,000 for every dwelling to be used for reimbursing the public purse towards the costs of the Little Stanion Primary School;
- b) The Little Stanion Up-lift sum “ defined as a sum equal to 34% of the additional dwelling sales profit, also contributing as above towards the costs of the primary school.
- c) The applicant upon the Council’s acceptance of the omission of the two key obligations in (a) and b) above ) will then proceed to complete the final phase of development (99 units ) plus Building C 22 flats and 2 retail units. The applicant has then confirmed that this enables the funding of the construction of the community hall (Building E). This should include the provision of a football pitch and landscaping.

#### 5.9 **Impact on Neighbouring Amenity**



This is not a planning application public amenity has been addressed in the original outline permission from 2006, the two applications from 2017 mentioned in para 1.2. However, clearly the provision of the Village Hall, Football Pitch, and monitoring of the implemented Landscaping/Public Open Space would be an important social, environmental, and economic benefit to the local community.

## **6 Other Matters**

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- 6.1 Equality: As set out in the Equality Act 2010, all public bodies, in discharging their functions must have “due regard” to the need to:
- a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
  - b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard in particular to the need to:
    - a) removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
    - b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of other persons who do not share it
    - c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low. Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove OR minimise disadvantage and in considering the merits of this planning application the planning authority has had due regard to the matters set out in section 149 of the Equality Act 2010. 15.0
- 6.1 Health Impact Assessment: Paragraph 91 of the NPPF 2021 states planning policies and decisions should aim to achieve healthy, inclusive, and safe communities and, specifically, criterion c) of this seeks to enable and support healthy lifestyles, for example, through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts which encourage walking and cycling. It is considered that the proposal subject provision of the community hall football pitch and final phase for flats with ground floor retail is considered acceptable on health impact grounds.

Hi Matt could, you have a quick look as I can't access Corby ?

## **7 Conclusion/Planning Balance**

---

- 7.1 The development of the main site, post the administration phase in August 2016 and final phases in 2023/4, have already been granted planning permission, but were subject to specific planning obligations agreed in 2016 primarily to recover costs to the public purse for the construction of the Little Stanion Primary

School. Then obligations were agreed to provide the village/community hall, football pitch and the future management of the Public Open Space landscaping remained as part of the varied s106 agreement.

Unfortunately, the former County Council never received the s106 funding for the primary school from the previous developer BULA then Silent Pride Ltd. Since that time, the applicant has commissioned viability statements by Aspinall Verdi which has been assessed as accurate and robust by the Council's viability consultant. In summary that the development is not viable based upon the current obligations contained in the 2016 agreement.

7.2 As the Council accept its viability consultant's conclusions that the development is not viable, the applicant contends that they cannot fulfil the obligation referred to in para 7.1 in respect of :-

a) "The Little Stanion Community sum" which equates to £11,000 for every dwelling to be used for reimbursing the public purse towards the costs of the Little Stanion Primary School;

b) The Little Stanion Up-lift sum "defined as a sum equal to 34% of the additional dwelling sales profit, also contributing as above towards the costs of the primary school.

7.3 To conclude, the planning history including the administration phases are complex. The above current obligations were agreed post the administration phase and would have delivered a sum to the public purse for the construction of the Little Stanion Primary school with the village hall completion by 2020. Due to the current lack of viability the applicant advises that the final phase of the development would more than likely stall if the above obligations were retained in the 2016 s106 agreement. Therefore, the village hall, football pitch would not be delivered.

7.4 The current phasing of the final elements of the development as set out in the latest correspondence from the applicant's agent (**Appendix F**) The applicant seeks to deliver the residential development over a longer time span up to 2028. This increases the risk for the shorter-term delivery of the community hall and football pitch already much delayed. This has been addressed in the recommendations of this report. However, the applicant/agent recognises that the funds for the construction of the village hall need to be safeguarded and they suggest a £1.2m insurance bond but to be completed within an extended timescale.

7.5 If members agree to the s106 variation and the final phase of the Little Stanion development continues, it will be dependent upon the land transfer and the applicant providing the required sum to enable the construction of the Village Hall and football pitch prior to the commencement of the final residential phase. If not agreed in the Council's view would be likely to affect the Council's ability to recover the monies important to secure the construction of the Village Hall and the football pitch as per paras 1.1-1.4.

## 8 Recommendation

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- 8.1 Officers recommend that the S106A agreement can be varied but, on the terms, and conditions as set out in paras 1.1 -1.4 of this report.
- 8.2 If members do not agree please refer to Recommendation B in Para 1.5 of this report.

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Mr B Young  
Development Management Planning Officer  
North Northamptonshire Council (Corby Area)  
Deene House  
New Post Office Square  
Corby  
NN17 1GD

10 July 2023

My Ref: 17/018/MJF

iPlan Solutions Ltd  
PO Box 9170 Loughborough  
Leicestershire LE12 8ZQ

T. 01509 550 974  
E. info@iplansolutions.co.uk

www.iplansolutions.co.uk

Dear Mr Young,

**Town & Country Planning Act 1990  
Pending S.106a Modification application NC/23/00041/RVC  
Little Stanion Planning History Context  
Post Granting of 25 August 2016 S.106a Modification  
JME Developments Ltd**

I write following our telephone conversation on 5 September 2023 and during which you requested that I write to you providing a contextual summary of the planning situation at Little Stanion to augment the planning history information that I provided within my earlier letter of 10 July 2023.

To assist in your updating of the previous 6 September committee report item that has been deferred to 4 October 2023 I advise as follows below;

### **Contextual Background Executive Summary**

1. The Little Stanion village residential development was initially allocated at Policy R8 of the 1997 Corby Local Plan. It is situated south-east of Corby, west of the A43 and south west of Long Croft Road.
2. Outline planning permission 04/00442/OUT for the entire Little Stanion site was granted on 4 July 2006 together with a S.106 Obligation. A number of national housebuilders constructed the initial phases of residential development, but the period to submit further reserved matters applications against that outline permission lapsed. Residential development on the site stalled due to the 2008 recession.

#### **Planning & Development Consultants**

Planning Advice, Appraisals, Applications & Appeals | Planning Statements & Impact Assessments  
Design & Access Statements | Strategic Site Promotion | Project Management | S.106 Agreements

Registered office: Westwood House 78 Loughborough Road Quorn Leicestershire LE12 8DX | Registered in England No. 6854819

3. As part of the initial construction activities, JME were appointed by the then site owner, BULA, to construct the road and sewer infrastructure for Little Stanion. In lieu of a significant debt owed to JME by BULA, the BULA development vehicle company for the Little Stanion site, Silent Pride Ltd, was transferred to JME in March 2013. Unfortunately, 14 days later, AIB Bank placed Silent Pride Ltd into administration. The Administrator, Corby BC and the other interested parties worked together and agreed a S106a modification on 25 August 2016 which provided mechanisms to facilitate completion of Little Stanion.
4. JME were finally able to recover ownership of Silent Pride Ltd from the Administrator and it came out of administration in July 2017 enabling JME to undertake the remaining construction works to Little Stanion.
5. The S.106a modification obliged JME to complete the construction of the existing roads on the developed part of the site to wearing course level, complete the sewerage infrastructure and install street lighting. These works to the value of some £2.4m commenced in August 2017.
6. Three required planning permissions under the S.106a modification were granted in 2018. These were;
  - **17/00701/DPA**, detailing the approval to the structural landscaping for the whole of Little Stanion;
  - **17/00702/DPA**, approving the 4 blocks of 66 apartments, the retail units and the Village Hall within the village centre, and;
  - **17/00703/OUT**, which granted outline planning permission for between 99 and 135 dwellings and split between Parcels 5 and 6.

### **17/00701/DPA Structural Landscaping**

7. Work commenced on the structural landscaping and equipped play areas in the winter of 2018. This work is all now substantially completed, as can be seen by visiting the site. However, it has always been the intention of JME to complete the final Play area and Multi-Use Games Area (MUGA) situated south east of the lake after the Housing Phase 4 within Parcel 5 is completed. It should also be noted that the provision of the MUGA was accepted by Corby BC as part of the approval of planning application 17/00701/DPA in lieu of a football pitch previously sought under the 2016 S.106a Modification as all the identified football pitch land was not in the ownership of JME.
8. I attach a copy of planning permission 17/00701/DPA and associated new masterplan D17-1062 Rev V9 as I did not include a copy of this with my letter of 10 July 2023 because the work has been substantially completed and that which has not forms part of the remaining JME work programme. Robert Waite has previously emailed the Masterplan to you.

### **17/00702/DPA Village Centre**

9. All required conditions precedent were discharged before work permitted by 17/00702/DPA was commenced in 2019.
10. Within the Village Centre, residential Blocks A, B and D have been completed, totaling 44 apartments.
11. As required by the S.106a modification, a convenience store has been provided as part of the retail units, Tesco Express opened in early 2023 within a ground floor retail unit of Block D. Prior to this facility being available, JME secured planning permission for a temporary retail outlet for the village within a portacabin situated on the Parcel 5 land and which was run by a local convenience store operator. This was removed once the Tesco Express opened.
12. Additionally, it should be noted that JME have also provided a 32-space car park immediately south of the school car park to assist parents at school drop off and collection times.
13. The remaining 22 apartments of Block C have yet to be started and commencement is pending approval of this current S.106a Modification application.

### **17/00703/OUT Parcels 5 and 6**

14. In respect of 17/00703/OUT for Parcels 5 and 6, the following Reserved Matters Approvals were granted;
  - **19/00541/REM** was granted in 2019 pursuant to 17/00703/OUT for 15 dwellings on **Parcel 6** and which have now been constructed.
  - **NC/21/00031/REM** was granted in 2020 pursuant to 17/00703/OUT for 99 dwellings on **Parcel 5** and for which construction has commenced, but no dwellings are yet completed.

### **JME Residential Delivery at Little Stanion**

15. A total of 114 dwellings will therefore be delivered by Parcels 5 and 6 and which together with the 66 village centre apartments makes **a total of 180 dwellings that will be ultimately delivered by JME in completing Little Stanion.**

### **Viability**

16. With increasing concerns regarding financial viability, JME entered into discussions with the then Corby BC and Northampton County Council in August 2019 to further

modify the 2016 S.106a modification through the removal of the £11,000 per dwelling roof tax planning overage payable in respect of Parcels 5 and 6 once a percentage of dwellings were completed within those areas. Whilst Corby BC supported this proposed further modification, Northamptonshire County Council did not.

17. However, following the creation of North Northamptonshire Council in April 2021, a formal S.106a modification application was submitted to North Northamptonshire Council. Extensive viability assessment work has been undertaken during this period by Aspinall Verdi acting for JME and validated by White Land Strategies acting on behalf of North Northamptonshire Council. This work concludes that the Little Stanion scheme is no longer viable and that it is necessary for the £11,000 per dwelling roof tax to be removed from the August 2016 S.106a modification obligation in order to secure the completion of Little Stanion. This revised S.106a modification application was finally registered by NNC on 8 February 2023 as NC/23/00041/RVC and is due to be placed before the planning committee members for determination on 4 October 2023
18. Upon this further S.106a modification application being approved, the 2-year delivery period for the new community building village hall will be triggered as per the 2016 S.106a modification. JME are agreeable to the provision of a requested £1.2m bond to be put in place after the 2-year period in the event that the village hall has not been completed by the end of this two-year period. If it has been constructed within the time period then the need for such security falls away.

I trust the above clarifies and assists. Should you wish to discuss the planning history further, please contact me immediately by return.

In respect of any other specific aspects relating to the determination of NC/23/00041/RVC, please continue to contact Robert Waite direct.

Yours sincerely,

This letter is sent electronically and therefore unsigned.  
If you would like a signed copy, please contact iPlan Solutions Ltd  
and one will be forwarded to you

**Mark Flatman**  
**Managing Director**

**D: 01509 550 974**

**M: 07795 652 100**

**E: [mark.flatman@iplansolutions.co.uk](mailto:mark.flatman@iplansolutions.co.uk)**

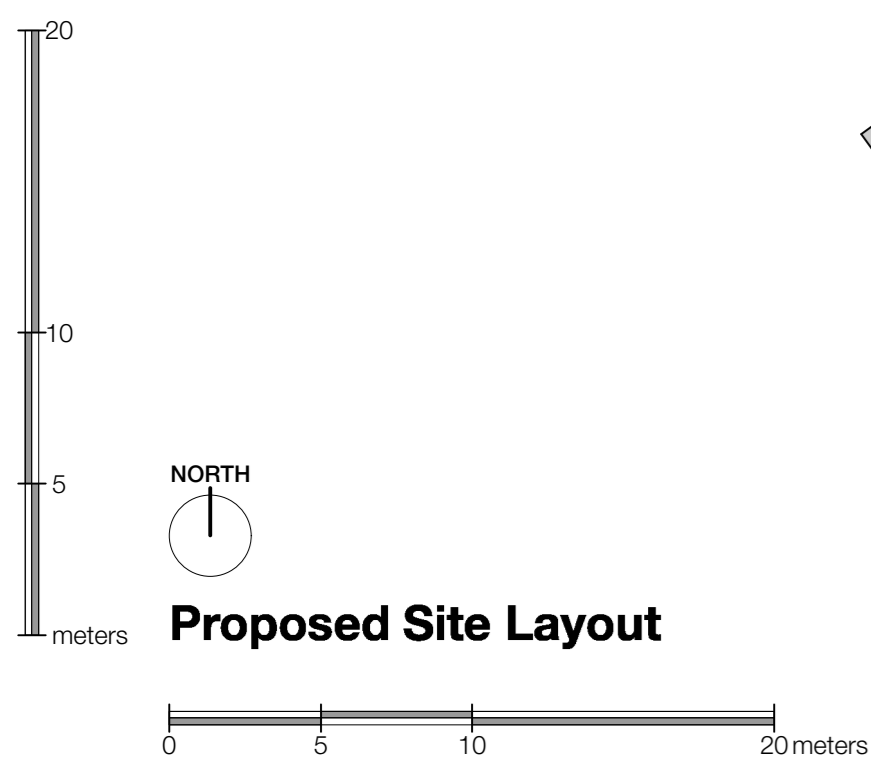
Enc 17/00701/DPA & Masterplan D17-1062 V9

CC Mr R Waite – Gateley Legal  
Mr J Moore – JME Developments Ltd



# Little Stanion Village Centre

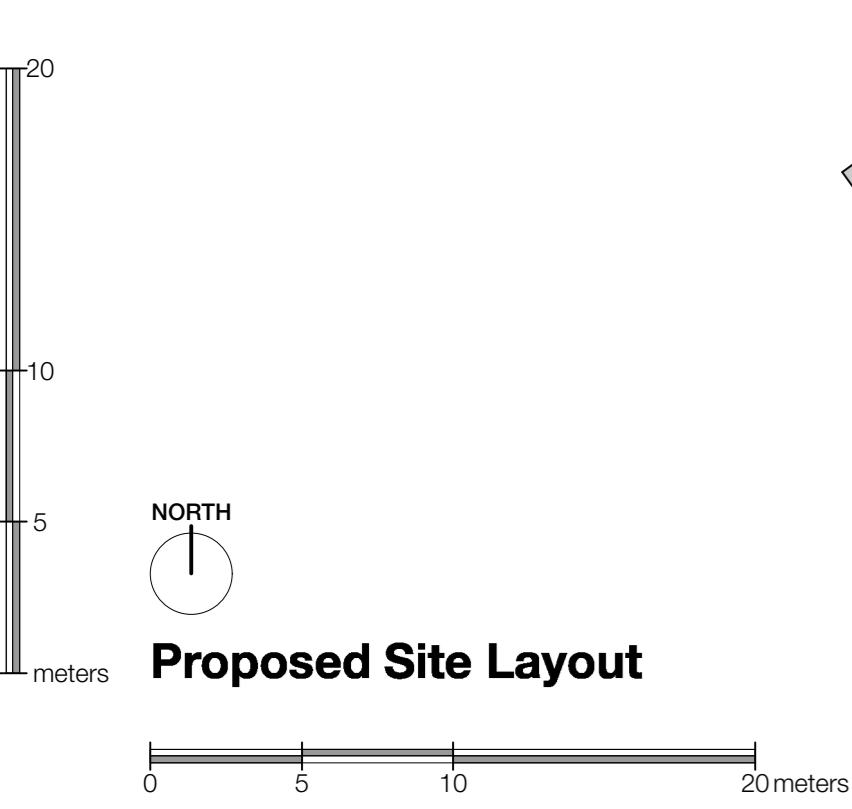
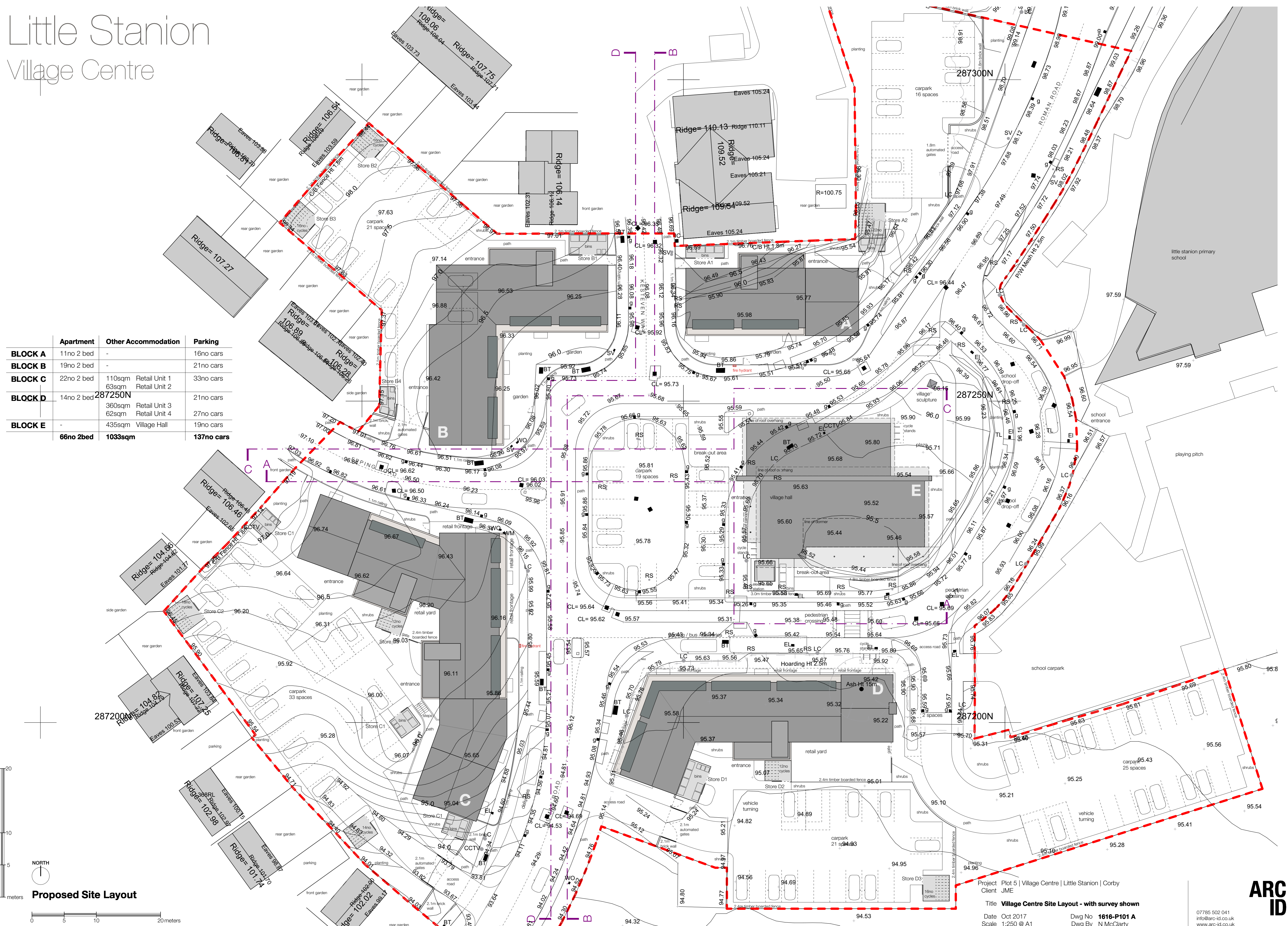
	Apartment	Other Accommodation	Parking
<b>BLOCK A</b>	11no 2 bed	-	16no cars
<b>BLOCK B</b>	19no 2 bed	-	21no cars
<b>BLOCK C</b>	22no 2 bed	110sqm Retail Unit 1 63sqm Retail Unit 2	33no cars
<b>BLOCK D</b>	14no 2 bed	360sqm Retail Unit 3 62sqm Retail Unit 4	21no cars
<b>BLOCK E</b>	-	435sqm Village Hall	19no cars
	<b>66no 2bed</b>	<b>1033sqm</b>	<b>137no cars</b>



