

**North Northamptonshire Area Planning Committee  
(Thrapston)  
30 June 2022**

<b>Application Reference</b>	<b>NE/21/01309/REM</b>
<b>Case Officer</b>	<b>Patrick Reid</b>
<b>Location</b>	<b>Land Between St Christopher's Drive And A605 Oundle Bypass Oundle Northamptonshire</b>
<b>Development</b>	<b>Reserved Matters approval of Appearance, Landscaping, Layout and Scale pursuant to application number 19/01355/OUT - Outline planning permission for the erection of 65 dwellings and an extra-care facility of up to 65 units</b>
<b>Applicant</b>	<b>Persimmon Homes - Katie Dowling</b>
<b>Agent</b>	<b>Persimmon Homes - Katie Dowling</b>
<b>Ward</b>	<b>Oundle Ward</b>
<b>Overall Expiry Date</b>	<b>10 December 2021</b>
<b>Agreed Extension of Time</b>	<b>5 July 2022</b>

**Appendix A(1) – Committee Report dated 3 May 2022**

**Appendix B(1) – Committee Update Report dated 3 May 2022**

At the Planning Management Committee meeting of 3 May 2022, the resolution for the application was:

**RESOLUTION: DEFERRED** to a later Area Planning Committee for Officers to report back on matters relating to:

- Sewerage capacity
- Drainage - A response from the Lead Local Flood Authority is required
- Trees – A response from the Senior Tree and Conservation Officer is required

## **Scheme of Delegation**

This application is brought to committee because it was deferred at the meeting of the 3 May 2022.

### **1. Recommendation**

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- 1.1 That reserved matters approval 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 reserved matters approval be granted to the proposed development, grant reserved matters approval subject to the conditions listed in the report or substantially similar conditions, or:
  - If the LLFA recommends/seek minor amendments that are not material to the scheme, such amendments can be received from the Applicant, and if they address the requests, grant reserved matters approval subject to the conditions listed in the report or substantially similar conditions; or
  - If the LLFA recommends that reserved matters approval be refused, then refuse reserved matters approval 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 in consultation with the Chair and Vice Chair of the Area Planning Committee, 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 reserved matters approval on the grounds of surface water drainage.

### **2. The Proposal**

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- 2.1 The proposal is the same as presented at the 3 May meeting. However, in respect of the drainage details submitted to satisfy Conditions 7 and 8 of Outline Permission 19/01355/OUT, an amended drainage plan/strategy has been received to seek to address the LLFA comments of 9 June.
- 2.2 The landscaping scheme has been amended to address the comments received from the Senior Tree and Landscape Officer on 31 May 2022.

### **3. Site Description**

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- 3.1 As per 3 May report.

## **4. Relevant Planning History**

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4.1 As per 3 May report.

## **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**

One representation has been received since 3 May committee meeting. The comments are from a representee who has previously commented. The comments are summarised below:

- When deferring the application at the meeting of 3 May the matters of visitor parking on private driveways; siting of self-build plots in relation to noise levels and a traffic study of East Road were not discussed;
- Concern that the acoustic fence is not within the application site;
- Claim that the Applicant does not have control over the pathway access to Prince William School;
- Suggestion that 'Policy 21 (iv)' requires evidence that discussion with the school have taken place. Concern that as the school has not responded, the condition is not satisfied.

### **5.2 Anglian Water**

Comments received since 3 May meeting:

It is confirmed that there is capacity within the foul network to accommodate the flows from the development proposals without the need for mitigation.

The concerns raised by Members and local residents have been investigated and it is confirmed that there is an on-going historical issue related to flow backing up from the pumping station in heavy storm conditions.

We have undertaken a full serviceability on the pumping station which reported no issues, and the station is performing well in normal conditions. The wet well has regular cleans and has a relatively new pump impellers and wear plates.

As stated above the issues regarding flooding and overflow was a result of exceptional weather. We do not, and cannot, design our network to accommodate unattenuated flows caused by storm events. OFWAT, our regulator, recognises this and confirms that in such situations no breach of statutory duty has taken place.

