



**North Northamptonshire Area Planning Committee
(Thrapston)
17 January 2022**

Application Reference	20/00954/FUL
Case Officer	Sunny Bains
Location	Land Known As The Poplars, Brick Kiln Road, Raunds, Northamptonshire
Development	Full application for the erection of 14no. dwellings and associated works
Applicant	Bauhaus Local Ltd - Mr A James
Agent	CC Town Planning - Linzi Melrose
Ward	Raunds Windmill
Overall Expiry Date	2 December 2020
Agreed Extension of Time	31 March 2022

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 three objections have been received from local residents and the Case Officer's recommendation is contrary to that of the Town Council.

1. Recommendation

- 1.1 That planning permission is not granted until the Lead Local Flood Authority (LLFA) has given its advice on the application and once the LLFA advice is received, the Committee delegates the power to determine the application to the Director of Place and Economy to act in accordance with the appropriate option as follows:

- If the LLFA recommends that planning permission be granted to the proposed development, grant planning permission subject to the conditions listed in the report or substantially similar conditions, and subject to the completion of a Section 106 Legal Agreement by 31 March 2022 (or other date to be agreed), or refusal of planning permission if the S106 is not completed within the agreed timescale, or:
- If the LLFA recommends that planning permission be refused, then refuse planning permission on the grounds of drainage, or:
- If the LLFA recommends that the application be amended to make it acceptable in drainage terms and those amendments will, in the opinion of the Planning Development Manager, result in a materially different development, then the application will be put to public consultation and brought back to the Committee for a determination, provided the applicant has agreed to an extension of time, and If the applicant does not agree to an extension of time then refuse planning permission on the grounds of surface water drainage.

2. The Proposal

- 2.1 This application seeks full planning permission for the erection of 14 dwellings with associated access, parking and landscaping. This application has been submitted following a recent outline consent (18/01744/OUT) on the site for 10 dwellings with the access point being the only matter committed and approved as part of the application by East Northamptonshire's Planning Management Committee on 7 July 2019.
- 2.2 The proposed access would be sited towards the western boundary of the site and would be constructed to adoptable highway standards which would also include the proposed footpath merging with the existing public footpath on Brick Kiln Road towards Kelmarsh Avenue and Holdenby Drive. Private drives would spur off the proposed adopted access road which lead to the proposed dwellings.
- 2.3 The proposed dwellings would be arranged around the proposed accesses as illustrated on the site plan (20006/2L). The proposed scheme comprises four different house types which are all two-storey in height and would be open market housing consisting of:
- 10 x 3 bedrooms; and
 - 4 x 4 bedrooms.

8 out of the 14 properties would have detached garages, with two of the garages being double and the rest single.

3. Site Description

- 3.1 The site is situated within the settlement of Raunds and is located to the north of Brick Kiln Road (B663). The site comprises of grassland with mature hedgerow and trees along its boundary. The site is predominately surrounded by residential development except for the western boundary which abuts allotment gardens which is protected open space in the Raunds Neighbourhood Plan (2017).
- 3.2 The site lies within 2 kilometres of the Upper Nene Valley Gravel Pits Special Protection Area (SPA) and within flood zone 1 (low risk).

4. Relevant Planning History

- 4.1 18/01744/OUT – Outline application for up to 10 dwellings, including access onto Brick Kiln Road – Approved – 07.06.19.

5. Consultation Responses

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

5.1 Raunds Town Council

Object to the proposed development, the issues raised are summarised below:

- Inadequate information, there is no site plan or clear comprehensive details of the development;
- The increase in housing from the original consented scheme (18/01744/OUT) leads to overdevelopment of the site with no amenity space;
- The proposed development contravenes Raunds Neighbourhood Plan (paragraph 4.9) as the additional dwellings far exceed the housing quota;
- The additional dwellings would add to the flooding and drainage issues along Brick Kiln Road;
- The Town Council supports statutory consultees comments supplied and supports the need of a speed survey;
- The increased traffic imposes a significant highway risk and the visibility splays onto Brick Kiln Road are unclear; and
- Clarification is required as to whether Highways would adopt the road. Without an adopted road there is potential of no streetlights and implications for refuse collection.

5.2 Neighbours / Responses to Publicity

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

- Impact on wildlife and trees;
- Too many houses being developed in Raunds;
- Noise disturbance;
- Overdevelopment of the site;
- Highway safety risk due to increased traffic;
- Impact the local character; and
- Impact on the neighbouring residential amenity.

5.3 Natural England

The proposal is within the zone of influence of the Upper Nene Valley Gravel Pits Special Protection Area (SPA), and therefore is expected to contribute to recreational disturbance impacts to the bird populations for which the SPA has been notified.

Mitigation for these impacts is available via a financial contribution towards a strategic mitigation project, set out within the Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document.

