



**West
Northamptonshire
Council**

Daventry Local Area Planning Committee

Minutes of a meeting of the Daventry Local Area Planning Committee held at Council Chamber, Lodge Road, Daventry NN11 4FP on Wednesday 3 November 2021 at 6.00 pm.

Present Councillor Kevin Parker (Chair)
 Councillor Alan Chantler (Vice-Chair)
 Councillor Daniel Cribbin
 Councillor Rupert Frost
 Councillor Rosie Humphreys
 Councillor Peter Matten
 Councillor Wendy Randall
 Councillor Phil Bignell

Apologies for
Absence: Councillor Lauryn Harrington-Carter
 Councillor Daniel Lister

Officers Katherine Daniels, Principal Planning Officer
 Chuong Phillips, Principal Planning Officer
 Marina Watkins, Committee Officer

15. Declarations of Interest

Councillor Phil Bignell declared an interest in application WND/2021/0552 Teeton and advised that he would leave the room during the discussion and voting.

16. Minutes

RESOLVED:

That the Minutes of the Daventry Local Area Planning Committee of 8th September 2021 be approved and signed as a correct record.

17. Chair's Announcements

The Chair advised that application DA/2021/0592 Weedon had been deferred.

18. Planning application - DA/2018/0602 Norton

DA/2018/0602 NORTON – Change of use of agricultural land to retail. Construction of three new retail buildings, including garden centre, relocation of existing cabins and containers and provision of 46 extra parking spaces including 4 disabled spaces – Heart of the Shires Shopping Village, Watling Street

Councillor Daniel Cribbin advised that the agent for the application was a neighbour but the application had not been discussed.

The Principal Planning Officer outlined the application and the proposed increase in size of the retail area and car parking. Officers considered that a sequential test would not have been required had the garden centre element been submitted separately, as the proposal would have been under the required threshold. The proposal would have a negligible impact on the town centre as the retail units catered to a niche market. Highways England had raised no objections. The increased size would impact on the character and appearance of the locality but it was considered that mitigation could be carried out to make the impact acceptable.

Councillor Peter Matten proposed that officers' advice to approve the application be accepted. The proposition was seconded by Councillor Alan Chantler.

Councillor Rosie Humphreys was concerned that the sequential test was not carried out as required. The Principal Planning Officer advised that there were concerns that the addendum had not been included in the sequential test, although on balance the impact was not considered so adverse as to recommend refusal.

Councillor Humphreys considered that it had not been proved that there was no impact on the town centre. There were concerns regarding sustainability and viability. The Principal Planning Officer noted that the large garden centre had tipped the proposal over the threshold for a sequential test and would not have been required had the applications been submitted separately. The site was an existing rural enterprise with an existing client base and on balance, officers were of the opinion that it should be supported.

The proposition was put to the meeting was declared carried with 7 voting in favour, none against and one abstention.

RESOLVED:

That the application be approved, as set out in the report.

19. Planning application - DA/2021/0344 Staverton

DA/2021/0344 STAVERTON – Proposed change of use of existing buildings to use Class E (commercial, business and service) to allow for any of the following uses (A) retail sale of goods; (B) sale of food and drink for consumption on the premises; (C) (I) financial services; (II) professional services; (III) any other services which it is appropriate to provide in a commercial, business or service locality; (D) indoor sport, recreation or fitness to visiting members of the public; (E) provision of medical or health services; (F) a crèche, day nursery or day centre; (G) (I) an office, (II) research and development or (III) any industrial process, being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit) and to include expansion of existing lake for leisure fishing and construction of new car park with associated landscaping works all to be accessed off existing entrance from A428 – Staverton Hill Farm, Badby Lane

The Principal Planning Officer outlined the application and planning history of the site. Many of the trees around the site were protected. Policies were in place to

support rural enterprises. The application sought to double the size of the fishing lake, which was not readily visible from the surrounding areas. Residents were concerned with the impact of the car park as well as the potential uses of the site. Class E had a wide range of uses, many of which were acceptable in a residential area but some could cause concern during unsociable hours.

Environmental Health has suggested conditions restricting use from 8am until 8pm Monday to Friday, and 8am until 4pm on Saturdays with no use on Sundays and bank holidays. Deliveries would also be subject to the same time restrictions. On balance, officers recommended approval.

Mrs Simpson spoke against the application, and the Chair used his discretion to allow Mr McGibbin to speak on behalf of the Parish Council.

The Principal Planning Officer noted that the Inspectors report did not refer to the scale and physical impact of the carpark or its impact on the Special Landscape Area (SLA), although reference was made to the use of the carpark and buildings during antisocial hours, hence the proposed conditions to mitigate this aspect.

Councillor Peter Matten considered that the Inspector was concerned about the carpark if he had expressed concerns over its use. The Principal Planning Officer advised that the Inspector's comments referred to different elements of the carpark. Concerns were not regarding the physical construction of the carpark but rather its use.

Councillor David Smith supported the Parish Council and residents. The site would have a detrimental effect on residents. Class E was a very broad use class which could result in noise and disturbance. There would also be a cumulative effect of many different businesses operating from the site. Any use after 5pm/5.30pm was not appropriate. The application should be refused and should the applicants choose to appeal, the Inspector could make his views known.

