

Brixworth Parish Council

Planning Committee

Councillors are hereby summoned to attend the Planning Committee meeting to be held on Monday 3rd August 2020 starting at 730pm

This will be a 'virtual meeting' using Video Conferencing in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) Regulations 2020

Press and public are able to attend

Please email your interest to parish.clerk@brixworthparishcouncil.gov.uk
or join us direct by using the link to Microsoft Teams
(No installation required – Just use the Browser Option)

Agenda

- 1. Apologies for absence.
- 2. Declarations of interest on the Agenda Items.
- 3. Approve and sign the minutes from the meetings held on 9th July and 20th July 2020.

To consider any observations on a recent planning application

	DDC Ref	Description	Location
4.	DA/2020/0522	Replacement of temporary battery energy storage units with permanent battery energy storage system.	Ilmor Engineering Ltd, Quarry Road, Brixworth, Northamptonshire, NN6 9UB
5.	DA/2020/0548	Work to tree within a conservation area	The Brown House 18, Newlands, Brixworth, Northamptonshire, NN6 9DN

Application Appeal Number: DA/2020/0054 - APP/Y2810/W/20/3254497
 Appeal by The Co-Operative Group
 The Red Lion Hotel, Harborough Road, Brixworth
 Demolition of public house and construction of new A1 retail unit (revised scheme)

Consider the Parish Councils formal submission to the Planning Inspectorate.

7. Application Number DA/2019/0144
Outline application with main point of access included for development to provide commercial floorspace for Class B1b, B1c, B2 & B8 employment uses (resubmission)
Land to the West Of Mercedes Avenue, Brixworth

Consider making representations to the Daventry DC Planning Committee at its meeting on 5th August 2020. (attached)

- 8. Any other urgent business. (Items must be notified to the Chairman before the meeting)
- Date of Next Meeting Monday 24th August 2020

Peter Rowbotham Parish Clerk Brixworth Parish Council 28th July 2020

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10 Shelland Close Market Harborough Leicestershire LE16 7XU Telephone 079 8314 1786

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When we do need to print we only use 100% recycled paper



Brixworth Parish Council

Minutes of the meeting of the Planning Committee Monday 9th July 2020

Video Conferencing

Councillor Tom Mitchell, Councillor Ian Barratt, Councillor Jackie Bird Councillor Elaine

Coe, Councillor Lynne Compton, Councillor Stephen James, Councillor Lina Howarth,

Councillor Moxon and Councillor Kevin Parker.

In Attendance: Peter Rowbotham (Parish Clerk)

Apologies for

Councillor James Collyer and Councillor Frances Peacock.

Absence:

Absent: Councillor Stuart Coe

Members of

the Public 3

20/990P Welcome

Councillor Mitchell welcomed everyone to the Planning Committee. The meeting was being recorded.

20/991P Apologies for Absence

Apologies for absence had been received from Councillor Collier and Councillor Peacock. These were received by the meeting.

20/992P Members' Declaration of Interests

Councillor James declared a non-pecuniary interest in application DA/2020/0399, replacement of existing windows with upvc double glazed windows to elevation fronting the playground at the Brixworth Centre, 12 Church Street, Brixworth. He would not be voting on this application.

Councillor Elaine Coe declared a non-pecuniary interest in application DA/2020/0436, demolition of three existing garages and construction of new office (Revised scheme to include enlarged basement office) at The Old Bakehouse 4, Kennel Terrace. She would not be voting in this application

20/993P Minutes of the last meeting - 22nd June 2020

The minutes of 22nd June were agreed as a true and accurate record of the meeting. This was proposed by Councillor James and seconded by Councillor Mitchell. Unanimous. The minutes would be signed by the Chairman as soon as practical.

20/994P

DA/2020/0392

First floor rear extension

14, Grass Slade, Brixworth, Northamptonshire, NN6 9HZ

Subject to the proposal complying with the requirements of the 45-degree planning rule (This measures the impact on neighbouring properties) the Parish Council agreed that it would support the application. This was proposed by Councillor Mitchell and seconded by Councillor James. Unanimous.