5.4 NHS England

Insufficient capacity at the closest surgery for the intensified proposed development and therefore a financial contribution of £7,764.72 is sought.

5.5 Anglian Water

Raunds Water Recycling Centre has available capacity for the flows of the foul water from the proposed development, however, the development would result in unacceptable risk of flooding within the water network downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. A full assessment cannot be made due to lack of information, the applicant has not identified a discharge rate or a point of connection. Therefore, a condition is recommended for a phasing plan and/or onsite drainage strategy as well as a number of informatives.

Regarding surface water, the surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. We would therefore recommend that the applicant needs to consult with Anglian Water and the Lead Local Flood Authority (LLFA). We request a condition requiring a drainage strategy covering the issue(s) to be agreed.

5.6 Lead Local Flood Authority (LLFA)

No representations received but comments are awaited and will be reported on the update sheet. The recommendation reflects the fact that no representation has been received at the time of writing this report.

5.7 Northamptonshire Fire and Rescue Service

No objection subject to a condition relating to fire hydrants and sprinkler systems.

5.8 Northamptonshire Police – Design Crime Prevention Officer

No objection to the proposed development but suggests imposing an informative for doors and windows to be installed in accordance with Building Regulations standards which would reduce the likelihood of crime.

5.9 Northamptonshire Key Services

The proposed development would pose a strain on the below services and therefore the following financial contribution is requested:

Primary Education = £59,328

Secondary Education = £72,446

Libraries Contribution = £3,532

5.10 Environmental Protection

The site was previously a builders' yard and therefore there is the possibility of contamination being present that may pose risk to the proposed development. As such, a pre-commencement condition for a contamination assessment is requested to be imposed if the application is approved.

5.11 Highways

Content with the site layout and has the following observations:

- The applicant needs to demonstrate a connecting path to the east that links with Kelmarsh Avenue.
- The applicant is required to stop up the old access to the east and reinstate the dropped kerb to a full height kerb.

5.12 Waste Management

Waste Management has concerns with the proposed layout of the site as it is considered difficult for plots 5 to 11 in particular to be able to present their waste containers for collection without them causing an obstruction to a private shared driveway which Waste Management consider unacceptable and is likely to lead to conflict and dispute between neighbours. In the Waste Officer's experience from other examples of this, the bin collection point against the side of plot 7 will likely cause friction between neighbours as people do not like other people's bins left against their property. The Waste Management Officer considers the presentation area needs to be adjacent to the highway not set back as it is, but this would likely cause even more friction.

The bin presentation collection point adjacent to the parking spaces for plot 8 remains insufficient. Waste Management would require a dedicated collection point as opposed to annotating an area on the site plan. Being part of the shared driveway means it is likely cars will be parked on this area.

5.13 Principal Ecological Officer

The Officer is concerned about the tree identified as T1 in the ecology report, which has low bat roost potential. At the time of the ecological survey it was understood that the tree would be retained. However, the proposed site layout and the tree constraints and protection plan in the arboricultural survey suggest that it is to be removed. If the tree is being removed it will need either:

- an inspection for bats; this must be done pre-determination so that if any mitigation is needed it can be secured by condition; or
- a pre-commencement condition for a method statement for soft-felling.

Due to the potential for reptiles a method statement is also required for vegetation clearance. A suitable method statement has been provided within the ecology report so the Officer recommends a condition.

5.14 Senior Tree and Landscape Officer

The choice of tree species, methods of staking of trees and locations are unsatisfactory. A consistent landscaping approach along Brick Kiln Road would be preferable. There are no street trees, which is now a requirement under the National Planning Policy Framework, and especially as it could assist with flooding issues. The imposition of a hard and soft landscaping condition is recommended to address this matter.

5.15 Planning Policy Team

I can confirm that the principle of development is already established by way of the previous outline consent (reference 18/01744/OUT, approved 7

June 2019).

The new application proposes to increase the site capacity from 10 to 14 units. Given that an increase to the initial number of dwellings is proposed, I would advise that the scheme should be scrutinised in accordance with the place shaping principles in JCS Policy 8. Beyond this, I have no further comments to make regarding the principle of development.

5.16 Senior Housing Officer

The Officer notes the latest revised layout (2000/6/2J) proposes 10 x 3 bed and 4 x 4 bed homes and welcomes the increase in the number of 3 bedroom homes being proposed on this site. However, it is maintained that a mix of smaller size properties on this scheme would better meet the needs of the local market as identified in the evidence base accompanying the North Northamptonshire Joint Core Strategy (JCS). The current supply of market homes for sale in Raunds does indicate a shortage of smaller size properties (1-2 beds) (Source: Rightmove accessed 8.9.21).

The Officer states although the application has outline permission for 10 homes (18/01744/OUT), this established the principle of development and does not constrain a greater number of homes being provided on site. Applying the standard density requirement for the 0.52ha site (35 dwellings per ha @ 85% gross site area), the capacity equates to 15 dwellings. If this resulted in a scheme of more than 14 units then an affordable housing contribution of 30% would be required under policy.

