

Cambridge office

Strutt & Parker
66-68 Hills Road
Cambridge
CB2 1LA
Telephone 01223 459500

Cambridge@struttandparker.com
struttandparker.com



Louise Holland
Development Manager
Planning Management – Kettering Office
North Northamptonshire Council
Bowling Green Road, Kettering,
Northants
NN15 7QX

Direct Dial: 01223
E mail: Sav.patel@struttandparker.com
Our ref: 215801

13 May 2022

Sent via Email – louise.holland@northnorthants.gov.uk

Dear Louise,

RE: Proposed Deed of variation to Unilateral Undertaking (dated 15 December 2016) relating to land south of Desborough for outline planning permission (KET/2016/0044 – appeal reference: APP/L2820/W/3162430) for the erection of up to 304 dwellings.

I write on behalf of my client, Bellway Homes Ltd (Northern Homes Counties) in connection with the above and further to our email exchange on 10th May 2022.

This cover letter is a formal application to vary the obligations in the signed Unilateral Undertaking (UU) for the above outline planning permission, which was approved at appeal.

For background, the proposed variations that we are seeking to some of the obligations in the UU have been bilaterally agreed through extensive discussions with officers at the Council. The proposed variations to the obligations would secure enhancements that would be beneficial to the wider Desborough community in terms of providing what is required in the area and would facilitate the proposed housing scheme achieving the landscape-led objectives required by the approved Design Code for the site, which would benefit future residents.

I set out below a schedule of the main variations that we are proposing to make:

Original UU Obligation	Amount	Proposed Variation
Allotments	0.28ha of allotments to be provided on site and enclosed by a 1.8m high fence.	Remove allotments and provide a community orchard and provide additional £17,000 off site contribution to be spent on providing allotments off the Grange Estate. This has been agreed with Dave Lane in the Council's Ground Services Team.
MUGA (Multi-Use Games Area)	40m x 26m fully fenced and laid to macadam	Remove requirement for a MUGA and replace with a landscaped



		<p>BMX pump track, and provide an additional £15,000 off site contribution towards improvement and enhancement of existing facilities in Desborough.</p> <p>This has been agreed with the Council's Landscape Officer, Ryan Mills and David Lane of the Ground Services Team.</p>
Open Space and Public Open Space		Amend definitions in the UU to give the opportunity to enable the transfer of the Open Space to a Management Company.
Changing Facility at Dunkirk Avenue Recreation Ground	Building of no less than 75sqm	<p>Remove this obligation and replace with £50,000 contribution relating to improvements and leisure opportunities at Dunkirk Avenue Recreational Ground.</p> <p>This has been agreed with David Lane in the Council's Ground Services Team.</p>
Pitch Quality Improvement Works and Pitch Quality Report	<p>Dunkirk Avenue Recreation Ground football pitches are football league Compatible.</p> <p>Full report carried out by a suitably qualified person into the quality and state of the football pitches at Dunkirk Avenue Recreation Ground including drainage of pitches identifying all works required to ensure the pitches are football league compatible</p>	As above. Remove these provisions
Town Centre Regeneration Contribution	£100,000 towards environmental improvements comprising additional car parking in Desborough town centre	Remove as this was not supported by the Planning Inspector in the appeal decision for the outline permission.

All other obligations towards health care, education, open space highway improvements, public transport contribution, bus stops, travel plan and bus pass will be maintained and provided as required by the relevant triggers in the UU.

Bellway's legal representative is:

Lydia O'Hagan
Charles Russell Speechlys LLP
lydia.ohagan@crsblaw.com

Lydia has prepared the attached draft version of the Deed of Variation, for review and feedback. Therefore, please can this application for a deed of variation be registered and the Council's legal team instructed at the earliest opportunity. Bellway is happy to pay the Council's legal undertaking subject to knowing the exact amount.

I look forward to receiving your acknowledgement of the letter. If you require any further information then please do not hesitate to contact me.

Yours sincerely,



Sav Patel
Associate Director
Strutt & Parker

Encs – Draft Deed of Variation