We have installed 2 flow monitors in the following locations:  
Manhole 7900 on Ashton Road  
Manhole 5926 south of Stoke Hill

These monitors allow us to identify any restrictions within the network and we will share the data with the relevant flood organisations. It could be that we identify areas where surface water connections have been made or general maintenance is required. We are happy to share a highlight report of this data with you on a 6 monthly basis. Please note that to fully understand the data we need 12 months worth of monitoring information.

In summary the flooding is caused by extreme weather events and surface water entering the public system. Our pumping station and network are operating well and the proposed development can connect without the need for network improvements.

Legislation does not require new development to provide betterment, nor do our regulators expect our networks to manage and accommodate surface water in storm events. Flood management spans several organisations, such as the Lead Local Flood Authority, Highways and the Environment Agency. In situations such as this partnership working between the flood management organisations is key, it is not for a developer to manage or facilitate these discussions.

### 5.3 Lead Local Flood Authority (LLFA)

Following the meeting of 3 May, comments received in response to additional information submitted in May are summarised below:

- A detailed drawing (s) still outstanding. Although a drainage schedule is provided in the submission in 979 Drainage Drawings 16/05/2022, the applicant is required to provide a final detailed design enabling us to provide comment. The preliminary layout may be subject to further amendments; (Officer comment: following this a drawing has been submitted to the LLFA and comment is awaited. It is anticipated that a response will be received from the LLFA in advance of the Area Planning Committee meeting and as such this matter will be reported in the Committee Update Report)
- All other information has now been received.

### 5.4 Tree and Landscape Officer comments

Comments received since 3 May meeting and following receipt of amended plans:

Open Space Specification; Acceptable

Landscape and Ecological Management and Maintenance Plan, James Blake Associates July 2021 Ref JBA 17/110; Acceptable

They do appear to have responded to my comments and the proposals are acceptable. My only comment is to check the name of one of the tree species elected, the Tulip tree. The *Liriodendron tulipifera* 'Slender Silhouette'.

I've never heard of this variety before, it may be a new one to me. I have heard of *Liquidambar styraciflua* 'Slender Silhouette' an entirely different tree, but I am not aware of *Liriodendron tulipifera* 'Slender Silhouette'

The fastigate form of Tulip tree is *Liriodendron tulipifera* 'Fastigiatum' which is widely available in the UK. I would like to double check this species is the correct name to avoid any mix up at planting time.

Apart from that the proposals are acceptable.

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

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6.1 As per 3 May report.

## **7. Evaluation**

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The key issues for consideration are:

- Reasons for deferral and additional information since committee meeting of 3 May 2022
  - Sewerage capacity;
  - Drainage – LLFA comments were awaited;
  - Trees – Tree Officer comments were awaited.

### **7.1 Sewerage Capacity**

7.1.1 At the meeting of 3 May, foul water management was discussed in relation to the local network managed by Anglian Water. Ahead of that meeting and as set out in the 3 May report, Anglian Water had advised that the proposal would have an acceptable impact on the network. However, in order to provide further information on the matter Anglian Water were asked for further comment. Their advice is contained within the consultation section.

7.1.2 Anglian Water have provided detailed comments since the 3 May meeting, in which they establish that the foul network can accommodate the development. They also advise that the network is in good operational order and that no network improvements are required for the proposals. Based on the advice received, it is considered the proposed foul water impact is acceptable.

### **7.2 Drainage – LLFA comments**

7.2.1 Since the meeting of 3 May, on the 9 June, the LLFA have commented and the Applicant has responded to these comments. In their response, it was advised that all information deemed necessary was received except for criteria 7 (i) of the outline permission, that requires a detailed design of the drainage layout. Following this, on the 10 June the Applicant submitted the details to address this request.

7.2.2 At the time of writing, confirmation is awaited from the LLFA as to whether all their requests are now satisfied. It is anticipated that a response should be received ahead of the committee meeting of 30 June. Whilst a response is awaited, it is considered appropriate that, as the majority of the information required has been confirmed as acceptable by the LLFA, the final outstanding matter can be delegated back to Officers to resolve

in the event that the LLFA has not commented by the Area Planning Committee. Should the LLFA respond, then the recommendation, as set out in Section 1 above, can be amended to reflect this. An update will be provided to the Area Planning Committee in the Committee Update Report regarding this matter.