The NPPF February 2019 para 64 states that on major developments including the provision of housing, planning policies and decisions should expect at least 10% of homes to be available for affordable home ownership. Depending on the relevant date of this application, then this would mean one unit of housing would be expected to be provided as an affordable home as defined in the glossary (annex 2).

6. Relevant Planning Policies and Considerations

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 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
 Policy 11 – The Network of Urban and Rural Areas
 Policy 15 – Well Connected Towns Villages and Neighbourhoods
 Policy 19 – The Delivery of Green Infrastructure
 Policy 20 – Nene and Ise Valley
 Policy 28 – Housing Requirement
 Policy 29 – Distribution of New Homes
 Policy 30 – Housing Mix and Tenure
- 6.4 East Northamptonshire District Local Plan (DLP) (1996)
 None applicable.
- 6.5 Raunds Neighbourhood Plan (RNP) (2017)
 Policy R1 – Ensuring an Appropriate Range of Sizes and Types of Houses
 Policy R2 – Promoting Good Design
 Policy R3 – Flexibility and Adaptability in New Housing Design
 Policy R4 – Car Parking in New Housing Development
 Policy R6 – Protecting Open Spaces
 Policy R10 – Traffic and Transport in Raunds
 Policy R16 – Built and Natural Environment
 Policy R19 – Upper Nene Valley Gravel Pits Special Protection Area (SPA)
 Policy R20 – Movement and Connectivity
- 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)
 Northamptonshire Country Council – Planning Out Crime Supplementary Planning Document (2003)
 Joint Planning Unit – Design Supplementary Planning Document (2009)
 East Northamptonshire Council - Domestic Waste Storage and Collection Supplementary Planning Document (2012)
 East Northamptonshire Council - Trees and Landscape Supplementary Planning Document (2013)
 Biodiversity Supplementary Planning Document (2016)
 East Northamptonshire Council - Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document (2016)

7. Evaluation

The key issues for consideration are:

- Principle of Development
- Character, Layout and Housing Mix
- Impact on Neighbouring Amenity
- Highway Safety and Parking
- Natural Environment
- Flood Risk and Drainage
- Planning Obligations

7.1 Principle of Development

- 7.1.1 The spatial strategy policy (Policy 11) within the JCS identifies Raunds as a 'Market Town' which provides a strong service role for local communities and surrounding rural areas with growth in homes and jobs to support regeneration and local services, at a scale appropriate to the character and infrastructure of the town.
- 7.1.2 There are concerns raised by the Town Council because Raunds has already exceeded the quota allocated to it for housing within the JCS. Relating to this, it is noted that the Raunds Neighbourhood Plan advises that 1,058 dwellings have been approved within Raunds in recent years. There have also been a number of other permissions since this. However, whilst there is an allocation of 1,060 dwellings over the plan period of the JCS (2011 to 2031) that is referenced in paragraph 4.9 of the Neighbourhood Plan, this is a **minimum** requirement as noted by Paragraph 35 of the NPPF. Exceeding this allocation is not grounds alone for refusing development that is otherwise acceptable. In addition, regard still needs to be had for the need to provide and maintain supply of housing across the wider district, with Raunds being one of the most sustainable locations for new housing.
- 7.1.3 The Neighbourhood Plan makes provision for further housing to be provided through infill sites. In the view of the fact that the site is surrounded by residential development on two sides would constitute the site as infill and according with the guidelines set out in paragraph 4.9 of the Neighbourhood Plan.
- 7.1.4 Notwithstanding the above, the site has extant planning permission (18/01744/OUT) for residential development of 10 dwellings and this application in effect seeks permission for four additional dwellings on the site.
- 7.1.5 The principle of development is therefore considered to be acceptable and in accordance with Policy 11 of the JCS and Policy R1 of the RNP.