20/995P

DA/2020/0436

<u>Demolition of three existing garages and construction of new office (Revised scheme to include enlarged basement office)</u>

The Old Bakehouse 4, Kennel Terrace, Brixworth, Northamptonshire, NN6 9DL

The Parish Council objected to this proposal on the grounds that there was insufficient car parking space. The Parish Council considers that the increased basement office area should require the applicant to provide adequate car parking in line with NCC Parking Standards. As this application fails to provide these minimum standards, the Parish Council does not to support this application. This was proposed by Councillor Mitchell and seconded by Councillor James. (Councillor Elaine Coe abstained)

20/996P

DA/2020/0454

Works to trees in a conservation area

Oak Gates 2, High Street, Brixworth, Northamptonshire, NN6 9DD

On the assumption that the tree was to be pollarded (and not removed) the Parish Council agreed to support the application. This was proposed by Councillor Mitchell and seconded by Councillor James. Unanimous.

20/997P

DA/2020/0399

Replacement of existing windows with upvc double glazed windows to elevation fronting playground. Brixworth Centre,12 Church Street, Brixworth, Northamptonshire, NN6 9BZ

The Parish Council agreed to object to the proposal on the grounds that this application was contrary to the Brixworth Neighbourhood Plan policy 8.1 and the Village Design Statement BG14 (Materials) The Parish Council preferred the use of wooden replacement windows within the Conservation Area. This was proposed by Councillor Moxon and seconded by Councillor Bird. (Councillor James abstained)

20/998P

DA/2020/0463

Formation of agricultural track; provision of hard surface to existing agricultural track.

Land Off Pitsford Road, Chapel Brampton, Northamptonshire

The Parish Council supported this application. This was proposed by Councillor Mitchell and seconded by Councillor James.

20/999P

DA/2020/0422

Construction of a single storey rear extension.

Cherrybank, Brixworth Hall Park, Brixworth, Northamptonshire, NN6 9DE

The Parish Council agreed to submit observations that expresses its concerns that this development may be contravene planning policies regarding over massing of the site. It also had some reservations on some

Initialled.....

aspects of the design. The scale and massing of the extension would also have a considerable impact on the views to the All Saints Church that is adverse to an established visual amenity This was proposed by Councillor Mitchell and seconded by Councillor Compton.

20/1000P

DA/2020/0342

Construction of summerhouse in rear garden

14, Newlands, Brixworth, Northamptonshire, NN6 9DN

The Parish Council agreed to support the application. This was proposed by Councillor Mitchell and seconded by Councillor Moxon. Unanimous.

20/1001P Any Other Business

None.

20/1002P Date of Next Meetings

An extra meeting would be required on Monday 20th July 2020 (to consider an application with a short consultation period)

Monday 3rd August 2020

The meeting finished at 8.35pm

Signed as a true and accurate record

Councillor Tom Mitchell Chairman of the Planning Committee Brixworth Parish Council 20th July 2020 Peter Rowbotham Parish Clerk Brixworth Parish Council 10th July 2020

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Brixworth Parish Council

Minutes of the meeting of the Planning Committee Monday 20th July 2020 Video Conferencing

Councillor Stephen James, Councillor Jackie Bird, Councillor Elaine Coe and Councillor

James Collyer.

In Attendance: Peter Rowbotham (Parish Clerk)

Apologies for Councillor Ian Barratt, Councillor Lynne Compton, Councillor Lina Howarth, Councillor Tom

Absence: Mitchell, Councillor Kevin Parker and Councillor Frances Peacock.

Absent: Councillor Stuart Coe and Councillor Sandra Moxon.

Members of the Public 1

20/1003/P - Election of Chair for the Meeting

In the absence of the Chair and Vice Chair of the Planning Committee it was agreed that Councillor James should chair the meeting. This was proposed by Councillor Bird and seconded by Councillor Elaine Coe. Unanimous.

20/1004P Welcome

Councillor James welcomed everyone to the Planning Committee and reminded attendees that the meeting was being recorded.

20/1005P Apologies for Absence

Apologies for absence had been received from Councillor Barratt, Councillor Compton, Councillor Howarth, Councillor Mitchell, Councillor Parker and Councillor Peacock. These were received by the meeting.

20/1006P Members' Declaration of Interests

None declared.

20/1007P

DA/2020/0217

Construction of stable block building

Land Adj Froghall Barn, Froghall, Brixworth, Northamptonshire, NN6 9DJ

Initialled.....

