



BARBY & ONLEY PARISH COUNCIL NORTHAMPTONSHIRE

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Mr E McDowell
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18th Jan 2022

Dear Eamon,

re: WND/2021/0767 Barby Sporting Club, Barby Lane, Barby.

Proposed extensions to and remodelling of the existing clubhouse; alterations to the existing car park and provision of additional car parking to the north of the clubhouse; demolition of existing agricultural building and construction of additional earth bunds to the east of the existing bunds with associated landscaping and other ancillary works including shooting shelters and 4.5m high towers. Shooting operations only to be during the following hours and days; Monday, 0900-1800hrs, Tuesday, Thursday and Saturday 0900 – 1800 hrs; Wednesday and Friday 0900-2100hrs; and no Sundays.

Barby & Onley Parish Council **OBJECT** to application WND/2021/0767

This application deals with three different matters:-

- a) Extension and remodelling of the existing clubhouse, alterations to the car part to provide additional car parking and demolition of existing agricultural buildings. Construction of 4.5m towers and **retrospective** permission for shooting shelters.

Whilst the Parish Council and local community has no particular objection to any extension to the club house, there are concerns that the local road network is in very poor condition which will be exacerbated by additional traffic.

The Parish Council do not support any retrospective planning application.

- b) Building of Bunding.

The Parish Council **object** to any further bunding or importation of soil/waste onto the site as the applicants own report cannot prove that there is any need for additional bunding.

Any additional bunding will have zero effect on reducing gun noise for the residents of Barby.

The report commissioned by Cass Allen, Noise and Vibration Engineers, on behalf of Cadman Sporting states that bunding is not deemed necessary

“Alterations and extensions to the barriers were investigated using the noise model. The results of the investigation were that the existing barriers already provide a significant level of noise mitigation. Any alterations to the height/ extent etc. of the existing bunds made little difference and as such it is considered that the existing bund network is well designed in line with the CIEH Guidance.”

Bunding as proposed, will require 26,500 HGV loads and shall not exceed 130 deliveries (260 movements) in one day. This number of Heavy Goods Vehicles would be at major cost to the local highway infrastructure.

The applicants state that they are willing to enter into a s59 agreement to repair any damage to the highway, however this agreement has already been proven to be unenforceable, since the previous owners of Barby Sporting Club entered into a s59 agreement associated with application DA/2008/0724 and did not repair the significant damage done to the road network as a result of the import of material to form the current bunding already in place.

It is stated within the application that it is expected that construction of further bunding will take place over a 2 year period. The Parish Council request that should the Planning Committee be minded to grant this application that a fixed end date for construction is included within the conditions, and that traffic lights are erected on Barby Lane canal bridge which is too narrow to allow two HGVs to pass at any one time.

All conditions placed upon previous application DA/2008/0724 to be reiterated.

c) Noise Nuisance

The Parish Council **object** to any extension at all of shooting hours.

Previous applications to extend the shooting hours at the site have been refused. In addition this application post dates permission DA/2020/0469 allowing residential accommodation for 7 families at The Cavans opposite the site, and DA/2019/0836 Construction of 2 detached dwellings in place of derelict bungalows on Manor Works site, close to the Sporting Club on Barby Lane. Any additional noise will now impact more local residents than previously.

The report carried out by Cass Allen, Acoustic Consultants, is, in our opinion seriously flawed as it has treated noise levels of 67 dBs as “acceptable”. CIEH guidance states 55-65dB as being an acceptable limit.

The Environmental Protection Act 1990 s79(1)(g) states that *noise which is the cause of a complaint must be (or is likely to be) either detrimental to a person’s health and/or it is interfering (or is likely to interfere) with a person’s own enjoyment of their own property and land.*

The Cass Allen report makes a statement that *if operations are acceptable on one day, then they will also be acceptable on another day with similar noise levels* This amateur assessment is completely inaccurate as backed up by the large amount of correspondence received.

Barby & Onley Parish Council has received 25 emails raising concerns over noise nuisance associated with the current shooting arrangements which interfere with the enjoyment of homes and gardens, but which is tolerated as it only takes place on Wednesday and Saturdays. All correspondents, and the 17 members of the public who attended the Parish Council meeting are all very concerned and do not wish to see any extension to the shooting hours what-so-ever.

We also received 4 emails from residents stating that they could not hear any significant noise associated with shooting from their address and welcomed expansion of the facility.

Monitoring of noise levels was not carried out near any residential property, so cannot provide a view on noise impact for local residents.

The noise report infers that background noise from the M45 is already at such a level that gun fire will not be significant, however a constant background rumble of traffic is a very different type of noise to distinct gunfire. Both residents and their pets find gunfire very intrusive and disturbing.

The monitoring results recorded maximum noise levels of 68dB towards Danetre Farm, Nortoft Lane, 86 dB on Barby Lane near the residential area know as “The Cavans” and 92 DB towards the two new residential properties adjacent to Manor Works on Barby lane. All these noise levels could be deemed as unacceptable and consisting a statutory nuisance.

We suggest a close examination of current noise levels by the Council Environmental Health Department under the Environmental Protection Act is required to provide an independent check.

This application is contrary to National Planning Policy Framework (2021) para 185 which states *that planning policies and decision should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the developments.*

In the Cadman's proposal "Assessment of Potential Landscape and Visual impact Statement" it describes Natural England National Character Area (NCA) as *"a predominately quiet rural landscape"*

This will fundamentally change should an extension to the shooting hours be permitted. This site is also situated in close proximity to the Oxford Canal conservation area.

This application is contrary to West Northants Joint Core Strategy Policy BN9 -Planning for Pollution Control which states

Proposals for new development which are likely to cause pollution or likely to result in exposure to sources of pollution or risks to safety will need to demonstrate that they provide opportunities to minimise and where possible reduce pollution issues that are a barrier to achieving sustainable development and healthy communities

Including: e) reducing the adverse impacts of noise.

Development that is likely to cause pollution, either individually or cumulatively, will only be permitted if measures can be implemented to minimise pollution to a level which provides a high standard of protection for health and environmental quality.

This application is contrary to West Northants Joint Core Strategy Policy S10 -Sustainable Development Principles which states that development will

e) be located where services and facilities can be easily accessed by walking, cycling or public transport;

l) protect, conserve and enhance the natural and built environment and heritage assets and their settings;

k) minimise pollution from noise, air and run off.

This application is contrary to BOPC Neighbourhood Plan Policy BO-GP1 (c) and (d)

All new development will be expected to enhance the positive attributes of the villages and local design features. Development will not be permitted where it has a detrimental impact on the character of the area in which it is located. All new development within the designated area will be assessed against the following criteria (c) Protects residential amenity; (d) Ensures safe and efficient operation of the existing transport and road infrastructure;

We urge you to reject this planning application,

Kind regards



Catherine Camp
Parish Clerk.