

**North Northamptonshire Area Planning Committee  
(Thrapston)  
13 July 2022**

<b>Application Reference</b>	<b>NE/21/00379/FUL</b>
<b>Case Officer</b>	<b>Patrick Reid</b>
<b>Location</b>	<b>Land Opposite Elizabeth Close Elizabeth Close Raunds</b>
<b>Development</b>	<b>Construction of up to 35 affordable dwellings, with associated drainage, access and landscaping</b>
<b>Applicant</b>	<b>C/o Agent</b>
<b>Agent</b>	<b>Aitchison Raffety - Mr Andrew Gray</b>
<b>Ward</b>	<b>Raunds Ward</b>
<b>Overall Expiry Date</b>	<b>4 June 2021</b>
<b>Agreed Extension of Time</b>	<b>24 August 2022</b>

**Appendix A: Committee Report for NE/21/00379/FUL for the meeting held on 3<sup>rd</sup> May 2022**

**Appendix B: Committee Update Report for meeting held on 3<sup>rd</sup> May 2022**

**1. Recommendation**

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- 1.1 That planning permission be GRANTED subject to conditions and the completion of a Section 106 Legal Agreement by 24 August 2022 (or other date to be agreed).
- 1.2 That should the Section 106 Legal Agreement not be completed by 24 August 2022 (or other date to be agreed) that it be delegated to the Director of Place and Economy to REFUSE planning permission.

## **2. The Proposal**

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2.1 Since the committee meeting of the 3<sup>rd</sup> May 2022, the Applicant has provided the following response:

- Adjacent Play Area Plan;
- Supporting Letter post committee dated 13 May;
- Letter from Grand Union Housing Group dated 16 May.

2.2 The committee on 3 May was deferred for the following reason:

*RESOLUTION: DEFERRED to a later Area Planning Committee to allow Officers to provide more information regarding possible developer contributions towards education provision and to await the advice of the Lead Local Flood Authority.*

2.3 In regard to developer contributions, the Applicant has revised their offering. This is summarised below:

- An increase of £110,000 in developer contributions to a total financial contribution of £130,000 towards education and libraries contributions (increase from the previous £20,000 proposal).

2.4 In terms of the 16 proposed affordable properties for rent, the Applicant has advised these would be let by North Northamptonshire Council. There would be a reasonable possibility that a proportion of these would be let to residents from the Raunds area. There would be no legal or formal requirement, such as local criteria for applicants, however.

2.5 The Applicant has advised that the 14 units proposed for shared ownership can be promoted to residents of Raunds. Across the 30 dwellings, they advise a reasonable possibility that a reasonable number of the units would be let to residents already living in Raunds.

## **3. Site Description**

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3.1 As per report of 3 May 2022.

## **4. Relevant Planning History**

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4.1 As per report of 3 May 2022.

## **5. Consultation Responses**

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A full copy of all comments received can be found on the Council's website [here](#)

5.1 Neighbours / Responses to Publicity

No further representations received.

## 5.2 Housing Strategy and Enabling Officer

Following the 3 May committee, the following additional comments have been provided by the Housing Strategy Team:

- In total 154 affordable homes have or are in the process of being built across the two major development sites in Raunds: Darsdale Park and Northdale End.
- There is however a shortfall of in the numbers of affordable housing provided on the developments compared to the policy requirements set in the Joint Core Strategy;
- The policy requirement was for 30% on both sites. For Darsdale Park only 20% of the development was secured as affordable housing and on Northdale End 25% affordable housing was secured;
- This has resulted in a shortfall of 53 affordable homes against the policy requirement;
- There are currently 90 active applicants on the Keyways Allocation scheme with a stated address in Raunds. This number is expected to increase however as there are a large number of applications to Keyways waiting to be processed;
- In 2021/22 there were 58 lettings in Raunds, of which 36 were new lettings. During 2022/3 there is expected to be 25 lettings through Keyways from the remaining new build affordable homes on the existing Darsdale Park and Northdale End developments;
- There was on average 46 bids from applicants for each (general needs) property advertised in Raunds through Keyways during the past year;
- There are currently 216 households in some form of temporary accommodation across North Northants. The average nightly cost of this accommodation is around £60;
- The proposed scheme contains 14 shared ownership units along with 16 social rented properties. The Housing Team will work with the Registered Provider to seek to prioritise the social lettings to households with a local connection to Raunds. The shared ownership properties will be promoted to applicants on Keyways in order to maximise the number of local applicants for these properties. There are also two accessible homes being proposed as part of the scheme These will be provided as social rented homes and allocated to applicants via Keyways.

