

BROUGHTON PARISH COUNCIL

Minutes of the Meeting of the Parish Council, held at Broughton Village Hall on Wednesday, 21 March 2018, commencing at 7.00pm.

Present: Cllrs Mrs PA Scouse (in the Chair), R Baxter, Mrs HJ Bull, Mrs JC Chester, M Rose, R Shrive, Mrs P Wade, Mrs S West, and Clerk to the Parish Council, Mr GA Duthie. Borough Cllr J Hakewill, County Cllr Mrs C Smith-Haynes, and one member of the public.

18/7757 **APOLOGIES.** Apologies were received from Cllr A Parker (away with work), and Cllr O Wyeth (away on holiday).

18/7758 **DECLARATIONS OF INTEREST.** None were made.

18/7759 **MINUTES.** The draft minutes of the Parish Council meeting held on 21 February 2018, copies having been circulated, were approved by members and authorised for signature by the Chair after it was agreed that the Podmore Way light mentioned at 18/7754 was also obscured by tree overgrowth.

18/7760 **RIGHT TO SPEAK.** The facility was not used at this meeting.

18/7761 **REPORTS OF COUNTY AND BOROUGH COUNCILLORS.** Councillors received a report from Borough Cllr Hakewill, who updated the meeting on local issues he had engaged with since the last meeting. These included the planning situation at the Old Willows, the application relating to Bentham Close, noting the Neighbourhood Plan was now close to the conclusion of its examination and that any subsequent referendum if/when found sound would be funded by the Borough Council (a good turn-out for this being needed), and the fast moving changes at the County Council (and Districts) following the publication of the Government's Inspection report (a unitary structure now seeming most likely).

Cllr Smith-Haynes then also touched upon the County Council changes in her report that followed, members noting the Chief Executive had agreed to leave only today with an interim appointed, the Leader had also now resigned with interim arrangements in place, there was likely to be a number of extraordinary meeting occurring prior to the annual council meeting in May. Cllr Smith-Haynes confirmed she supported the likely move to a unitary model and preferred to think this represented a good opportunity for improvement across the board. Meanwhile business as normal would continue until the Government decided upon whether its interventions would include the appointment of commissioners to take control.

Cllr Mrs Bull asked whether the substantial changes occurring would require parish and town councils to assume greater responsibilities and it was agreed this was most likely the case; the meeting being of the view this itself could be a cause of problems if the requisite support and training was not put in place to enable this.

Borough Cllr Hakewill then mentioned the major DB Symmetry planning application

affecting Isham and noted that a request had been made by Pytchley Parish Council for comments to be submitted by Broughton. It was agreed the potential impacts of this application on local traffic movements were significant and complex; if time allowed, a presentation to affected parishes could be useful to assist in understanding these.

After dealing with questions, Cllr Hakewill left the meeting at 7:40pm.

18/7762

MATTERS ARISING. Arising from the ongoing process of updating the council's banking mandates, it was noted that Barclays Bank PLC were asking for two forms of ID in order to update records; one to show address details.

Arising from the suggestion recently made by Cllr Wyeth that the Parish Council active mark the centenary of the end of WW1 hostilities, the Chair advised of the existence of the 'There But Not There' initiative and provided details of a related website. It was agreed to include this as an agenda item for the April meeting in order to consider possible participation.

Arising in respect of the Old Willows planning compliance issues, the fact of caravans being advertised for open-market rental had been acknowledged by the Borough Council, which was investigating.

Arising from the recent input to the consultation conducted by the Borough Council in connection with the new Green Infrastructure Delivery Plan, the Chair reported that the draft plan had now been published and would be considered by the Planning Policy Committee later this month. Suggestions advanced by the Parish Council had been included in the draft, which was encouraging.

Arising in connection with the High Street recreation ground project, the Chair reported that orders had now been placed for the supply and installation of the new equipment settled upon, and this should be delivered in May. Additionally, the equipment being retained would be given a refresh by the Borough Council alongside this new provision.

Arising from the activities of the new Youth Council, and in the absence of Cllr Wyeth, the Chair confirmed the initial meeting had resulted in a number of new ideas being captured that were, in particular, informing dialogue with the Village Hall Committee about possible future sports provision.

Arising in the matter of the fallen tree at Butts Lane, Cllr Shrive mentioned this was still present.

The meeting was adjourned at this juncture, at 8:00pm, to enable the Annual Meeting for Local Government Electors to be held.

The meeting was reconvened at 8:30pm following conclusion of the Annual Meeting for Local Government Electors.