7.2 Character, Layout and Housing Mix

- 7.2.1 The residential dwellings along Brick Kiln Road are of a varied architecture, height and mass. The proposed dwellings whilst all two-storey height also comprise of varied architecture and scale which would be expected for a new housing development such as this and is considered to respect the local vernacular. The proposed materials are considered to be acceptable, nonetheless, to ensure a high-quality development and appearance a detailed materials condition can be imposed.
- 7.2.2 Plots 1 to 3 would be sited closest to Brick Kiln Road and face onto it, although, they would be set back into the site by circa 14.3 metres with the private drive and landscaped area in the forefront. This is considered to reduce the prominence of the proposed dwellings from the street scene. The rest of the properties are set further into the site and therefore would be less noticeable from the street scene.
- 7.2.3 The layout of the proposed scheme is considered to be acceptable with sufficient distance between the properties and external amenity space for future occupants. Internally, the proposed dwellings provide sufficient amenity space in line with National Space Standards.
- 7.2.4 The proposed scheme would consist of 10 x 3-bedroom dwellings which would be semi-detached and 4 x 4-bedroom dwellings which would be detached. The different type of dwellings would be distributed around the site which factors into the acceptable layout. The Housing Officer welcomes the increase in 3-bedroom properties compared to the initial submitted scheme that comprised of 8 x 3-bedroom dwellings and 6 x 4-bedroom dwellings. However, the Housing Officer states that the current supply of market homes for sale in Raunds indicates a shortage of smaller size properties (1 – 2 beds) and therefore considers that a mix of smaller size properties would better meet the needs of the local market in line with Policy 30 of the JCS.
- 7.2.5 Whilst, Policy 30 of the JCS seeks for development to provide smaller sized dwellings, it also emphasises the provision of medium sized dwellings and does not preclude the inclusion of larger sized dwellings. The Case Officer considers the premise of the policy is for new schemes to provide a mix of dwelling sizes with an emphasis of smaller and medium sized dwellings accounting for a higher provision of the scheme. This is reflected in subtext for Policy 30 (Paragraph 9.26) which states flexibility will be supported provided that developments provide a significant proportion (generally at least 70%) of small and medium sized properties (1-3 bedrooms).
- 7.2.6 In terms of the proposed scheme 72% of the dwellings would be medium sized and 28% would be large sized. This mix is considered to be acceptable and compliant with Policy 30 of the JCS and Policy R1 of the NP.

7.2.7 The Housing Officer notes that if the standard density requirement was applied to the application site then the site could accommodate 15 dwellings which would attract an affordable housing contribution of 30% under Policy 30 of the JCS, but given that the proposal is for 14 dwellings this provision would not apply. However, the Housing Officer makes reference to the affordable housing policy within the NPPF (Paragraph 65) expressing that major developments including the provision of housing should expect at least 10% of homes to be available for affordable home ownership, this would mean one unit of housing within the proposed scheme would be expected to be provided for affordable home as defined in the glossary of the NPPF (annex 2).

7.2.8 The Applicant has provided a legal rebuttal statement that notes Paragraph 65 of the NPPF was in force at the time planning application 18/01744/OUT was approved onsite and also when planning application 19/01024/OUT (11 dwellings) was approved on 21 January 2021, in which both applications were approved by Planning Management Committee and the Council noted that the proposals were too small to trigger a requirement for affordable housing provision in line with Policy 30 of the JCS.

7.2.9 The legal rebuttal statement also notes that when Paragraph 65 is read as a whole with its footnote:

“the practical meaning of the paragraph is that any affordable home ownership units should form part of the overall affordable housing contribution from the site. It follows that, if no affordable housing provision is required for the development, then no affordable home ownership units are required. The paragraph does not seek to impose a national threshold for affordable housing and cannot reasonably be read as such”.

7.2.10 Paragraph 65 of the NPPF (including its footnote) states:

“where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership [footnote - as part of the overall affordable housing contribution from the site], unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exception to this 10% requirement should also be made where the site or proposed development:

- a) Provides solely for Build to Rent homes;*
- b) Provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);*

- c) *Is proposed to be developed by people who wish to build or commission their own homes; or*
- d) *Is exclusively for affordable housing, an entry-level exception site or a rural exception site."*

7.2.11 The Case Officer concurs with the conclusion of the legal rebuttal statement denoted in paragraph 7.2.9 of this report and therefore Policy 30 of the JCS would be applicable to ascertain whether the proposed development would require the provision of affordable housing, to which it would not.

7.2.12 Notwithstanding the above, in the event that the view is to be taken that Paragraph 65 would entail the proposed scheme to provide affordable housing then it would be important for the Council to maintain a consistent approach to decision making in line with the *North Wiltshire DC v SSE [1992] 65 P.&C.R. 34* judgement unless material consideration indicated otherwise. Given that Paragraph 65 of the NPPF and Policy 30 of the JCS were both in force at the time of the consented applications 18/01744/OUT and 19/01024/OUT and the premise of the Policies remains, to which the Council decided that Policy 30 of the JCS is the determining Policy for affordable housing and accepted that the aforementioned consents did not trigger affordable provision due to them being lower than the threshold (15 dwellings) set by Policy 30 of the JCS, this would also be the case of this application.

7.2.13 Regarding housing density, the gross developable area of the site is specified in the application form as 0.53. The development of 14 dwellings onsite would equate to 26 dwellings per hectare which is short of 35 dwellings per hectare as per JCS standard density, however, the JCS notes that the density of housing per hectare would vary with low density on the countryside edge and higher density around local / neighbourhood centres. The reduced density is therefore considered to be appropriate for the peripheral built up location and gives opportunity for spacing and landscaping on the edge of the settlement.