## 5.3 Lead Local Flood Authority

Since the committee meeting of 3 May, the following has been received, summarised as follows:

There is insufficient information available to comment on the acceptability of the proposed surface water drainage scheme for the proposed development. The submitted surface water drainage information fails on the following grounds:

1. Given the flashy nature of the catchment and steep topography there is a high possibility of overland flows being routed through the site resulting in overwhelming the attenuation facilities. We require an explanation how the over land flows be captured/intercepted and diverted to ensure sufficient capacity within proposed attenuation features;
2. We require you to demonstrate through a plan how the levels within the site will ensure flows from the site are adequately captured and conveyed to the proposed drainage system;
3. Large Sheet flows could bypass gully traps due to quantity and debris. What mechanism is there to slow flows within the site?

*Officer comment: since the above comments were received, the Applicant has submitted additional details and the LLFA have been reconsulted. Their response is awaited and is expected prior to the Area Planning Committee. This matter will be reported on the Committee Update Report.*

#### 5.4 Independent Viability Assessor

Comments summarised as follows:

- Any potential inclusion of market units, particularly if it is low numbers where they would be in a minority, would have negative effects on the value of the affordable housing offering. Market units may be of comparatively low value and have longer sell times also;
- Affordable housing profit margins at 6% is low but reflects that they are sold as a 'block' and is lower financial risk;
- A theoretical majority open market site, for instance 70%/30% would be more profitable than a minority open market site;
- Increasing the mix to more social rent would lower the value of the site and may make it unviable;
- The development is economically reliant on grant funding for affordable housing.

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

6.1 As per report of 3 May 2022.

## **7. Evaluation**

The key issues for consideration are:

- Planning Obligations
- Flood Risk and Drainage

### **7. Planning Obligations**

7.1.1 An amended offer from the Applicant has been received since the meeting of 3 May. The planning obligations offer of £130,000 is significantly above the previous £20,000 offer which was calculated to be economically viable. Therefore, the offer is substantially above the amount which can be accommodated at the viable level.

7.1.2 The planning obligations deemed appropriate to mitigate the full impact of the development are reiterated below and are based on the consultation response from Northamptonshire Key Services:

- If there is a lack of Early Years Capacity: £64,190;
- Primary Education of £100,808;
- Secondary Education of £91,742;
- Libraries of £6,146

7.1.3 The response provided has not substantiated a need and projects towards meeting an impact on 'Early Years' education provision. Without such details, it is considered a contribution to such does not meet the Community Infrastructure Levy (CIL) regulations tests. It therefore is not appropriate to include such as part of a legal agreement associated with this development. Therefore, the extent of obligations supported by evidence total £198,696. A total of £130,000 represents around 65.5% of this figure. This is in addition to the Upper Nene Valley SPA mitigation payment amount of £9,762.30, that the Applicant has also agreed to include in a S106. When this is included, the Applicant is proposing a total financial planning obligation of £139,762.30 with an evidenced level requested of £208,368.30, representing 67.1%. The applicant has indicated that the financial contribution offered could be used for the needs as set out above at the discretion of the Council. i.e. if the overriding need indicates that Secondary Education funding is a priority, the Council in its absolute discretion can decide where the monies are best spent.

7.1.4 The obligation offer is significantly improved compared to the May 3 Committee. The recommendation was for approval, subject to condition, based on the balancing exercise on the previous offering. Therefore, as the proposal has improved and this lends more weight in favour of the development, the recommendation remains for approval.

*Question of market housing inclusion*

7.1.5 Associated with the matter of the level of viability and planning obligations is the tenure of housing, specifically the absence of market housing on the site. The Applicant has advised that the scheme will be reliant on central government grant funding based on it being a 100% affordable housing scheme and that the inclusion of market housing would remove the possibility of such. Additionally, the independent viability advisor also concluded that the scheme is reliant on grant funding and that the inclusion of a minority of market housing would have economic drawbacks itself due to the limitation on market value, the sale time, the impact on finance and the increased level of return expected on market schemes which is significant in excess of the 6% of the affordable scheme. A theoretical inclusion of a low number of market units does not appear to be economically viable or realistic for the site.

7.1.6 A theoretical 'policy compliant' scheme of 70% market and 30% affordable potentially would be more economically viable than the current scheme

but it is not possible to accurately assess or assess this. The current proposal is being presented as deliverable and the planning obligation offer is significantly improved. A market scheme would include a total of 9 affordable housing units, compared to 30 as proposed. A potential 'shortfall' in developer contributions of around £68,000 is considered to be outweighed by the provision of an additional 21 affordable housing units.

#### *Additional information on housing need*

7.1.7 Since the 3 May meeting, the Housing Team has provided further information on housing need. The information provided includes details on the extent of affordable housing provision on the adjacent large housing sites, which both were under the Policy aim of 30%, being 20% and 25% across the two sites. Had the provision been at 30%, this would have equated to 58 more affordable dwellings across the adjacent sites, but this was not viable. Additionally, they have advised of various figures including that there are on average 46 bids for every affordable house for rent. The information provided indicates that there is a strong need for affordable housing locally.

