



**SUPPLEMENTARY INFORMATION**

**Daventry Local Area Planning Committee**

**Wednesday 5 April 2023**

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(Pages 3 - 6)	List of late representations Daventry Area Committee 5th April 23

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**LIST OF LATE REPRESENTATIONS RECEIVED FOR ITEMS ON THE  
DAVENTRY AREA PLANNING COMMITTEE AGENDA  
05<sup>th</sup> APRIL 2023**

**WND/2022/0766  
Agenda Item 5  
Page 13  
Long Buckby Ward**

**Officer update to recommendation;**

Enforcement Notices were served on both Plot 1 and Plot 2 of the development.

The Notices required works to be done to either make both plots comply with the planning permission or to demolish the unauthorised building in its entirety.

Both notices were appealed with the Inspector dismissing both appeals (after amending a sentence in the notices) and upholding the Council's decision to take action.

To date there remains non-compliance with either notice.

Regard must be made to the status of both Enforcement Notices should Members be minded to grant approval of the applications. The application before you seeks to regularise the situation with regard to the unauthorised development of the plots however as a result of approving these applications, the notices can no longer be complied with. This is because the notices require works to be done to implement a now superseded consent due to the approval of new plans.

It is suggested that should Members be minded to approve WND/2022/0766 that the Council withdraw the relevant notice and allow officers to monitor the site for compliance with the new scheme. If the scheme is not completed in line with the planning conditions, further notices can be served.

The timing of works required by condition is dealt with below:

Planning Conditions:

Condition no.2 presently recommended reads:

"2. The alterations under the proposal hereby approved shall commence within 12 months from the date of this permission and shall be completed no later than 3 years from the date of this decision."

On further consideration officers advise that as currently drafted this condition does not reflect the timing as approved on both appeal decisions which only gave a 12month compliance period.

In the circumstances it is considered that 12 months seems more than appropriate to rectify the breach of control. This is consistent with the advice provided by the Council's Enforcement Policy and also prevents any unacceptable precedent being set for other breaches of control.

As such, it is suggested that the condition be changed as follows:

**2. The alterations under the proposal hereby approved shall commence and be completed within 12 months from the date of this permission. The development shall thereafter be carried out in accordance with the approved plans unless alterations are submitted and approved by the Local Planning Authority prior to their commencement.**

**WND/2022/0906  
Agenda Item 6  
Page 25  
Long Buckby Ward**

**Officer update to recommendation;**

Enforcement Notices were served on both Plot 1 and Plot 2 of the development.

The Notices required works to be done to either make both plots comply with the planning permission or to demolish the unauthorised building in its entirety.

Both notices were appealed with the Inspector dismissing both appeals (after amending a sentence in the notices) and upholding the Council's decision to take action.

To date there remains non-compliance with either notice.

Regard must be made to the status of both Enforcement Notices should Members be minded to grant approval of the applications. The application before you seeks to regularise the situation with regard to the unauthorised development of the plots however as a result of approving these applications, the notices can no longer be complied with. This is because the notices require works to be done to implement a now superseded consent due to the approval of new plans.

It is suggested that should Members be minded to approve WND/2022/0906 that the Council withdraw the relevant notice and allow officers to monitor the site for compliance with the new scheme. If the scheme is not completed in line with the planning conditions, further notices can be served.

The timing of works required by condition is dealt with below:

Planning Conditions:

Condition no.2 presently recommended reads:

“2. The alterations under the proposal hereby approved shall commence within 12 months from the date of this permission and shall be completed no later than 3 years from the date of this decision.”

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In the circumstances it is considered that 12 months seems more than appropriate to rectify the breach of control. This is consistent with the advice provided by the Council’s Enforcement Policy and also prevents any unacceptable precedent being set for other breaches of control.

As such, it is suggested that the condition be changed as follows:

**2. The alterations under the proposal hereby approved shall commence and be completed within 12 months from the date of this permission. The development shall thereafter be carried out in accordance with the approved plans unless alterations are submitted and approved by the Local Planning Authority prior to their commencement.**

## LIST OF SPEAKERS

Page No.	Application	Name	For/Against
p. 13	WND/2022/0766	Darren Wilson	Supporter

Page No.	Application	Name	For/Against
p. 25	WND/2022/0906	Darren Wilson	Objector
		Arevik Jackson	Applicant/agent

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