



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 8 June 2022 at 6.00 pm.

Present Councillor Kevin Parker (Chair)

Councillor Daniel Cribbin
Councillor Rupert Frost
Councillor Cecile Irving-Swift
Councillor David James
Councillor Peter Matten
Councillor Wendy Randall

Substitute
Members: Councillor David Smith
 Councillor Jonathan Harris

Also
Present: Councillor Charles Morton
 Councillor Rebecca Breese
 Councillor Rosie Herring

Apologies
for
Absence: Councillor Alan Chantler
 Councillor Rosie Humphreys

Officers Keith Thursfield, DM Manager (Daventry Area)
 Eamon McDowell, Area Planning Officer
 Surinder Atkar, Planning Solicitor
 Jeverly Findlay, Committee Officer
 Catherine Whitehead, Monitoring Officer

46. Declarations of Interest

Councillors Cecile Irving-Swift and Rupert Frost declared an interest in applications WND/2021/0391 West Haddon and WND/2021/0867 Barby, as friends of the applicant. They advised that they would leave the room during the discussion and voting thereon.

The Chair announced that he would be vacating the chair for application WND/2021/0391 West Haddon, as he had voted in favour of the application when it had been considered at the meeting on 8 December 2021 and wanted to avoid any suggestion of pre-determination. Councillor Peter Matten advised that he did not remember how he had voted at the meeting in December but that he had an open mind about the application being considered that evening.

Councillor David Smith announced, for transparency, that he was a Cabinet Member as was Councillor Longley who had an interest in application WND/2021/0867 Barby and was the applicant for application WND/2021/0391 West Haddon.

47. **Minutes**

RESOLVED:

That the Minutes of the Daventry Local Area Planning Committee of 11th May 2022 be approved and signed as a correct record.

48. **Planning Application WND/2021/0676 Staverton**

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.

49. **WND/2021/0676 – STAVERTON - CONSTRUCTION OF DETACHED DWELLING AND GARAGE - LAND AT THE CROFT, CROFT LANE, STAVERTON, NORTHAMPTONSHIRE, NN11 6JE**

The Area Planning Officer outlined the application and referred to a previous appeal decision for a development proposal on the site which had been dismissed due to the impact on the heritage asset. The current proposal was for a detached dwelling which would be offered as affordable housing. There was a local need for this type of housing and this had been weighed in the balance when considering the application. It had been determined that the public benefit of this provision outweighed the less than substantial harm to the heritage asset. It was however a finely balanced consideration, and it was acknowledged that there would be some harm to the setting of the listed building. With regard to the comments in the late representations, it was highlighted that even if the affordable housing did not meet a proven local need, there was still a wider need for affordable housing provision.

Mr Morgan and Mr Fordham spoke against the application, as they considered that it would harm the heritage asset. Mr Wilbraham, the Agent addressed the Committee and highlighted that the only concerns of a technical nature had been raised by the Conservation Officer.

In response to enquiries, the Area Planning Officer advised that generally the structures around a listed building were considered to be within the curtilage and therefore listed also. It was noted that the dwelling would be affordable housing in perpetuity, but legal agreements could be varied at some future date.

Councillor Rupert Frost, the local Ward Member, referring to the late representations clarified that the housing survey had been a joint exercise between Daventry District Council and the Parish Council and there was now more up to date information as six new affordable houses were being built in the village.

The Council's Legal Advisor highlighted that it would not be legally sound to refuse the application on the basis of affordable housing not being required. The issue that Members needed to consider was whether the benefit to the community of the provision of an affordable house would outweigh the harm to the heritage asset.

Councillor Peter Matten proposed that the application be refused as the public benefit of the provision of one affordable house would not outweigh the harm to the heritage asset. The proposition was seconded by Councillor Jonathan Harris who considered that it was a finely balanced decision. The proposition was put to the meeting and declared carried with 7 voting in favour, 1 against and 1 abstention.

RESOLVED:

That the application be refused for the following reasons:

The Development Plan and material considerations seek to sustain and enhance the historic environment and requires that clear and convincing justification is afforded where any harm to a designated heritage asset is identified. The proposal would result in less than substantial harm to the Staverton Conservation Area and the setting of The Croft as a Grade II Listed Building. The public benefit in the provision of a single affordable dwelling is not considered to outweigh the identified harm to these heritage assets having regard to Development Plan policies BN5 of the West Northants Joint Core Strategy, EN7 and EN10 of the Settlements and Countryside Local Plan (Part 2) for Daventry District, Staverton Conservation Area Appraisal and Management Plan and NPPF paragraphs 199 and 202 as material consideration.