# Little Stanion Village Centre

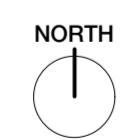
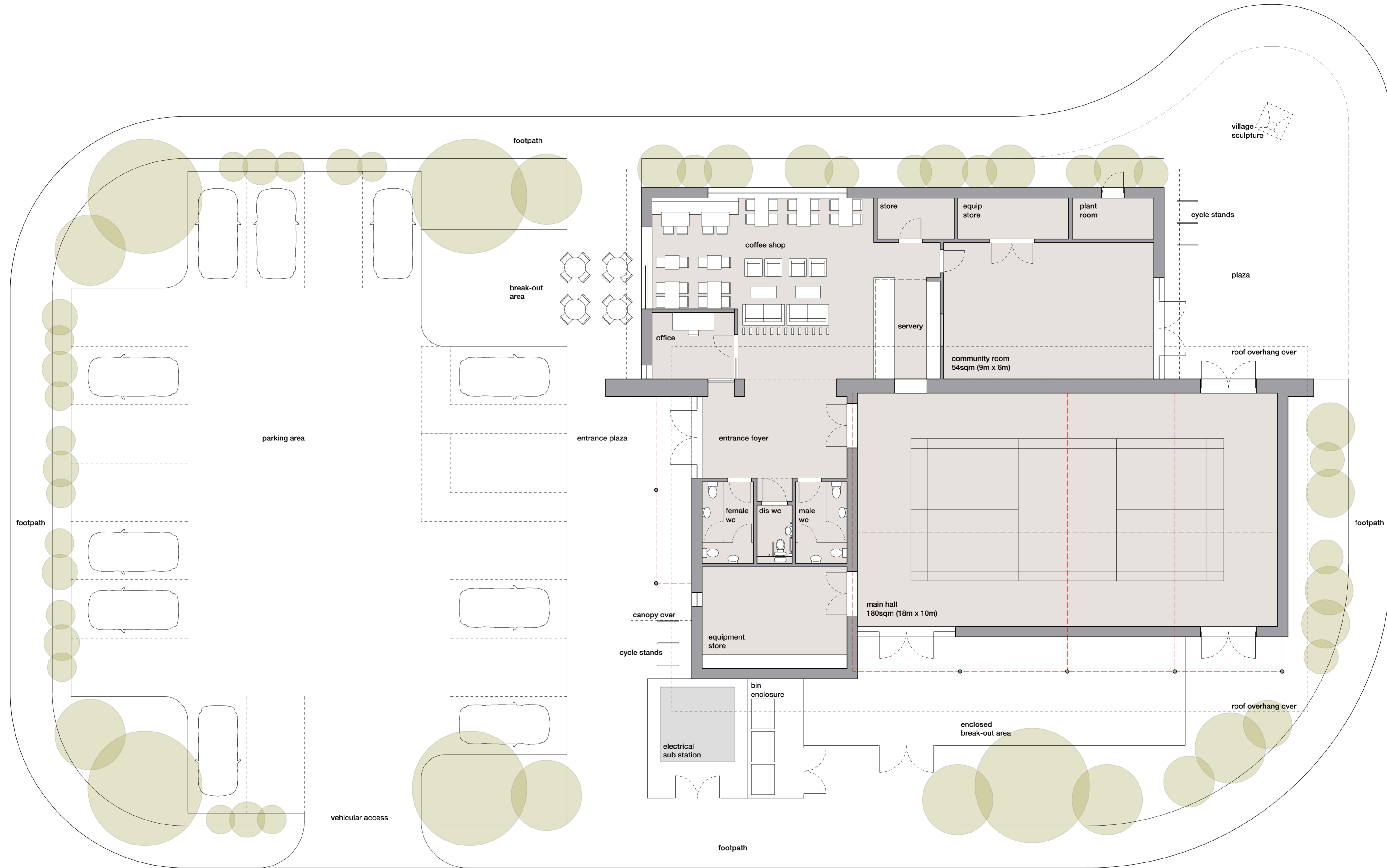
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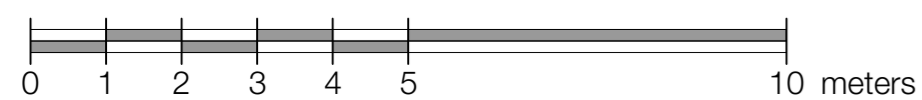
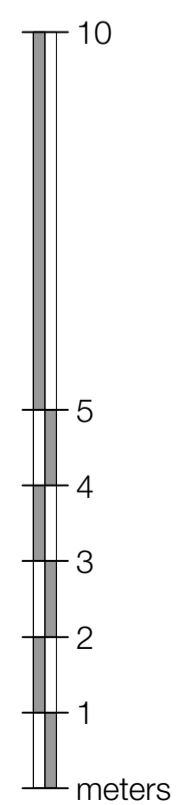


# Little Stanion Village Centre

## Block E



**Block E Village Hall Ground Floor Plan**



# Little Stanion Village Centre

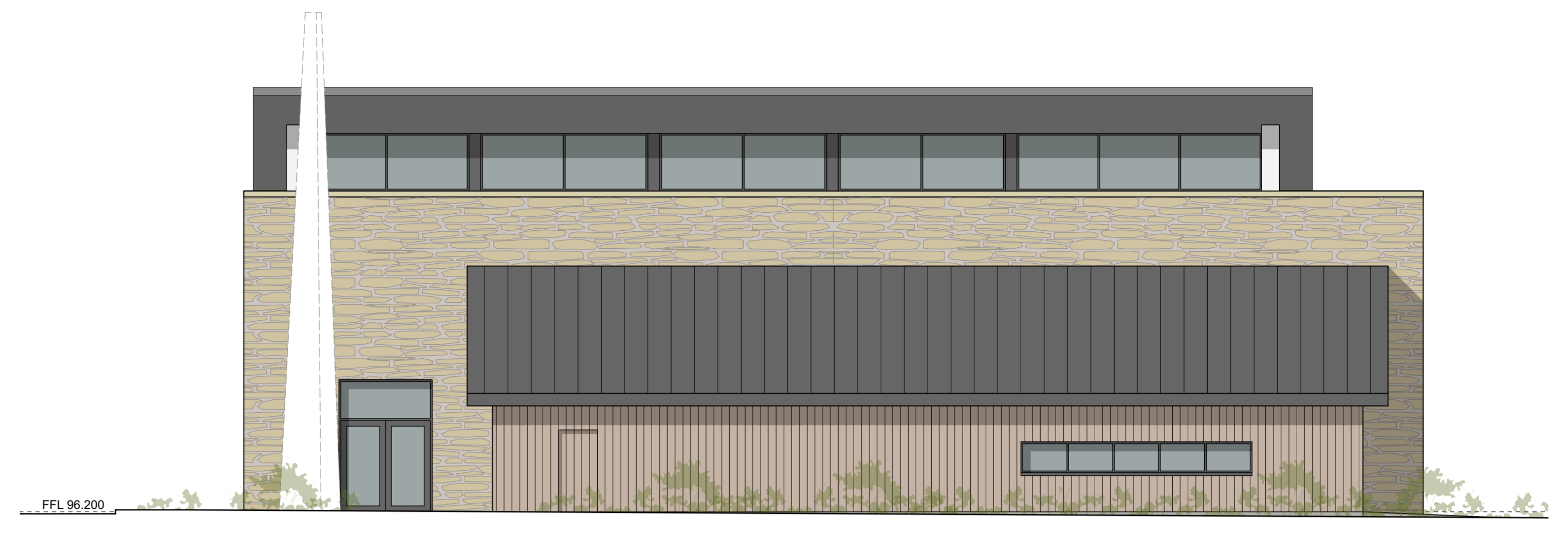
## Block E

### External Finishes

- Mono Pitched Roof : aluminium standing seam / profile metal
- Dormer : folded aluminium
- Flat roof : trocal single ply membrane with concealed guttering
- Soffits & Fascias : ppc aluminium
- Rain Water Goods : ppc aluminium
- Walls : vertical cedar cladding and painted plaster
- Feature Stone Wall : local natural stone cladding
- Windows & Doors : double glazed PPC aluminium
- Sculpture : under separate planning application



Proposed West Elevation



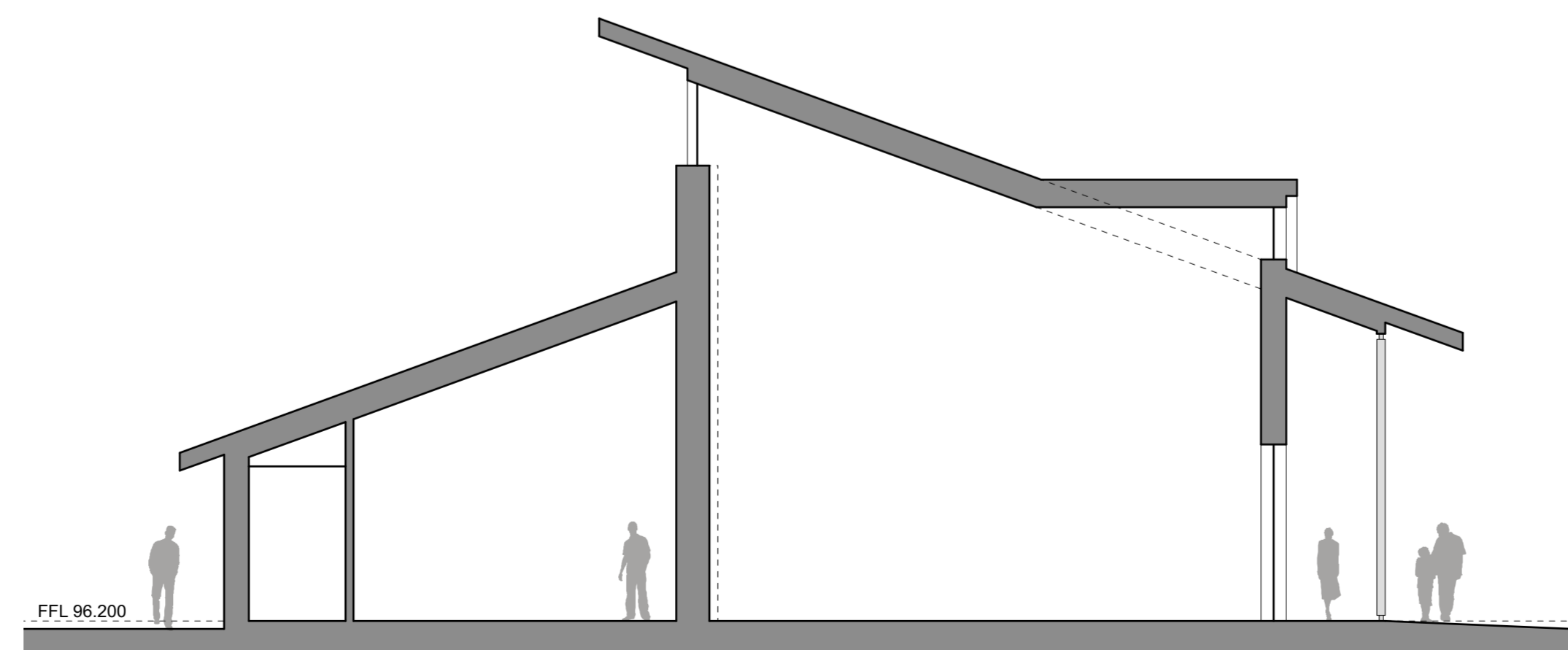
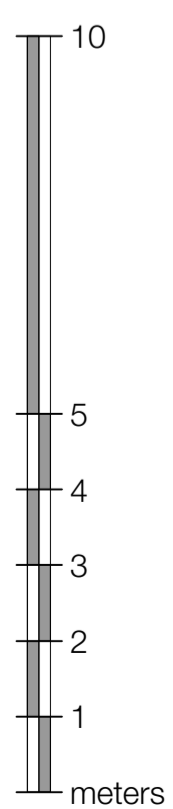
Proposed North Elevation



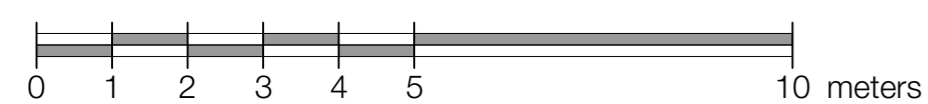
Proposed East Elevation



Proposed South Elevation



Proposed Cross Section



Project Plot 5 | Village Centre | Little Stanion Farm | Corby R8  
 Client JME  
 Title **Block E Village Hall - Plan Section & Elevations**  
 Date Aug 2017  
 Scale 1:100  
 Dwg No 1616-P601  
 Dwg By N McClarty

07785 502 041  
 info@arc-id.co.uk  
 www.arc-id.co.uk

**ARC ID**

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Interim Viability  
Report

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Little Stanion, Corby

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JME CIVILS

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12<sup>th</sup> April 2022

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Private and Confidential

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# 1 Introduction

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- 1.1 AspinallVerdi have been instructed to prepare a Financial Viability Assessment (FVA) in respect of the proposed residential scheme at Little Stanion, Corby. This short report sets out the interim position with respect to the viability of the scheme so that this can be discussed with the Council before we finalise our FVA.
- 1.2 Within this report we provide a summary of the key inputs which will be adopted in our FVA, these are as follows;
- Scheme details
  - Cost Assumptions
  - Benchmark Land Value
  - Gross Development Value (GDV)
  - Viability conclusions.
- 1.3 The evidence which forms the basis of our assumptions with regards to the costs, land value and GDV will be set out fully in our FVA. We discuss each of the items in turn below.

## 2 Scheme Details

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- 2.1 The consented scheme which now has detailed planning permission (17/00702/DPA) comprises 66 apartments, 4 retail units and a village hall. There is a further outline planning permission for no less than 99 dwellings and no more than 135 dwellings (17/00703/OUT).
- 2.2 Section two of our FVA will provide scheme details, including; layout plans and accommodation schedules for each parcel. A summary of the accommodation is provided below.

**Table 2.1 - Accommodation Schedule**

Use	Total Area (sqft)
Apartment – 4 blocks	52,248
Retail units – 4 units	6,405
Village Hall	4,575
Houses – Parcel 5	149,424
Houses – Parcel 6	17,997

Source: ARC ID, March 2022

### 3 Cost Assumptions

3.1 We set out below the key assumptions which we have adopted in our financial appraisals. The assumptions were all agreed with the Local Authority in July 2019.

3.2 The build costs are currently based on BCIS (rebased to Corby over a 5 year period). However, given that the implementation of the scheme has commenced we are awaiting a cost plan which will include the hard build costs (based on actual costs incurred), external works, open space, infrastructure costs and the village hall. These are likely to be higher than the figures presented in the table below. These costs will be reported and evidenced fully in our FVA at section five.

Item	Assumption
Build Rate (£ psf) - houses	£122.63 psf (£20,530,837)
Build Rate (£ psf) - apartments	£133.96 psf (£6,999,142)
Build Rate (£ psf) - retail units	£200.67 psf (£1,285,291)
Village Hall	£226.00 psf (£1,035,300)
External Works	10%
Contingency	5%
Infrastructure Costs	£6,613 per unit (£1,190,340)
Open Space	£750,000
Professional Fees	7%
Development Management Fees	1%
Section 106	£11,000 per unit (£1,980,000)
<b>Disposal Costs - Residential</b>	
Marketing	2% of GDV
Sales Agent Fees	1% of GDV
Sales Legal Fees	0.5% of GDV
<b>Disposal Costs - Retail</b>	
Letting Legal Fee	10%
Letting Agent Fee	5%
Purchasers Costs	5.8%

Finance costs	6.25%
Profit on GDV – (Market)	20%

Source: AspinallVerdi and JME Civils, March 2022

## 4 Benchmark Land Value

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- 4.1 Section six of our FVA will provide full details on our approach to the Benchmark Land Value. The National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG) provide guidance on viability and decision taking. In July 2018 the revised NPPF and updated PPG were published with minor adjustments being made to the PPG in May 2019.
- 4.2 The PPG is clear that the appropriate basis for calculating the benchmark land value is Existing Use Value (EUV) + a premium. We have therefore adopted this approach.
- 4.3 We consider an Existing Use Value for agricultural land in Corby is £10,000 per acre (c. £25,000 per ha) (Gross). Therefore, the Existing Use Value of the site (13.42 acres / 5.44 ha) equates to £134,200 / £136,000.
- 4.4 Given that part of this site has a full planning permission and a further part of the site has outline planning consent, it is reasonable to assume that the premium would be towards the higher end of the premium range. However, to assist viability, we have only adopted 10 times the EUV; we reserve our position in respect of this matter.
- 4.5 We have therefore adopted a benchmark land value of £1,342,000 which was agreed with the Local Authority in July 2019.

## 5 Gross Development Value

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- 5.1 Section five of our FVA will provide our full assessment of the local residential property market. The Gross Development Value (GDV) has been based on achieved values for units which have already sold on this scheme and asking prices in the locality for new build properties.
- 5.2 Two out of the four apartment blocks (30 Units) have already sold:
- Block A consists of 11 units and has sold for a total of £2,005,000 which equates to £182,273 per unit.
  - Block B consists of 19 units and has sold for a total of £3,305,000 which equates to £173,947.
  - For Block C and D we have taken the average achieved value across Block A and B which equates to approximately £180,000 per unit.

- 5.3 With regards to Parcel 5, we have based the GDV on asking price data for new build properties in the locality.
- 5.4 With regards to Parcel 6, we have based the GDV on the 11 units which have been sold within this parcel.
- 5.5 With regards to the retail units (4 in total) we have adopted £16 psf and a Yield of 7% in addition to a 3 month market rent free period.
- 5.6 The total GDV for the scheme can be found in the table below.

Use	Total GDV (£)
Apartment – 4 blocks	£11,790,000
Retail units – 4 units	£1,851,945
Houses – Parcel 5	£29,750,000
Houses – Parcel 6	£4,167,300

- 5.7 Within our FVA we will provide robust assessment of the local property market for the units in Parcel 6 and will be able to provide completion statements for the units which have sold, if this evidence is deemed necessary.

## 6 Conclusion

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- 6.1 Based on the assumptions of values and costs set out above, we have prepared financial development appraisals for the proposed scheme using Argus Developer software. These are appended to this report.
- 6.2 The first appraisal is based on a fixed land value whereby the output is the profitability of the scheme. This appraisal also includes the non-housing s106 contribution which amounts to £1.98m. On this basis the scheme generates a deficit of circa £7m which clearly demonstrates that the scheme cannot afford to deliver any affordable housing on site or even the £11,000 per dwelling as previously agreed.
- 6.3 The second appraisal shows that if we exclude the land value of £1.34m from the equation and also deduct the S106 costs of £2.079m (i.e. £11,000 per dwelling), then the deficit falls to £2,862,228. Under this scenario, the net profit of the scheme equates to 12.65%, which is below the target profit rate of 20%.
- 6.4 To move discussions forward, we would welcome the opportunity to engage with the Local Authority and/or their viability advisors so that any specific areas of concerns can be discussed and so that we can move forwards and reach an agreed position on viability matters.

### Authorisation

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- 6.5 Should you have any questions or queries in respect of any aspect of this report, please do not hesitate to contact AspinallVerdi.
- 6.6 For and on behalf of Aspinall Verdi Ltd:

Yours faithfully,

(checked by)



Parminder Dosanjh MRICS MRTPI  
Executive Director

0207 183 7580  
[parm@aspinallverdi.co.uk](mailto:parm@aspinallverdi.co.uk)



Matthew Wroe, BSc (Hons), MSc, MRICS  
Senior Consultant

0113 243 6644  
[mattw@aspinallverdi.co.uk](mailto:mattw@aspinallverdi.co.uk)

## Appendix 1 - Financial Appraisal - Land Value & s106

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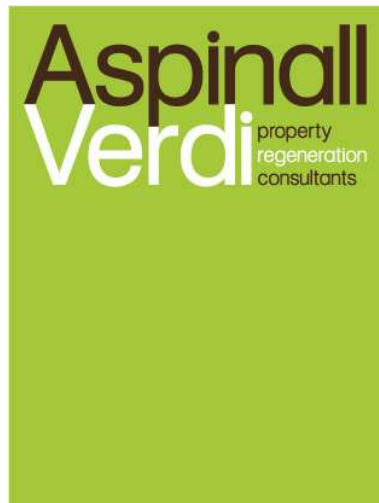
## Appendix 2 - Financial Appraisal - No Land Value or s106



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SEPTEMBER 2022



**WHITE LAND STRATEGIES LTD**  
Viability Delivery Planning

**LITTLE STANION, CORBY**  
VIABILITY ASSESSMENT FOR PLANNING S106A APPLICATION

FOR: NORTH NORTHAMPTONSHIRE COUNCIL

## 1.0 OBJECTIVES OF THE COMMISSION

### 1.1 INTRODUCTION

White Land Strategies Ltd has been instructed by Corby Borough Council to undertake a viability appraisal of the residential development proposed on the Little Stanion development, in Corby.

The application site has been reviewed a number of times in recent years due to ongoing viability matters. The previous review was concluded in 2019.

The current review is related to a section 106A review and, it is understood, to have been submitted to demonstrate that viability issues have not changed since 2019.

- The applicant has submitted x2no. viability appraisals. Both appraisals assume 0% affordable housing.
- One being an appraisal with no land value allowance and also no s106 contributions
- One being an appraisal with land assumed at £1,342,000 and a s106 contribution of £1,980,000

The scheme proposed is for 180 units, being 99 houses on Parcel 5, 66 apartments and 15 houses on Parcel 6.

The 2019 review assumed 189 units. There is no commentary in the Applicant's review to address the why there is a lower number of units. It is assumed that this is the most efficient layout to maximise the site's potential and that the Council is aware of the masterplan density.

The 2019 Review was triggered due to the request by the Applicant for the Council to 'remove the roof tax and the potential overage that has been part of the current planning obligations since August 2016'.

The site has been subject to previous viability assessments so there has been a consistent viability issue raised at this site. This review will consider the assumptions as they stand in the context of current FVA benchmarks along with up-to-date and reasonableness of assumptions as submitted in the current market.

CIL is not chargeable in the area.

The objectives of the commission are as follows:

- Provide a review of the information submitted by the Applicant, JME Civils Limited (JME).
- To comment on the reasonableness of the viability assessment as submitted by their advisors Aspinall Verdi and consider the Applicant's position.
- The assessment has looked primarily at the reasonableness of assumptions particularly of the following appraisal inputs:
  - GDV;
  - Construction Costs (baseline and additional assumptions);
  - Professional fees and other survey related expenditure;
  - Finance Costs;
  - Developer Profit; and
  - Abnormals/Infrastructure

- Based on the above assessments, provided an update to the viability assessment and determine if the scheme can support s106 contributions and/or additional affordable housing.

Information regarding the scheme has been provided by the Applicant's agent, Aspinall Verdi. The appraisal is submitted in an Argus Developer format submitted in pdf format.

Queries were raised with the Applicant's agent due to some inconsistencies in the cashflow which were not possible to match in the WLSL checks of the Aspinall Verdi (AV) approach.

AV provided the electronic files which allowed WLSL to look in detail at the cashflow.

### Location

The extract from Google Maps below shows the site location.