18/7763

CORRESPONDENCE. The following items of correspondence were reported:

- a) A letter received from the Elections Manager, providing a copy of a public notice in respect of the casual vacancy resulting from the resignation of former Cllr White. Members noted the period in which a by-election might be claimed expires on 23 April 2018.
- b) A letter received in respect of that same casual vacancy, from Mr B Birkett of the village, expressing interest in being considered for co-option in the event an election was not called for.
- c) A communication received from a member of the public who was complaining about damage apparently caused to his motor car by a pothole. Members noted advice had been provided, directing the correspondent to the relevant Highways Authority contact. The Chair also indicated it was unlikely the incident had actually occurred in the parish.
- d) Publicity received from the County Council in respect of the immediate withdrawal of the mobile library service due to a combination of the condition of the library vehicle and the lack of resources now to underwrite repair and maintenance work.
- e) A circular letter from a supplier of interactive vehicle speed signs, providing details of their products. This was circulated.
- f) An email received from Pytchley Parish Council, advising of the DB Symmetry planning application in Isham parish. Members had considered this after being advised of the application and agreed that a representation be submitted confirming an objection to the application unless the full range of necessary mitigation measures were first provided (including A509 dualling through to Wellingborough, the provision of the Isham bypass, and associated improvements to the affected A14 and A43 nodes) before implementation of any development that might otherwise result in increased traffic loadings on local connector roads due to traffic displaced by congestion on those main routes. Members were firmly of the view that without those improvements, the existing main road network was simply incapable of dealing with the likely impacts resulting from this scheme and adverse effects would be serious for local villages.
- g) A letter from the Borough Council, confirming that the planning application relating to The Rickyard Suite at Isham Road, Pytchley, had now been withdrawn by the applicant.

18/7764

REPORTS OF MEMBERS ATTENDING MEETINGS OF OTHER BODIES.
No reports were submitted to this meeting.

18/7765

POLICING. No police attendance occurred at this meeting. Members noted a report

from the Street Watch co-ordinator had been circulated that detailed a number of issues that had been brought to the attention of those involved in the scheme.

18/7766

DEVELOPMENT CONTROL.

Planning applications submitted for comment:-

The following application was considered and it was agreed that no observations need be made:

1 Brookhaven PVCu window/door replacing Mr MacFarlane

The following application was considered and it was agreed to object to the proposal on the basis that:

- Previous application 2017/0081 refused – no material changes
- Highways objection to 2017/0081 – no material change
- The site is beyond the village boundary so contrary to JCS policies 1,11,13,29
- Broughton Village is identified as a rural village in the JCS. Housing that is surplus to and not responding to locally identified should be directed to a higher level settlement.
- The High Street is critically balanced for the viability of its commercial premises and residential premises and the village one way traffic flow. Additional housing in this location severely impacts not just this area but would contribute to considerable harm for the whole village traffic management flow so is contrary to paragraph 32 of the NPPF.
- Bentham Close is situated at a massed bottleneck: Church Street exits on to the High Street just opposite, the High Street traffic management throttle is situated within 10 metres and Ashbrook Close exit is within 5 metres of Bentham Close exit. The traffic flow at this point has been measured at an average per day of more than 5,300 (traffic survey undertaken to support Neighbourhood Plan). Additionally, the first house in Bentham Close does not have any existing provision for off road parking at all.
- Planning permission has been granted for a new dwelling at the junction of Bentham Close and High St which will contribute to the additional vehicle movements
- Proposal will urbanise the setting of the village to the west and have an adverse impact on the Conservation Area and surrounding environment. This is contrary to JCS policy 2, 8d and NPPF chapters 7 & 12
- Northamptonshire Parking Standards require:
For a 3 bed property: 2 x on plot parking places + 1 visitor space in the development (3 for this application).
For a 4 bed property: 3 x on plot parking places + 1 visitor space in the development (7 for this application).
Carriageways must be wide enough to accommodate 2 lanes of traffic in addition to parked cars.
This development does not appear to demonstrate this level of parking provision.
- This site was discounted as a development site during the Local Plan 2 assessment.

- This site is not included in the Neighbourhood Plan which is undergoing formal examination as it had been discounted for the Local Plan 2 and had previously been refused planning permission on Highways grounds.
- Required visibility splays cannot be achieved now a property is under construction at the junction of Bentham Close and High St.

Land off Bentham Close Outline for 10 dwellings Mr Krajewski

The following amended application was considered and it was resolved to maintain the objection submitted on 23 January 2018 for reasons that:

The amended plans now consulted upon do not overcome the negative land-use planning considerations that have been described at length previously and also seem to indicate the application continues to be mal-administered.