The Principal Planning Officer advised that the types of business that could operate under Class E were outlined in the report. Although the condition suggested 8pm as the time to stop use on site, many businesses may choose not to operate that late. There was currently no end user identified.

Councillor Rupert Frost proposed that the application be refused for numerous reasons including unsustainability, failure to enhance or protect the rural area and the use being inappropriate to the location. He noted that although officers felt that the car park would not have a harmful impact on the landscape, its construction would have an adverse impact on biodiversity by loss of habitats and this should be included in the reasons. The proposal contradicted several policies of the Local Planning Policy Part 1 and Part 2.

The Principal Planning Officer highlighted that the buildings were already in existence and consideration must be given to the Inspectors report. The impact on the SLA would be difficult to prove on appeal, residential impact on amenity might be more successful and whilst the construction of the car park would result in some loss there was no evidence that there would be no net gain due to the extension of the proposed fishing lake.

Councillor Phil Bignell considered that the application should be refused due to its impact on the residential amenity of the local residents.

Councillor Rupert Frost proposed that the application should still be refused with focus to the proposal's effect on the amenity of local residents and the vagueness of uses under Class E. The proposition was seconded by Councillor Phil Bignell.

Councillor Wendy Randall was content with the increased size of the fishing lake and noted that the access was onto the main road which was quite busy.

Councillor Peter Matten was concerned about oversimplifying the situation by narrowing down the reasons for refusal. The Principal Planning Officer advised that it was important to clarify reasons as Officers may need to defend them at appeal. The buildings had been approved under a previous application and deemed acceptable. The prime concern for residents and the Parish Council appeared to be the potential noise and disturbance that could be caused by the use of the buildings.

Councillor Daniel Cribbin considered that Councillor Bignell's proposal was sensible. A focused reason for refusal would be preferable.

In discussions with Councillor Phil Bignell, Councillor Rupert Frost agreed to include paragraph 180 of the National Planning Policy Framework (NPPF) to the reasons for refusal.

The Council's Legal Advisor urged caution and stressed that the grounds for refusal must be very clear. The applicant can then decide whether to appeal or submit another application.

Councillor Rupert Frost indicated that the application should be refused adding the NPPF paragraph 180 and the effect of any proposed use on the amenity of local residents, referring to the noise and disturbance detailed in the Inspectors report.

On being put to the meeting, the proposition to refuse the application was put to the meeting and declared carried with 5 voting in favour and, 3 against.

RESOLVED:

That the application be refused for the following reasons:

The Local Planning Authority considers that given the location of the complex relative to nearby residential properties and in a tranquil open countryside setting, the proposal for use of the buildings for Use Class E would represent an inappropriate range of uses which would adversely impact upon the amenities the occupants of nearby residential properties presently enjoy by reason of noise and general disturbance that is likely to result from comings and goings associated with such uses. Furthermore the proposed car park would not lead to an enhancement of biodiversity on site. Accordingly the LPA considers the proposal would be contrary to the provisions policies SA, S1, S10, R2, E7 and BN2 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) and Policies SP1 G&H, RA6, ENV1, ENV2

and ENV10 viii of the Settlements and Countryside Local Plan (Part 2) For Daventry District and having regard to NPPF 180 (5-3).

20. **Planning application - WND/2021/0552 Teeton**

DA/2021/0552 TEETON– Variation of condition 2 of planning permission DA/2020/0385 (detached double garage and workshop) to amend position and increase gable width, ridge height and slab height – Old White Horse, Creaton Road

The Principal Planning Officer outlined the application. The garage had not been constructed in accordance with approved plans and the application had been submitted to regularise matters. The length and width had increased by some 500mm, with a 200mm increase on the eaves height. The location had also altered slightly. Members' attention was drawn to the list of late representations.

Mr Blake spoke against the application, Mr Crisp spoke on behalf of the Parish Council and Mrs Stockley the applicant addressed the Committee.

The Principal Planning Officer noted that Officers had considered the development plan, the Village Design Statement, the previous approval and harm caused. Officers deemed the impact acceptable. The overall footprint of the garage was the same as the 2018 application.

Councillor Phil Bignell advised that he had called in the application as requested by the Parish Council. The application should be refused as the applicant had given no heed to the planning process. The previous application for a development of this size had been refused. The ridge height may have since been reduced but the building was set higher than approved. The development contravened the Village Design Statement, was set on a rising site and was therefore dominant in the surroundings and intruded upon the street scene.

Councillor Phil Bignell left the room during consideration of the item and took no part in the discussion or voting thereon.

Councillor Wendy Randall was surprised that the application had been approved initially as it was very dominant in the surroundings. The Principal Planning Officer advised that retrospective applications were permitted but consideration had to be given to reasons for refusal. The development would look better once completed and rendered, and the new location was little further away from the neighbouring property.

Councillor Alan Chanter was aware that many people did not like retrospective applications but they were within the rules. Once completed, the position and size of the garage would be acceptable within the street scene.

Councillor Chantler proposed that officers' advice to approve the application be accepted.

The proposition was seconded by Councillor Rosie Humphreys and on being put to the meeting was declared carried with 5 voting in favour, one against and one abstention.

RESOLVED:

That the application be approved, as set out in the report.

21. **Planning application - WND/2021/0592 Weedon**

The Chair advised that application DA/2021/0592 Weedon had been deferred.

The meeting closed at 7.45 pm

Chair: _____

Date: _____