## 1.2 GOVERNMENT POLICY GUIDANCE FOR VIABILITY TESTING

In preparing this report particular regard has been given to policy and guidance within the following:

**The Royal Institution of Chartered Surveyors (RICS):** Financial Viability in Planning RICS Guidance Note 1st edition (GN 94/2012) August 2012

Whereby:

The PPG also states that contributions should be realistic and not compromise sustainability and that the Cumulative costs of 'all relevant policies' will not undermine deliverability.

The revised PPG retains the assumption that the landowner should receive a land value based on Existing Use Value plus a Premium and that this reasonable incentive is equal to the minimum a willing landowner would be willing to sell the land for. Equally the developer will require sufficient return in order that the site comes forward for development. The incentive would not apply in this context.

The test arising from this approach is whether net residual (development) value or cost or profit, as demonstrated by a residual appraisal, exceeds a relevant and appropriate benchmark value or cost or profit by an adequate margin, while also assuming an adequate commercial return to the developer.

This enhanced value basis is usually reflected as a minimum value per gross acre in the case of agricultural/strategic land or other low value land or evidenced by a third party Red Book valuation or sustainable methodology to determine a reasonable value.

The premium over EUV/Alternative Use Value and/or application of minimum value, as appropriate, is recognised as necessary since a landowner is likely to have to bear costs, such as relocation (where the business is retained, taxation, the cost, time and effort involved in obtaining planning permission etc. to bring their land forward for development to the change of use consent, as well as requiring an element of 'profit', in the form of value-enhancement, for doing so.

Reference to a consistent method of benchmarking minimum value as a 'threshold' against which residual land value for development can be compared, rather than attempting to reflect or justify actual price paid (or agreed to be paid) by a specific developer, is recognised in the PPG but was already common practice and recognised as a fairer approach when determining viability.

This avoids potential arguments, for example, as to whether the developer may have paid too much for the land and that as a result provision of public infrastructure should then be at risk in mitigating the overpayment.

#### **Application in this Development site context**

- *The land is not strategic greenfield land but is a continuation of an ongoing large development site.*
- *The FVA model is set up based on a fixed land value approach. Profit is also fixed as a cost input. The residual output is a plus or minus of a target £0. This is picked up in greater detail in section 2.*
- *The Applicant's benchmark land value in this context is assumed at £1,342,000 based on the strategic land for development at £100,000 per gross acre.*
- *The assessment therefore is whether the Residual value from the model meets or exceeds a benchmark at £0 (assuming this land value is acceptable and the profit input assumption value is also acceptable). Profit is assumed at the midpoint 17.5% on the residential market units.*



### 1.3 ASSESSOR: WHITE LAND STRATEGIES LIMITED

White Land Strategies Ltd is a niche advisory consultancy specialising in independent assessment of development options and viability assessments.

The practice is owned by Chris White. Chris has over 20 years' experience working in the property industry and specialises in development/viability appraisals, developer procurement, development agreements, delivery models and implementation advice to assist in the S106 negotiations, development of masterplans, development briefs and the redevelopment of surplus assets. His experience having operated as a consultant, a developer and within Local Authorities provides a valuable broad range of understanding to ensure reporting meets the objectives of private and public sectors alike.

He was formerly head of the Midlands Development Consulting team in BNP Paribas Real Estate for 3 years. Prior to this he was National Director at CBRE for the Development Consulting practice for 7 years. Prior to these core consultancy periods Chris was Managing Director of developer, Castlemore Securities' Regeneration company. Prior roles at Chesterton Plc, RegenCo Sandwell, Leicester Regeneration Company have widened Chris understanding of brownfield development and viability associated with regeneration of town centres.

Chris has an excellent understanding of the Northamptonshire economy having been a long term advisor to Northamptonshire Councils on development and viability matters and as such has a good understanding of the market and FVA benchmarks for the area.

WLSL regularly provides 'route to market reports'. As part of the development advice WLSL focusses on commercial deliverability of option appraisals and viability appraisals.

This report has been prepared by Chris White.

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### 1.4 IMPARTIALITY AND CONFLICTS OF INTEREST

White Land Strategies Ltd confirms that it has acted as an independent assessor with objectivity and impartiality to the parties. WLSL has no conflicts of interest.

There is no incentive based fee and WLSL does not benefit from any increase and decrease in viability outcomes arising from any recommended change to the Applicant's position in terms of increases or decreases to the S106/Affordable Housing levels.

## 2.0 APPRAISAL ASSUMPTIONS

Provided in this section is a review of the Applicant's viability appraisal and assumptions. This report provides an independent view as to whether the assumptions appear reasonable in the context of the information supplied. Also highlighted are queries in relation to the applicant's assumptions where more information has been requested to assess its potential effect on the viability of the scheme.

The appraisal undertaken by the Applicant has been reviewed and re-modelled accordingly. Appraisals have also been reconstructed adopting sensitivity checks and updates where appropriate to test reasonableness of the submitted assumptions.

### 2.0.1 APPRAISAL STRUCTURE

The appraisal is structured slightly differently to normal practice as follows:

- The land price is fixed which triggers the stamp duty and purchase fees.
- Profit is also fixed at 20% for the residential GDV (20.43% in order to match it based on the elements the profit is attached to) replacing the usual assumption of profit being the residual target.
- The residual target is a deficit or surplus measured at £0.
- A negative residual means that the assumptions of the fixed land price and fixed profit can't be sustained as the appraisal residual is insufficient to meet these costs and equate to zero.
- Equally any surplus would be interpreted as an ability to contribute to Affordable Housing and/or S106 .
  
- *The assessment therefore is whether the Residual Value (RV) from the independent FVA analysis meets or exceeds £0.*
- *As one of the submitted models assumes no contribution of affordable housing and S106 allowance any identified surplus will be interpreted as a contribution to S106.*

### 2.1 LAND VALUE

A viability test requires that landowners should receive a reasonable return for disposal of land coming forward for such developments and that, in essence, the cost associated with Planning contributions and infrastructure should not be so detrimental to land value that landowners should be forced to bring forward land below a reasonable market return.

What is considered a reasonable market return to a landowner is always a matter of debate when dealing with any viability assessment. There are varying assumptions and formulas applied when considering a reasonable return to a landowner.

The RICS has issued a guidance note 'Financial viability in Planning. Financial viability for planning purposes is defined by this guidance note as follows:

"An objective financial viability test of the ability of a development project to meet its costs including the cost of planning obligations, while ensuring an appropriate Site Value for the landowner and a market risk adjusted return to the developer in delivering that project."

In the absence of the strategic benchmark, Existing Use Value (or plus a premium), should be considered as the basis of the entry price reflecting a premium over the current use to incentivise the landowner to dispose but also this should be reflective of policy considerations in determining the cost to deliver, otherwise the site might remain undeliverable for alternative uses or an Alternative Use Value (AUV) for a reasonably implementable scheme in summary.

The Applicant in the previous Viability review provided an Existing Use Value for the site based on an agricultural multiplier approach as set out earlier. The approach is not unreasonable given the prominence in the NPPF to incentivising landowners to bring residential land forward. The Applicant has not applied a premium in the usual way (i.e., 20% times EUV) but have used the HCA model of 10-20 times agricultural value.

The approach remains the same as per the previous agreed land price assuming £100,000 per gross acre for the 13.42 acres making the EUV £1.342m.

## 2.2 RESIDENTIAL VALUES

As two of the four blocks (30 units) are already sold, evidence is available on site to determine local values. The 11 sold units in parcel 6 were used as the basis of current values for the remainder of that parcel.

Taking the average of sold units is not unreasonable as differences between plots can affect individual unit prices. As such a sold plot in a superior position to remaining plots may imply a high average value expectation and vice versa.

Houses / apartments on the same site will always provide the best comparable evidence rather than comparing to other local sites.

The Applicant has assumed the following based on sales evidence to date.

- Block A consists of 11 units sold for a total of £2,005,000 equating to £182,273 per unit.
- Block B consists of 19 units sold for a total of £3,305,000 equating to £173,947 per unit.


**Little Stanion, Corby FVA review 2022**

- For Block C and D values are based on an average of Block A and B equating to approximately £180,000 per unit.
- For Parcel 5, the GDV is based on local asking price data for new build.
- For Parcel 6, the GDV is based on the 11 units which have been sold within this parcel.

An extract of the Applicant’s pricing schedule is extracted below:

Block Type	No. Units	Approved Design	Approved Floor	2025 Design	Total No. Units	Units	Approved Floor Units	Approved Floor Cost	Approved Floor Value (at 1/1/22)	Total Approved Floor Value (at 1/1/22)	Notes
Block A - 2 Bed Apartments	11			185	185	11	11	1953	£192,272	£2,205,000	the value based on the average value
Block B - 2 Bed Apartments	19			142	142	19	19	1422	£172,842	£2,205,000	the value based on the average value
Block C - 2 Bed Apartments	25			107	107	25	25	1114	£190,000	£1,900,000	average between Block A and B
Block D - 2 Bed Apartments	4			144	144	4	4	1444	£180,000	£1,800,000	average between Block A and B
<b>Total</b>	<b>69</b>	<b>0</b>	<b>0</b>	<b>486</b>	<b>486</b>	<b>69</b>	<b>69</b>	<b>4866</b>		<b>£11,780,000</b>	


WLSL has reviewed the Applicant’s submission and taking into account recent FVAs which have consistently reviewed Sales pricing the unit pricing is not unreasonable; however, the Applicant’s website is promoting the following (extract below) shows apartments priced from £185,500 and 3&4 bedroom houses from £260,000.



**From £ 185,500**


**Two Bed Luxury Apartments**  
 Chestnut House, Willow Heights, Sycamore View,  
 Little Stanion  
 Category: Apartments

Henderson Connellan [details](#)



**Retail Units Available**  
 Retail Units, Little Stanion  
 Category: Retail

David Walker Commercial [details](#)



**From £ 260,000**

**3 & 4 Bed Homes Coming Soon**  
 Coming Soon, Little Stanion  
 Category: Houses

Henderson Connellan [details](#)

[Load More Listings](#)

Zoopla records average apartment sold prices in the NN18 postcode area to be £117,867, average terraces at £193,999 and semi-detached at £237,817.

Rightmove records a 2 bed apartments currently for sale on Little Stanion with asking prices of £195,000 and £197,500. Zoopla records no apartments for sale at Little Stanion.

Assuming the 1 Bed prices will be lower and there is likely 3-5% discount between asking and achieved prices on average the Applicant's assumption of £182,273 average value is not unreasonable in Block A. There is a lower value assumption in Block B of £173,947 presumably due to the unit mix available.

Blocks C and D being proposed at an average value of £180,000 may be considered too light given the promotion of unit price expectations starting at £185,500. Given there is likely a discount between asking and achieved but also that prices start from £185,500 it would not be unreasonable to assume blocks C & D apartments are based on the higher unit price of £185,50 in the WLSL appraisals.

The assumed house price expectation is in line with the Applicant's intent for £260,000 per unit starting price.

WLSL's breakdown adopting the Applicant's methodology with the apartments at the price is set out below:

House Type	No. Unit	Total GIA (sqm)	Total GIA (sqft)	% mix	Private Resi no of Units	Private Resi (sqm)	Private Resi Value per Unit (£)	Total Private Resi Value (£)
Block A - 2 Bed Apartments	11	803	8,643	17	11	803	£182,273	£2,005,000
Block B - 2 Bed Apartments	19	1403	15,102	29	19	1403	£173,947	£3,305,000
Block C - 2 Bed Apartments	22	1616	17,265	33	22	1616	£185,500	£4,081,000
Block D - 2 Bed Apartments	14	1044	11,237	21	14	1044	£185,500	£2,597,000
<b>Total</b>	<b>66</b>	<b>4866</b>	<b>52248</b>	<b>100</b>	<b>66</b>	<b>4866</b>		<b>£11,988,000</b>

### 2.3 COMMERCIAL VALUES

The commercial rents of £16 psft and a yield of 7% adopted by the applicant are reasonable. The rent free period could be considered light in the current market.

The Applicant has also retained their assumption on Ground Rents. Ground rents are rarely available to value in current times due to the Government position to limit purchasers exposure to ground rent inflation post disposal of the investment. WLSL has retained them with a note of caution as to their applicability going forward. The assumption remains at £250 per annum per leasehold at a 4% yield which is reasonable.

### 2.4 BUILD COSTS

The Applicant has adopted build costs using BCIS, based on the 5 year cost rate for Corby. The Applicant has not confirmed whether this is at lower quartile or median. The rate for example of apartments costs

is £133.96 psft / 1441 psqm. Examining current BCIS costs the midway point between lower quartile and median for apartments of 1-2 storeys is £133.78psft / £1440psqm. WLSL has adopted the Applicant rate.

For housing, the Applicant has adopted a rate of £122.63 psft (£,319.97 psm). The mid-point between the general lower quartile and median rates is £119.33 psft / £1,284.5 psm, so marginally above the midpoint. WLSL has adopted the Applicant rate.

For retail, the Applicant has adopted the rate of £200.67 psft / £2,159 psm. This rate is questionably high given that retail units are usually constructed to finish that doesn't include internal fit out, but the build costs exceed that of the housing and apartments.

The median 5 year BCIS rate for General retail units is £133.50 psft / £1,437 psm, which itself is considered high but is referenceable to BCIS would be a more appropriate cost to adopt and is the rate used by WLSL.

BCIS (Building Cost Information Service) is a standard baseline to use when undertaking viability assessments. When conducting viability assessments, the only industry standard benchmark available is the BCIS build cost and is used where there is no cost evidence from the Applicant. It is noted that the Applicant states that there is a cost plan being undertaken but was not available for the FVA review.

## 2.5 EXTERNALS

These are costs that fall outside of the definition of BCIS and include costs relating to the plot that the unit is situated within included connections to utilities and the pavement and half road area. Externals costs can be expected to be in the order of 10-15% of build costs for housing and 5% for apartments.

The externals cost rate adopted by the Applicant is 10% and is therefore considered reasonable for the housing units but too high for the apartments.

WLSL has adopted the 10% for housing and 5% for apartments.

## 2.6 INFRASTRUCTURE/ABNORMAL COSTS

Infrastructure costs have been assessed as:

- Infrastructure (highways and utilities) at £1,190,340 (a reduction from the previous FVA where the infrastructure costs were assumed at £1,250,000). This is due to the number of units, the rate per units remains the same at £6,613 per unit. There is no substantiation of this cost, however the rate has not increased since the last FVA review.
- Open Space costs remain at £750,000 (£4,166 per unit). Unsubstantiated as before but the amount has not increased since the previous FVA however the reduction in numbers means the rate per unit is now £4,166 per unit. It is assumed that the same area of open space is being delivered irrespective of unit numbers so this would not be unreasonable.
- Community Building/Village Hall at £1,035,300. This has increased from the previous FVA when the costs were £805,200. At the time the cost was based on a BCIS rate of £176 psft which has increased to £226 psft in this assessment. There is no definition to link a specification to state whether the rate is appropriate or not. A conference hall cost for example in BCIS is £208.85

psft whereas a basic mission hall is £263 psft. Without an idea as to whether internal costs are also considered it is difficult to counter argue the cost increase. WLSL has adopted the Applicant's cost rate though there may be savings once the specification is agreed.

## 2.7 SECTION 106 CONTRIBUTIONS

S106 is stated to be policy compliant at £11,000 per unit or £1.980m. A further contribution of the village hall is assumed but that is included as a direct works cost separate to the S106 contribution budget. The Applicant has submitted an appraisal which includes s106 and their preferred appraisal which does not include s106.

## 2.8 CONTINGENCY

A 5% contingency has been adopted by the Applicant. This is considered relatively high but as costs are at the midpoint between lower quartile and median (previous FVA they were on lower quartile) WLSL has adopted a 3.5% contingency.

## 2.9 PROFESSIONAL FEES

Fees of 7% of costs have been adopted by the Applicant. This is reasonable for the scale of scheme.

## 2.10 ACQUISITION / DISPOSAL FEES AND MARKETING FEES

Agent and Legal fees are assumed at 1.0% and 0.5%. This is reasonable

Marketing fees are assumed at 1%. This is considered reasonable.

Letting and legals are assumed at 10% and 5%. This is considered reasonable.

## 2.11 FINANCE RATE

Finance costs are stated to be 6.25%. This is considered reasonable in today's financial climate.

## 2.12 OTHER FEES AND COSTS

Stamp Duty is assumed by the Applicant at the prevailing rate.

### 2.13 PROFIT

The appraisals submitted assume a target profit of 20% on GDV. This is at the top of the NPPF guidance which states profit to be in the order of 15-20% of GDV (c20-25% of costs), depending on the risk of the scheme. The figure submitted equates to 20.43% of GDV based on the elements to which it has been applied. WLSL has adopted 19% profit on Residential and 15% profit on the commercial GDV.

### 2.14 SUMMARY OF ASSUMPTIONS

Appraisal Item	Applicant	WLSL Baseline
Land cost	£100,000 per acre including premium. Benchmark Land Value equates to £1,342,000	As per Applicant
Sales/Rental Revenue	<ul style="list-style-type: none"> <li>■ Parcel 5 at £300,505 per unit / £199.10 psft</li> <li>■ Parcel 6 Houses at £277,820 per unit / £231.56 psft</li> <li>■ Block C &amp; D Apartments at £180,000 blended with current sales to equate to £178,636 per unit / £225.65 psft</li> </ul>	<ul style="list-style-type: none"> <li>■ Parcel 5 : As per Applicant</li> <li>■ Parcel 6 : As per Applicant</li> <li>■ Block C &amp; D Apartments at £185,500 blended with current sales to equate to £181,636 per unit / £229.44 psft</li> </ul>
Commercial Revenues	Retail at £16 psft / 4% yield and 3 months' rent free	As per Applicant
Build Cost	BCIS mid-point range lower quartile to median Housing at £122.63 psft Apartments £133.96 psft Retail at £200.67 psft	As per Applicant other than retail which is assumed at £133.50 psft
Externals costs	10%	Housing at 10% Apartments at 5%
Abnormals / Utilities	<ul style="list-style-type: none"> <li>■ Infrastructure (highways and utilities) at £1,190,340 (£6,613 per unit)</li> <li>■ Open Space at £750,000 (£4,166 per unit)</li> <li>■ Community Building at £1,035,300: based on BCIS costs £226 psft</li> </ul>	As per Applicant with caution on the village hall.
Professional fees	7%	As per Applicant
Development Management fees	1%	As per Applicant with reduced profit
Contingency	5% on residential only	WLSL assumed at 3.5%
Acquisition Fees	1.5% + SDLT	As per Applicant



Little Stanion, Corby FVA review 2022

Disposal Fees	2.5% Agent / Marketing Commercial Letting 10% and 5%	As per Applicant
Finance	6.25%	As per Applicant
Section 106	£1.980m Residual £0	As per Applicant
Profit	20% of GDV	WLSL at Residential at 19% GDV Commercial at 15% GDV

### 3.0 APPRAISAL ANALYSIS

#### 3.1 APPLICANT'S SUBMISSION

The Applicant's appraisal has been re-run to determine firstly that the assumptions have been correctly modelled and secondly to create a baseline from which to test sensitivities.

##### 3.1.1 APPLICANT APPRAISAL

The appraisals assumed the following key inputs:

- BLV £1,342,000
- Sales Value GDV £45,707,300
- Scheme GDV £47,559,245
- BCIS construction Costs £28,815,271
- Externals at 10%
- S106 assumed at £1.980m
- Contingency at 5%
- Fees at 7%
- Finance at 6.25%
- Profit Fixed 20% of GDV (Equiv 20.43%)

The Applicant has a negative viability of **-£7,065,927**, which is based on an assumption of the S106 payment and land value included.

The Applicant's equivalent appraisal with no S106 and no Land Value included is **-£2,862,228**.

The table below sets out the Applicant's appraisal in the first row. The second row is the WLSL remodelling of the Applicant's scheme using Argus Developer.

	Policy S106	BLV Land	Fixed Profit	Applicant Viability
Applicant	£1,980,000	£1,342,000	20% / £8,880,389	<b>-£7,065,927</b>
WLSL as per App	£1,980,000	£1,342,000	20.43% / £8,869,504	<b>-£6,567,146</b>
Applicant	£0	£0	20% / £8,880,389	<b>-£2,882,228</b>
WLSL as per App		£0	20.43% / £8,869,504	<b>-£2,370,557</b>

The above shows that the model submitted by the Applicant is mathematically sound. It was difficult to exactly match the Applicant's model due to some inconsistencies in the application of rates and the cashflow shape.

As a consequence, it was not possible to exactly match the Applicant's model outputs.

Again, on the no land and no s106 model, the WLSL appraisal is consistent in applying the Applicant's inputs and the output, but the residual is showing a higher outcome than that reported by the Applicant.

### 3.1.2 WLSL MODELLING

As there are some differences where WLSL would consider inputs are not justified in moving away from benchmarks there is, set out below, the WLSL remodelled appraisals.

The appraisals assumed the following key inputs.

- BLV £1,342,000
- Sales Value GDV £45,905,300
- Scheme GDV £47,764,293
- BCIS construction Costs £28,385,047
- Externals at 10% Housing and 5% Apartments
- S106 assumed at £1.980m
- Contingency at 3.5%
- Fees at 7%
- Finance at 6.25%
- Fixed Profit target lowered: Profit Fixed 19% of Residential GDV and 15% Commercial GDV
- Contingency at 3.5%

	Policy S106	BLV Land	Fixed Profit	Applicant Viability
WLSL as per App	£1,980,000	£1,342,000	20.43% / £8,869,504	-£6,567,146
Applicant	£0	£0	20% / £8,880,389	-£2,882,228
WLSL as per App	0	£0	20.43% / £8,869,504	-£2,370,557
WLSL Benchmarks	£1,980,000	£1,342,000	£9,000,856	-£3,584,182
WLSL Benchmarks	£0	£0	£9,000,856	+£28,576

The application of consistency within the appraisal adds costs to the Applicant model but also adds profit as the profit is applied as per usual FVA practice.

The profit is assumed at 19% of residential GDV due to the allowance of the DM fee but this still raise the profit for the Applicant above how the appraisals were submitted.

Applying benchmarks shows that a residual improvement is possible. The Model is based on 0% Affordable Housing, so Policy Compliance is not viable.