### 7.3 **Trees – Tree Officer comments were awaited**

7.3.1 On the 31 May the consultation comments were received from the Tree Officer. Within these, much of the details are confirmed as acceptable whilst some further information has been requested, including changes to the species to be planted. This response was provided to the Applicant who has since advised that their landscape consultant is updating their proposal to address the comments.

7.3.2 On the 17 June the Applicant submitted amended landscaping plans to seek to address the comments received. The Tree and Landscape Officer has responded and has confirmed the landscaping scheme is now acceptable, with only a couple of queries on species types that he is not familiar with. These species queries have been put to the Applicant who has asked their landscape consultant for advice. Their response is awaited and expected ahead of the meeting on 30 June. The query is considered relatively minor and if a change of species is preferred by the Tree Officer, it is expected this can be secured quickly with the Applicant.

7.3.3 Once amended landscaping details are fully deemed acceptable, it is recommended these be conditioned to ensure the development is carried out in accordance with such details. Condition 6 and 7 of the recommended conditions from the 3 May report would be amended to refer to the latest received details.

## 8. **Other Matters**

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8.1 Neighbour comments: One representation received since 3 May. The matters raised are summarised in section 5 of this report and taking each in turn, they are addressed below:

Deferral resolution not citing matters of visitor parking; siting of self-build plots in relation to noise and traffic study of East Road:

Members chose to defer the determination for the cited reasons. The matters cited above are addressed in the original committee report and formed part of the discussion on 3 May. The reasons for deferral and discussion around this was decided by the members of the Area Planning Committee.

Concern that the acoustic fence is not within the application site:

The proposed acoustic fence is within the site on its edge. Its location and the extent of the application site was established at the outline stage.

Claim that the Applicant does not have control over the pathway access to Prince William School:

The Applicant has advised they have control of the suggested access route to the school boundary. The route proposed is advised to be using

public footpaths. Condition 21 makes no reference to land ownership in relation to part (iv) and a pedestrian link.

Discussions with school and their lack of response:

The Connectivity Statement submitted with the application evidences the extent of the discussions with the school. The Applicant also advised no further progress was made during the application process since its submission in September 2021. There is no planning basis requiring the school to engage or respond further and this is addressed in the report.

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

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- 9.1 Since the 3 May committee meeting, comments have been received from the LLFA, Anglian Water and Tree Officer. This has resulted in amendments to additional drainage information being submitted as well as additional landscaping details expected imminently.
- 9.2 The LLFA response indicates the majority of information is acceptable. One matter is outstanding and the Applicant has submitted details with a response awaited from the LLFA. The sewerage capacity has been confirmed by Anglian Water as being capable of accommodating the development.
- 9.3 Comments from the Tree and Landscaping Officer were received on 31 May and the Applicant amended their proposals. These were then confirmed as acceptable by the Tree and Landscaping Officer with a query relating to species of plant. The Applicant is planning on responding to this ahead of the meeting, but in any event, it is considered a minor matter as the landscaping scheme has been advised as acceptable. As this matter is minor, the scheme in its current format may be deemed acceptable ahead of the committee meeting or can be delegated to officers to resolve, should Members be minded to approve the outstanding matters.

## **10. Recommendation**

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- 10.1 That reserved matters approval 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 reserved matters approval be granted to the proposed development, grant reserved matters approval subject to the conditions listed in the report or substantially similar conditions, or:
  - If the LLFA recommends/seek minor amendments that are not material to the scheme, such amendments can be received from the Applicant, and if they address the requests, grant reserved matters approval subject to the conditions listed in the report or substantially similar conditions; or

- If the LLFA recommends that planning permission be refused, then refuse reserved matters approval 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 in consultation with the Cahir and Vice Chair of the Area Planning Committee, 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 reserved matters approval on the grounds of surface water drainage.

## **11. Conditions**

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11.1 As per report of 3 May except for the following amendments:

Condition 6: to refer to amended landscaping/tree plans and details that are anticipated shortly.

Condition 7: to refer to amended landscaping/tree plans and details that are anticipated shortly.

Condition 12: to refer to latest drainage details once confirmed acceptable by LLFA.

## **12. Informatives**

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12.1 As per report of 3 May.