7.2.14 Overall, the proposed development is considered to not cause adverse harm to the character of the local area and therefore complies with Policy 8(d) and 30 of the JCS as well as Policy R1 and R2 of the RNP and Paragraph 130 of the NPPF.

7.3 Impact on Neighbouring Amenities

7.3.1 The application site abuts the boundary of Nos. 1 and 7 Kelmarsh Avenue and Nos. 7 and 9 Boughton Lane. Taking into consideration the distance, orientation, position, fenestration and size of the respective proposed dwellings (plots 4, 8, 9, 10, 11, 12) including the proposed garages for plot 11 and 12 that are closest to the aforementioned neighbouring properties, it is considered that the proposed dwellings would not result in adverse harm in terms of overlooking, outlook, overbearing, and overshadowing. The first-floor side windows on plots 4 and 10 which would look onto Nos. 1 and 7 Kelmarsh Avenue would serve en-suites and can be conditioned to be obscure glazed and fixed shut to a height of 1.7 metres to mitigate overlooking. Also, a land levels condition can be

imposed for the site and neighbouring residential land to ensure the amenity of the neighbouring properties are safeguarded.

7.3.2 It is also considered that the neighbouring properties would not cause adverse harm to the residential amenity of the future occupants.

7.3.3 As such, it is considered that the proposed development would not result in adverse harm to the neighbouring properties or that of the future occupants and therefore complies with Policy 8(e) of the JCS and Policy R2 of the RNP.

7.4 **Highway Safety and Parking**

7.4.1 The existing informal access to the site near Kelmarsh Avenue would be closed and a new access off Brick Kiln Road would be created, which extends into the site with a turning head at the end of the road and private drives extending off the main proposed access road, which is proposed for adoption by Highways. A vehicle tracking plan (E04 rev A) has been submitted with this application as well as a Transport Assessment Report.

7.4.2 The proposal would also extend the proposed footpath from the site to Kelmarsh Avenue and Holdenby Drive as denoted on the site plan (20006-2L).

7.4.3 The planning application (20/00347/OUT) on land adjacent to Kelmarsh Avenue, for 21 residential dwellings, is noted. This site is within very close proximity (73 metres east of the application site) to the application site and was refused at Planning Management Committee for two reasons relating to intensification of use and a lack of means for future residents to be able to cross Brick Kiln Road to access amenities and services within the Town.

7.4.4 The proposed development would provide tactile crossings near the access to the east and a footpath link to Holdenby Drive (west) where there is a signalised pedestrian crossing. Both measures would facilitate the safe crossing of Brick Kiln Road to access amenities and services and whilst the proposal would result in the intensification of vehicle movements, Highways considers the proposed development would not cause harm to the highway users or the highway network and has no objection to the proposed development.

7.4.5 The proposed development would also provide adequate parking provision in line the Northamptonshire Parking Standards. Whilst some of these spaces would be in a tandem arrangement recent appeal decisions (17/02142/FUL and 18/01388/FUL) where tandem parking has been a factor in the refusal have established that this type of parking arrangement is acceptable and it would therefore not be reasonable to refuse on this basis.

7.4.6 As such, the proposed development complies with Policy 8(b) of the JCS.

7.5 **Natural Environment**

- 7.5.1 The site boundary comprises of trees and the site lies within 2 kilometres of the Upper Nene Valley Gravel Pits Special Protection Area (SPA). The Applicant has submitted a Tree Impact Assessment and an Ecological Assessment. It is noted that the Principal Ecological Officer was concerned a little with the removal of the tree identified as T1 in the ecology report which has a low potential for bat roosting. As such, the Principal Ecological Officer recommended that either a bat survey was carried out prior to determination or a pre-commencement condition is imposed for a method statement for the soft-felling of the tree.
- 7.5.2 The Principal Ecological Officer also notes that there is potential for reptiles and a method statement would be required for the clearance of vegetation, albeit, a suitable method statement has been provided within the ecology report so the Principal Ecology Officer is satisfied with the imposition of a suitably worded condition. The Applicant has confirmed acceptance of the pre-commencement condition.
- 7.5.3 The Senior Tree and Landscape Officer states that the proposed tree species, method of staking and location are unsatisfactory and suggests imposing a soft and hard landscaping condition to mitigate this. A condition can be imposed should permission be granted.
- 7.5.4 The Applicant has agreed to provide a financial contribution (£1,186.20) in line with the SPA Supplementary Planning Document Mitigation Strategy secured through the section 106 agreement.
- 7.5.5 Therefore, the proposed development is considered to not cause adverse harm to the natural environment and thus complies with Policy 4 of the JCS.