In terms of the actual model once land or s106 is assumed the 0% Affordable housing whilst improved significantly (-£3.584m compared to the Applicant's -£7.065m) it remains unviable.

A surplus is shown in the last appraisal when land and s106 is removed. The surplus would be the equivalent of s106 contributions equating to £28,576.

## 4.0 SUMMARY CONCLUSIONS

To conclude, it is clear that the viability of the development is suffering due to the combination of values in this location and the costs associated with this development.

- A Policy Compliant scheme is not viable.
- The approach by the Applicant has seen some of the previous assumptions maintained and some of the assumptions on costs increased. This is not unreasonable given the context of the current inflationary pressures on construction costs.
- The Applicant has also maintained the additional revenue in the form of ground rents which may not be available.
- The infrastructure/abnormals costs are unqualified in that they are not underpinned by a third party as before. There is a note of caution on the cost increase in relation to the Village Hall which has not been adequately set out by the Applicant and could in theory be cheaper to deliver.
- Land is at the same agreed level as per the previous FVA.
- The NPPF allows for a reasonable profit, The Applicant has assumed 20% on all revenue. WLSL has applied profit as per benchmarks to all revenues streams and reduced to 19% on residential GDV and 15% on commercial GDV.
- Build costs for the retail element has been reduced.
- Contingency has been reduced
- Externals costs have been reduced

### SUMMARY CONCLUSION / RECOMMENDATION

- The Applicant's scheme as presented is considered unviable in relation to the full S106 contribution whether land value is considered or not.
- Once land value is adopted the scheme is unviable.
- WLSL has undertaken a no s106 and no land value appraisal as per the Applicant and derives a surplus available for s106 of £28,576.
- This conclusion is only maintained if the Applicant chooses to forego the land value for the scheme.
  
- **On this basis the recommendation would be that the review concurs with the Applicant that the S106 contribution is not viable, but the scheme allows for the construction of the village hall and a surplus of £28,576 if no land value is promoted by the Applicant.**

## 5.0 DISCLAIMER AND CONFIDENTIALTY

The contents of this report do not constitute a valuation, in accordance with the RICS Valuation - Professional Standards (the 'Red Book') and should not be relied upon as such. This report is addressed to North Northamptonshire Council and its contents should not be reproduced in part or in full without our prior consent of either North Northamptonshire Council and JME Civils Ltd.

### CONFIDENTIALITY

This report is provided to North Northamptonshire Council and JME Civils Ltd on a confidential basis. We request that the report not be disclosed to any third parties under the Freedom of Information Act (Sections 41 and 43 (2)).

## 6.0 APPENDIX

### WLSL Appraisals

- As per Applicant with and without s106 and land value
- WLSL Appraisals with Benchmarks
- BCIS

**APPRAISAL SUMMARY****WHITE LAND STRATEGIES LTD**

As per Applicant S106 and Land  
Loss of £6,567,146  
Can't reconcile finance costs

**Appraisal Summary for Phase 1**

Currency in £

**REVENUE**

Sales Valuation	Units	ft <sup>2</sup>	Sales Rate ft <sup>2</sup>	Unit Price	Gross Sales
Housing P5	99	149,424	199.10	300,505	29,750,000
Apartments	66	52,248	225.65	178,636	11,790,000
Housing P6	15	17,997	231.56	277,820	4,167,300
<b>Totals</b>	<b>180</b>	<b>219,669</b>			<b>45,707,300</b>

**Rental Area Summary**

	Units	ft <sup>2</sup>	Rent Rate ft <sup>2</sup>	Initial MRV/Unit	Net Rent at Sale	Initial MRV
Retail	4	6,405	16.00	25,620	102,480	102,480
Ground Rents	66			250	16,500	16,500
<b>Totals</b>	<b>70</b>	<b>6,405</b>			<b>118,980</b>	<b>118,980</b>

**Investment Valuation**

<b>Retail</b>					
Current Rent	102,480	YP @	7.0000%	14.2857	1,464,000
Rent Free	(102,480)	YP 3mths @	7.0000%	0.2396	
		PV 5yrs @	7.0000%	0.7130	(17,507)
					<b>1,446,493</b>

<b>Ground Rents</b>					
Current Rent	16,500	YP @	4.0000%	25.0000	412,500

**Total Investment Valuation** **1,858,993**

**GROSS DEVELOPMENT VALUE** **47,566,293**

Purchaser's Costs			(83,897)	
Effective Purchaser's Costs Rate		4.51%		(83,897)

**NET DEVELOPMENT VALUE** **47,482,396**

Income from Tenants 15,125

**NET REALISATION** **47,497,521**

**OUTLAY****ACQUISITION COSTS**

Fixed Price	1,342,000			
Fixed Price			1,342,000	
				1,342,000
Stamp Duty			56,600	
Effective Stamp Duty Rate		4.22%		
Agent Fee		1.00%	13,420	
Legal Fee		0.50%	6,710	
Town Planning			39,451	
				116,181

**CONSTRUCTION COSTS**

Construction	ft <sup>2</sup>	Build Rate ft <sup>2</sup>	Cost
Retail	6,405	200.67	1,285,291
Housing P5	149,424	122.63	18,323,865
Apartments	52,248	133.96	6,999,142
Housing P6	17,997	122.63	2,206,972



**APPRAISAL SUMMARY****WHITE LAND STRATEGIES LTD**

As per Applicant S106 and Land

Loss of £6,567,146

Can't reconcile finance costs

<b>Totals</b>	<b>226,074 ft<sup>2</sup></b>		<b>28,815,271</b>	
Contingency		5.00%	1,376,499	
S106 Agreement			1,980,000	
Open Space			750,000	
				32,921,770
<b>Other Construction Costs</b>				
Infrastructure Costs	180 un	6,613.00 /un	1,190,340	
Externals		10.00%	2,660,830	
Village Hall			1,035,300	
				4,886,470
<b>PROFESSIONAL FEES</b>				
Professional Fees		7.00%	1,862,581	
				1,862,581
<b>MARKETING &amp; LETTING</b>				
Marketing		1.00%	471,538	
Letting Agent Fee		10.00%	10,248	
Letting Legal Fee		5.00%	5,124	
				486,910
<b>DISPOSAL FEES</b>				
Sales Agent Fee		1.00%	471,538	
Sales Legal Fee		0.50%	235,769	
				707,307
<b>Additional Costs</b>				
Dev. Management Fee		1.00%	266,083	
Fixed 20.43% Profit		20.43%	8,869,504	
				9,135,587
<b>TOTAL COSTS BEFORE FINANCE</b>				<b>51,458,805</b>
<b>FINANCE</b>				
Debit Rate 6.250%. Credit Rate 0.000% (Nominal)				
Land			371,561	
Construction			2,063,787	
Other			170,514	
Total Finance Cost				2,605,862
<b>TOTAL COSTS</b>				<b>54,064,667</b>
<b>PROFIT</b>				<b>(6,567,146)</b>

**Performance Measures**

Profit on Cost%	-12.15%
Profit on GDV%	-13.81%
Profit on NDV%	-13.83%
Development Yield% (on Rent)	0.22%
Equivalent Yield% (Nominal)	6.34%
Equivalent Yield% (True)	6.60%
IRR% (without Interest)	-13.86%
Rent Cover	-55 yrs -2 mths
Profit Erosion (finance rate 6.250)	N/A

As per Applicant no S106 and no Land  
Loss of £2,370,557  
Can't reconcile finance costs

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Little Stanion  
Corby

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Development Appraisal  
White Land Strategies Ltd  
21 September 2022

**APPRAISAL SUMMARY****WHITE LAND STRATEGIES LTD**

As per Applicant no S106 and no Land  
 Loss of £2,370,557  
 Can't reconcile finance costs

**Appraisal Summary for Phase 1**

Currency in £

**REVENUE**

Sales Valuation	Units	ft <sup>2</sup>	Sales Rate ft <sup>2</sup>	Unit Price	Gross Sales
Housing P5	99	149,424	199.10	300,505	29,750,000
Apartments	66	52,248	225.65	178,636	11,790,000
Housing P6	15	17,997	231.56	277,820	4,167,300
<b>Totals</b>	<b>180</b>	<b>219,669</b>			<b>45,707,300</b>

**Rental Area Summary**

	Units	ft <sup>2</sup>	Rent Rate ft <sup>2</sup>	Initial MRV/Unit	Net Rent at Sale	Initial MRV
Retail	4	6,405	16.00	25,620	102,480	102,480
Ground Rents	66			250	16,500	16,500
<b>Totals</b>	<b>70</b>	<b>6,405</b>			<b>118,980</b>	<b>118,980</b>

**Investment Valuation**

Retail					
Current Rent	102,480	YP @	7.0000%	14.2857	1,464,000
Rent Free	(102,480)	YP 3mths @	7.0000%	0.2396	
		PV 5yrs @	7.0000%	0.7130	(17,507)
					<b>1,446,493</b>

<b>Ground Rents</b>					
Current Rent	16,500	YP @	4.0000%	25.0000	412,500

**Total Investment Valuation** **1,858,993**

**GROSS DEVELOPMENT VALUE** **47,566,293**

Purchaser's Costs				(83,897)	
Effective Purchaser's Costs Rate		4.51%			(83,897)

**NET DEVELOPMENT VALUE** **47,482,396**

Income from Tenants 15,125

**NET REALISATION** **47,497,521**

**OUTLAY****ACQUISITION COSTS**

Town Planning			39,451		39,451
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**CONSTRUCTION COSTS**

Construction	ft <sup>2</sup>	Build Rate ft <sup>2</sup>	Cost
Retail	6,405	200.67	1,285,291
Housing P5	149,424	122.63	18,323,865
Apartments	52,248	133.96	6,999,142
Housing P6	17,997	122.63	2,206,972
<b>Totals</b>	<b>226,074 ft<sup>2</sup></b>		<b>28,815,271</b>

Contingency		5.00%	1,376,499		
Open Space			750,000		
					2,126,499

**Other Construction Costs**

Infrastructure Costs	180 un	6,613.00 /un	1,190,340
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**APPRAISAL SUMMARY****WHITE LAND STRATEGIES LTD**

As per Applicant no S106 and no Land

Loss of £2,370,557

Can't reconcile finance costs

Externals	10.00%	2,660,830	
Village Hall		1,035,300	4,886,470

**PROFESSIONAL FEES**

Professional Fees	7.00%	1,862,581	1,862,581
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**MARKETING & LETTING**

Marketing	1.00%	471,538	
Letting Agent Fee	10.00%	10,248	
Letting Legal Fee	5.00%	5,124	486,910

**DISPOSAL FEES**

Sales Agent Fee	1.00%	471,538	
Sales Legal Fee	0.50%	235,769	707,307

**Additional Costs**

Dev. Management Fee	1.00%	266,083	
Fixed 20.43% Profit	20.43%	8,869,504	9,135,587

**TOTAL COSTS BEFORE FINANCE****48,060,075****FINANCE**

Debit Rate 6.250%, Credit Rate 0.000% (Nominal)			
Construction		1,767,176	
Other		40,826	
Total Finance Cost			1,808,002

**TOTAL COSTS****49,868,078****PROFIT****(2,370,557)****Performance Measures**

Profit on Cost%	-4.75%
Profit on GDV%	-4.98%
Profit on NDV%	-4.99%
Development Yield% (on Rent)	0.24%
Equivalent Yield% (Nominal)	6.34%
Equivalent Yield% (True)	6.60%
IRR% (without Interest)	-2.30%
Rent Cover	-19 yrs -11 mths
Profit Erosion (finance rate 6.250)	N/A

WLSL with s106 and Land  
Loss of -£3,584,182

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Little Stanion  
Corby

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Development Appraisal  
White Land Strategies Ltd  
21 September 2022

**APPRAISAL SUMMARY****WHITE LAND STRATEGIES LTD**

WLSL with s106 and Land  
Loss of £3,584,182

## Appraisal Summary for Phase 1

Currency in £

**REVENUE**

Sales Valuation	Units	ft <sup>2</sup>	Sales Rate ft <sup>2</sup>	Unit Price	Gross Sales
Housing P5	99	149,424	199.10	300,505	29,750,000
Apartments	66	52,248	229.44	181,636	11,988,000
Housing P6	<u>15</u>	<u>17,997</u>	231.56	277,820	<u>4,167,300</u>
<b>Totals</b>	<b>180</b>	<b>219,669</b>			<b>45,905,300</b>

**Rental Area Summary**

	Units	ft <sup>2</sup>	Rent Rate ft <sup>2</sup>	Initial MRV/Unit	Net Rent at Sale	Initial MRV
Retail	4	6,405	16.00	25,620	102,480	102,480
Ground Rents	<u>66</u>			250	<u>16,500</u>	<u>16,500</u>
<b>Totals</b>	<b>70</b>	<b>6,405</b>			<b>118,980</b>	<b>118,980</b>

**Investment Valuation**

Retail					
Current Rent	102,480	YP @	7.0000%	14.2857	1,464,000
Rent Free	(102,480)	YP 3mths @	7.0000%	0.2396	
		PV 5yrs @	7.0000%	0.7130	(17,507)
					<b>1,446,493</b>

Ground Rents					
Current Rent	16,500	YP @	4.0000%	25.0000	412,500

**Total Investment Valuation** **1,858,993**

**GROSS DEVELOPMENT VALUE****47,764,293**

Purchaser's Costs			(83,897)
Effective Purchaser's Costs Rate	4.51%		(83,897)

**NET DEVELOPMENT VALUE****47,680,396**

Income from Tenants 39,875

**NET REALISATION****47,720,271****OUTLAY****ACQUISITION COSTS**

Fixed Price	1,342,000		
Fixed Price		1,342,000	
			1,342,000
Stamp Duty			56,600
Effective Stamp Duty Rate	4.22%		
Agent Fee	1.00%	13,420	
Legal Fee	0.50%	6,710	
Town Planning		39,451	
			116,181

**CONSTRUCTION COSTS**

Construction	ft <sup>2</sup>	Build Rate ft <sup>2</sup>	Cost
Retail	6,405	133.50	855,068
Housing P5	149,424	122.63	18,323,865
Apartments	52,248	133.96	6,999,142
Housing P6	<u>17,997</u>	<u>122.63</u>	<u>2,206,972</u>
<b>Totals</b>	<b>226,074 ft<sup>2</sup></b>		<b>28,385,047</b>

**APPRAISAL SUMMARY****WHITE LAND STRATEGIES LTD****WLSL with s106 and Land****Loss of £3,584,182**

Contingency		3.50%	1,077,583	
				29,462,630
<b>Other Construction Costs</b>				
Infrastructure Costs	180 un	6,613.00 /un	1,190,340	
Open Space			750,000	
Externals Housing		10.00%	2,053,084	
Externals Flats		5.00%	349,957	
Village Hall			1,035,300	
				5,378,681
<b>Section 106 Costs</b>				
Section 106 Costs			1,980,000	
				1,980,000
<b>PROFESSIONAL FEES</b>				
Professional Fees		7.00%	1,986,953	
				1,986,953
<b>MARKETING &amp; LETTING</b>				
Marketing		1.00%	473,518	
Letting Agent Fee		10.00%	10,248	
Letting Legal Fee		5.00%	5,124	
				488,890
<b>DISPOSAL FEES</b>				
Sales Agent Fee		1.00%	477,643	
Sales Legal Fee		0.50%	238,821	
				716,464
<b>Additional Costs</b>				
Dev. Management Fee		1.00%	261,781	
Fixed 19% Profit Residential		19.00%	8,722,007	
Fixed 15% Profit Commercial		15.00%	278,849	
				9,262,637
<b>TOTAL COSTS BEFORE FINANCE</b>				<b>50,734,436</b>
<b>FINANCE</b>				
Debit Rate 6.250%, Credit Rate 0.000% (Nominal)				
Land			138,394	
Construction			397,920	
Other			33,703	
Total Finance Cost				570,017
<b>TOTAL COSTS</b>				<b>51,304,453</b>
<b>PROFIT</b>				<b>(3,584,182)</b>
<b>Performance Measures</b>				
Profit on Cost%		-6.99%		
Profit on GDV%		-7.50%		
Profit on NDV%		-7.52%		
Development Yield% (on Rent)		0.23%		
Equivalent Yield% (Nominal)		6.34%		
Equivalent Yield% (True)		6.60%		
IRR% (without Interest)		Out of Range		
Rent Cover		-30 yrs -1 mths		
Profit Erosion (finance rate 6.250)		N/A		

WLSL no s106 and no Land  
Surplus £28,576

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Little Stanion  
Corby

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Development Appraisal  
White Land Strategies Ltd  
21 September 2022



**APPRAISAL SUMMARY****WHITE LAND STRATEGIES LTD**

WLSL no s106 and no Land  
Surplus £28,576

## Appraisal Summary for Phase 1

Currency in £

**REVENUE**

Sales Valuation	Units	ft <sup>2</sup>	Sales Rate ft <sup>2</sup>	Unit Price	Gross Sales
Housing P5	99	149,424	199.10	300,505	29,750,000
Apartments	66	52,248	229.44	181,636	11,988,000
Housing P6	<u>15</u>	<u>17,997</u>	231.56	277,820	<u>4,167,300</u>
<b>Totals</b>	<b>180</b>	<b>219,669</b>			<b>45,905,300</b>

**Rental Area Summary**

	Units	ft <sup>2</sup>	Rent Rate ft <sup>2</sup>	Initial MRV/Unit	Net Rent at Sale	Initial MRV
Retail	4	6,405	16.00	25,620	102,480	102,480
Ground Rents	<u>66</u>			250	<u>16,500</u>	<u>16,500</u>
<b>Totals</b>	<b>70</b>	<b>6,405</b>			<b>118,980</b>	<b>118,980</b>

**Investment Valuation****Retail**

Current Rent	102,480	YP @	7.0000%	14.2857	1,464,000
Rent Free	(102,480)	YP 3mths @	7.0000%	0.2396	
		PV 5yrs @	7.0000%	0.7130	(17,507)
					<b>1,446,493</b>

**Ground Rents**

Current Rent	16,500	YP @	4.0000%	25.0000	412,500
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**Total Investment Valuation****1,858,993****GROSS DEVELOPMENT VALUE****47,764,293**

Purchaser's Costs				(83,897)	
Effective Purchaser's Costs Rate		4.51%		(83,897)	

**NET DEVELOPMENT VALUE****47,680,396**

Income from Tenants				39,875	
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**NET REALISATION****47,720,271****OUTLAY****ACQUISITION COSTS**

Town Planning			39,451		39,451
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**CONSTRUCTION COSTS**

Construction	ft <sup>2</sup>	Build Rate ft <sup>2</sup>	Cost
Retail	6,405	133.50	855,068
Housing P5	149,424	122.63	18,323,865
Apartments	52,248	133.96	6,999,142
Housing P6	<u>17,997</u>	<u>122.63</u>	<u>2,206,972</u>
<b>Totals</b>	<b>226,074 ft<sup>2</sup></b>		<b>28,385,047</b>

Contingency		3.50%	1,077,583	1,077,583
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**Other Construction Costs**

Infrastructure Costs	180 un	6,613.00 /un	1,190,340
Open Space			750,000
Externals Housing		10.00%	2,053,084

**APPRAISAL SUMMARY****WHITE LAND STRATEGIES LTD****WLSL no s106 and no Land  
Surplus £28,576**

Externals Flats	5.00%	349,957	
Village Hall		1,035,300	
			5,378,681
<b>PROFESSIONAL FEES</b>			
Professional Fees	7.00%	1,986,953	
			1,986,953
<b>MARKETING &amp; LETTING</b>			
Marketing	1.00%	473,518	
Letting Agent Fee	10.00%	10,248	
Letting Legal Fee	5.00%	5,124	
			488,890
<b>DISPOSAL FEES</b>			
Sales Agent Fee	1.00%	477,643	
Sales Legal Fee	0.50%	238,821	
			716,464
<b>Additional Costs</b>			
Dev. Management Fee	1.00%	261,781	
Fixed 19% Profit Residential	19.00%	8,722,007	
Fixed 15% Profit Commercial	15.00%	278,849	
			9,262,637
<b>TOTAL COSTS BEFORE FINANCE</b>			<b>47,335,706</b>
<b>FINANCE</b>			
Debit Rate 6.250%, Credit Rate 0.000% (Nominal)			
Construction		350,231	
Other		5,758	
Total Finance Cost			355,989
<b>TOTAL COSTS</b>			<b>47,691,695</b>
<b>PROFIT</b>			<b>28,576</b>
<b>Performance Measures</b>			
Profit on Cost%	0.06%		
Profit on GDV%	0.06%		
Profit on NDV%	0.06%		
Development Yield% (on Rent)	0.25%		
Equivalent Yield% (Nominal)	6.34%		
Equivalent Yield% (True)	6.60%		
IRR% (without Interest)	-3.70%		
Rent Cover	3 mths		
Profit Erosion (finance rate 6.250)	0 mths		

## £/m2 study

**Description:** Rate per m2 gross internal floor area for the building Cost including prelims.

**Last updated:** 27-Aug-2022 05:37

► Rebased to Corby ( 102; sample 14 )

**Maximum age of results:** 5 years

Building function (Maximum age of projects)	£/m <sup>2</sup> gross internal floor area						Sample
	Mean	Lowest	Lower quartiles	Median	Upper quartiles	Highest	
<b>New build</b>							
810. Housing, mixed developments (5)	1,432	801	1,282	1,396	1,539	3,098	356
<b>810.1 Estate housing</b>							
Generally (5)	1,406	789	1,209	1,360	1,544	2,925	206
Single storey (5)	1,565	987	1,278	1,546	1,735	2,925	42
2-storey (5)	1,361	789	1,193	1,331	1,467	2,537	162
810.11 Estate housing detached (5)	1,227	-	-	-	-	-	1
<b>810.12 Estate housing semi detached</b>							
Generally (5)	1,427	864	1,222	1,378	1,545	2,537	53
Single storey (5)	1,490	1,149	1,210	1,417	1,655	2,518	21
2-storey (5)	1,387	864	1,222	1,346	1,455	2,537	32
<b>810.13 Estate housing terraced</b>							
Generally (5)	1,404	937	1,185	1,311	1,535	2,105	11
2-storey (5)	1,334	937	1,181	1,270	1,446	1,883	10
<b>816. Flats (apartments)</b>							
Generally (5)	1,650	915	1,368	1,544	1,852	3,594	188
1-2 storey (5)	1,623	1,010	1,355	1,525	1,931	2,317	32
3-5 storey (5)	1,636	915	1,357	1,529	1,797	3,594	132
6 storey or above (5)	1,764	1,247	1,495	1,758	1,910	2,555	24

*Page 1*

## £/m2 study

**Description:** Rate per m2 gross internal floor area for the building Cost including prelims.

**Last updated:** 27-Aug-2022 05:37

› Rebased to Corby ( 102; sample 14 )

**Maximum age of results:** Default period

Building function (Maximum age of projects)	£/m <sup>2</sup> gross internal floor area						Sample
	Mean	Lowest	Lower quartiles	Median	Upper quartiles	Highest	
<b>New build</b>							
<b>320. Offices</b>							
Generally (15)	2,237	1,107	1,597	2,115	2,626	5,428	68
<b>Air-conditioned</b>							
Generally (15)	2,292	1,313	1,919	2,225	2,618	3,853	21
1-2 storey (15)	2,235	1,313	1,879	2,092	2,325	3,853	8
3-5 storey (15)	2,210	1,503	1,762	2,119	2,618	2,996	9
6 storey or above (20)	2,777	1,916	2,277	2,460	2,811	4,961	9
<b>Not air-conditioned</b>							
Generally (15)	2,195	1,107	1,548	2,081	2,714	3,830	31
1-2 storey (15)	2,271	1,271	1,585	2,115	2,818	3,548	16
3-5 storey (15)	2,092	1,107	1,544	1,779	2,338	3,830	13
6 storey or above (20)	2,632	2,035	-	2,719	-	3,053	4
<b>345. Shops</b>							
Generally (30)	1,777	666	959	1,437	2,293	4,675	20
1-2 storey (30)	1,793	666	958	1,396	2,317	4,675	19
3-5 storey (30)	1,479	-	-	-	-	-	1
346. Service shops (40)	1,836	-	-	-	-	-	1

*page 2*



Woodland screening to road frontage

**Healthy Living**

Paths will be created through the open spaces enabling them to be used all year round for recreational walking. A circular surfaced route will be created around the lake, and a grassed route will take walkers up through the developing woodland to a vantage point where views can be gained across the Geddington Plateau landscape towards Boughton Estate. Waymarked routes will be created throughout the village providing local circular walks.