The Parish Council considered the latest amended plans for the proposal. It also took into account the views of local residents who had submitted written representations. A resident was also in attendance at the meeting.

The Parish Council agreed to object to this proposal for the following reasons –

- 1.The proposal is not in accordance with policy RA1a with no exceptions being applicable under RA1b of the Settlements and Local Plan (Part 2) for Daventry District. It is also outside the village confines in an area identified as having sensitivities in the Brixworth Neighbourhood Plan. Further, the application fails to meet the objectives 9, 10 and 11 of RA1
- 2. The proposal does not meet the criteria contained with policies RA1C(iii) or RA1C(iv) of the Settlements and Local Plan (Part 2) for Daventry District.
- 3. The proposal interrupts an important view as identified with the Brixworth Neighbourhood Plan Policy 3, View 11 (and see table 3, important views, views 2 and 3). Whilst the revised location addresses this issue in part, the proposal remains both prominent and intrusive.
- 4. NPPF para 170 Planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. This is a valued landscape area as defined in the Brixworth Neighbourhood Plan.
- 5. The proposal is not in accordance with policy RA6 of the Settlements and Local Plan (Part 2) for Daventry District. (The intrinsic character, beauty and tranquillity of the open countryside of the District will be recognised). The claimed exception by the applicant for equestrian use cannot be claimed as RA6 is not triggered as the application fails to meet the objectives 1, 10 and 13.

This was proposed by Councillor Elaine Coe and seconded by Councillor Bird.

20/1008P Any Other Urgent Business

The Cooperative Group had submitted an appeal regarding the Red Lion decision taken by Daventry District Council. Any further representations needed to be submitted via the Appeal Casework Portal by 17th August 2020. This would be promoted via social media. The Parish Councils response would be agreed at the next Planning Committee on 3rd August 2020.

20/1009P Date of Next Meetings

Monday 3rd August 2020.

The meeting finished at 8.00pm

Signed as a true and accurate record

Councillor Tom Mitchell Chairman of the Planning Committee Brixworth Parish Council 3rd August 2020 Peter Rowbotham Parish Clerk Brixworth Parish Council 21st July 2020

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BRIXWORTH PARISH COUNCIL – SUPPORTING DOCUMENTATION IN RESPECT OF APPEAL REFERENCE APP/Y2810/W/20/3254497

1. Purpose;

The information contained within this document is intended to provide further and better evidence in support of the Brixworth Parish Councils (BPC) objections to the proposed demolition of the Red Lion Public House and the Construction a 795sq.m. (gross internal floor space as stated within application DA/2020/0054) A1 Food Retail Unit as submitted to the Daventry District Council (DDC) under LPA reference DA/2020/0054 and previously DA/2018/0580.

2. Highways and Parking Provision:

The highway and parking issues have been responded to by Transport Planning Associates (TPA). In response, BPC do NOT agree with the assertions and comments within their statement as TPA have failed to provide sufficient and over-riding evidence to suggest the development of this site, whilst not being able to provide suitable **on-site** parking for customers and delivery vehicles, can justify a departure from the Northampton County Council Parking Guidelines (NCCPG).

The prime use of the NCCPG standard is set out thus;

The key message here:

The aims of the parking standards document are to support the provision of sufficient, usable parking within development without compromising highway safety whilst supporting good design and sustainable travel.

Note the key wording "sufficient, usable parking WITHIN development without compromising highway safety....""

The Northampton County Council Parking standards recommend in respect of A1 Food Retail unit of approx. 795sq.m. Namely;

Application details	Provision	NCC Parking standards	Variance/shortfall
Customer Parking	13	40	27
Disabled Parking	1	4	3
Cycles	Max 8	8	-
Motorcycle/scooter	None	3	3
Loading/manoeuvring	None	1/unit (Chapter 10)	1(no provision within the site)

- Vehicle 1 space/20sq.m. for Gross floor area (equates to 40 spaces)
- Cycle, 1 space/200sq.m. for staff and 1 space/200sq.m. for customers (equates to min of 6 spaces)

- Motorcycle/scooter, 1 space + 1 per 20 car spaces (for 1st 100 car spaces) then 1 space per 30 car spaces (over 100 car spaces) (equates to min of 2 spaces for motorcycles/scooters, known as powered two wheeled vehicles (PTW's)
- Disabled parking 10% of total vehicle spaces (equates to 4 spaces)
 Lorry parking is referenced under Chapter 10 of the NCC guide.

