



Brixworth Parish Council

Minutes of the Brixworth Planning Committee Meeting

Monday 12th August 2024 at 7.30pm

Community Centre & Library, Spratton Road, Brixworth NN6 9DS

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| In attendance: | Councillor Tom Mitchell (Chair), Councillor Frances Peacock (Vice Chair), Councillor Ian Barratt, Councillor Barbara Lunnon & Councillor Christine Ware |
| Absent: | Councillor Gary Spratt and Councillor James Collyer |
| Clerical Support: | Gavin Kirkup |
| Members of Public: | 5 |

PART ONE – OPENING PROCEDURES

| 24/055 | Welcome by Chairman Councillor Mitchell welcomed everyone to the Planning Committee meeting and advised attendees of the evacuation procedures and that the meeting was being recorded. | - | | | | | | | | | |
|--------------------|---|-----------------|--------------------|----------|------------------|---------|----------|--------------------|---------|----------|--|
| 24/056 | Apologies for absence and acceptance of apologies for absence The following apologies and reasons for absence were received as follows: <table border="1" data-bbox="204 1173 1356 1301"> <thead> <tr> <th>Councillor Name</th> <th>Reason for Absence</th> <th>Approval</th> </tr> </thead> <tbody> <tr> <td>Cllr Gary Spratt</td> <td>Illness</td> <td>Approved</td> </tr> <tr> <td>Cllr James Collyer</td> <td>Holiday</td> <td>Approved</td> </tr> </tbody> </table> | Councillor Name | Reason for Absence | Approval | Cllr Gary Spratt | Illness | Approved | Cllr James Collyer | Holiday | Approved | |
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| Cllr Gary Spratt | Illness | Approved | | | | | | | | | |
| Cllr James Collyer | Holiday | Approved | | | | | | | | | |
| 24/057 | Declarations of Interest a) There were no declarations of any disclosable pecuniary or other interests reported. b) There were no dispensations or written requests for dispensation of DPI to consider. | | | | | | | | | | |
| 24/058 | Agree and Sign the Minutes of Previous Meeting All present RESOLVED to the Chairman, Cllr Mitchell, APPROVING the Planning Committee Meeting Minutes of 22nd July 2024 as a true and accurate record. Prop. Cllr. Lunnon. Sec. Cllr. Mitchell. Unanimous. | Paper A | | | | | | | | | |
| 24/059 | Public Open Forum Session Bob Peacock, his wife and daughter had attended with interest in the Sunshine Farm application. Mr Peacock spoke with passion. Change for special needs individuals is traumatic and dramatic. The concept of the Sunshine Farm bungalows will go a long way to solve this. His daughter, Nicola, was one of the first clients and has had 18 wonderful years of contentment with truly wonderful caring staff. He asked what would | - | | | | | | | | | |

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Initialed:



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| | <p>it be like staying in these bungalows, and gave his insights having stayed in one for 6 months. Nicola was so happy and contented, like home from home. Mr Peacock hoped the Planning Committee could agree the concept and the execution of these plans can only be a good much needed solution for those in the greatest of need.</p> <p>Cllr Barratt confirmed it was a variation of the conditions the committee were to consider, not whether they should be there or not.</p> <p>John Hunt from Spratton was present. He had concerns over removal of trees on Victors Barns development site. With the 7 cottages that have been built there so far, the owner is of the opinion that he planted the trees and so is entitled to remove them. This would be a tragic loss to the natural landscape and the trees themselves. Mr Hunt was also interested in relation to the septic tank, he felt it seemed quite close to what will be a mini conervation there and had concerns about how the proposed planned facility would cope with the likely demand on it.</p> <p>Cllr Mitchell thanked the public members for speaking.</p> | |
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PART TWO – FOR DECISION

| | Ref Number | Application Description | Location |
|---------------|-------------------------------|---|--------------------------------------|
| 24/060 | 2024/3644/TCA | Full removal. Growing through native broadleaf trees - 3 x Leylandii Trees Pine Tree. Full removal 1 x Pine Tree Removal branches from 1 x Ash Tree | Antryn 1A Froghall Brixworth NN6 9DH |