Off-site pedestrian and cycle connections have also been provided into Corby and the surrounding villages, enabling residents to travel sustainably between places without using private cars.

Tree planting in built up areas brings a range of benefits in terms of air quality and regulating temperatures. The woodland areas that have already been established on the edge of the village will be supplemented with tree planting throughout the park areas, to create an attractive recreation setting and maximise these benefits.

**Improving Biodiversity**

The open space at Little Stanion has been designed to include a range of habitats to achieve a net gain in biodiversity value, as well as connectivity throughout the village. These habitats will also contribute to the objectives of the Northamptonshire Biodiversity Action Plan.

The southern parts of the village have been designed with biodiversity as a key focus. They include a combination of new woodland, meadow grassland and wetland habitat, which will appeal to a range of insect, mammal and bird species. These new habitats will connect via woodland and hedgerows to habitats within the surrounding landscape, including two Local Wildlife Sites.

In addition to this, the wetland system through the Long Meadow to Oakley Water provides an attractive and rich linear habitat of swales and ponds, whilst providing a sustainable means of dealing with storm water drainage.



**Engaging Play**

The play areas within the main open spaces have been designed in partnership with local play experts Wicksteed Leisure. They will provide an active and engaging play experience that is designed to stimulate imaginative and co-operative play, to aid the development of children. The three equipped play areas are designed to appeal to a range of ages, and will include small earthworks to complement the standard equipment and enrich the play experience. In addition to the three equipped play areas, natural play features will be installed in the Top Meadow area to encourage children and young people to explore their natural environment.



Kickabout area



Compacted stone paths through meadow grassland



Grassland managed as wildflower meadow for biodiversity interest



Avenues of trees planted alongside footpaths



- Legend:**
- Amenity grassland
  - Wildflower meadow
  - Shrub planting
  - Tree
  - Hedgerow
  - Pond
  - Swale
  - Marginal (wetland) plants
  - Asphalt path
  - Compacted aggregate path
  - Development
  - Roads
  - Equipped play area
  - Multi Use Games Area
  - Seating bench

**LOCKHART GARRATT**

**Landscape Masterplan**

PROJECT NAME: Little Stanion  
 CLIENT: JME Civils  
 MAP REF: 17-1062  
 VERSION: v9  
 DATE: 23/04/2018  
 APPROVED BY: IJD  
 PRODUCED BY: RH

7 - 8 Melbourne House, Corby, Northamptonshire NN17 5JQ  
 7 Astley House, Cromwell Business Park, Chipping Norton, Oxfordshire OX7 5SR

www.lockhart-garratt.co.uk

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# LAND AT LITTLE STANION

Illustrative Construction Projection : Parcel 5 of Outline  
Scheme : and Multi-Use Square

FOR : JME DEVELOPMENTS LIMITED

01 August 2023

Gateley LEGAL

**1. ILLUSTRATIVE TABLES**

1.1 On the basis of the information you have kindly provided to us we understand that the build-out of the remaining units to be constructed at Little Stanion for Parcel 5 (NC/21/00031/REM) and the remainder of the Multi-Use Square (Full planning permission 17/00702/DPA as amended) would be expected<sup>1</sup> by JME Developments Limited (**JME**) to be as follows (the figures given being running totals of anticipated residential units constructed/sold) :

1.1.1 Table 1 : the Multi-Use Square (also referred to as the ‘village centre’) :

Q3 2023	Q4 2023	Q1 2024	Q2 2024	Q3 2024	Q4 2024	Q1 2025	Q2 2025	Q3 2025	Q4 2025	Q1 2026	Q2 2026
36	39	41	44	47	50	53	56	59	62	65	<b>66</b>

1.1.2 Table 2 : Parcel 5 :

Q3 2023	Q4 2023	Q1 2024	Q2 2024	Q3 2024	Q4 2024	Q1 2025	Q2 2025	Q3 2025	Q4 2025	Q1 2026	Q2 2026	Q3 2026	Q4 2026	Q1 2027	Q2 2027	Q3 2027	Q4 2027	Q1 2028	Q2 2028	Q3 2028
nil	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	<b>99</b>

1.2 The total number of residential units in the multi-use square initially authorised by planning permission 17/00702/DPA is 66. That planning permission has been amended a number of times pursuant to sections 73 and 96A of the Town and Country Planning Act<sup>2</sup> but that remains the total number of authorised apartments, distributed across Blocks A, B, C and D. The further section 73 application made in respect of Block C in June 2023 does not alter this aggregate total figure. Table 1 illustrates a potential rate of construction and sales for the multiuse square/village centre accordingly.

1.3 The total number of residential units authorised by reserved matters approval NC/21/00031/REM for parcel 5 is 99. Table 2 illustrates a potential rate of construction and sales for Parcel 5 accordingly.

<sup>1</sup> Subject to the approval of the section 106A application NC/23/00041/RVC106 by 2 August 2023

<sup>2</sup> Condition 13 was amended by planning permission 20/00301/RVC on 12 November 2020. Condition 14 was amended by planning permission 20/0059/RVC on 23 March 2021. Amendments were made to the village centre southern boundary treatments to facilitate seamless boundary treatment interlinkage with the design of the residential parcel 5 to the south and these were granted planning permission NC/21/00034/RVC on 26 July 2021. Most recently, the Block D retail unit 3 was subdivided to create 2 units to reflect commercial demand and was granted planning permission **NC/22/00078/RVC** on 1 June 2022 which is the current overarching planning permission for multi-use square.

## 2. THE INTERPRETATION OF THE TABLES

### 2.1 Table 1 :

2.1.1 Records that 36<sup>3</sup> apartments have been constructed and occupied; and

2.1.2 illustrates that for the multi-use square the rate of sales of apartments may be in the order of 12 per year (in accordance in that respect with previous projections provided to NNC by JME's planning advisers) distributed evenly across each calendar year at 5 per quarter.

2.2 Table 2 illustrates a build out rate for the houses on Parcel 5 of approximately 20 units per year distributed evenly across each calendar year at 5 per quarter.

2.3 The figures represent a cumulative running total. No distinction is drawn between construction - and occupation following sale - for the purposes of the illustration.

2.4 The colour coding reflects the current trigger points in the s106A Framework of August 2016 (**the S106 Framework**) – units highlighted in green could be occupied before the relevant 50 % threshold triggering the 'Little Stanion Community Payment' for a "Phase" is reached under the s106A Framework whereas units highlighted in red could not be sold/occupied without the current s106A application being approved given the agreed non-viability of the combined development authorised by NC/22/00078/RVC and 17/00703/OUT.

## 3. THE RELATIONSHIP WITH THE OUTLINE PLANNING PERMISSION (17/00703/OUT)

3.1 The total number of houses in parcel 6 authorised by reserved matters approval 19/00541/REM is 15 all of which have been constructed and sold. There is no separate table in respect of parcel 6 accordingly.

3.2 Although the outline planning permission 17/00703/OUT (the **OPP**) authorised 'up to 135' residential units and related infrastructure, the process of obtaining reserved matters approval has established that the land developable for housing benefited by the OPP will not accommodate more than **114** units comprising the 15 at parcel 6 and the future 99 at parcel 5.

## 4. THE ROLE OF THE FIGURES WITHIN THE VIABILITY APPRAISAL

4.1 In their report for NNC of September 2022 "LITTLE STANION,CORBY VIABILITY ASSESSMENT FOR PLANNING S106A APPLICATION" (**NNC's Viability Report**) White Land Consulting Limited (**NNC's Viability Advisers**) stated that The scheme proposed is for 180 units, being 99 houses on Parcel 5, 66 apartments and 15 houses on Parcel 6". That was and is an accurate reflection of the number of residential units for which planning permission and reserved matters approval has been granted.

<sup>3</sup> Planning permission 17/00702/DPA was first granted on 21 May 2018 so construction/sale has progressed at circa 7 apartments per year on a simple average basis but allowing for time taken to discharge site-wide planning conditions, mobilisation, initial funding and other preliminaries affecting the delivery rate at that stage, a somewhat higher rate of circa 12 apartments per year has been proposed in more recent projections by JME's planning advisers.

- 4.2 NNC's Viability Report referred back to a previous viability review in the following terms : " The 2019 review assumed 189 units. There is no commentary in the Applicant's review to address the why there is a lower number of units. It is assumed that this is the most efficient layout to maximise the site's potential and that the Council is aware of the masterplan density". It is confirmed that the lower number of units reflects the fact that NNC as a local planning authority has approved 99 units at Parcel 5 through reserved matters approval NC/21/00031/REM. The number of units reflects the planning decision-taking by NNC and its predecessor local planning authority. It maximises the site's potential for *sustainable residential development acceptable in planning terms*.
- 4.3 At paragraph 2.2 NNC's Viability Report states that : " As two of the four blocks (30 units) are already sold, evidence is available on site to determine local values. The 11 sold units in parcel 6 were used as the basis of current values for the remainder of that parcel. Taking the average of sold units is not unreasonable as differences between plots can affect individual unit prices". This confirms that NNC's Viability Report was based on the actual sales data then available which already included sales out-turn data for circa 45 % of the apartments in the multi-use square, and 9.6 % of the houses across parcels 5 and 6.
- 4.4 Each of the 4 Appraisal Summary calculations at the back of NNC's Viability Report correctly records the number of approved residential units as 180 broken down as above namely 66 apartments in the multi use square/village centre, 15 houses in Parcel 6 and 99 houses in Parcel 5.
- 5. THE SECTION 106A APPLICATION**
- 5.1 The timing or rate of construction and sale of the residential units either within the multi use square or within Parcel 5 is not relevant to the determination of the S106A Application.
- 5.2 The non-viability of the development has been established and agreed by NNC's Viability Advisers. That conclusion is not dependent on any particular rate of construction since it proves that even after 100 % of the achievable revenue has been generated by the construction and sale of *all* the apartments in the multi use square and *all* the houses across parcels 5 and 6, the Little Stanion Community Payment cannot be funded accordingly.

**North Northamptonshire Council – Decisions taken by the Planning Committee (North) on Wednesday 4 October 2023**

Agenda Item No	Topic	Decision
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**Part A – Items considered in public**

A2	Minutes of the meeting held on 6th September 2023	<p><b><u>RESOLVED</u></b> that the minutes of the meeting of the Planning Committee (North) held on 6th September 2023 be approved as a correct record.</p>
A5	NC/23/00041/RVC106	<p>Following debate it was proposed by Councillor Marks and seconded by Councillor Smyth that the application be deferred to:</p> <ul style="list-style-type: none"> <li>i) Enable the Council to further investigate the issue of whether or not the MUGA had indeed been substituted for the obligation to provide a football pitch and the issue relating to land owned by Tata Steel.</li> <li>ii) Resolve outstanding issues relating to changes to approved landscaping and especially trees on the Site</li> <li>iii) Resolve the financing and construction of a community hall to be provided on the Site and for the security of the same to be delivered at the point of letting the contract for the construction of the community hall to be within 6-9 months of the date of the approved further variation to the 106 Agreement; such bond to be valued in relation to the delivery of the specification for the community hall, such specification to be prepared by the Owner and approved by the local planning authority within the above time frame.</li> <li>iv) Enable negotiations between the Owner, Little Stanion Parish Council and the local planning authority to take place with a view to transferring management of the Community Hall, once built, to the Parish Council.</li> </ul> <p align="center">(Members voted on the motion to defer the application)</p>

**North Northamptonshire Council – Decisions taken by the Planning Committee (North) on Wednesday 4 October 2023**

Agenda Item No	Topic	Decision
		<p align="center">(Voting: Unanimous)</p> <p align="center">The application was therefore <b>DEFERRED</b></p>
<b>A7</b>	NC/23/00330/DPA	<p>Following debate it was proposed by Councillor Best and seconded by Councillor Jelley that planning permission be GRANTED subject to delegated authority being given to the Head of Place and Economy Services to issue the decision application subject to the conditions outlined in the report; and satisfactory consultation with Planning Committee Chair and Vice Chair on highways, ecology and drainage conditions.</p>



**SECTION 106A  
APPLICATION:  
NC/23/00041/RVC106**

**LITTLE STANION**

**NORTH AREA PLANNING  
COMMITTEE: RESOLUTION OF 4  
OCTOBER 2023**

**APPLICANT'S RESPONSE**

24 October 2023

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## 1. INTRODUCTION

- 1.1 At its meeting on 4 October 2023, the North Area Planning Committee (**Committee**) of North Northamptonshire Council (**NNC**) resolved to defer consideration of s.106A application NC/23/00041/RBC106 (**s.106 Application**) in order that the following 4 issues could be addressed by the Applicant with NNC to assist the Committee in determining the s106A Application:
- 1.1.1 The further investigation of the issue of whether or not the Multi-Use Games Area (**MUGA**) has been substituted for the former proposed football pitch to be undertaken by NNC (**Recreational Facility Issue**);
  - 1.1.2 The issue of changes to approved landscaping and tree coverage (**Landscaping Change Issue**);
  - 1.1.3 The financing and construction of a Community Hall and security for the same (**Community Hall Issue**); and
  - 1.1.4 The terms on which the Community Hall would be transferred, once built, to Little Stanion Parish Council (**the Community Hall Transfer Issue**).
- 1.2 This statement summarises the position of the Applicant, JME Developments Limited (**Applicant**).
- 1.3 The Applicant welcomes the Committee's consideration of the s106A Application and in order to engage positively with NNC in respect of all four issues, will provide all such information as NNC may reasonably require in order to address each of them.
- 1.4 The Applicant would, however, confirm to NNC the serious financial consequences of NNC's further delay in approving amendments to the existing s.106 obligations in respect of a development which continues not to be financially viable unless and until the amendments proposed by the Applicant are formally approved. The Applicant understands that NNC is willing to approve those amendments, subject to satisfactory resolution of the 4 issues summarised above. The Applicant welcomes this.
- 1.5 It is, however, essential that the s.106A Application is returned to the North Area Planning Committee and approved at Member-level no later than 6 December 2023 and formally approved through the issue of a decision notice not later than 31 December 2023.
- 1.6 It will be appreciated that the lack of financial viability was first raised by the Applicant with Corby Borough Council (**CBC**) in August 2019 – and the current s106A Application was made to NNC in May 2021. The delay is increasingly prejudicial to the Applicant given that the non-viability of the development in financial terms was agreed and accepted by CBC and its expert consultant as long ago as December 2019. A development which remains “under water” in financial terms for so long is inevitably at risk of drowning and the Applicant's advisers respectfully confirmed to Members on 6 October 2023 that the development will have to be moth-balled unless NNC can release it from the “roof tax” in the current s.106 arrangements.

## **2. THE SOURCE OF FUNDING FOR THE NEW COMMUNITY BUILDING AND MUGA**

- 2.1 It is important to emphasise that because the development is not economically viable, the only generator of income that will pay for the Community Building and the MUGA is the construction and sale of further residential units. There is no other source of funding and the Applicant has explored all other options including approaching Homes England and exploring whether the Covid loan schemes could be drawn on in order to continue building.
- 2.2 Even the sale of such units will only generate the money to pay for the New Community Building and/or MUGA if they are *freed from the roof tax*.
- 2.3 The “good news” – as the Applicant confirmed – is that these facilities would still be fundable out of the revenue from sales of residential units despite the challenging economic conditions, provided that the “roof tax” of £ 11,000 per dwelling (i.e. £ 1,980,000 in total on the basis that there are 180 relevant housing units and  $180 \times 11,000 = \text{£ } 1.98$  million pounds. This cost destroys the financial viability of the scheme as NNC’s financial expert has confirmed to Members.
- 2.4 This is, in effect, common ground between the Applicant and NNC since whenever a development is not economically viable unless and until certain planning obligations are relaxed, it follows that any remaining benefits that can be delivered, such as the Community Building and MUGA, are themselves only fundable out of the revenue from the Development generated by sales.
- 2.5 NNC’s viability advisor will be able to confirm and clarify the position for Members.

## **3. EXTRA PUBLIC BENEFITS ALREADY PROVIDED OR AGREED BY JME**

- 3.1 JME also got permission as part of the 17/00701/DPA landscaping for an adult outdoor gym (which are the items dd) to jj) on the approved equipment within the PP 21/00033/RVC – please see appendix 3). These have been installed. There was no obligation on JME to provide this.
- 3.2 Long before the current built retail space was provided in the multi-use square, JME arranged for a temporary shop to operate with planning permission, for several years, to serve the community.

## **4. THE RECREATIONAL FACILITY ISSUE**

- 4.1 The Applicant has already provided to NNC a copy of the Report to Committee at Corby Borough Council of 2018 recording the decision to substitute a MUGA for the former proposed football pitch. A further copy of this Report is attached to this statement for ease of review.
- 4.2 It is therefore a matter of public record that the Local Planning Authority at that time made a reasoned decision to substitute a MUGA for the former proposed football pitch and that decision was not challenged by LSPC or any third party at that time. It is a formal and lawful determination of the matter for the purposes of the Town and Country Planning Act 1990 and there is, in the Applicant’s view, no basis for reopening the issue at this stage.
- 4.3 It should be recognised that, as a matter of practical planning to benefit to the residents of Little Stanion, a MUGA, by its nature, will offer 365 day per year

usability to local residents as opposed to a grassed football pitch which will, inevitably, be more affected by weather conditions and only offer a narrower range of sporting opportunities. Sport England's guidance – "*Selecting the right artificial surface – hockey, football, rugby, league/union*" contains the following mission statement on the part of Hugh Robertson, MP, then Minister for Sport and the Olympics:

*"Getting as many people as possible to give sport a try is now my top priority, so it is important the new facilities are multi-use and accessible. As a keen hockey player, and a fan of football and rugby, I am pleased to see them all working together to ensure that, where appropriate, artificial pitches are more versatile"*.

- 4.4 Sport England's 2013 Design Guidance confirms: "*Advantages of artificial surfaces The general advantages of artificial pitches over natural grass can be summarised as allowing: • Greater durability • More efficient use of space • Increased usage • Flexibility • Better overall value for money • Defined performance characteristics.*"
- 4.5 The importance of a *multi-use* facility for a variety of sports and recreational activities, and the versatility that an MUGA offers as opposed to a traditional turf pitch, should continue to be recognised by NNC as it was by Corby Borough Council in 2018.
- 4.6 A subsidiary question raised by the Planning Committee was the *landownership* position in respect of an indicative potential football pitch location to the west of the Site. It is confirmed by reference to the current land ownership title, a further copy of which is also attached to this Statement as appendix 2, but the former football pitch proposed site straddles the boundary between what is now the Applicant's land ownership in the registered title, for which the Title Plan is attached to this statement, and that of TATA Steel, which owns the land immediately to the west. In short, a full -sized football pitch in that location is simply not deliverable without the co-operation of TATA, who have no obligation to provide land for that purpose.
- 4.7 The question of the football pitch was therefore resolved as long ago as 2018 and there is no need or planning benefit in reopening it now. On the contrary, the time consumed in doing so will be likely to cause the development to be 'mothballed' if it were to delay the modification of the current planning obligations beyond 31 December 2023.

## 5. LANDSCAPING ISSUE

- 5.1 The Applicant has investigated the apparent concerns an officer in NNC has regarding the changes to the approved landscaping. The Application believes that there have been no such material changes and this issue reflects a misunderstanding on the officer's part.
- 5.2 The Applicant therefore encloses, at Appendix 3, the currently approved landscaping provisions for the scheme pursuant to planning permission 17/00701/DPA granted by CBC. It is emphasised that these fully approved and updated details superseded information which it is believed that the Planning Officer may have been reliant on in forming his view or non-approved changes that might have been made.
- 5.3 The Applicant repeats its offer to hold an accompanied site visit with NNC's officers, or indeed Members, in order to clarify any continued concerns but it trusts that the provision of the attached information will fully address these.