The application site outlines only 13 spaces, including one disabled, can be p

The application site outlines only 13 spaces, including one disabled, can be provided within the curtilage of the site. The appellant is reliant and argue that there is sufficient 'off site' facilities along Northampton Road to accommodate the remaining spaces, or that within 200m. See the images below of a possible highway scenario whereby customer and staff parking are required to use the adjoining highway.



The images below represent a typical scenario that demonstrates the IMPACT on their being inadequate parking within the application site and to provide the parking needs of the retail unit.



Northampton Road looking north



Northampton Road looking south (note parking within the appellants loading/un-loading bay)



Northampton Road looking north at the time of the X7 arrival



Northampton Road looking north at the time of the X7 arrival



Northampton Road looking south with only 14 cars parked within the immediate area of the application site



Similar image of Northampton Road looking south with only 14 cars parked within the immediate area of the application site....note also a Coop delivery vehicle travelling east along Holcot Road.

BPC would offer additional comments on the appellants submission;

- a. Policy GN2 (now covered under the Settlements and Countryside Local Plan (part 2) requires developments to provide "satisfactory means of access and has sufficient parking facilities" The appellant has failed to provide enough evidence to justify a departure from these policies.
- b. The appellants statement refers to "exceptional circumstances" that may justify a lower provision. The appellant has failed to provide sufficient evidence to justify such exceptional circumstances, quite the reverse, the basic level of parking and the provision

of off-site delivery and servicing vehicles is critical in THIS LOCATION having due regard to the existing environment, road geometry, local circumstances that of the parking needs of the adjoining and surrounding commercial/retail premises.

Put simply, there are no other parking opportunities to accommodate the missing 27 spaces.

c. NNCPG parking guidelines refers to **gross** floor area and not net retail spaces. BPC's understanding in this respect is to ensure an allowance is made within the guidelines that includes for staff parking.

The design makes no allowance or reference to staff parking.

d. The application details refer to the provision of 12 full time staff and 12 part time staff. As staff will arrive at the store in advance of the opening hours it is reasonable to assume some/all of the staff may take advantage of the available parking spaces, leaving very few, or none, for customers!

The lack of parking, servicing and delivery vehicles within the site imposes and unacceptable highway risk and danger to other road users and pedestrians alike.

e. The application fails to provide the MINIMUM number of disabled spaces within the curtilage of the site, *that being between 3 and 4*.

Failure to provide adequate disabled parking is discriminatory and contrary to The Equality Act 2010.

- f. Local knowledge of Northampton Road suggests that whilst the Chinese Takeaway offers out of hours, (nevertheless, this could influence upon the evening parking provision), the remaining two/three commercial units (gents and ladies hairdresser etc.) require staff parking and customer parking of at least two/unit. There are already limited car spaces available for customers using these facilities.
- g. The appellant would suggest that other parking facilities are available within 200m of the site. However, it is reasonable to assume that customers would wish to park within easy reach of the shop, particularly if they were carrying shopping bags. This would not be possible when you factor in, the already limited parking along Northampton road.
- h. The application details suggest the all delivery vehicles can and will park on the highway within a designated area of 10x3m or so. Take into consideration the tail lift requirement would suggest that a bay of 13m would be required. The provision of such space is outside of the site demise, located on the highway and not in the ownership AND control by the appellant. Any planning condition is neither practicable nor enforceable.
- i. The appellant has suggested suitable planning conditions that could apply to mitigate any highway risk. BPC are of the view such conditions are not 'enforceable' and fails to protect other highway and pedestrian users in and around the site. BPC are on the view that such conditions could never be used. There are numerous variables that could apply to the delivery of goods, direction of travel, traffic delays, breakdowns and the like.
 - A maximum delivery vehicle size of 10m
 - Restrictions upon delivery times, to ensure that deliveries are not undertaken during network peak hours
 - The location from which deliveries shall be undertaken
- j. Whilst BPC accepts the use of DMRB as a baseline to the possible performance and dynamics of highways, local knowledge would suggest that the application site is on the edge of an's' bend. Visibility, at best is poor, traffic speeds variable. The X7 bus from Leicester to Northampton uses the route. Traffic wishing to enter or exit the site will

- have their line of site impaired. More so if the delivery vehicle is located immediately outside, impairing also the vision to left turn manoeuvres leaving the site.
- k. Little evidence has been provided on how and by what means refuse vehicles enter and exit the sight. Its impact within the development has not been fully explained.

