



**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 9 February 2022 at 6.00 pm.

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

Substitute
Members:

Also Councillor Jo Gilford
Present: Councillor David Smith
 Councillor Charles Morton

Apologies Councillor Daniel Cribbin
for
Absence:

Officers Justin Price-Jones, Planning Lawyer
 Chuong Phillips, Principal Planning Officer
 Katherine Daniels, Principal Planning Officer

35. Declarations of Interest

Councillor Cecile Irving-Swift declared an interest in application DA/2017/0826 as an acquaintance of the father of the one of Doctors at the surgery.

Councillor Rosie Humphreys referred to a letter that had been circulated to the Members of the Committee that stated that Councillor Rupert Frost had supported application DA/2017/0826 publically. The Chair advised that that it was incumbent upon Members themselves to declare an interest. Councillor Frost advised that he had discussed the matter with the Monitoring Officer and believed that although the matter was finely balanced, he considered that he was able to take part in the discussion.

Councillor Jo Gilford declared an interest in application DA/2017/0826 as she worked for the NHS.

36. **Minutes**

RESOLVED:

That the Minutes of the Daventry Local Area Planning Committee of 10th January 2022 be approved and signed as a correct record.

37. **Chair's Announcements**

The Chair announced that due to a change in the Constitution Members of the Committee would now be able to ask questions of the speakers.

38. **Planning applications**

Consideration was given to the report detailing the planning applications which had been previously circulated.

RESOLVED:

That, subject to the variations set out below, the advice set out in the report now submitted be agreed.

39. **Application DA/2017/0826 Byfield**

DA/2017/0826 BYFIELD – Outline application for new medical centre and residential development – Land at Woodford Road

The Principal Planning Officer drew Members' attention to the late representations received from the practitioners and the Highway Authority that had been emailed directly to them.

The Principal Planning Officer outlined the proposal for a new medical centre in Byfield with means of access and 78 dwellings on an agricultural field. There were currently long open views from the west of Church Street to Woodford Halse. And an historic retaining wall running along the boundary of the field which was considered to be an important feature of the street scene. From the Woodford Road there was a well-established hedgerow which provided screening which was reduced in the winter.

The initial application for the site had sought consent for 90 houses and the medical centre. Following an independent viability assessment the number of houses that were now proposed had reduced to 78. The original application had also proposed two means of access to the site and strong concerns had been raised regarding the impact of one of these on the historic wall and the significant engineering works that would be required. The new application proposed only one access from Woodford Road. Indicative drawings had been received there were remaining matters of landscape, layout, appearance and scale which were reserved.

Members were advised that the application had been deferred by the Daventry District Council Planning Committee in January 2020 and the following information

was requested: 1. details, scale appearance and layout of the medical centre; 2 more definitive details of costs of the medical centre; 3 to determine whether additional funding would be required; 4 the level of occupation of the dwellings required for the financial contribution for the medical centre ; 5 consideration by the owner as to whether the land would be gifted to the community 6; the impact of the development on the highway and mitigation secured and 7 the timing of the implementation of that mitigation. Since that application had been considered the Settlements and Local Plan Part 2 had been adopted and the National Planning Policy Framework had been revised. Members had to give regard to all these material considerations.

It was undisputed that the site lay outside of the confines of the village and the application was therefore contrary to policy RA6 which allowed for development only if it was essential to the community in an appropriate location. Although it was acknowledged that the surgery was an essential service, the land and building would remain in private ownership. Officers were not convinced that the current surgery was under threat of closure, although it was acknowledged that it was undersize for the current patient list. The comments received from the Care Quality Commission (CQC) stated that they had no plans to close the surgery. The current surgery was considered to be acceptable for the current needs of the residents.

The provision of the housing as an enabling development to provide the medical centre was a mechanism that could be used but the public benefit would have to be demonstrated. The proposed 78 dwellings were contrary to development policies and any harm that this development would cause needed to be weighed against any potential public benefit of the surgery. Concerns had been raised by the Conservation Officer and Landscape Officer and they considered that the development would result in harm to the character of the village. The most recent appeal for an application on the site had been refused and there were 4 previous appeals for development on the site that had also been refused. Plans for the proposal had only been received in outline only but it was not considered that the benefits of the surgery would outweigh the harm caused by the additional housing and its consequent impact on the highway network and highway safety. The Highway Authority had objected to the application because the Fiveways Roundabout was already over capacity and this had not been addressed by the applicant. New developments would only be permitted if the infrastructure was in place or the mechanism to deliver the infrastructure was going to be put in place. The applicants had failed to supply the information requested by the Highway Authority.

The proposed new surgery would require 50% of the contribution to be paid prior to the commencement of the development. The applicant had advised that a mortgage for £800,000 would be raised to cover the costs but the construction costs of the proposed surgery had not been submitted. As the applicant was seeking to provide the surgery using an enabling development to provide finance, they must provide the complete costs for the whole scheme up front. The surgery would remain in private ownership once it had been built and it would cause some harm to the form of the village, but this was considered to be less than substantial. However the proposed enabling development of 78 houses would cause harm to the heritage and landscape of the area.