DEFFERRED as the documents on the portal are incorrect. This application will be considered at the meeting of 2nd September. Extension confirmed by Michael Venton.

| | Ref Number | Application Description | Location |
|---------------|-------------------------------|--|---|
| 24/061 | 2024/3566/S73 | Variation of condition 1 (approved plans), condition 2 (materials), condition 4 (occupation of units) of WND/2021/0894 (Removal of Conditions 5, 6 & 7 of planning permission DA/2016/1009 relating to hours of extra care, keeping a register of occupants and use as staff accommodation.) to suite a reconfigured layout and to align site 2 with site 1. Removal of condition 6 (staff accommodation), 7 (management accommodation), and 10 (travel plan) through the submission of required information to discharge conditions | Sunshine Farm Holcot Road Brixworth NN6 9BN |

Cllr Mitchell gave a background summary on the application description. In his opinion, the purpose of the application was relating to funding rather than use. At present time these are classed as respite care facilities, not residential. If you have planning consent for a specific use, it gets developed for, and used for a specific use. If there is a requirement to change later due to change of circumstance, it is not unusual to submit a change of use rather than the change of

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condition. At the moment we have respite care with specific needs, if this use is taken away and put to another use, in his opinion it becomes a change of use to residential accommodation, with the potential to end up with 5 houses in the countryside, rather than restricted to specific use.

Cllr Barratt was of the strong opinion to oppose the changes as the clause allows the houses to be lived in by those residing there without any care need should they not need the 2-hour care after a resident who is in need of the care departs from it. This could be described as 'bed locking', and resulting in the property potentially being made unavailable to be used by someone who may need it. He felt these exceptional properties for exceptional users had the potential to become standard houses, which is not what they were designed for.

Cllr Mitchell was concerned that this suggests a departure from its original concept for funding purposes. Funding issues should not be a planning issue. One of the arguments in the covering letter is the resale of the property, 'condition 2 makes it impossible to repurchase due to the lack of clarity on who can stay there and is too vague for mortgage lenders to commit'. In his opinion the original planning application and decision went through a robust process to check conditions, was legal and testable under law. It is respite care and the fact lenders may have issue is not necessarily an overriding situation making it a departure from the original concept.

Cllr Ware expressed empathy for Mr Peacock's situation. She felt that if you take the person out of the situation, she could understand the point of view of Cllr Mitchell and the point of view it could become residential by default. Cllr Ware questioned if the application was appropriate to meet the needs of the people and meet the confines of the planning condition.

Cllr Mitchell summarised that condition 4 sets the tone that this is respite care and can only be used for this specific purpose. If you take away this specific purpose, it becomes a residential unit. Currently, it is classified as C2, not C3 residential. In his view, this condition is robust and makes clear what this service is for, regardless of any funding issues.

Cllr Lunnon thanked the members of the public for attending and humanising the application in a way that the covering letter did not. She thanked them for sharing their situation.

Cllr Barratt expressed his opinion that this was an exceptional organisation, permission given with exceptional reasons. We have many people that can benefit. His concerns were if one of the cared for people moves on, there could be a block of time, 30 years or more, when the people living there have a right of tenancy, and someone else deprived of these facilities. These must be for exception people, not broadened out to an every-day living facility.

The Planning Committee **RESOLVED** to **NOT SUPPORT** the application. We have no specific objection to condition 1 and 2 of WND 2021/0894 but would not support a removal or variation of condition 4 of WND 2021/0894 and would accept that conditions 6, 7 and 10 are varied as a consequence of previous planning history.

Prop. Cllr Mitchell. Sec. Cllr. Barratt. Unanimous.

| | REF NUMBER | APPLICATION DESCRIPTION | LOCATION |
|--------|-------------------------------|---|---|
| 24/062 | 2024/3565/S73 | Variation of condition 2 (number of hours of care) of planning permission reference WND/2022/0634 (Variation of Condition 4 of planning permission DA/2012/0477 to allow the units to be used for | Sunshine Farm Holcot Road Brixworth NN6 9BN |

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| | | extra care accommodation in line with the authorised use of the wider site.) to enable development finance and security for perspective purchasers | |
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The Planning Committee **RESOLVED** to **NOT SUPPORT** this application.