Notwithstanding the red-line for the application now extends around the previously developed area, it remains the case that the application description expressly contemplates development only comprising '*to accommodate 2 no. static caravans, 2 no. touring caravans, parking for four cars with play area, and associated hardstanding on an existing gypsy site*'. That is the most development that can be permitted by the LPA and, to the extent that any of the existing development within the red-line area is unconsented, this application description does not encompass it.

The application is not, in fact, even framed as a retrospective application made under Section 73A of the Act so the LPA has no lawful vires in any event to permit development already existing in response, if outside control currently. For reasons already explained, the intensification of development in this location by adding two further residential pitches is simply unacceptable.

In respect of the existing pitches, the LPA has previously confirmed permission KET/2014/0695 has not been implemented. That permission is subject to 3 pre-occupation conditions that are believed never to have been discharged; if this is incorrect, details of the formal discharge of conditions 3, 5, and 7 and evidence of when that discharge occurred and the confirmations issued should be furnished.

If the conditions have not been formally discharged, given the siting and residential occupation of the 6 pitches envisaged has occurred as matter of fact, it is now impossible to satisfy the conditions-precedent imposed by the LPA and the permission will, on its 3rd anniversary legally expire without lawful implementation. It is a fiction to pretend that situation can be regularised by the current application however the red line is drawn.

The only enlivened permission for the siting and residential occupation of caravans relating to the red-line area is believed to be that granted under KET/2011/0363, which was properly administered under Section 73A on a retrospective basis. Condition 2 of this expressly limits the number of caravans permitted on the site to be no more than 6, with only 3 of these being residential mobile homes. To the extent caravans in excess of this limitation exist on the site, they represent uncontrolled

development that is attracting immunity from enforcement and will be immune after the expiry of 10 years from the date of the unauthorised use they represent commencing; this is getting ever closer. Acquisition of immunity can and should be arrested by the service of an enforcement notice whilst sufficient time remains.

Notwithstanding the LPA has already determined residential caravan based development of this site at the intensity apparently now proposed is inappropriate and unacceptable for the reasons previously rehearsed when KET/2014/0695 was determined and that remain just as valid, if the applicant is determined to pursue this course, then the correct mechanism is by the means of making a combined Section 73A and full application for the entire site. This will enable the LPA to properly consult upon, assess, and determine the combined land-use impacts of the totality of the development, both retrospective and proposed; and to control these by imposing appropriate conditions including as to the number and nature of units being permitted if some currently unascertained change in policy or material considerations is assessed as existing.

The current application cannot lawfully regularise existing breaches, cannot lawfully provide the applicant with what he desires, nor lawfully enable the LPA to regain proper control of the development however; it should accordingly be refused.

The Old Willows 8 pitches on Gypsy caravan site Mr Rooney

Planning decisions notified:

The following decisions had been notified, being approvals subject to conditions:

15 Donaldson Avenue	Rear and side extensions	Mr Waring
35 Wellingborough Road	New dwelling	Mr Marston

18/7767

FINANCE. The following items of income and expenditure were noted/agreed:-

Income		£
KBC	Grant for High St Recreation ground	2,500.00

Expenditure		£
Zen internet	Web domain renewal (direct debit)	5.99
Barclays Bank PLC	Commission (direct debit)	2.00
Broughton PF&VHA	Room hire (direct debit)	10.20
GA Duthie	Salary and WP (101808)	259.15
HMRC	Income tax (101809)	142.43
GA Duthie	Electric and telephone exps (101810)	43.95
NACRE	Membership renewal (101811)	35.00

Bank balances **£**

As at 9 March, the Parish Council had to its credit the following sums (less the payments above):

Community account	23,040.73
Deposit account	11,445.82

18/7768 **HIGH STREET RECREATION GROUND.** This had been dealt with earlier in the meeting.

18/7769 **NEIGHBOURHOOD PLAN.** Cllr Mrs Bull reported that the Inspector was shortly due to report initial informal conclusions on the plan and, once this was to hand, a meeting with Kettering Borough Council would occur to consider the same.

18/7770 **GENERAL INTEREST ITEMS.**
Cllr Baxter mentioned a defective street light at Grange Road (the first one).

Cllr Baxter expressed appreciation to the KBC operatives who had carried out the recent tidy up of the Kettering Road verge, which was very welcome.

18/7771 **DATE OF NEXT MEETING.** It was reported that the next scheduled meeting of the Parish Council, would be on Wednesday 18 April 2018, at 7:00pm in the Village Hall.

18/7772 **URGENT ITEMS ADMITTED BY THE CHAIR.** None were raised and the meeting was duly closed at 9:12pm.

18 April 2018

Signed.....