Arguably only new patients that joined the surgery would add to the traffic capacity on the Fiveways Roundabout and this alone was not significant. However the enabling development and the associated increase in traffic movements would create a severe impact on the road network. If the applicant could demonstrate that the surgery was deliverable then this would weigh in its favour, however the harm of the housing and the detriment to highway safety outweighed any benefits the surgery would provide.

Maria Thompson and Rodger Peach spoke against the application. John Gillic spoke on behalf of Byfield Parish Council and Geri Rowe spoke on behalf of Woodford-cum-Membris Parish Council. Councillor Jo Gilford, the local ward Member, who had called in the application, addressed the Committee. Councillor David Smith, another local ward Member addressed the Committee. Rachel Johnston spoke as the Chair of Byfield Patient Participation Group. Chris Hatfield spoke in support of the application. Dr Robert Harvey, the applicant, addressed the committee.

The speakers responded to the questions Members raised. John Gillic advised that there had been a number of meetings in Byfield village and the residents would welcome a new medical centre but considered that on balance too much harm would be caused by the enabling development required to provide the surgery.

With regard to the number of patients at the current surgery, Councillor Jo Gilford stated that there were 8,000 patients on the list and there should only be 4,000 patients. As a result she was led to understand that the patient list would be closed. The Chair referred to page 20 of the agenda and the comment from the Care Quality Commission that they would only close premises as a last resort and only if there was a significant risk to patient safety.

Further to discussion, Rachel Johnston referred to the difficulties that older patients had in accessing the current surgery due to the parking and the steep slope.

Further to enquiries from Members, Dr Harvey explained that the current surgery could not be extended and that the treatment rooms were not up to current standards. The CQC agreed with this assessment but had not suggested that the surgery be closed. One of the practice doctors had left in October; across the NHS it was difficult to attract doctors.

The Principal Planning Officer clarified that the £800,000 referred to would be in addition to the cost required to be carried out on the highway junction. The enabling development would determine the timescale of construction and influence the costs of the surgery. Members had requested that the applicant provide details of the cost in January 2020 and they had not provided all the details or the timescales. As a result no conditions had been able to be determined nor the Section 106 agreement secured.

Councillor Peter Matten considered that a guarantee needed to be provided as to what the centre would cost, how the community would secure the future of the centre and that the applicant should liaise with the highway authority. Councillor Matten proposed that the application be refused; which was seconded by Councillor Rosie Humphreys.

Councillor Wendy Randall considered that many people would not be overly concerned about the standard of the surgery as their priority was to be seen by a doctor. As the much larger village of the two, Woodford Halse needed the medical centre. There was no safe walking route from Woodford Halse to Byfield so patients from Woodford would have to drive. Councillor Randall had contacted the CQC who had advised her that they would not close the current surgery as they had a duty of care to the patients. If the current doctors left the surgery, new doctors would be sought. Councillor Randall raised concerns that if the new surgery was built at a cost of £1.25 million and it remained in private hands, it could close in the future and the community would lose the asset.

Dr Harvey stated that the architect had outlined the costs of the new surgery at £2million. The Principal Planning Officer advised that no detailed costings had been provided nor the timescale for delivery, which would impact on the costings. The details of the highway mitigation also need to be costed.

Councillor Phil Bignell proposed that the application be approved and that the outstanding matters be conditioned regarding the highway mitigation and the information regarding the enabling development. This was seconded by Councillor Daniel Lister.

Councillor Cecile Irving-Swift considered that there was, in effect, no difference between the two proposals as the proposal to approve the application acknowledged that there were unresolved issues that needed to be addressed. The majority of the impact of the development would affect Byfield village and Councillor Irving-Swift proposed that the application be deferred again as the lack of information meant that Members could not make an informed decision. The Principal Planning Officer highlighted that open ended conditions could not be requested as Officers may not be able to secure them.

Councillor Peter Matten considered that Members would be in a better position to vote in favour of the application if they had all the information that had been requested. The Highway Authority had raised serious concerns about the impact of the application. Councillor Matten withdrew his proposal to refuse the application so that the application could be deferred.

The Council's Legal Advisor highlighted that the normal process by which planning applications were considered involved negotiations to agree conditions and Section 106 contributions. If there were no conditions or Section 106 agreement, as in the case, there was no clarity as to what would be provided if the application were approved. If it was approved there was no solution approved to deal with the highway safety issues that would occur if the scheme was built.

Further to an enquiry, the Principal Planning Officer advised that the applicant had provided heads of terms but the Highway Authority had not agreed to them and the scheme would result in the Highway Authority having to carry out works on their land.