7.1.8 The advice received does not alter the position since the 3 May meeting as it was established that there is a clear and significant need for affordable housing units locally, without a supply currently, or in the pipeline, to meet it. The information therefore strengthens the case that there is a need locally for affordable housing both for rent and shared ownership.

#### **7.2 Flood Risk and Drainage**

7.2.1 Since the 3 May meeting, a response from the LLFA has been received requesting further details on the catchment of surface water. This was provided to the Applicant who has since submitted additional information including an updated Drainage Strategy, Flood Risk Assessment and written response.

7.2.2 The submitted details have been provided to the LLFA for comments and this is awaited. A response is expected from the LLFA ahead of the committee meeting date. A response can then be reported to the committee preferably in advance of the meeting. If a response is not received, it is considered reasonable that the details be subject of condition giving the LPA control to ensure the drainage proposals are acceptable.

#### **7.3 Play Area**

7.3.1 At the meeting of 3 May, the topic of the proximity and availability of the nearest open space was discussed. The adjacent development to the east includes a public open space area. Since the 3 May meeting, the Applicant has submitted a plan to demonstrate the distance between the site and the open space, which is shown at 103 metres. In terms of proximity, this is close and can be walked to from the site within a minute or two.

- 7.3.2 In terms of its availability, as public open space there is no restriction on its use. There is no requirement that it only be used by residents of the adjacent development. As public open space, it is available for all people and residents of the proposed development could use the space.

## **8. Other Matters**

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- 8.1 Neighbour comments: no further comments since report of 3 May.

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

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- 9.1 Since the May 3 Committee, in seeking to address the committee's concerns, the Applicant has significantly improved their planning obligations offer towards education and libraries from £20,000 to £130,000. In the balancing exercise, a 'shortfall' in obligations is considered to be outweighed by the provision of 21 affordable dwellings above the 30% Policy compliant level. The evidence from the Housing Department adds further weight to concluding there is a significant need for affordable housing locally.
- 9.2 The comments of the LLFA since the 3 May have requested further information on surface water capture. These do not appear to be significant to the extent that they would affect the layout of the site. It is considered proportionate that the information requested can be required by condition to ensure this is resolved prior to the commencement of development.
- 9.3 The recommendation therefore remains as of 3 May except for the alteration in relation to an additional condition relating to drainage information. The recommendation continues to require the completion of a satisfactory S106 before the granting of planning permission can be issued.

## **10. Recommendation**

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- 10.1 That planning permission be GRANTED subject to conditions and the completion of a Section 106 Legal Agreement by 24 August 2022 (or other date to be agreed).
- 10.2 That should the Section 106 Legal Agreement not be completed by 24 August 2022 (or other date to be agreed) that it be delegated to Officers to REFUSE planning permission.

## **11. Conditions**

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To be as set out in report of 3 May 2022 with the following additions:

*(Officer note: These conditions may be subject to change upon receipt of the LLFA's comments. These have been recommended on the basis that no response has been received)*

Prior to the commencement of development, details shall be submitted to, and approved in writing, to address the questions received from the Lead Local Flood Authority in May 2022. The drainage scheme shall thereafter be implemented in full ahead of the occupation of the site. The information shall include details of:

- How over land flows shall be captured/intercepted and diverted to ensure sufficient capacity of the proposed attenuation features;
- A plan of levels within the site to demonstrate how flows will be adequately captured and diverted through the proposed drainage system;
- A mechanism to ensure large sheet flows are slowed in circumstances where the quantity of them and debris limits the use of gully flows.

Reason: To ensure the site manages surface water appropriately without discharging onto adjacent land.

- 18 Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

Reason: To prevent environmental and amenity problems arising from flooding

- 19 No development shall take place until a detailed design of the surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development should be submitted to and approved in writing by the local planning authority.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include:

i) details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures.

ii) details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations demonstrating a design standard of 1 in 100 years plus climate change.

iii) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices .



iv) BRE 365 infiltration test results.

Reason: To reduce the risk of flooding both on and off site by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with policy 5 of the North Northamptonshire Joint Core Strategy.

19 No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption.

The scheme shall include, a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.

A site plan including access points, maintenance access easements and outfalls.

Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.

Details of expected design life of all assets with a schedule of when replacement assets may be required.

Reason: To ensure the future maintenance of drainage systems associated with the development.

20 No occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved , Drainage Strategy ref. 19013-DS02 Rev. D has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority.

The details shall include:

- a) Any departure from the agreed design is keeping with the approved principles.
- b) As-Built Drawings and accompanying photos.
- c) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- d) CCTV Confirmation that the system is free from defects, damage and foreign objects.

Reason: To ensure the installed Surface Water Drainage System is

satisfactory and in accordance with the approved reports for the development site.