3. CONCLUSION:

There is no overriding evidence to support the development by way of the safe use, design and provision of customer and staff parking and servicing provision within the curtilage of the site.

The Planning Service Document "Parking Standards" as produced by Department for the Environment reads:

In assessing the parking provision in association with development the Department will normally expect developers to provide an access to the site in accordance with the current standards¹. Where appropriate, developers will be required to demonstrate there is adequate provision of space within the site, for parking, manoeuvring, loading and unloading to fulfil the operational requirements of the proposed development.

The appellant has failed to demonstrate this compliance.

It is wrong to suggest that there is adequate and/or alternative off street parking to take up the short fall. The proposed unit would be twice as large as the current unit. Its offer would be attractive to the surrounding villages, thus avoiding the trip into Kingsthorpe to the south and Market Harborough to the north. Its very function would suggest the average 'dwell time' of customers would exceed that of its current store in Spratton Road by virtue of an increased range of goods and services. Customers are most likely to shop for their weekly needs and would therefore rely heavily in being able to use their own transport, safely and in a convenient manner.

BPC have no objection to the change of use from a public house to A1 food retail, however, all the relevant functional and operational requirements for a small/mid-sized supermarket need to be incorporated within the design AND within the curtilage of the site and NOT reliant on other areas outside of the control of the applicant.

To rely of external parking, having a full regard for the surrounding area, existing retail and commercial properties presents and un-acceptable highway risk and danger to life.....and the appeal, therefore dismissed.



Daventry District Council

Lodge Road, Daventry, Northamptonshire NN11 4FP Tel: 01327 871100 DX21965

Website: www.daventrydc.gov.uk

Chief Executive: Ian Vincent B.A. (Hons) Arch, Dip Arch, RIBA

Team: Resources
Please respond to: Bob Ham
Direct Line: 01327 302566

E-mail: plancare@daventrydc.gov.uk

Our Ref: DA/2020/0054

Your Ref:

Mr P Rowbotham, Brixworth PC Clerk 10, Shelland Close Market Harborough LE16 7XU

14 July 2020

Dear Sir/Madam

Part 2 of the Town & Country Planning (Appeals) (Written Representation Procedures) (England) Regulations 2009

Appeal by The Co-Operative Group

Location: The Red Lion Hotel, Harborough Road, Brixworth, Northamptonshire

Description: Demolition of public house and construction of new A1 retail unit (revised scheme)

The Planning Inspectorate has asked me to inform you of an appeal against this Council's decision to refuse planning permission for the above development. This appeal is being dealt with by an exchange of written statements. If you wish to view the appeal documents you can do so by visiting www.daventrydc.gov.uk, go to planning application search and type in the relevant DA reference number. All relevant documents can be viewed under the MEDIA ITEMS tab.

All comments that were received by the Council at the planning application stage will be forwarded to the Planning Inspectorate. Further comments can be made but the Planning Inspectorate has advised that during the current Corona virus crisis their office is closed and are unable to receive post.

Any further representations you may wish to make should be sent online to the Planning Inspectorate using the Appeal Casework Portal.

Please ensure that you quote the following reference when commenting:

APP/Y2810/W/20/3254497

to arrive no later than 17-Aug-2020. Representations received after the deadline will not normally be seen by the Inspector and will be returned. The Planning Inspectorate will not acknowledge your letter unless you specifically ask them to do so. Copies will be forwarded to the appellant and to the District Council.

The Planning Inspectorate has an online appeals service that you can use to comment on this appeal. You can find the service through the Appeals area of the planning portal – see www.planninginspectorate.gov.uk.

The Inspectorate may publish details of your comments on the internet (on the Appeals area of the Planning Portal). Please ensure that you only provide information, including your personal information, that you are happy to be made available to others in this way. If information is

supplied about someone else, please ensure that you have their permission. More information about data protection and privacy matters is available on the Planning Portal. If you have any problems accessing the planning portal website please contact The Planning Inspectorate on 0303 444 5000 and not the Council.