7.6 **Flood Risk and Drainage**

- 7.6.1 The site lies within flood zone 1 which is a low risk area of flooding. A flood risk assessment and drainage strategy (FRADS) has been submitted with this application which states that the FRADS is based on the principle of the FRADS submitted with the approved outline scheme (18/01744/OUT). The FRADS states that the foul connection would be made to the main sewer operated by Anglian Water and the surface water would be discharged via piped network with attenuation provided in buried geo-cellular storage, with an outfall to Anglian Water's surface water sewer network restricted to 5.0 litres per second. Tanked permeable paving will be used for all private drives to provide a level of surface water treatment. A total volume of 207.2m³ of attenuation would be provided which the FRADS states would be sufficient to accommodate storms up to and including the 1 in 100 + 40% climate change event.
- 7.6.2 It is noted from Anglian Water's comments that the Raunds Water Recycling Centre has available capacity to accept foul water flows from the proposed development, however, insufficient information has been provided to in terms of discharge rates or point of connection for Anglian Water to be able to make a full assessment. They therefore state that the proposed development would result in unacceptable risk of flooding within the network downstream. Notwithstanding this, Anglian Water would need

to plan effectively for the proposed development, working with the applicant to ensure any infrastructure improvements are delivered in line with the development. Therefore, a condition has been recommended for a phasing plan and / or onsite drainage strategy to mitigate the potential harm. This condition can be imposed should planning permission be granted.

- 7.6.3 Regarding surface water, Anglian Water states that the FRADS is unacceptable and has recommended that the applicant consults with Anglian Water and the Lead Local Flood Authority regarding this matter. No comments have been received from the Lead Local Flood Authority. A condition for a surface water management strategy has been recommended by Anglian Water.
- 7.6.4 Whilst, inadequate information has been submitted for foul and surface water drainage which Anglian Water states that the proposed development could possibly result in unacceptable risk of flooding, this could be alleviated through the imposition of suitable worded conditions via a pre-commencement condition which the applicant has agreed to.
- 7.6.5 However, until the LLFA gives its advice on the application, Officers are unable to determine if a satisfactory surface water drainage scheme can be secured by condition. The applicant proposes to store drainage water beneath ground in underground crate storage which is generally accepted to be a less sustainable method of storing drainage water, when compared to surface ponds. Also underground storage, often beneath private roads, is more costly and difficult to maintain (e.g. silt clearance) than surface ponds, presenting problems for future occupiers and potentially the Council as the body of last resort for dealing with drainage issues.
- 7.6.6 Depending on the views of the LLFA, Officers may require the storage of surface water to be accommodated in a surface pond. A surface pond will take up a land area that is currently not budgeted for in the proposed layout. This means the layout of the proposed development may have to change to accommodate a surface pond and make it acceptable. If the LLFA is satisfied with storage of surface water underground, then the application can be determined in its current form. This matter is unresolved and there is no clear timetable for resolving it given the delay in receiving the LLFA comments. Therefore, it is recommended that resolution of this matter be delegated to Officers.

7.7 **Planning Obligations**

- 7.7.1 In line with paragraphs 55 and 57 of the NPPF the below planning obligations have been requested.
- 7.7.2 Upper Nene Valley Gravel Pits Special Protection Area - £4,278.26. The applicant has agreed to pay this.
- 7.7.3 Northamptonshire CCGs / NHS has requested a financial contribution of £7,764.72 towards infrastructure support to ensure the new population has access to primary health care services. The applicant has agreed to

pay this.

- 7.7.4 Northamptonshire Key Services has requested educational contribution of £59,328 for primary education, £72,446 for secondary education and £3,532 for libraries. The applicant has agreed to pay this.
- 7.7.5 The S106 contributions requested are reasonable in accordance with Paragraph 55 and 57 of the NPPF and the applicant has agreed to the contributions.

8. Other Matters

- 8.1 Representations: The concerns raised by objectors and the Town Council have been considered and addressed within the above sections to which it is either considered that the proposed development would not result in significant harm or that the concerns can be mitigated by via a condition / planning obligation.
- 8.2 Waste: The Waste Management Team has raised concerns over some of the collection areas and the practicalities this may cause on collection day. This can easily be resolved through the minor adjustment of the collection area for Plot 1-3 and near Plot 8 via a condition. The other collection points cannot realistically be positioned anywhere else and a level of responsibility would be with the occupants to ensure bins are positioned in an orderly manner and this per se would not substantiate a reason for refusal.

9. Conclusion / Planning Balance

- 9.1 The principle of development is acceptable due to the extant planning permission (18/01744/OUT) and the sustainable location of the site. Subject to conditions and mitigation the proposed development is considered to provide an acceptable visual design, layout and housing mix which would not cause adverse harm to the local character of the area. Also, adequate internal and external amenity space would be provided for future occupants in line with the National Space Standards whilst the residential amenity of neighbouring properties and that of the proposed dwellings is considered to not be adversely harmed.
- 9.2 The proposed development is also considered to provide adequate parking provision in line with Northamptonshire Parking Standards and would not cause adverse harm to highway users or the highway network. In addition, the proposed development would not cause harm to the natural environment.
- 9.3 Although inadequate information has currently been provided in respect of foul and surface water drainage, the Council will not grant permission until it is satisfied that conditions can be , or the development layout amended, in line with Paragraph 55 and 57 of the NPPF to mitigate any potential harms. The recommendation reflects this.
- 9.4 Overall, it is considered that that the proposed development would comply with local and national policies and therefore it is recommended that once

drainage matters are resolved, that planning permission is granted subject to conditions and a Section 106 agreement.