## 6. THE COMMUNITY HALL ISSUE

- 6.1 The Applicant proposes to provide security as requested by NNC for the construction of the New Community Building as follows:
- 6.1.1 by imposing a legally enforceable restriction on the construction of Block C, which is part of the multi-use square and contains 22 apartments so that Block C and the value to the Developer which it represents would not be realised unless and until the New Community Building has been constructed (**the Security Restriction**); and
- 6.1.2 a positive obligation to submit a *specification* (as referred to by Members and the Planning Solicitor present their meeting on 4 October 2023) for a revised form of Community Hall for NNC's consideration for approval within a 3 month period, to be followed, if NNC were to approve the same, by a planning application in order to obtain permission for such amended specification as NNC might approve (a further 3 month period) followed by a commitment to build the new Community Hall within 6 – 9 months *of the date of such approval* (**the Positive Commitment**).
- 6.2 The Applicant believes that with the benefit of the Restriction and the Positive Commitment, NNC will have an enforceable and effective security for the delivery of the New Community Building. There should be no need for a Bond or similar financial instrument, and it will be appreciated by NNC that because the scheme is not financially viable, any such financial instrument will incur further cost which will only serve to make it even less viable.

## 7. THE COMMUNITY HALL TRANSFER ISSUE

- 7.1 The Applicant respectfully draws NNC's attention to the existing terms of the s.106 obligations. These already provide for a transfer of the Community Building to either the Council itself, or to LSPC, or to a management entity.
- 7.2 The Applicant has no objection to LSPC being *specified as the transferee* and for the s.106 obligations to be amended to that effect.

- 7.3 The Application would, however, be unable to survive delay in the approval of the currently s.106A application beyond **31 December 2023** at the latest without having to 'mothball' the Site, as it plainly explained at the Committee Meeting on 4 October 2023.
- 7.4 The negotiation between the Owner, LSPC and NNC *of the details of the transfer* of the Community Building should remain as currently provided for in the s.106 obligation, i.e. the transfer terms are there summarised, including key requirements that the transfer should be at nil consideration, but the conveyancing documents should be prepared after the modification of the currently planning obligations has taken place.
- 7.5 Unless and until the s.106 current arrangement has been modified, even the costs of the necessary legal advice and assistance to the parties would be a burden on what is potentially an abortive development which will have to be 'mothballed' unless positive support from the Members.
- 7.6 For the avoidance of doubt, the current s106 arrangements already secure that the Community Building must be transferred to NNC or LSPC or a management entity. No modification is needed in order to secure that outcome.
- 7.7 If NNC wishes the land on which the community building would be constructed to be transferred early and ahead of its construction then the Applicant would not oppose the principle of that the current s106 arrangements can be modified accordingly.

## **8. CONCLUSION**

- 8.1 The Applicant therefore offers its full co-operation to NNC in resolving these issues.
- 8.2 The Recreational Facility Issue and the Landscaping Issue appear to the Applicant to be matters regarding which no further modifications of the current planning obligations are needed or are proposed by NNC. They are, instead, matters regarding which NNC must satisfy itself by reference to information which has either already been provided by the Applicant, is publicly available in any event, and/or is now provided by the Applicant for NNC's review.
- 8.3 The third issue is one respecting which the Applicant would propose specific additional modifications to the current planning obligations in order to secure the Restriction and the Positive Obligations so that NNC then has those further powers to secure the delivery of the New Community Building in an appropriate timeframe (the detailed wording to be settled between NNC's solicitor and the Applicant by 31.12.2023 if the current s.106A application can be approved by 6 December 2023).
- 8.4 The Community Building Transfer issue is one that is already covered to the 'industry standard' level of detail within the current s.106 arrangements. No modification is necessary in that respect, save that if NNC wishes, it can be specified that the only potential recipient is LSPC and that early transfer of the land on which it is to be built can be called for by LSPC or NNC.

**JME Developments Limited**

**APPENDIX 1**  
**Report to Committee**



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**Applications for Planning Permission**

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<b>17/00701/DPA</b>	<b>Completion of Public Open Space Works, Landscaping and Installation of Play Equipment and All Associated Works Little Stanion, Roman Road, Corby.</b>
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**1. Site Surroundings:**

- 1.1. The application site is 12.18ha (30.1 acres) of land accessed from Roman Road at Little Stanion, Corby. The land is already partially landscaped and used as public open space as part of the Little Stanion development which was given Outline consent in 2006 (04/00442/OUT).
- 1.2. There are already significant areas of landscaping and planting on site, which this application seeks to augment. The land benefits from existing swales and a sustainable urban drainage system that serves the residential component of that wider scheme.

**2. The Proposal:**

- 2.1. This application seeks consent for the completion of public open space (POS) works, landscaping and installation of play equipment and all associated works at Little Stanion, Roman Road, Corby.
- 2.2. Following the financial crash in 2008, the Little Stanion New Village development entered administration. This application has been brought forward by Silent Pride following the agreement of a modified S106a with the Administrator (25.08.2016), linked to the original permission. As a detailed planning application, it stands apart from the previous scheme; albeit that the previous extant and partially delivered approval is a material consideration. A further two applications have also been submitted to Corby Borough Council (17/00702/DPA and 17/00703/OUT) – detailing plans for a new Village Centre and additional residential development. The intention is, via these proposals, to complete the Little Stanion New Village development.

**3. The Site and Its History:**

- 3.1. The relevant planning history is as follows:
  - 04/00442/OUT (Residential Development of not more than 970 dwellings; public open space, primary school and community facilities, associated development including provision of roads and infrastructure, access from Longcroft Road) – Approved 05/07/2006
  - Various Reserved Matters and Condition discharges related to 04/00442/OUT

**4. Policy Context:**

- 4.1. The National Planning Policy Framework (NPPF), 2012 – Paragraphs 14 and 17, Sections 6 and 7.
- 4.2. Policies 1, 3, 4, 5, 6, 7, 8, 10, 11, 19, and 29 of the North Northamptonshire Joint Core Strategy (2016) (JCS)

**5. Consultation:**

- 5.1. The applicant has engaged in a considerable amount of pre-submission consultation with both the local planning authority and highways authority, as well as a wider public consultation exercise that is evidenced and explained within the submitted Statement of Community Involvement. This has refined the proposals and led to a number of amendments

that were taken forward in this planning application. Since submission they have sought to work with consultees and CBC to ensure that their proposals meet the needs required of them.

**Internal**

- 5.2. Corby Borough Council (CBC) Environmental Protection – No objection.
- 5.3. CBC Culture and Leisure – No objection. Concerns raised in relation to the type of materials proposed for the play areas and MUGA, the positioning of the village hall and the lack of sports pitch provision/changing facilities.

**External**

- 5.4. Environment Agency – No objection.
- 5.5. Northamptonshire Police – No objection.
- 5.6. Northamptonshire County Council (NCC) Archaeology – No objection.
- 5.7. NCC Ecology. No objection.
- 5.8. NCC Highways – No objection.
- 5.9. Stanion Parish Council and Little Stanion Village Association) – No objection. Highlighted areas for positivity (Enhancement of environment, play areas, steps, footpaths, and seating). Raised issues relating to lack of playing field and changing facilities, as well as a concern that there might be an insufficient provision for teenagers.
- 5.10. 5 Objections have been received concerned at some or all of the issues which are summarised below –

- Amenity
- Visual Amenity
- Green Field Site
- Loss of Light
- Overdevelopment
- Play Provision Insufficient
- Anti-Social Behaviour
- Lack of Changing Facilities
- Design/Appearance
- Lack of Playing Fields
- Community Centre Location
- Environmental Damage
- Noise
- Ground Stability
- Traffic/Parking
- Contrary to Previous Approval

- 5.11. The areas of interest covered by these response are considered in full below.

**6. Advertisement/Representation:**

- 6.1. Site Notices – Attached to lamp posts and fences at various points around the site on 05<sup>th</sup> February 2018.
- 6.2. Neighbour Notifications were sent to the following on 31<sup>st</sup> January 2018:
  - Little Stanion Primary School
  - 2, 4, 6, 8 and 10 Malvern Walk
  - 18, 28, 32, 34, 36, 43, 49, 53, 59, 61, 69, 71, 73, 75, 77, 79 and 81 Cambrian Lane

- 9, 11, 13, 15, 17, 21, 25, 53, 55, 57, 59, 61, 66, 68, 70, 76, 78, 80, 84, 85, 87, and 89 Mendip Way
- 1, 2, 3, 5, 7, 9, 11, 13, 15, 17 and 18 Chiltern Road
- 2, 4, 6, 8, 14, 16, 18, 20, 22, 28, 30 32 and 34 Pennine Close
- 1, 3, 5, 7, 9, 11, 13, 15 and 17 Preselli Walk
- 5, 6, 7, 9, 10, 11, 13, 21, 29, 31, 37 and 39 Chippenham Close
- 16, 18, 20, 22, 24 and 26 Cotswold Close
- 1, 2, 3, 4, 5, 6, 8, 10, 30, 32, 34, 91 and 93 Savernake Drive
- 27, 29, 36, 59, 61 and 63 Roman Road
- 13, 15, 17, 19a, 20, 22, 24, 26, 28, 30, 32, 33, 34, 35, 37, 39, 40, 41, 42, 44, 46, 48, 50, 52, 53, 55, 57, 59, 66, 71, 72, 73, 74, 76, 78 and 80 Clarendon Close
- 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 32, 51, 53, 55 and 60 Arden Close
- 9, 11, 12, 13, 14, 15, 16, 17, 18, 20 and 22 Wychewood Close
- 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 12 and 13 Woodstock Court

## 7. Officers Assessment:

### Key Determining Issues

- Principle of Development
- Design and Character
- Archaeology
- Public Amenity
- Highways and Right of Way
- Flood Risk
- Contamination
- Ecology

### *Principle of Development*

- 7.1. The proposals comprise a revised scheme on land which was previously granted outline permission for public open space under planning reference 04/00442/OUT (05/07/2006). There have been no changes to national or local policies in the interim period that would suggest a change to that decision in principle. As such the proposals are considered to be acceptable in principle. What follows is a consideration of the relevant detailed factors.

### *Design and Character*

- 7.2. The application includes a set of plans entitled 'Detailed Landscape Design' (Overview, Stock and Specification, Layout 1 – 68) as well as specific details about LEAPs, NEAPs, etc. The level of detail is considered to be good, with a clear account of what is proposed across the whole of the Little Stanion New Village POS area.
- 7.3. It is not necessary to go through each section within that Detailed Landscape Design within this report, instead what follows is an overview of the key components from a design and character perspective.
- 7.4. The POS at Little Stanion extends around the Northern, Western, Southern and Southeast boundary of the village. There is also a green corridor through the centre (the Long Meadow), and a smaller green corridor in the South-western section (the Short Meadow). This layout was approved as part of the original Outline Application (04/00442/OUT), which gave permission for the wider development. It is not, therefore, considered reasonable to question the overall layout and quantum of POS.
- 7.5. The POS in the south-western boundary of the site would consist of the existing woodland planting, enhanced with some public footpaths and making use of SUDs for feature points. The detail for this section is shown on layouts 25-47, and is considered to present a suitable form of development that will be to the benefit of the character of the village and surrounding

area. Importantly it will provide a visual buffer between the built form and the open countryside to the southwest.

- 7.6. The Long Meadow will provide a number of key design features – including a wetland system, footpaths, a NEAP and LEAP. These are sensitively placed so as to ensure access from all parts of the village. Consultation undertaken prior to the submission of the application, with residents from the village has led to the play areas being design using natural materials. This will allow them to sit more comfortably within the semi-natural landscape proposed than more industrial materials would have. Lighting of the Long Meadow (as well as the Short Meadow and other parts of the POS) will be a key element in ensuring its impact is successful. This information will need to be secured through condition.
- 7.7. The southern end of the Long Meadow (which connects the North and South ends of the development) will also include a Multi-Use Games Area, located northwest of the lake. The materials proposed for this feature reflect the need to ensure it longevity and multi-use. Again, any lighting associated with it will need to be subject to a condition to ensure suitability.
- 7.8. The Short Meadow will benefit from a greater focus on biodiversity at its southern end – which reflects the different character of its surroundings. Though a LEAP is also included within it, this is positioned at its north-eastern corner so as to provide easier access for families with smaller children.
- 7.9. For the most part the remaining areas of POS, which are largely boundaries to the village are proposed to be put aside for a combination of grassland, wildflower meadows and woodland pathways. This will help to blend the wider village into its rural setting as well as providing biodiversity benefits.
- 7.10. For the reasons set out above, it is considered that the proposals accord with the requirements of Policy 8 of the JCS in relation to its design and character.

#### *Archaeology*

- 7.11. Northamptonshire County Council's Archaeologist has responded to the proposals with no comments – content that the works involved will not have an impact on any archaeological remains that may exist within the red line area. It is considered that the proposals therefore accord with Paragraph 141 of the NPPF and the criteria within Policy 2 of the JCS that relate to archaeology.

#### *Public Amenity*

- 7.12. Simply be their very nature the proposals will have a positive impact on the amenity of residents within Little Stanion. At present the public open space on offer is limited in type, quality and accessibility. This application will bring forward a number of improvements across the new village – including two LEAPs, a NEAP a Mutli-Use Games Area (MUGA), new paths and seating, new planting and improved woodland areas. A key element in the original permission was the role played by the public open space, and it is considered that this application constitutes the fulfilment of that.
- 7.13. Notwithstanding the above, there have been a number of concerns raised in relation to precisely what is proposed and where it is to be located. Existing residents' views have been taken into consideration during the formation of the application – evidenced within the Statement of Community Involvement that was submitted with the application. On balance, though some of the issues raised are material considerations (potential for noise associated with play areas, provision for teenagers, location of the MUGA and lack of provision of a sports field), it is considered that the proposals will deliver a more than satisfactory completion of the public open space on site that will offer the community something to cherish and be proud of as both the landscaping and community itself beds into the area.
- 7.14. On the subject of the sports playing field that was indicated on the original Masterplan (in the north of the site); the applicant has set out in this application, and in previous discussions with CBC during the negotiation of the revised s106a (04/00442/OUT – 25.08.2016), the reasons why the delivery of this element is not possible. The land previously identified for it is not wholly in the ownership of the applicant, and there are no other suitable locations for it

within the Public Open Space that would not detrimentally impact on the wider provision of play areas and so on. The delivery of a MUGA on the site will enable sports to take place within Little Stanion – and this is considered to be an acceptable compromise.

- 7.15. Pre-application discussions were held with CBC about the location of the village hall element and it was determined that the best position for it was as a central hub in the village square (detailed within planning application 17/00702/DPA), rather than immediately adjacent to the MUGA. Though the potential link between the two components was clear, the decision was taken that there was more to be gained by its inclusion within the village centre (i.e. potential links to the school, creating a more vibrant village centre, and accessibility for pedestrians).
- 7.16. As such it is considered that the proposals are in accordance with the requirements of Policy 8 of the JCS in so far as they have regard to matters of public amenity.

#### *Highways And Right of Way*

- 7.17. The applicant has been engaged in fairly lengthy discussions with the Highways Authority over the last year in relation to the layout of roads and parking on the wider site. The Highways Authority has no objection to this application, and it is considered that the proposals will have no detrimental impact on the highway network. A condition requiring the submission of a Construction Transport Management Plan will ensure that any traffic movements associated with the proposals will be appropriately managed.
- 7.18. The proposals will upgrade existing footpath links around the new village, and enable greater links with the open countryside that adjoins it. Links to the public footpath network will be made available to the west and north of the site – and via Long Croft Road to Corby and further afield.
- 7.19. It is deemed that the proposals are in accordance with the requirements of the NPPF and Policies and 8 and 15 of the JCS in so far as they have regard to highway safety and connectivity.

#### *Flood Risk*

- 7.20. The applicant has submitted a Flood Risk Report (OCSC, December 2017) that sets out how the proposed public open space links into the drainage strategy for the wider development. The applicant has also submitted a Drainage Strategy (OCSC, December 2017) which sets out a storm and drainage design strategy linked to the as built storm and drainage system. This approach is based on discussions with the EA and Anglian Water that date back to the original permission. Those discussions led to a Flood Risk Assessment (WSP, 2005) and Drainage Statement (WSP, 2005) that were previously approved as part of 04/00442/OUT and used as the basis for the completions on site to date. This application does not seek to vary the proposals contained within that report in any meaningful way, instead proposing that the public open space is completed in accordance with the previously approved strategy. The only slight alteration currently proposed is the realignment of an existing storm sewer in the vicinity of the village centre (planning application 17/00702/DPA) – but this has no bearing on this application.
- 7.21. There are no objections to the proposals from statutory consultees, and it is considered that the proposals (subject to a condition being attached requiring development in accordance with the approved details) accord with Policies 5 and 8 of the JCS and the NPPF in relation to managing flood risk.

#### *Contamination*

- 7.22. The proposal is for the use of land as public open space that is currently set aside for that purpose. Though some minor engineering works are required to landscape the site, and some additions to it (in terms of play areas, etc) are proposed – none of these will have an impact on risk associated with land contamination. CBC Environmental Protection were consulted on the application and raised no objection to it. As such it is considered that the proposals accord with policy 6 of the JCS, which has regard to matters of land contamination.

## *Ecology*

- 7.23. The applicant has submitted an Ecology Report (Lockhart Garratt, 2017) which sets out a number of recommendations for how the proposals could ensure that a net gain in biodiversity is achieved across the site. These include a precautionary Method Statement re amphibians and reptiles, further survey work re bats and an approach to landscaping, among other recommendations. They have also submitted a Landscape Statement (Lockhart Garratt, Dec 2017) which sets out how landscaping will be designed so as to increase the opportunities for biodiversity benefits.
- 7.24. The existing SUDs are made up of a network of basins linked by swales and culverts. Already beginning to bed-in, these features will be managed (as per the Landscape Management Strategy – Lockhart Garratt, Dec 2017) so as to retain the wetland areas, strengthen them where possible and sow meadow seed to ensure a range of attractive habitats are provided across the site. The open space would be managed by Little Stanion Farm Management Company, as per the details set out within the Management Strategy (Lockhart Garratt, Dec 2017).
- 7.25. NCC's Ecologist has assessed these recommendations and found them to be sound, and it is therefore considered appropriate to secure them via condition. The application will then fully comply with the NPPF and Policy 4 of the JCS in respect to its ecological impact.

## **8. Conclusion:**

- 8.1. The proposal will deliver an area of public open space commensurate with the vision and objectives originally set out for the new village of Little Stanion. For the reasons set out above it is considered that the proposals are in accordance with the provision of the NPPF as well as the adopted policy position. No material planning considerations indicate that the policies of the development plan should not prevail. As such, it is proposed that the application should be approved subject to the imposition of the following conditions.

## **9. Recommendation: Approve subject to the following conditions:**

### **1. Full planning permission**

The development hereby permitted shall begin before the expiration of three years from the date of this permission.

**Reason:** As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

### **2. List of Approved Plans and Drawings**

The development shall conform in all aspects with the plans and details shown in the application as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision:

- D17-2405 Red Edged Ordnance Survey Site Location Plan
- D17-2404 POS Area Site Plan V4 submitted 27/04/2018
- M17-2406 New Masterplan for Little Stanion Rev 5 submitted 27/04/2018
- D17-062 Landscape Masterplan V10 submitted 27/04/2018
- D17-2219 Details Landscape Design Plan V6 submitted 27/04/2018
- 17-1220 Landscape Statement
- 17-2367 Landscape Management Plan
- D17-2401 Play Area Cross Sections Rev 4 submitted 18/04/2018
- 6020-046 Turnstile
- 6020-086 Junior Comet-Chequer Deck
- 6060-058 Holly Hedgehog
- 6060-076 Streetboard
- DRAKE09 – 900 Drake
- LSW18 – 1.8m Log Swing (Cradle)

- LSW24 – 2.4m Log Swing (Flat Seats)
- LSW24BN – Birds Nest Swing
- PICUS6SS – Pick Up Sticks Six (SS Slide)
- 6020-071 Rock N Roll Roundabout
- 6060-057 Freddie Frog
- MARC006 – 600 Young Explorer Marco Polo
- 6020-063 Double Zig Zag Twister
- 6020-088 Toddler Commet – Chequer Deck
- 6060-066 Rock N Roll
- 6060-075 Long Skateboard
- 6070-054-454 – Talking Flowers
- RALEE196-600-00 Raleigh
- Kickabout Area Fencing Details
- Square Closed Goal Module
- CW06 Leg Press
- CW08 Skier
- CW12 Air Walker
- CW15 Body Twist
- CW23 Arm Bike
- CW36 Stepper
- CW57 LatPull-ChestPress combi

**Reason:** For the avoidance of doubt and to ensure a suitable form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

### **3. Construction Transport Management Plan**

No development shall take place including any works of demolition until a Construction Transport Management Plan has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:

- Parking of vehicle of site operatives and visitors
- routes for construction traffic
- hours of operation
- method of prevention of mud being carried onto highway
- pedestrian and cyclist protection
- proposed temporary traffic restrictions
- arrangements for turning vehicles

**Reason:** In the interests of safe operation of the highway in the lead into development both during the demolition and construction phase of the development accordance with Policies 8 and 15 of the North Northamptonshire Joint Core Strategy.

### **4. Accordance with Flood Risk Assessment**

No development shall take place other than in accordance with the recommendations contained within the approved Flood Risk Report (OCSC, 2017), which shall be implemented in full and retained thereafter.

**Reason:** To limit the risk of flooding by ensuring the provision of a satisfactory means of flood management on the site in accordance with Policies 5 and 8 of the North Northamptonshire Joint Core Strategy.

### **5. Accordance with Drainage Strategy**

No development shall take place other than in accordance with the recommendations contained within the approved Drainage Strategy (OCSC, 2017), which shall be implemented in full and retained thereafter.

**Reason:** To ensure a suitable relationship with the water environment and to avoid flood risk, in accordance with Policies 5 and 8 of the North Northamptonshire Joint Core Strategy.