50. Planning Application WND/2021/0753 Clipston

WND/2021/0753 – CLIPSTON - CONSTRUCTION OF 2 NO, TIMBER CABINS FOR HOLIDAY ACCOMMODATION USE - WOODLAND, LAND OFF OXENDON ROAD, CLIPSTON, NORTHAMPTONSHIRE

The Development Management Manager outlined the application and highlighted that the report referred to the lodges accommodating a maximum of two people but it should have stated that were two bedrooms in each lodge, so potentially there could be four people in a lodge at any one time.

Mrs Gowling, the applicant, considered that the proposed development would attract trade to the village. In response to enquiries, the applicant and agent advised that the lodges would be built in line with building regulation requirements, and they would built to be 'eco-friendly'.

Councillor Cecile Irving-Swift, the local ward Member, asked for some additional conditions regarding controlling the number of people on the site and retaining the

woodland. The Development Management Manager advised that these conditions would not meet the six tests set out in the National Planning Policy Framework.

Further to discussion, the Legal Advisor noted that any change of use of the lodges to C3 residential would require a planning application to be submitted.

Councillor David James proposed that the application be approved as per Officer's advice. The proposition was seconded by Councillor Peter Matten and on being put to the meeting was declared carried unanimously.

RESOLVED:

That the application be approved as set out in the report

51. **Planning Application WND/2021/0867 Barby**

Councillors Cecile Irving-Swift and Rupert Frost, having declared an interest in the following item, left the meeting and took no part in the discussion or voting thereon.

**WND/2021/0867 – BARBY - RESERVED MATTERS APPLICATION
(APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) FOR CONSTRUCTION
OF TWO INDUSTRIAL BUILDINGS -LAND AT MANOR WORKS, BARBY LANE,
BARBY, NORTHAMPTONSHIRE**

The Area Planning Officer advised that there was a long-established use of the site for industrial purposes. It would provide local employment and landscaping would be used to mitigate the development.

There were no questions raised by Members.

Councillor David James proposed that Officer's advice to approve the application be accepted. The proposition was seconded by Councillor Peter Matten on being put to the meeting was declared carried unanimously.

RESOLVED:

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

Councillor Cecile Irving-Swift returned to the meeting.

52. **Planning Application WND/2021/0905 East Haddon**

**WND/2021/0905 – EAST HADDON - DEMOLITION OF EXISTING
CONSERVATORY AND CONSTRUCTION OF SINGLE STOREY REAR
EXTENSION. CONSTRUCTION OF NEW GARAGE AND CONVERSION OF
EXISTING GARAGE TO CAR PORT AND SUN ROOM. ALTERATIONS OF
WINDOWS AND DOORS - 6, PRIESTWELL COURT, EAST HADDON,
NORTHAMPTONSHIRE**

The Development Management Manager outlined the application. Some concerns had been raised by neighbours that the proposed grey window frame colour would not be in keeping with the rest of the street, however the street was not in a Conservation Area and therefore it was not considered that this should be a major issue. The proposed changes to the property were considered to be minor with a minimal impact on the street scene as the property was the last property at the far end of the cul-de-sac and the proposed garage to the side of the property was obscured from view by the neighbouring property. Members were advised that two additional letters of support had been received since the publication of the agenda.

Councillor Rupert Frost returned to the meeting.

Mr Cooper and Mrs Anderson spoke against the application raising concerns about the effect on the street scene and that the garage would have an overbearing effect. Mr Hennessey spoke on behalf of the Parish Council and raised concerns that large vehicles accessing the street had damaged kerbstones in the past.

The Chair advised that the local member, Councillor Phil Bignell was not able to attend the meeting and had provided a written representation which was read out to the Committee. Councillor Bignell had no concerns to raise in relation to the extension but was concerned that the garage by virtue of its mass and size would adversely impact the neighbour, overshadowing their garden.

Mr Ashby spoke in support of the application and Mrs Dion, the applicant, addressed the Committee. In response to enquiries, it was noted that the roof of the garage had been designed to be flat originally, but the design had been altered to a pitched roof following the receipt of an objection.

Further to discussion, the Development Management Manager highlighted that there would be no impact on the Special Landscape Area. If any damage was caused by construction vehicles as a result of the works, this would be a civil matter.

Councillor Cecile Irving-Swift proposed that Officer's advice to approve the application be accepted; this was seconded by Councillor David James and on being put to the meeting was declared carried with 7 voting in favour and 1 abstention.