10. Recommendation

10.1 That planning permission is not granted until the LLFA has given its advice on the application and once the LLFA advice is received, the Committee delegates the power to determine the application to the Director of Place and Economy to act in accordance with the appropriate option as follows:

- If the LLFA recommends that planning permission be granted to the proposed development, grant planning permission subject to the conditions listed in the report or substantially similar conditions, and subject to the completion of a Section 106 Legal Agreement by 31 March 2022 (or other date to be agreed), or refusal of planning permission if the S106 is not completed within the agreed timescale, or:
- If the LLFA recommends that planning permission be refused, then refuse planning permission on the grounds of drainage, or:
- If the LLFA recommends that the application be amended to make it acceptable in drainage terms and those amendments will, in the opinion of the Planning Development Manager, result in a materially different development, then the application will be put to public consultation and brought back to the Committee for a determination, provided the applicant has agreed to an extension of time, and If the applicant does not agree to an extension of time than the PDM will refuse planning permission on the grounds of surface water drainage.

11. Conditions

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 The development hereby permitted shall not be carried out above slab level, until samples of the wall and roof materials for all dwellings and boundary walling have been submitted to and approved by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details. No dwelling shall be occupied until the boundary walling relating to it has been erected. The materials approved shall be retained.

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

3 Before the first occupation of the development hereby approved the windows on the first-floor of the proposed dwellings that serve ensembles / bathrooms shall be fitted with obscured glazing to a minimum level of obscurity to conform to Pilkington Glass level 3 or equivalent, and any part

of the window(s) that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.

Reason: To safeguard the amenities currently enjoyed by the occupants of adjoining dwellings.

- 4 Prior to commencement of development hereby permitted, details of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels, and cross sections, of the development including the neighbouring properties along Kelmarsh Avenue and Boughton Lane, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in strict accordance with the levels shown on the approved drawing(s).

Reason: To protect and safeguard the amenities of the adjoining occupiers.

- 5 No development shall be commenced until full engineering, drainage, street lighting and constructional details of the proposed estate road for adoption as shown on the site plan (20006/2L) have been submitted to and approved in writing by the local planning authority. The development shall, thereafter, be constructed in accordance with the approved details prior to the first occupation of the development hereby permitted.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.

- 6 No development above slab level shall commence until full engineering and constructional details of the proposed footpath link across the frontage of the site and linking to Kelmarsh Avenue and Holdenby Drive is submitted to and approved in writing by the local planning authority. The details provided shall be to Northamptonshire Highways Standards. Thereafter, prior to the first occupation of the development hereby permitted, the footpath shall be constructed and completed in accordance with the approved details.

Reason: In the interest of highway safety and local amenity.

- 7 Prior to the first occupation of dwellings hereby permitted, the turning and parking spaces shown on the site layout plan (20006/2L) shall be constructed and maintained and retained in perpetuity.

Reason: In the interest of highway safety and local amenity.

- 8 Prior to commencement of development, sight lines shall be provided to give vehicular visibility along the road over a distance of at least (100 m) in both directions, from a point measured (2.4m) back along the centre line of the proposed junction. These dimensions to be measured from and along the nearer edge of carriageway. Any features within or affecting the resultant triangular areas shall not exceed 0.6m above access / carriageway level.

Reason: In the interests of highway safety.

- 9 Site clearance shall be carried out in accordance with the details contained in section 10.9 of Preliminary Ecological Appraisal (PEA) Report, Bauhaus Living Ltd, The Poplars, Brick Kiln Road, Raunds by Lockhart Garratt and dated September 2020.

Reason: To safeguard the ecological environment.

- 10 No development above slab level shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.

All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.

Reason: In interest of biodiversity and local amenity.

- 11 No development or other operations shall commence on site until the existing trees and/or hedgerows to be retained have been protected in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The erection of fencing for the protection of any retained tree or hedge shall be carried out before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.

Reason: In interest of biodiversity and local amenity.

- 12 No existing trees, shrubs or hedges within the site that 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 approval of the Local Planning Authority. Any trees, shrubs or hedges

removed without such approval 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 in the next available planting season, unless the Local Planning Authority gives written approval to any variation.

Reason: In interest of biodiversity and local amenity.