## **6. Accordance with Ecology Report**

No development shall take place other than in accordance with the recommendations contained within the approved Ecology Report (Lockhart Garratt, 2017), which shall be implemented in full and retained thereafter.

**Reason:** To ensure a net gain in biodiversity is provided across the site, in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy.

## **7. Materials to be used on MUGA**

The Multi-Use Games Area facility will be built and retained thereafter as per the approved details as specified on drawings 21, 22 and 23 of the submitted Detailed Landscape Design D17-2219 submitted on 27<sup>th</sup> April 2018 and utilising the Wicksteed Wildcats acoustically dampened fencing.

**Reason:** In the interests of safe operation of the facility and ongoing maintenance thereof, in accordance with Policy 7 of the North Northamptonshire Joint Core Strategy.

### **Informatives:**

#### *Human Rights Act 1998*

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8/or Article 1 of the First Protocol of the Act and consider that it is appropriate.

Officers have also considered the interference with the human rights of the applicant under Article 8/and or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of the property in accordance with the general interest. The interferences are therefore justifiable and proportional.

#### *Section 17 of the Crime and Disorder Act 1998*

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with Section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission.

### **Background Papers:**

- Planning Approval 04/0442/OUT (05.07.2006)
- Section 106a Agreement between Corby Borough Council, Northamptonshire County Council, Silentpride Limited and AIB Group (UK) Plc (25.08.16)

### **Officer to Contact:**

Alex Jelley

Tel No: 01536 464174

Email: alex.jelley@corby.gov.uk





**APPENDIX 2**  
**Football Pitch Location Plan/title**



# Official copy of register of title

Title number NN269359

Edition date 26.01.2022

- This official copy shows the entries on the register of title on 06 JUN 2022 at 06:45:48.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 29 Sep 2023.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Leicester Office.

## A: Property Register

This register describes the land and estate comprised in the title.

NORTHAMPTONSHIRE : CORBY  
NORTHAMPTONSHIRE : KETTERING

- 1 The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land on the south side of Long Croft Road, Stanion, Kettering.

NOTE: A strip of land 1.2192 metres wide on the north east side of the boundary between the points A-B in blue on the title plan is not included in the title.

- 2 (29.11.2006) The land has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 29 September 2006 referred to in the Charges Register.
- 3 (29.11.2006) The Transfer dated 29 September 2006 referred to above contains a provision as to light or air and also contains a provision excluding the operation of section 62 of the Law of Property Act 1925.
- 4 (24.10.2007) The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.
- 5 (24.10.2007) The land has the benefit of the rights reserved by but is subject to the rights granted by a Transfer of the land edged and numbered NN278950 in green on the title plan dated 26 September 2007 made between (1) Silentpride Limited and (2) George Wimpey East Midlands Limited.

NOTE:-Copy filed under NN278950.

- 6 (14.11.2007) The land has the benefit of the rights reserved by but is subject to the rights granted by a Transfer of the land edged and numbered NN279532 in green on the title plan dated 1 October 2007 made between (1) Silentpride Limited and (2) Bovis Homes Limited.

NOTE:-Copy filed under NN279532.

- 7 (07.01.2008) The land has the benefit of the rights reserved by but is subject to the rights granted by a Transfer of the land edged and numbered NN280886 in green on the title plan dated 19 December 2007 made between (1) Silentpride Limited and (2) Lagan Homes Limited.

## A: Property Register continued

*NOTE: Copy filed under NN280886.*

- 8 (30.01.2008) The land has the benefit of the rights reserved by but is subject to the rights granted by a Transfer of the land edged and numbered NN281853 in green on the title plan dated 18 December 2007 made between (1) Silentpride Limited and (2) Gladedale (Southern Division) Limited.

*NOTE:-Copy filed under NN281853.*

- 9 (10.07.2008) By a Deed dated 9 July 2008 made between (1) Silentpride Limited and (2) George Wimpey East Midlands Limited the plan to the Transfer dated 26 September 2007 referred to above was rectified as therein mentioned. The extent of the land edged and numbered NN278950 in green on the title plan has been amended accordingly.

*NOTE: Copy Deed filed under NN278950.*

- 10 (24.08.2012) The land has the benefit of the rights reserved by but is subject to the rights granted by a Transfer of the land edged and numbered NN312295 in green on the title plan dated 29 June 2012 referred to in the Charges Register.

- 11 (24.08.2012) The land has the benefit of the rights reserved by but is subject to the rights granted by a Transfer of the land edged and numbered NN312137 in green on the title plan dated 26 July 2012 made between (1) Silentpride Limited and (2) Northamptonshire County Council.

*NOTE: Copy filed under NN312137.*

- 12 (30.01.2018) The land has the benefit of the rights reserved by but is subject to the rights granted by a Transfer of the land edged and numbered NN355261 in green on the title plan dated 24 January 2018 made between (1) Silentpride Limited and (2) Lagan Homes Limited.

*NOTE: Copy filed under NN355261.*

- 13 (29.05.2018) The land has the benefit of any legal easements reserved by a Transfer of the land edged and numbered NN358094 in green on the title plan dated 19 April 2018 made between (1) Silentpride Limited and (2) Avant Homes (England) Limited but is subject to any rights that are granted by the said deed and affect the registered land.

*NOTE: Copy filed under NN281853.*

## B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

### Title absolute

- 1 (13.07.2018) PROPRIETOR: JME DEVELOPMENTS LIMITED (Co. Regn. No. 07137465) of 1 Adelaide House, Corby Gate Business Park, Priors Haw Road, Corby NN17 5JG.

- 2 (29.11.2006) A Transfer of the land in this title dated 29 September 2006 made between (1) Taylor Woodrow Developments Limited and (2) Silentpride Limited contains purchaser's personal covenants.

NOTE 1: The easements in the Transfer are a re-grant of the easements in the Transfer dated 29 September 2006 referred to in the Charges Register

*NOTE 2: Copy filed.*

- 3 (11.12.2006) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a certificate signed on behalf of Taylor Woodrow Developments Limited by its Secretary or Conveyancer of 2 Princes Way, Solihull, W. Midlands B91 3ES that the provisions of an Agreement dated 29 September 2006

## B: Proprietorship Register continued

made between (1) Taylor Woodrow Developments Limited and (2) Silentpride Limited have been complied with.

- 4 (13.07.2018) The price stated to have been paid on 5 July 2018 was £2,596,000.
- 5 (13.07.2018) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.
- 6 (05.03.2019) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 28 February 2019 in favour of Alternative Bridging (Uk 1) Limited referred to in the Charges Register.
- 7 (26.01.2022) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 23 December 2021 in favour of Sonic Funding Capital Limited referred to in the Charges Register or their conveyancer.

## C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (09.03.2004) A Conveyance of the land tinted blue on the title plan and other land dated 26 June 1931 made between (1) George Lionel Thomas Brudenell (Vendor) (2) John Charles Brudenell Bruce and Kenneth Owen Hunter (3) Coutts & Company and (4) Lloyds Ironstone Company Limited (Purchasers) contains the following covenants:-

"THE Purchasers (with intent to bind all persons in whom the hereditaments hereinbefore conveyed for the time being be vested but not so as to be personally liable for the breach of any restrictive covenant on any part of the said hereditaments after they shall have parted with such part thereof) hereby covenant with the Vendor as follows:-

.....  
..

(d) For the benefit of Deene Park and other properties of the Vendor to which the supply of water hereinafter mentioned relates that the Purchasers or the persons deriving title under them will not at any time hereafter wilfully do or permit to be done anything on the said hereditaments hereby conveyed whereby such supply of water as is mentioned in the Second Schedule hereto to the lake in Deene Park and other properties of the Vendor may be interrupted or substantially diminished or be polluted Provided that it shall be lawful for the Purchasers or the persons deriving title under them either to continue such supply as hitherto through or by means of the existing watercourses streams and pipes in or under the said hereditaments hereby conveyed or at their option to afford such supply through or by means of some substituted watercourses streams and/or pipes to be provided by and at the expense of the Purchasers or the persons deriving title under them to the reasonable satisfaction of the Vendor or the persons deriving title under him."

NOTE: The following are the matters referred to in the Second Schedule:-

"The right to the sufficient supply of water to the Lake in Deene Park and other properties of the Vendor either as hitherto enjoyed through or by means of existing watercourses streams and pipes.....situate in or under the said land or in the alternative at the option of the Purchasers through or by means of some substituted watercourses streams and/or pipes to be provided by and at the expense of the Purchasers or the persons deriving title under them to the reasonable satisfaction of the Vendor or the persons deriving title under him with the power for the Vendor and the persons deriving title under him to enter on the said land at all reasonable times for the purpose of viewing cleaning

## C: Charges Register continued

out repairing and renovating any such watercourses streams or pipes as aforesaid doing thereby as little damage as may be and without causing any unreasonable obstruction to the Purchasers' workings and making reasonable compensation for any damage so caused to the Purchasers or their land or the works thereon."

- 2 (09.03.2004) The land tinted pink on the title plan is subject to the following rights reserved by a Conveyance thereof and other land dated 10 November 1937 made between (1) Emily Maria Clarke (Vendor) (2) Emily Maria Clarke and Thomas Wild and (3) Stewarts and Lloyds Limited (Purchasers):-

"And subject also to the exceptions and reservations so far as the same relate to the property hereby conveyed contained in a Conveyance dated the nineteenth day of November One thousand nine hundred and twenty-one and made between George Lionel Thomas Brudenell of the first part Peter Arthur Marsham Hoare and Henry Frederick Compton Cavendish of the second part Charles Meaburn Tatham James Charles Prinsep and Robert Lewin Hunter of the third part Coutts & Co of the fourth part and the said James Clarke of the fifth part particulars of which are contained in the Third Schedule hereto.

NOTE 1: The following are details of the Third Schedule to the Conveyance dated 19 November 1921 referred to above:-

The THIRD SCHEDULE hereinbefore referred to:-

EXCEPT AND RESERVED unto the said George Lionel Thomas Brudenell his successors in title and his and their assigns:-

(1) All ironstone limestone building and other stone and all other minerals and mineral substances with full liberty of ingress egress and regress at all times for the said George Lionel Thomas Brudenell and his successors in title his and their lessees servants agents and workmen for the purpose of searching for working getting and carrying away the same and in particular the right to do all such and the like acts and things as are by the Ironstone Lease authorised to be done by the lessees under that Lease but so that the said hereby reserved or excepted liberties shall only be exercisable by the said George Lionel Thomas Brudenell his successors in title and assigns and his and their lessees upon and subject to the condition that the said George Lionel Thomas Brudenell his successors in title and assigns and his and their lessees shall in respect of any and every exercise of any of the aforesaid liberties by him or them (whether during the continuance or after the expiration or determination of the ironstone Lease) pay to the Purchasers and their successors in title and their respective lessees and tenants all such and the like wayleave or other surface rent or compensation as the case may be and perform and observe in favour of the Purchasers and their successors in title and their respective lessees and tenants all such and the like conditions stipulations and provisions in all respects as by the Ironstone Lease are during the continuance of that Lease respectively made payable to the lessors thereunder and their tenants by or imposed upon the lessees thereunder (as therein defined) in favour of the lessors so far as regards the exercise on or in relation to the land or any part thereof of the corresponding liberties thereby granted to such lessees.

(2) A right of way thirty feet wide for all purposes with or without carts waggons or other vehicles horses cattle sheep or other animals over the fields numbered 12 and 13 on the said plan to and from Oakley Purlieus in the direction shown by the dotted lines on the said plan.

(3) A right of way thirty feet wide for all purposes with or without carts waggons or other vehicles horses cattle sheep or other animals to and from Stanion Lodge over the field numbered 4 as shown on the said plan."

NOTE 2: No copy of the Ironstone Lease was supplied on first registration. The said Lease is now determined

NOTE 3: Copy plan to the Conveyance dated 19 November 1921 filed under NN243763

## C: Charges Register continued

By a Conveyance and Surrender dated 8 March 1963 made between (1) Edmund Crispin Stephen James George Brudenell (2) Mary Julia Brudenell and Adrian John Massingberd Mundy (3) Edmund Crispin Stephen James George Brudenell and Philip Henry Lloyd (4) Mary Julia Brudenell and others (5) Guardian Assurance Company Limited and (6) Stewarts and Lloyds Minerals Limited the ironstone, sand, limestone, building and other stone under the land tinted pink on the title plan was conveyed to form part of the land in this title.

The land tinted pink on the title plan is subject to the rights reserved by the said Conveyance and Surrender.

*NOTE 4: Copy Conveyance and Surrender filed under NN243763.*

- 3 (09.03.2004) The land tinted yellow on the title plan is subject to the following rights reserved by a Conveyance thereof and other land dated 29 July 1938 made between (1) Edward Hunt (Vendor) and (2) Stewarts and Lloyds Limited (Purchasers):-

"And subject also to the exceptions and reservations so far as the same relate to the property hereby conveyed contained in a Conveyance dated the nineteenth day of November One thousand nine hundred and twenty-one and made between George Lionel Thomas Brudenell of the first part Peter Arthur Marsham Hoare and Henry Frederick Compton Cavendish of the second part Charles Meaburn Tatham James Charles Prinsep and Robert Lewin Hunter of the third part Coutts & Co of the fourth part and the Vendor of the fifth part particulars of which are contained in the Third Schedule hereto."

*NOTE 1: The following are details of the Third Schedule to the Conveyance dated 19 November 1921 referred to above:-*

"The Third Schedule hereinbefore referred to:-

EXCEPT AND RESERVED unto the said George Lionel Thomas Brudenell his successors in title and his and their assigns:

(1) All ironstone limestone building and other stone and all other minerals and mineral substances with full liberty of ingress egress and regress at all times for the said George Lionel Thomas Brudenell and his successors in title his and their lessees servants agents and workmen for the purpose of searching for working getting and carrying away the same and in particular the right to do all such and the like acts and things as are by the Ironstone Lease authorised to be done by the lessees under that Lease but so that the said hereby reserved or excepted liberties shall only be exercisable by the said George Lionel Thomas Brudenell his successors in title and assigns and his and their lessees shall in respect of any and every exercise of any of the aforesaid liberties by him or them (whether during the continuance or after the expiration or determination of the Ironstone Lease) pay to the Purchasers and their successors in title and their respective lessees and tenants all such and the like wayleave or other surface rent or compensation as the case may be and perform and observe in favour of the Purchasers and their successors in title and their respective lessees and tenants all such and the like conditions stipulations and provisions in all respects as by the Ironstone Lease are during the continuance of that Lease respectively made payable to the lessors thereunder and their tenants by or imposed upon the lessees thereunder as therein defined) in favour of the lessors so far as regards the exercise on or in relation to the land or any part thereof of the corresponding liberties thereby granted to such lessees.

(2) A right of way thirty feet wide for all purposes with or without carts waggons or other vehicles horses cattle sheep or other animals over the fields numbered 160, 161 and 157 on the said plan to and from Oakley Purlieus in the direction shewn by the dotted lines on the said plan."

*NOTE 2: No copy of the Ironstone Lease was supplied on first registration. The said Lease is now determined*

*NOTE 3: Copy plan to the Conveyance dated 19 November 1921 filed under NN243763*

## C: Charges Register continued

By the Conveyance and Surrender dated 8 March 1963 referred to above the ironstone, sand, limestone, building and other stone under the land tinted yellow on the title plan was also conveyed to form part of the land in this title.

The land tinted yellow on the title plan is subject to the rights reserved by the said Conveyance and Surrender.

- 4 (09.03.2004) By an Agreement dated 25 March 1997 made between (1) Corby Borough Council (2) Wooton Kingspark Limited and (3) British Steel Limited a small piece of land in this title was dedicated to the public to form part of the highway as therein mentioned.

*NOTE: Copy filed under NN243763.*

- 5 (09.03.2004) Agreement dated 4 May 1995 made between (1) British Steel PLC and (2) Wooton Kingspark Limited contains provisions relating to the development of the land as therein mentioned.

*NOTE: Copy filed under NN243763.*

- 6 (27.09.2006) The land tinted brown on the title plan is subject to the following rights reserved by a Conveyance thereof and other land dated 11 February 1938 made between (1) Edward Lomas (Vendor) and (2) Stewarts and Lloyds Limited (Purchasers):-

"And subject also to the exceptions and reservations so far as the same relate to the property hereby conveyed contained in a Conveyance dated the nineteenth day of November One thousand nine hundred and twenty-one made between George Lionel Thomas Brudenell of the first part Peter Arthur Marsham Hoare and Henry Frederick Compton Cavendish of the second part Charles Meaburn Tatham James Charles Princep and Robert Lewin Hunter of the third part Coutts & Co of the fourth part and the Vendor of the fifth part particulars of which are contained in the Third Schedule hereto."

NOTE: The reservations contained in the Conveyance dated 19 November 1921 referred to that affect the land tinted brown on the title plan are those set out in clause (1) of the Third Schedule to the Conveyance dated 10 November 1937 and 29 July 1938 above

By the Conveyance and Surrender dated 8 March 1963 referred to above the ironstone, sand, limestone, building and other stone under the land tinted brown on the title plan was conveyed to form part of the land in this title.

The land tinted brown on the title plan is subject to the rights reserved by the said Conveyance and Surrender.

- 7 (29.11.2006) A Transfer of the land in this title dated 29 September 2006 made between (1) Corus UK Limited and (2) Taylor Woodrow Developments Limited contains restrictive covenants.

*NOTE: Copy filed.*

- 8 (11.12.2006) Right of pre-emption in favour of Taylor Woodrow Developments Limited contained in an Agreement dated 29 September 2006 made between (1) Taylor Woodrow Developments Limited and (2) Silentpride Limited.

*NOTE: Copy filed.*

- 9 (22.07.2008) The land is subject to the rights granted by a Deed of Grant dated 17 July 2008 made between (1) Silentpride Limited and (2) Central Networks East Plc.

The said Deed also contains restrictive covenants by the grantor.

*NOTE: Copy filed.*

- 10 (24.08.2012) A Transfer of the land edged and numbered NN312295 in green on the title plan dated 29 June 2012 made between (1) Silentpride Limited (Transferor) and (2) Silentpride Water Networks Limited



## C: Charges Register continued

contains restrictive covenants by the Transferor.

*NOTE:-Copy filed under NN312295.*

11 (05.03.2019) REGISTERED CHARGE dated 28 February 2019.

NOTE: See the entry below relating to the priority of debts secured by this charge.

12 (05.03.2019) Proprietor: ALTERNATIVE BRIDGING (UK 1) LIMITED (Co. Regn. No. 09265635) of 1st Floor, Healthaid House, Marlborough Hill, Harrow HA1 1UD.

13 (26.01.2022) The parts of the land affected thereby are subject to the rights granted by leases of flats within Willow Heights, Epping Road for a term of 125 years from 1 January 2021.

14 (26.01.2022) REGISTERED CHARGE dated 23 December 2021.

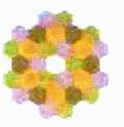
NOTE: See the entry below relating to the priority of debts secured by this charge.

15 (26.01.2022) Proprietor: SONIC FUNDING CAPITAL LIMITED (Co. Regn. No. 12927988) of 601 London Road, Westcliff-On-Sea SS0 9PE.

16 (26.01.2022) The proprietor of the Charge dated 23 December 2021 referred to above is under an obligation to make further advances. These advances will have priority to the extent afforded by section 49(3) Land Registration Act 2002.

17 (26.01.2022) The priorities of debts secured by the charges dated 23 December 2021 and 28 February 2019 referred to above have been regulated by a Deed dated 22 December 2021.