Cllr Mitchell noted condition number 2 of WND/2022/0634 is a carbon copy of condition no 4 of the previous application, WND/2021/0894 which the Planning Committee has already voted not to support. By default the Planning Committee would not be able to support the application to vary or remove condition number 2.

Prop. Cllr. Mitchell. Sec. Cllr. Peacock. Unanimous.

| | Ref Number | Application Description | Location |
|---------------|-------------------------------|--|---|
| 24/063 | 2024/3531/MAF | Installation of private treatment plant (foul water) to serve 60 bed nursing home and 25 No. 'close care' apartments approved under planning permission DA/2018/1046 | Victors Barn Northampton Road Brixworth NN6 9DQ |

Cllr Mitchel noted consent for the 60-bed nursing home is still pending. Part of the submission for the Brixworth Centre provided a lengthy description on infrastructure and making connections on a foul drainage system from the Brixworth Centre to the foul treatments works, which motioned any works needed the applicant would do.

NFBC guidelines state that with any sewage plant, there should be details for access and the maintenance routine. They need vehicular access and related infrastructure. There is no detail that supports the maintenance and running of this proposed facility. In his opinion, Cllr Mitchell felt there is inadequate information and the design is incomplete.

Cllr Barratt described the difficulty he had in finding out what a bio-disc sewage treatment system was. He raised concerns over the potential for odour. Mr Hunt, a member of the public who was present, shared these concerns considering the proximity to houses.

Cllr Mitchell felt there was no 'joined up, foul drainage strategy' as stated in the Brixworth Service Centre report.. There was nothing in this application considering the ongoing maintenance regime of the unit therefore the application is inadequate. It would require ongoing maintenance and sampling, details of which are not present in the application.

Cllr Barratt felt there may be an alternative, better option, which could cost more. He did not feel he had enough information and the plan appeared to be incomplete.

The Planning Committee **RESOLVED** to **NOT SUPPORT** the application. Does not represent or provide a 'joined up, foul drainage strategy' in line with the current and ongoing proposal 'that serves all the development proposals' on this site.

Prop. Cllr. Mitchell. Sec. Cllr. Peacock. Unanimous.

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| 24/064 | Any Other Business 22 nd of July 2024 Meeting |
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The Planning Committee **RESOLVED** to ratify the decision it made under Any Other Business at the meeting of the 22nd of July 2024 as follows:

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“The Planning Committee Support and accept the final version of the Housing Needs Survey document and it should be further recommended to Full Council to accept it.”

Prop. Cllr. Lunnon. Sec. Cllr. Ware. Unanimous.

PART THREE – FOR INFORMATION

24/065

Any other business

- Circulated NALC email of 8th August details some planning seminars. Local Transport Briefing Plan 5th September. 25th September, The Planning Process. Cllr Mitchell has signed up to the training session on the 25th of September.
- WND/2024/1348/LDP – The application was a class Q application which not seen by the PC. 56 days elapsed without a WNC decision and Frampton’s submitted a lawful development application. This has not come across the BPC Planning Committee for comment at any time. WNC Cllr Harris suggested writing to the planning officer to ask why there were no consultees for this planning application. Cllr Mitchell motioned he would draft a letter to WNC asking why we have been denied the opportunity to comment.
- TPOS on trees down the entrance to the vineyard and the Brampton Valley Way trees. There is a TPO process flow chart on the planning portal on TPO procedures, which will be circulated and further discussed at the next planning meeting.

PART FOUR – CLOSING PROCEDURES

24/066

Next Ordinary Meeting

- 1) Next agenda – Review process flow chart for TPO Trees.
- 2) All present NOTED the date of the next Planning Committee Meeting on Monday 2nd September 2024.

In the absence of further business, the meeting was closed in full at 20:41pm.

Signed as a true and accurate record:

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Cllr Tom Mitchell - Chairman
Brixworth Parish Council

Date: 2nd September 2024

Minutes Prepared By:

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