- 13 A landscape management plan including long term design objectives, management responsibilities, management and maintenance schedules for all landscape areas, other than small privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of any part of the buildings or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: In interest of biodiversity and local amenity.

- 14 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

- 15 No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding

- 16 No development above ground level shall take place until a scheme and timetable detailing the provision of fire hydrants, sprinkler systems and their associated infrastructure has been submitted to and approved in writing by the Local Planning Authority. The fire hydrants, sprinkler systems and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable.

Reason: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire.

- 17 Prior to the development above slab level of the development hereby permitted, details of biodiversity enhancement features including location and product detail shall be submitted to and approved by the Local Planning Authority. Thereafter, the development shall be carried out in

accordance with the approved details and maintained and retained in perpetuity.

Reason: To protect and enhance biodiversity.

- 18 Prior to development above slab level of the development hereby permitted, details of sustainable measures to be incorporated within the proposed dwellings, shall be submitted to and approved by the local planning authority. Thereafter, the proposed development shall be constructed in accordance with approved details. The details should include electrical vehicle charging points and water and energy efficiency measures to demonstrate compliance with Policy 9 of the North Northamptonshire Joint Core Strategy 2016.

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

- 19 No demolition or construction work (including deliveries to or from the site) that causes noise to be audible outside the site boundary 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 unless otherwise agreed with the local planning authority.

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

- 20 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

- 21 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.

- 22 The development hereby permitted shall not be commenced until details of a comprehensive contaminated land investigation has been submitted to and approved by the Local Planning Authority (LPA) and until the scope of works approved therein have been implemented where possible. The assessment shall include all of the following measures unless the LPA dispenses with any such requirements in writing:

a) A Phase I desk study carried out by a competent person to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk study shall establish a 'conceptual model' of the site and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/ Quantitative Risk Assessment (or state if none required). Two full copies of the desk study and a non-technical summary shall be submitted to the LPA without delay upon completion.

b) A site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle and takes into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA.

This must be conducted in accordance with the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11'.

Reason: To ensure potential risks arising from previous site uses have been fully assessed

- 23 Where the risk assessment identifies any unacceptable risk or risks, an appraisal of remedial options and proposal of the preferred option to deal with land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved by the LPA. No works, other than investigative works, shall be carried out on the site prior to receipt and written approval of the preferred remedial option by the LPA.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR11'.

Reason: To ensure the proposed remediation plan is appropriate.

- 24 Remediation of the site shall be carried out in accordance with the approved remedial option. No deviation shall be made from this scheme without the express written agreement of the LPA.

Reason: To ensure site remediation is carried out to the agreed protocol.

- 25 On completion of remediation, two copies of a closure report shall be submitted to the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report.

Reason: To provide verification that the required remediation has been carried out to the required standards.

- 26 If, during development, contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing

with the suspect contamination has been submitted to and agreed in writing with the LPA.

Reason: To ensure all contamination within the site is dealt with.

- 27 Prior to the development above slab level of the development hereby approved, details of the location and design of the refuse bin and recycling materials storage areas and collection points shall be submitted to and approved in writing by the Local Planning Authority. This shall include provision for the storage of three standard sized wheeled bins for each new property with a collection point no further than 25 metres from the public highway. Where the refuse collection vehicle is required to go onto any road that road shall be constructed to take a load of 36 tonnes. The refuse storage and collection facilities and vehicular access where required shall be provided prior to the first occupation of the units to which they relate and shall be retained in the approved form thereafter.

Reason: To meet the District Council requirements for recycling, to prevent the unsightly storage of refuse containers and in the interests of amenity and sustainability.

- 28 The development hereby permitted shall be carried out in accordance with the approved plans as follows:

Location plan – 20006-1A

Proposed site layout plan – 20006-2L

Elevation and floor plan (Type A) – 20006/4C

Elevation and floor plan (Type B) – 20006/5E

Elevation and floor plan (Type C) – 20006/6C

Elevation and floor plan (Type D) – 20006/7B

Open space plan – 20006/8

Preliminary Ecological Appraisal Report – 20-3755 Version 1, dated September 2020

Tree Survey Report – Prepared by RGS Arboricultural Consultants, dated July 2020

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

12. Informatives

- 1 Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087
- 2 Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian

Water.

- 3 The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.
- 4 The Applicant / Developer is required to secure a 278 Agreement and provide a Road Safety Audit (RSA1) to the Local Highway Authority prior to carrying out works on the public highway.
- 5 Doors and windows installed must meet the requirements of Building Regs Approved Doc 'Q' Security of Dwellings i.e. certified products to BS PAS24:2016 (preferably third party certificated). In addition to Building Regs AD'Q' requirements any side lights adjacent to doors (within 400mm), safety glazing and easily accessible emergency egress windows with non-lockable hardware must include one pane of laminated safety glass meeting the requirements of BS EN 356:2000 class P1A (minimum).