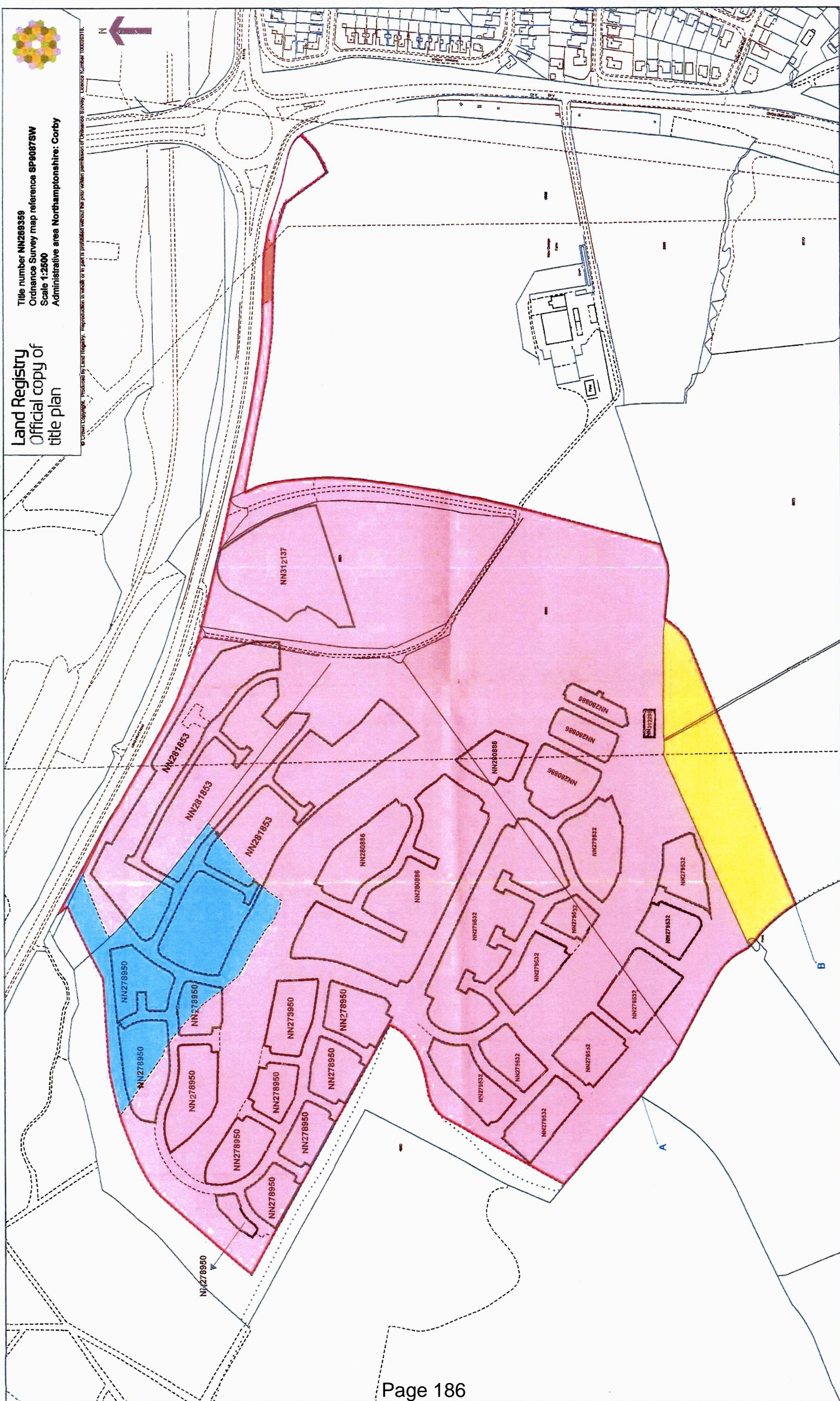
End of register



Title number NN269369  
 Ordnance Survey map reference SP9087SW  
 Scale 1:2500  
 Administrative area Northamptonshire: Corby

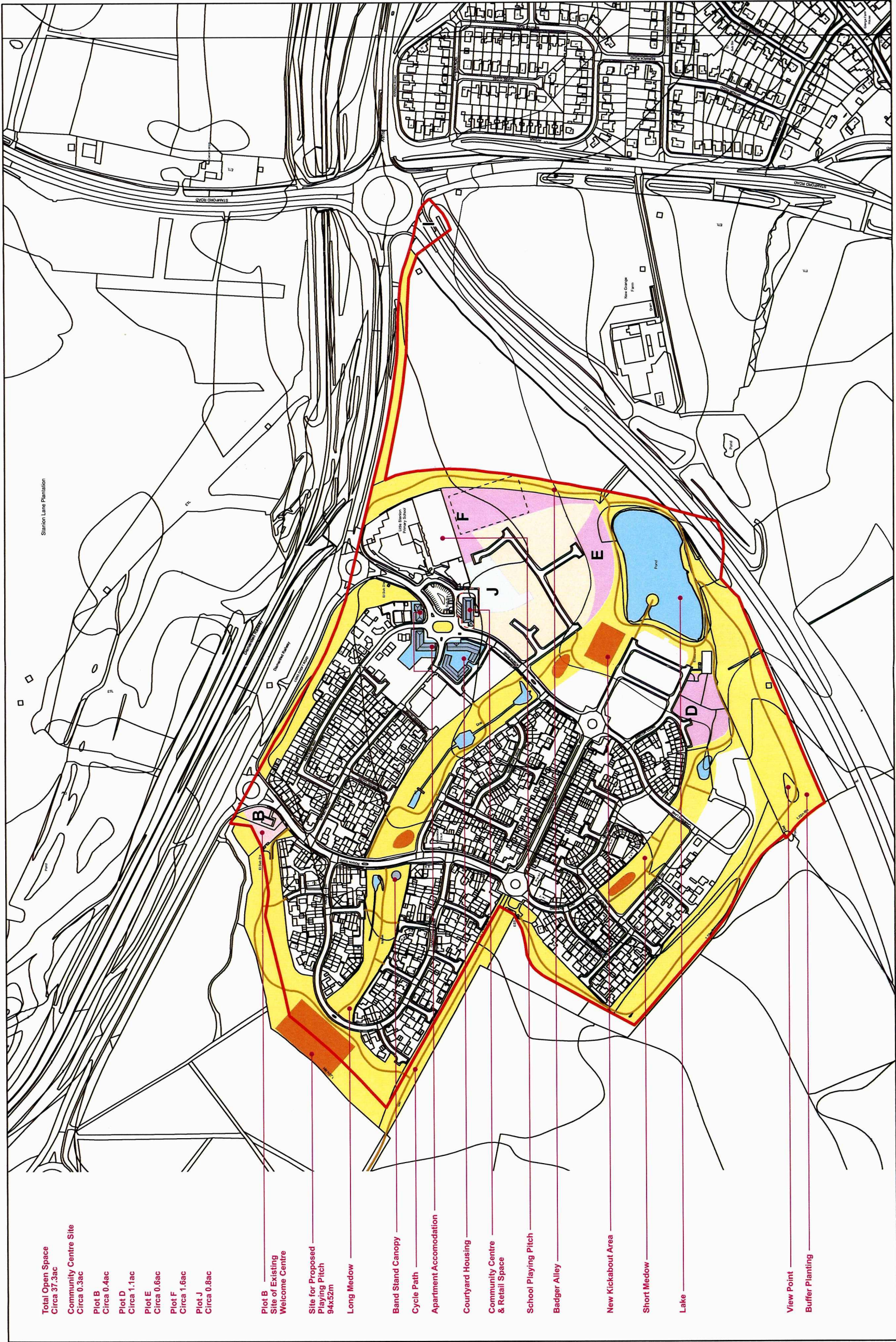
Land Registry  
 Official copy of  
 title plan

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This official copy issued on 17 February 2016 shows the state of this title plan on 17 February 2016 at 16:29:57. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. This title is dealt with by Land Registry, Durham Office.

# APPENDIX 7



## Little Stanion Farm | Key Diagram

**APPENDIX 3**  
**Current approved Landscaping provisions**



JME Developments Ltd  
C/o Mr Mark Flatman  
PO Box 9170  
Loughborough  
LE12 8ZQ

Application Ref: - **NC/21/00033/RVC**

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)  
GRANT OF PLANNING PERMISSION**

The North Northants Council as the Local Planning Authority within the meaning of the above Act and associated Orders GRANTS permission for the following:-

**Description of Development:**

Variation of condition 2 (approved plan drawings) to include the following plan drawings with approved plans under planning reference 17/00701/DPA; 20-4266 Parcel 5 Planting Layout V3 inset 1; 20-4266 Parcel 5 Planting Layout V3 inset 2; 20-4266 Parcel 5 Planting Layout V3 inset 3; 20-4266 Parcel 5 Planting Layout V3 inset 4; J156-OCSC-P5-XX-DR-S-1800 P02 Road A1 Retaining Wall Sheet 1 of 2; J156-OCSC-P5-XX-DR-S-1801 P02 Road A1 Retaining Wall Sheet 2 of 2; 1616-P5-P15 Proposed Retaining Wall Elevations.

**Location of development:** Roman Road  
Corby  
Northamptonshire

**Date of application:** 25 January 2021

**Plan Numbers:** See attached schedule of plans

**Permission is subject to the condition(s) listed on the attached schedule:-**

**SIGNED**

**Executive Director of Place & Economy**

**Date: 26 July 2021**

NOTES:

- I. Please also see the informatives included in the Schedule of Conditions.
- II. Should you wish to appeal against any of the conditions please read the attached sheet which explains the procedure.
- III. This decision does not convey any approval or consent which may be required under any by-laws, building regulations or under any Act other than the Town and Country Planning Act 1990 (as amended).

continued

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)  
GRANT OF PLANNING PERMISSION**

**REASONS FOR APPROVAL**

**SCHEDULE OF CONDITIONS**

1. The development hereby permitted shall begin before the expiration of 3 years from the date of planning permission reference 17/00701/DPA dated 21.05.2018.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall conform in all aspects with the plans and details approved under application 17/00701/DPA, as amended by the non-material amendment approvals 18/00483/NMA, 18/00785/NMA and NC/21/000 22/NMA shown in the applications as listed below, unless variations are agreed by the Local Planning Authority in order to discharge other conditions attached to this decision:

- a) 17/00701/DPA approved 21 May 2018
- b) D 17-2405 Red Edged Ordnance Survey Location Plan
- c) D17-2404 POS Rev4 Area Site Plan (Received 27/06/2018)
- d) M17-2406 Rev5 New Masterplan for Little Stanion (Received 27/06/2018)
- e) D17-062 Rev10 Detailed Landscape Design Plan (Received 27/06/2018)
- f) D17-2219 Details Landscape Design Plan Rev 6 (Received 27/06/2018)
- g) 17-1220 Landscape Statement
- h) 17-2367 Landscape Management Plan
- i) D17-2401 Rev4 Play Area Cross Sections (submitted 18/04/2018)
- j) 6020-046 Turnstile
- k) 6020-086 Junior Comment-Chequer Deck
- l) 6060-058 Holly Hedgehog
- m) 6060-076 Streetboard
- n) DRAKE09-900 Drake
- o) LSW 18-1.8m Log Swing (Cradle)
- p) NSW 24-2.4m Log Swing (Flat Seats)
- q) LSW 24BN-Birds Nest Swing
- r) PICUS6SS-Pick Up Sticks Six (SS Slide)
- s) 6020-071 Rock N Roll Roundabout
- t) 6060-57 Freddie Frog
- u) MARC 006-600 Young Explorer Marco Polo
- v) 6020-063 Double Zig Zag Twister
- w) 6020-088 Toddler Comet-Chequer Deck
- x) 6060-066 Rock N Roll
- y) 6060-075 Long Skateboard
- z) 6070-054-454-Talking Flowers
- aa) RALEE 196-600-00 Raleigh
- bb) Kickabout Area Fencing Details
- cc) Square Closed Goal Module
- dd) CW06 Leg Press
- ee) CW08 Skier
- ff) CW12 Air Walker
- gg) CW15 Body Twist

continued

- hh) CW23 Arm Bike
- ii) CW36 Stepper
- jj) CW 57 LatPull-ChestPress Combi
  
- kk) S.96a 18/00785/NMA approved 14 June 2019
- ll) 18-1541 Detailed Landscape Design Pack comprising 81xA3 sheets inc. 7
- mm) Corby BC Logo Bin Image and Specification
- nn) Indicative Little Stanion Bin Locations, Existing and Proposed NTS
- oo) Supporting letter (reference 17/018/MJF) dated 22nd of November 2018
  
- pp) S.96a NC/21/00022/NMA approved 3 March 2021 20-4721 V2 Overview & Planting Schedule 20-4721 V2 Planting Schedule
- qq) 20-4721 V2 Detailed Landscape Design, Inset 1
- rr) 20-4721 V2 Detailed Landscape Design, Inset 2
- ss) 20-4721 V2 X-Section A
- tt) 20-4721 V2 X-Section B
- uu) Supporting letter (reference 17/018/MJF) dated 16th January 2021
  
- vv) S.73 NC/21/00033/RVC
- ww) 1616-OS-P003 Red Edged Site Location Plan
- xx) 1616-P5-P01 RevA Proposed Site Layout
- yy) 20-4266 Parcel 5 Planting Layout V3 Inset 1
- zz) 20-4266 Parcel 5 Planting Layout V3 Inset 2
- aaa) 20-4266 Parcel 5 Planting Layout V3 Inset 3
- bbb) 20-4266 Parcel 5 Planting Layout V3 Inset 4
- ccc) 20-4266 Parcel 5 Planting Layout V3 Landscape Masterplan NTS
- ddd) J156-OCSC-P5-XX-DR-S-1800 P02 Road A1 Retaining Wall Sheet 1 of 2
- eee) J156-OCSC-P5-XX-DR-S-1801 P02 Road A1 Retaining Wall Sheet 2 of 2
- fff) 1616-P5-P15 Rev A Proposed Retaining Wall Elevations
- ggg) Supporting Letters (reference 20/009/MJF) dated 24th January, 2nd and 3rd March 2021

Reason: For the avoidance of doubt and to ensure a suitable form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy

3. No development shall take place other than in accordance with the Construction Management Plan (JME 2018) as approved under application 18/00455/CON on 15 October 2018.

Reason: In the interests of safe operation of the highway in the lead into development both during the demolition and construction phase of the development in accordance with Policy 8 and 15 of the North Northamptonshire Joint Core Strategy.

4. No development shall take place other than in accordance with the recommendations contained within the approved Flood Risk Report (OCSC, 2017), which shall be implemented in full and retained thereafter.

Reason: To limit the risk of flooding by ensuring the provision of a satisfactory means of flood management on the site in accordance with Policies 5 and 8 of the North Northamptonshire Joint Core Strategy.

5. No development shall take place other than in accordance with the recommendations contained within the approved Drainage Strategy (OCSC, 2017), which shall be implemented in full and retained thereafter.

Reason: to ensure a suitable relationship with water environment and to avoid flood risk, in accordance with Policies 5 and 8 of the North Northamptonshire Joint Core Strategy.

continued

6. No development shall take place other than in accordance with the recommendations contained within the approved Ecology Report (Lockhart- Garrett, 2017), which shall be implemented in full and retained thereafter.

Reason: To ensure a net gain in biodiversity is provided across the site, in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy

7. The Multi-Use Games Area facility will be built and retained thereafter as per the approved details as specified on drawings 21, 22 and 23 of the submitted Detailed Landscape Design D17-2219 submitted on 27 June 2018 and utilising the Wicksteed Wildcats acoustically dampened fencing.

Reason: In the interests of safe operation of the facility and ongoing maintenance thereof, in accordance with Policy 7 of the North Northamptonshire Joint Core Strategy.

8. The development hereby approved shall be laid out in accordance to the approved plan drawing 1616-P5-P01 RevA Proposed Site Layout

Reason: For the avoidance of doubt and to ensure a suitable form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy

## END OF SCHEDULE

## STANDARD INFORMATIVES

1. North Northants Council worked with the applicant in a positive and proactive manner. In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' Local Plan Policies 1997, Joint Core Strategy Adopted July 2016, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.
2. The North Northamptonshire Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact – Highways, North Northamptonshire Council, Sustainable Transport, Riverside House, Riverside Way, Bedford Road, Northampton, NN1 5NX

3. You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission



continued

may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

4. The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to: carry out work to an existing party wall; build on the boundary with a neighbouring property; in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM.

5. Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor
6. Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

- a. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.
- b. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.
- c. Dust emissions shall be controlled in compliance with Government Best Practice Guidance.
- d. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Services Team ([www.northnorthants.gov.uk/envservices](http://www.northnorthants.gov.uk/envservices) Tel. 01536 464175) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

continued

Address:  
 Planning Department North Northants Council  
 Deene House, New Post Office Square, Corby Northants NN17 1GD Tel: 01536 464158  
[www.northnorthants.gov.uk](http://www.northnorthants.gov.uk)

GRANT OF PLANNING PERMISSION  
 Application Ref.No.: NC/21/00033/RVC

### SCHEDULE OF PLANS

- a) 17/00701/DPA approved 21 May 2018
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- c) D17-2404 POS Rev4 Area Site Plan (Received 27/06/2018)
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- p) NSW 24-2.4m Log Swing (Flat Seats)
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- w) 6020-088 Toddler Comet-Chequer Deck
- x) 6060-066 Rock N Roll
- y) 6060-075 Long Skateboard
- z) 6070-054-454-Talking Flowers
- aa) RALEE 196-600-00 Raleigh
- bb) Kickabout Area Fencing Details
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- ii) CW36 Stepper
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- kk) S.96a 18/00785/NMA approved 14 June 2019
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- oo) Supporting letter (reference 17/018/MJF) dated 22nd of November 2018
  
- pp) S.96a NC/21/00022/NMA approved 3 March 2021 20-4721 V2 Overview & Planting Schedule 20-4721 V2 Planting Schedule

continued

- qq) 20-4721 V2 Detailed Landscape Design, Inset 1
- rr) 20-4721 V2 Detailed Landscape Design, Inset 2
- ss) 20-4721 V2 X-Section A
- tt) 20-4721 V2 X-Section B
- uu) Supporting letter (reference 17/018/MJF) dated 16th January 2021
  
- vv) S.73 NC/21/00033/RVC
- ww) 1616-OS-P003 Red Edged Site Location Plan
- xx) 1616-P5-P01 RevA Proposed Site Layout
- yy) 20-4266 Parcel 5 Planting Layout V3 Inset 1
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- bbb) 20-4266 Parcel 5 Planting Layout V3 Inset 4
- ccc) 20-4266 Parcel 5 Planting Layout V3 Landscape Masterplan NTS
- ddd) J156-OCSC-P5-XX-DR-S-1800 P02 Road A1 Retaining Wall Sheet 1 of 2
- eee) J156-OCSC-P5-XX-DR-S-1801 P02 Road A1 Retaining Wall Sheet 2 of 2
- fff) 1616-P5-P15 Rev A Proposed Retaining Wall Elevations
- ggg) Supporting Letters (reference 20/009/MJF) dated 24th January, 2nd and 3rd March 2021

continued

## **RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING**

### **AUTHORITY TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

#### **Appeals to the Secretary of State**

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

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel 0117 372 8424) Appeal forms can be downloaded from the Planning Inspectorate's website at <http://.Planning-inspectorate.gov.uk>

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

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

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

#### **Purchase Notices**

If either the local planning authority or the officer of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the North Northants Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.



**TOWN & COUNTRY PLANNING ACT 1990**  
**SECTION 106A APPLICATION NC/23/00041/RVC106**  
**AT**  
**LITTLE STANION, CORBY**  
**JME DEVELOPMENTS LTD**

**NORTH AREA PLANNING COMMITTEE**  
**COMMITTEE MEETING OF 6 DECEMBER 2023**

**APPLICANT'S POSITION STATEMENT: SUMMARY**

**PREPARED BY**

**Mark Flatman**  
**Managing Director**

**iPlan Solutions Ltd**  
**PO Box 9170**  
**Loughborough**  
**LE12 8ZQ**

**T: 01509 550 974**  
**E: [info@iplansolutions.co.uk](mailto:info@iplansolutions.co.uk)**

## **1. INTRODUCTION**

1. The intention of NNC to report the S106A application to Committee on 6 December 2023 with a further recommendation for approval is welcomed.
2. JME is willing to work positively with the Council PROVIDED THAT IT IS RECOGNISED THAT THERE IS NO EXTRA MONEY AVAILABLE FOR ANYTHING IF THE NEW VILLAGE HALL AND THE MULTI USE GAMES AREA ARE BUILT.
3. The consequence of the ongoing delay by the Council in the S106a Position since 2021 is such that if it is not resolved in principle at the Planning Committee meeting on 6 December 2023, then REGRETTABLY THE APPLICANT WILL HAVE NO ALTERNATIVE BUT TO MOTHBALL THE REMAINDER OF THE LITTLE STANION DEVELOPMENT FROM THE CHRISTMAS BREAK ONWARDS, RESULTING IN THE LOSS OF LOCAL JOBS.

## **2. TRANSFER OF THE NEW VILLAGE HALL TO THE PARISH COUNCIL**

4. JME is in full agreement – the basic arrangements are already written into the 2016 s106 obligations.

## **3. THE CENTRAL LANDSCAPED AREA - RECTIFYING DEFICIENCIES**

5. JME is of course happy to rectify deficiencies – BUT OFFICERS HAVE NEVER IDENTIFIED ANY SPECIFIC EXAMPLE OF A BREACH OF PLANNING CONTROL - WHEN THE CORRECT APPROVED PLANS ARE REFERRED TO.

## **4. THE FOOTBALL PITCH**

6. The Officers have suggested that JME negotiates with Tata Steel to obtain the land originally allocated for the football pitch, INSTEAD of the MUGA to which the Council agreed as a substitute in 2018.

7. JME is willing to use reasonable endeavours to try to negotiate a transfer of this land from Tata BUT THERE IS NO MONEY ALLOCATED IN THE APPRAISAL BY THE COUNCIL'S EXPERT TO COVER THE COST OF PURCHASING THIS LAND.
8. In planning terms, THE MUGA IS FAR MORE VERSATILE AND USABLE THAN THE FOOTBALL PITCH anyway. There is no planning permission for the football pitch (and in any event it was objected to by nearby residents when it was previously considered in years gone by). There are problems of drainage, tree loss, and loss of part of the outdoor gym which is situated in that part of the site. There is only potential space including the potential Tata involvement to provide for an U9/U10 size football pitch.
9. SPORT ENGLAND SHOULD DECIDE which is preferable and if they prefer the MUGA then JME should only be required to provide the MUGA.

## **5. THE SUGGESTED INSURANCE BOND**

10. Officers have suggested an Insurance Bond for £1.2 M to secure delivery of the village hall. If available at all this would cost £120,000 to £240,000 (10% to 20% of the Bond Value) or perhaps even more – THERE IS NO MONEY IN THE APPRAISAL BY THE COUNCIL'S EXPERT TO COVER THIS COST.
11. JME is willing to use reasonable endeavours to try to get a bond BUT IT MAY BE UNATTAINABLE AND EVEN IF IT IS – IT WOULD MEAN THAT A SIX FIGURE SUM (£) IS PAID TO A PRIVATE SECTOR FINANCIAL ORGANISATION INSTEAD OF BEING SPENT ON THE MUGA OR VILLAGE HALL. THAT IS AGAINST THE INTERESTS OF THE COMMUNITY.
12. JME PREVIOUSLY OFFERED TO DELAY CONSTRUCTION OF BLOCK C UNTIL AFTER THE VILLAGE HALL IS CONSTRUCTED. The Council Officers initially rejected this proposal, but it would act as an incentive to deliver the village hall as rapidly as possible using funds generated through Parcel 5 house sales. JME would request that this offer be reconsidered as a practical mechanism to incentivize the developer to construct the village hall as soon as it is financially possible to do so.

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## Tree Officer Comments 27<sup>th</sup> November 2023

### Little Stanion Landscape Observations

On my initial visit to Little Stanion (4/10/23), I noted the following:

The landscaping plan has been adhered to, although in my opinion, some of the trees planted were too close to the road/pavement and streetlights.

This may lead to increased maintenance requirements as the trees mature, to prevent them coming into conflict with pedestrian/vehicular traffic and obscuring the lights.

Another observation, was what appears to be a stone filled channel, running alongside a pathway through the green space. We will investigate the original design for drainage as this facility may have been added later to minimise potential flooding.

Also, the proposed Play equipment to the eastern end of the green space had not yet been installed.

On revisiting the site on 27/11/2023, the only change I saw was the installation of goal posts on the sports field area.

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