

BOUGHTON PARISH COUNCIL
MINUTES OF EXTRA-ORDINARY MEETING (PLANNING RELATED)

Date: Wednesday 14th December 2011 **Time:** 7.30pm
Venue: Boughton Village Hall **Clerk:** Gordon Poole

Minute Agenda Item/Outcome

743 Record Attendance, Apologies, Absence

Council: **Attendance:**
Cllr Mr J Clarke (**Chairman**) Cllr Mr J Parker Cllr Mr R Wilson
Cllr Mrs A Davison Cllr Mr K Greatorex Cllr Mrs J Shephard
Cllr Mr S Potter
Apologies for absence:
Cllrs Mrs G Kingston Cllr Mr R Greener
Absence:
None

Invitees: DCllr Mr J Shephard

Public: Michael Stead (FOBA Action Group) 1 representative from Brixworth PC
Angela Bartlett (WASPRA Action Group) 2 residents from Kingsthorpe
6 Boughton residents 1 resident from Whitehills

744 Record any Declarations of Interest on subjects included on this agenda:

Cllr Potter declared a personal/prejudicial interest with regard to application in agenda item 749(2) below.

745 Chairman to summarise the current situation to-date with regard to BPC's challenge to the decisions on Buckton Fields applications (DA/2008/0500 & DA/2011/0666 – granted on 20/10/2011) and the way decisions were reached.

Particularly to include:

1. Background and situation to-date

Following the two decisions taken by DDC's Planning Committee on 20/10/2011, advice and discussions have taken place with a Planning Consultant and Legal Counsel to help BPC determine what course of action seems appropriate to successfully challenge the decisions and the way they were reached.

In summary, the decisions were stated as:

DA/2011/0666 (Buckton Fields overall application)

Minded to Grant (Subject to a 106 agreement and removal of Highways Agency 'holding' agreement)

DA/2008/0500 (Buckton Fields East - Phase 1 of the overall application)

Granted (Subject to a 106 agreement, particularly including the location of a Primary School)

To-date there has been no formal determination/issue of decision notices due to the Planning Committee resolving that various matters should be satisfactorily completed beforehand; this seems questionable.

2. Planning and Legal advice received to-date

A summary of received advice to-date was reported to attendees who accepted the Chairman's request for this to be kept confidential whilst further actions were being determined; in addition, item 747 on the agenda will be declared as 'confidential' to not involve the public, press or a published minute.

Invoiced cost of the service to-date is £2,477.20; Cllr Greatorex proposed this be paid, Cllr Wilson seconded and the motion was carried.

3. Outcome of motions put to NCC & DDC full Council meetings on 08/12/2011

Motion to NCC recommending no sale of their land to the developer

The Chairman spoke at the meeting in support of the motion.

Full Council resolved for Cabinet to consider the matter and resolve on it.

Motion to DDC re approval of a 106 agreement within 6months; if not, to re-consider the decisions

Withdrawn due to obtaining Committee/Officers agreement to the motion out of a full Council meeting.

4. Objective(s) being pursued (Subject to Professional and Legal Advice):

- To challenge the basis of decisions and the way they were reached.
- To remove Buckton Fields East as a separate application.
- To reverse the decisions

746 Conduct a Public Session with a time limit determined by the Chairman:

Following the Chairman's summary of the situation to-date, open discussion between Council and public took place. There was general support for the approach being taken and the objectives being pursued. In particular, the following were some points expressed:

01. Challenges to be identified as reasonable and based on evidence to prove a case.
02. Public and Council to be consulted on the difficult 106 agreements before their finalisation.
03. Council to request the developer to provide detail on traffic calming measures in villages.
04. Be assured that NCC and DDC Officers are acting independently of the developer.
05. BCAL letter commissioned by DDC is not considered to be robust or a NCC Highways report.
06. Why have DDC accepted a separate application for phase 1 of the overall application.
07. Consider doing some traffic surveys by those who have done such in the past.
08. Question why the applications have been submitted before acquiring the land.
09. Consider contributions into BPC's legal reserves.
10. Particularly endeavour to stop Buckton Fields East development being started independently.

747 Resolve on next actions and control over professional advice and any other costs:

The Chairman proposed that pursuant to section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 it is resolved that, because of the confidential nature of the business to be transacted, the public and the press (excluding District Councillor) leave the meeting during this item on the agenda due to resolving on matters associated with the early stages of a dispute and preparation of cases in legal proceedings. Cllr Parker seconded and the motion was carried. All attending public left the meeting.

Confidential meeting comprising Councillors and District Councillor as recorded in agenda item 743 above.

The meeting was re-opened to the Public and Press. There were no attendees.

748 Resolve on other planning applications due for response before next normal BPC meeting:

1. DA/2011/0926 Conversion of cart sheds to form a new dwelling at Ashley House, Humfrey Lane

It was resolved to submit a response of NO OBJECTIONS subject to appropriate materials being used, stone to match existing and roof windows to be appropriate, unobtrusive and of a sympathetic material.

2. DA/2011/0954 Sub-division of a dwelling to form two dwellings at 1 Moulton Lane

In the absence of Cllr Potter (Reference item 744 above) it was resolved to SUPPORT the application.

3. Comment on DA/2011/0862 for side extension at 29 Moulton Ln (BPC submitted NO OBJECTION)

Notice has been received that Case Officer is recommending REFUSAL to Planning Committee tonight.

749 Confirm next normal Council meeting to be held on 09/01/2012:

It was confirmed for the next meeting to be held on the above date in Boughton Village Hall at 7.30pm.

750 Close meeting:

The meeting was closed at 9.20pm

THESE MINUTES WERE ACCEPTED BY COUNCIL AT ITS MEETING ON 09/01/2012 (MINUTE _____)

Chairman/Date:.....