The Chair suggested that a hybrid application could be sought but all costs would need to be provided. The Principal Planning Officer considered that the applicant could provide a hybrid application and separate the application for the surgery fully costed, then Officers could determine whether there was sufficient funding to deliver

the surgery. This would be a full application and the housing application could be considered as an outline application. The concerns regarding highway safety and impacts would still need to be addressed.

It was noted that if the applicant submitted an appeal it could take two years for this to be heard and they had not provided the information requested by Members previously which would go against them.

Councillor Phil Bignell withdrew his proposition to approve the application and considered that the application should be deferred so that a hybrid application could be submitted.

Councillor Peter Matten, having withdrawn his previous proposal, proposed that the application be deferred so that a hybrid application could be submitted by the applicant. The residential application would be in outline and the full costings of the surgery would need to be provided together with satisfactory measures to address highway concerns. Councillor Rosie Humphreys, as the seconder of the original proposition agreed. Councillor Phil Bignell seconded Councillor Matten's new proposal. The proposition was put to the meeting and declared carried unanimously.

RESOLVED:

That the application be deferred so that a hybrid application could be submitted by the applicant; the residential part of the application to be submitted in outline and a full application for the new medical centre including all the costings and measures to address highway impacts and safety.

40. **Application WND/2021/0174 Guilsborough**

WND/2021/0174 – Guilsborough – Demolition of existing bungalow and garage. Construction of 2 storey dwelling and garage to rear of site and single storey dwelling to frontage – The Skerries, High Street

The Principal Planning Officer outlined the application for the demolition of the existing bungalow and garage to be replaced by a two storey dwelling and garage and a single storey dwelling. The existing bungalow benefitted from an extant permission to create a second storey to create a 4 bed dwelling. The site was in the confines of the village and the Highway Authority had raised no objections to the proposal. The main concerns were with regard to the impact on residential amenity, overlooking and loss of light. The rear garden of the bungalow was substantial and Rose Cottage overlooked this garden. The flats above the village store had glazed windows on their eastern elevation and their amenity would not be adversely affected by the scheme.

The Principal Planning Officer noted that Members had received a recent communication from the objectors but this had not been sent to Officers.

Paul Mynard and Martin Pett spoke against the application. David O'Neill spoke on behalf of the Parish Council. Councillor Charles Morton, one of the local ward

Members, addressed the Committee. Pat Dooley, the agent, addressed the Committee.

Councillors asked the neighbours and the representative from the Parish Council questions.

Councillor Phil Bignell considered that the view from Rose Cottage would be altered significantly by the proposal. Further to an enquiry from Councillor Peter Matten, the Principal Planning Officer advised that a loss of a view was not a planning consideration. Officers considered that the application was acceptable.

Councillor Alan Chantler considered that the new bungalow would be in line with the adjacent property and therefore the impact on the street scene would not be significant. Councillor Chantler did not consider that the impact on Rose Cottage would be unacceptable and proposed that the application be approved, this was seconded by Councillor Rosie Humphreys.

Councillor Rupert Frost proposed that the application be refused as he considered that it would have an adverse impact on neighbouring properties and was contrary to policies R1 and RA2 C, ENV 10 and the Guilsborough Neighbourhood Plan. Councillor Phil Bignell seconded the proposal adding that the scale of the development would impact on the neighbours' amenity.

Further to an enquiry, the Principal Planning Officer advised that between the proposed new dwelling and Rose Cottage there would be a distance of 16 metres, but Rose Cottage was at an oblique angle.

Councillor Daniel Lister considered that there would be a loss of amenity for the neighbours due to the change in the gradient and this would particularly affect Elm Tree House.

Councillor Phil Bignell added that the site was in the historic core of the village. Policy R1 allowed for housing development if as a result there would be an environmental improvement or if local services were under threat. This application would not result in an environmental improvement and would result in a loss of privacy for the neighbours.

The Principal Planning Officer advised that the impact on amenity was considered acceptable by Officers. The scale and massing of the proposed 2 storey dwelling could be used as a reason for refusal but the bungalow was at the front of the site and obviously only single storey.

The proposition to approve the application was put to the meeting and declared lost with 2 voting in favour and 7 against.

The proposition to refuse the application was then put to the meeting and declared carried with 7 voting in favour and 2 against.

RESOLVED:

That the application be refused for the following reasons:

The proposed development, by reason of its scale massing height and layout, would have an overbearing impact on the neighbouring dwelling, Paddock View, an adverse impact on the character of the locality and streetscene and would not constitute environmental improvement, contrary to policy R1(i) of the West Northamptonshire Joint Core Strategy, policies RA2.C.(i) RA2.C.(iii), RA2.C.(vi), ENV10(iii) and ENV10(viii) of the Settlements and Countryside Local Plan and policy 3(a)2.ii of the Guilsborough Neighbourhood Plan.

.....Chair

The meeting closed at 9.15 pm

Chair: _____

Date: _____