

Application no. NK/2023/0736

Birchfield Springs, Desborough Road, Rushton, NN14 2QN

Response Statement by Rushton Parish Council Planning sub-committee for and on behalf of Rushton Parish Council.

This response reflects comments gathered at a previously advertised public meeting of Rushton Parish Council's Planning Sub-Committee held at 7.00pm on 17/10/2024 in Rushton Village Hall.

Rushton Parish Council (RPC) hereby objects to the application, and in so doing supports the response made by Desborough Town Council (DTC) by email of 24 January 2024. Furthermore, RPC requests that this application is called in for consideration by full planning committee, and not dealt with under delegated powers, noting that the advice of planning officers to the original 2010 application for a similar development was to reject the application. In objecting to the application, RPC make the following points:

1. This is a sensitive site, and allegations have in the past been made that commercial activities have taken place giving rise to considerable unauthorised HGV and other traffic movements causing environmental impact, disturbance and annoyance to residents of Desborough, Pipewell and, to a lesser extent, Rushton, and to other local road users. Whilst RPC would ideally like the owners of the site to be compelled to restore it to its original undeveloped condition, RPC acknowledges that without strictly enforced conditions this might cause a repeat of the nuisances of recent years in generating even more traffic flow.
2. RPC notes that the proposal does not comply with a number of relevant planning policies as set out in the NNC Joint Core Strategy 2011-2031 and as succinctly referenced in the January 2024 response of DTC. In terms of planning policy compliance RPC would particularly highlight that the proposal does not meet the policy presumptions for Sustainable Development (Policy1), the lack of evidence of locally arising need for the proposal (Policy 11), and that the proposal does not respect the environment quality or character of the rural area in which it sits (Policy 25).
3. The proposal includes the creation of a 'Function Room'. It is noted that this has been constructed with the external appearance of a dwelling and the interior capable of easy conversion for residential use and is significantly larger than would be expected to satisfy the stated need of: *'an ancillary facility to the fishing lakes, to be used by customers for welfare (toilets, changing, refreshments etc) and tasks associated with fishing (weighing, prep and gutting etc)'*. This would appear superfluous to the requirements of a fishing facility, and its proposed size relative to the proposed development is inappropriate, as are the inclusion of 'bar' and kitchen facilities.

The application refers to a change to the residential use on the site. This is misleading, as there is currently no planning permission for residential use on the site. The site plans for existing and proposed amenities, attached to the application do not show any residential building.

4. The application does not give any details as to how the proposed fishing enterprise is to be operated. More detail is required as to for instance whether it is to be a private members facility or open to the general public; are live fish going to be sold on to other sites?

5. The proposals for dealing with traffic are insufficient. Desborough Road which adjoins the site is winding and has numerous blind dips, particularly where access to the site is envisaged. This would create a hazard for existing road users and for visitors to the site alike. The proposed number of parking spaces (54) suggests the creation of at least a hundred new vehicle movements per day. The application does not detail how much traffic the activity or any related construction will generate. Nor does it demonstrate how the required access standards can be met by the existing access points. The application also fails to address a number of vehicle-related issues such as the requirements for disabled access, electric vehicle charging points, cycle and pedestrian access.
6. RPC are not aware of any formal approval having been given for the existing entrance gateway structures, and considers these to be out of keeping and inappropriate for a rural setting.
7. The application is silent as to the number of employees the proposed activity will require. This may add significantly to the daily vehicle movements. Additionally, there is no mention of any requirements for 24 hour presence on site for security purposes, which might lead to a future requirement for residential user.
8. If NNC decides to approve this application we would request that the following conditions be imposed:
 - 8.1 Strict limits on the number and size of any vehicles (Max 7.5 T) accessing the site during any construction phase and thereafter, and a stipulation against the storage of such vehicles and heavy plant machinery on the site at any time. Additionally, the repair and maintenance of such vehicles and machinery on the site is prohibited.
 - 8.2 The applicant needs to demonstrate compliance with visibility and access standards for access points onto the public highway, and that these are met to the approval of Highways before further development or commercial use of the site is permitted. NNC should consider imposing requirements for access lanes to both entrances to reduce the hazard created by vehicles turning onto the site. Additionally, the existing entrance gateways should be replaced with structures more suited to a rural setting, and approved by the planning authority.
 - 8.3 That consideration be given to reducing the size of the proposed Facilities building (acknowledging that it has already been constructed), and that strict user conditions for the building are imposed and enforced, limiting its use to fishing-related activity only, and prohibiting any use for external functions.
 - 8.4 A stipulation against any residential use on the site, and strict enforcement of any breach currently existing or in the future. The applicant needs to clarify all references to residential user in the current application as these are misleading as framed.
 - 8.5 RPC is not satisfied that adequate protection of the environment from leaching from any materials brought onto the site previously has been considered or accommodated. Further inspection and reporting is required in this respect, to the satisfaction of relevant authorities. Further, the applicant needs to submit and have approved a scheme of works for dealing with any such contamination.
 - 8.6 The applicants be required to submit an independent structural survey of the existing (and any further proposed) water retention structures, to ensure against leakage and possible flooding due to structural breaches, to be approved by relevant authorities

before commercial activity is allowed to commence. The applicants be required additionally to submit, for approval by relevant authorities, details for how water leakage and flooding breaches are to be managed.

- 8.7 To avoid unnecessary ongoing and open-ended nuisance to local residents, that NNC consider imposing a time-limit on further development work on the site. As this site has allegedly been under construction since 2010, we request that a time limit of 6 months from date of approval is imposed and enforced. Additionally, NNC should impose reasonable hours of working whilst any further development work is undertaken.