If you would like a copy of the booklets "Guide to taking part in planning appeals" or "Guide to taking part in planning/enforcement appeals" they are available free of charge from this office and can be obtained by calling (01327) 871100, or you can obtain a copy through 'publications' on the following website www.planninginspectorate.gov.uk.

When made, the decision will be published on the Planning Portal website and on the Daventry District Council website.

Yours faithfully

K Thursfield

Development Control Manager





Daventry District Council

Lodge Road, Daventry, Northamptonshire NN11 4FP

Tel: 01327 871100 DX21965 Website: www.daventrydc.gov.uk

Chief Executive: Ian Vincent B.A. (Hons) Arch, Dip Arch, RIBA

Mr P Rowbotham, Brixworth PC Clerk 10, Shelland Close Market Harborough LE16 7XU

28 July2020

Team: Resources
Please respond to: Anna Lee
Direct Line: 01327 302584

E-mail: alee@daventrydc.gov.uk

Our Ref: DA/2019/0144
Your Ref:

Dear Sir/Madam,

Town and Country Planning Acts

Application No: DA/2019/0144

Description: Outline application with main point of access included for

development to provide commercial floorspace for Class B1b, B1c,

B2 & B8 employment uses (resubmission)

Location: Land To The West Of Mercedes Avenue, Brixworth

(Brixworth/Scaldwell Parish), Northamptonshire

During the ongoing unprecedented Covid 19 Crisis I write to advise that the above application is to be considered **at virtual Planning Committee - 5 August 2020** and my recommendation is for Approval. However, the application will be decided by the Councillors of that Committee who may or may not follow my recommendation.

This Committee Meeting will be open to view by members of the general public on the following link www.youtube.com/daventrydc and will start at 6.15 p.m

Parish Councils are able to relay their views to the Committee via their District Councillor or by personal appearance. This is in addition to the inclusion of Parish Council comments in my report to the Planning Committee where these have been received in time. If you wish to speak, please notify the Committee Clerk, Governance Resources Team by either emailing on membersupport@daventrydc.gov.uk or telephone on 01327 302236/302324, anytime before 17.00 two days before the date of the Committee meeting. They will provide details of how to access the virtual meeting.

On the reverse of this letter are guidelines explaining the procedure to be followed. Presentations to Committee are made verbally, but you can submit a photograph or plan to illustrate a point you wish to make to be displayed during your presentation, however, this is strictly limited to 3 items. If you intend to do this, I require a copy of this to be sent electronically to the case officer by 17.00, two days before the meeting. Handing out or distribution of any other photographs or any other material before the meeting will not normally be permitted.

The Planning Committee report can be viewed on our website: www.daventrydc.gov.uk within the next few days.

Yours faithfully,

K Thursfield

Development Control Manager

PLANNING COMMITTEE PROCEDURE

Welcome to this meeting of the Daventry Planning Committee.

This leaflet is published to explain this Council's public participation policy for Parish Councils, applicants and objectors at meetings.

The opportunity afforded to Parish Councils, applicants and objectors to speak will be the only opportunity for them to speak. In support of your case you may wish to use a map/photograph/other visual aid but this must be received by the Planning Department by **17.00 two days before** the date of the Committee meeting in order that it can be added to the presentation.

In order to speak in favour or against an application you must notify the Committee Clerk before **17.00 two days before** the date of the Committee Meeting.

- ❖ The Planning Officer will outline the item.
- ❖ Members of the committee may with the permission of the Chair question the Planning Officer (questions only, not comments or general discussion).
- ❖ A representative of the Parish Council will be allowed to speak to convey the views of the Parish. The speaker will be allowed **no more than 3 minutes**
- ❖ The objector or a representative of the objectors (if more than one objector is present) is then allowed to address the meeting.

(**NOTE:** Only one person is allowed to speak for the objectors, but it is open to the Chairman to allow any more parties to speak, to enable further points to be raised).

The speaker will be allowed **no more than 3 minutes** in which to state his/her case.

- ❖ The applicant or his/her representative (if present) may then address the meeting.
 The speaker will be allowed **no more than 3 minutes** in which to state his/her
- ❖ Debate takes place by the Council Members through the Chair.
- **.** The matter is put to the vote.

case.