RESOLVED:

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

53. Planning Application WND/2021/0391 West Haddon

Councillors Cecile Irving-Swift, Rupert Frost and Kevin Parker, having declared an interest in the following item, left the meeting and took no part in the discussion or voting thereon.

It was proposed by Councillor David Smith and seconded by Councillor Peter Matten that Councillor David James take the Chair for the following item. With the consent of the meeting Councillor David Smith assumed the Chair.

WND/2021/0391 – WEST HADDON - CONSTRUCTION OF NEW COTTAGE DWELLING AND A DETACHED GARAGE WITH ASSOCIATED LANDSCAPING (RESUBMISSION OF PREVIOUSLY REFUSED SCHEME UNDER DA/2020/0627) - LAND ADJ 30, WEST END, WEST HADDON, NORTHAMPTONSHIRE

The Area Planning Officer advised that it had been deemed necessary, on the advice of Counsel, to recommend that the previous decision made by the Committee in December to approve the application be rescinded, as it would be likely to be considered unlawful if a claim was made for judicial review. Officers had engaged with the applicants following the concerns raised regarding the impact of the proposal on the trees covered by a Tree Preservation Order. Revisions had been made to the scheme and a retaining wall added to protect the tree roots and the garage repositioned. The area of open space was recognised as making a significant contribution to the conservation area and the Council had a statutory duty to consider the impact upon it. The harm to the heritage asset was considered to be substantial and outweighed the limited benefit of building a private dwelling. The character and appearance of the open space would fundamentally be changed by the loss of the land and the prominence of the two-storey dwelling and garage.

Members were advised that the recommendation needed to be altered slightly to include the word 'Core' in reference to the West Northamptonshire 'Core' Joint Strategy and the word 'Conservation' in the West Haddon Area 'Conservation' Appraisal and Management Plan.

Mr Humphreys spoke against the application as the site made a positive contribution to the conservation area and the proposed dwelling and garage would cause harm.

The Chair advised that the local member, Councillor Phil Bignell was not able to attend the meeting and had provided a written representation which was read out to the Committee. Councillor Bignell considered that the proposed house was sympathetic in design to the neighbouring properties, and that it would provide an enhancement to the village. Currently the stone wall at the boundary of the site was in a poor condition and the application would allow the wall to be rebuilt. Councillor Bignell contended that if the application were refused it would be allowed on appeal.

Mr Porter spoke in support of the application and highlighted that the Village Neighbourhood Plan did not include the site as a protected open space.

Mr Coy, the Agent, addressed the Committee and noted that the Landscape Officer had considered that the amended scheme addressed the concerns that had been raised regarding the protection of the trees.

The Area Planning Officer advised that the Neighbourhood Development Plan was part of the Development Plan and that the West Haddon Conservation Area Appraisal and Management Plan had been adopted by the Council and this set out what was historically important. The Neighbourhood Development Plan did not specify that this site was allocated for residential development. The area was identified as important open space (OS10) in the conservation area and that it made a significant contribution, enhancing the setting of the listed building opposite. The

open nature of the site allowed views through to trees; this sense of openness would be reduced significantly by the proposed development.

Further to enquiries about the height of the wall in the past, the Council's Legal Advisor advised that this was not a material consideration. Members needed to make a judgement on the affect that the development would have on the open space as it was now.

Councillor Wendy Randall proposed the application be refused as set out in the report and as per Officer's advice, as it was important to protect the character and appearance of the conservation area and the proposed development would have a significant impact upon it. The proposition was seconded by Councillor Jonathan Harris and on being put to the meeting was declared carried with 4 voting in favour and 2 against.

RESOLVED:

- (i) That the committee resolution of 8th December 2021 to approve the application be rescinded by reason of errors of law and revisions to the application.
- (ii) That the application be refused for the following reasons: It is considered that the proposed two storey thatched dwelling and the detached garage fronting on to the street will have a detrimental impact on the character and appearance of the Conservation Area and in particular of this piece of open space that would fundamentally change its character and appearance of the area due to the loss of the openness of the land and the prominence of the two storey dwelling and the associated double garage. The proposal would therefore conflict with policies S1 and R1 of the West Northamptonshire Joint Core Strategy, and policies SP1, RA2, ENV7 and ENV10 of the Settlements and Countryside Local Plan as well as Page 67 Agenda Item 9 policies within the West Haddon Neighbourhood Development Plan and policy OS10 of the West Haddon Area Conservation Appraisal and Management Plan as well as having regard to the Framework.

Councillor Kevin Parker returned to the meeting to assume the Chair and advise that there was no urgent business.

The meeting closed at 8.50 pm

Chair: _____

Date: _____