

Parish Council Minutes

September 2013

Thursday 5th September 2013, 7.30 pm, Sir John Moore Foundation
Community Building, Appleby Magna

Present: - Cllrs P Hemmerdinger (Chair), M Hemmerdinger, G Pott, R Butler, P Smith, Lindsay Swinfield Clerk, Jo Ling (RCC – Rural Community Council), housing developers, 13 members of the public, Mr Paul Cooper – AMCC.

13101 Apologies – Cllr D Wildgoose, apology accepted.

13102 Declarations of Pecuniary Interest to Items on Agenda – Nil

13103 Open forum for members of the public and press

Cllr P Hemmerdinger opened the public forum session by reiterating the expected behaviour of those attending the meeting.

Ms Jo Ling, Community Development Officer for the RCC attended the meeting to offer assistance with a new Village Design Statement (VDS). The VDS seems to be coming back to the forefront; Ms Ling asked how many new members the VDS committee had. A member of the VDS committee reported that a group of people had walked around the village to note changes since the last VDS was produced, and also asked if a member of the Parish Council could join the group. It was **RESOLVED**, unanimous, that Cllr Richard Butler would join the group.

Ms Ling stated that Mr Ian Nelson (NWLDC) is keen to support the group. Guidelines have to be linked into the local plan, but the core strategy has not been finalised yet. The original VDS is still relevant and can be referred to.

A member of the public asked what is involved in the production of a Neighbourhood Plan – this is a more expensive project, but does carry more weight. The Parish Council had conducted research into the Neighbourhood Plan, but at a minimum cost of £45k it was felt that this was not appropriate for a small Parish.

Ms Ling left the meeting.

Ms Liff (VDS and Appleby Environment) thanked the Parish Council for publishing the housing development working group notes. Ms Liff also requested that notes taken by members of the public at the August PC meeting be included with the PC minutes – this was refused, but it was suggested that the notes be included on the web site.

The housing development group gave a brief update on progress to date – they can see there is some considerable objection to the original number of houses planned, but are willing to compromise and to listen. Main concerns seem to be about the southern side development. One in five in the surveys show people are in favour of some development on the northern side, and the developers are looking to produce a new proposal which would be in keeping with the village; they also stated they are willing to donate to the Parish some open spaces, improved drainage etc. The feedback forms show a leaning towards smaller,

more affordable housing. The developers stated they are trying to strike a balance with the community.

Member of the public stated that the local plan and core strategy should be followed and not undermined, and there is concern that the core strategy only proposed 88 houses across the NWLDC area. Also the medical unit in Appleby Magna is closing and there is concern re sustainability, how will the Measham medical unit cope with an increase in residents before it is able to extend its facilities?

A few members of the public stated that not everyone in the village is against housing development, and that some people are nervous about publicly stating their opinions.

Ms Liff wished to comment on the outline planning application for Top Street – the area to be developed was agreed as having a sensitive status and is outside the area of permitted development.

A request for guidance re proposed housing developments in the village had been responded to by Christine Fisher (Chair of NWLDC), Cllr P Hemmerdinger read out the full response.

I refer to your e-mail of 20 August 2013 in respect of a query you received from Lindsay Swinfield in respect of possible future housing development in Appleby Magna.

In the District Council's emerging Core Strategy, Appleby Magna is one of a number of settlements identified as a 'Sustainable Village' where "small-scale housing and employment development will be permitted within the existing built-up area as defined by Limits to Development" (Policy CS7). Therefore, it is reasonable to expect that some development in Appleby Magna is, in terms of emerging policy, likely to be acceptable. However, the Core Strategy does not address the issue of how much development would be appropriate in any of the sustainable villages, as this will depend upon the scale of both the settlement and the development proposed. So for example, a development of say 20 houses (which would potentially equate to about 50 people) may be acceptable in a settlement of 500 people, but not one of 200 people.

However, the Core Strategy is not yet adopted and so little weight can be afforded to it. Furthermore, the Council has been advised by a Planning Inspector who has been appointed to consider whether the Core Strategy is acceptable or not, that the Council should withdraw the Core Strategy. If this happens it will be necessary to have regard to only the National Planning Policy Framework (NPPF) which sets out the Government's planning policies and the adopted Local Plan.

A particular issue at the present time is that following a recent appeal decision, the Council has been judged as not having a 5-year land supply as required by the NPPF. In these circumstances the NPPF states that "Relevant policies for the supply of housing should not be considered up-to-date ...".

This means that policies in the adopted Local Plan which restrict where housing development can take place have to be set aside. Therefore, whilst some of the sites currently being promoted around Appleby Magna are outside of the Limits to Development and hence contrary to the adopted Local Plan, the lack of a 5-year supply as required by the NPPF means that such policies carry no weight. Furthermore, other aspects of the NPPF could favour development in settlements such as Appleby Magna. For example, a key principle of the NPPF is that planning should "focus significant development in locations which are or can be made sustainable..." whilst in terms of rural areas it advises that "To

promote sustainable development in rural areas, housing should be located where it will enhance or maintain vitality of rural communities”.

On the basis of the scenario outlined in the e-mail from Lindsay Swinfield, a 75% increase in the number of people (or dwellings) would not, in my view, constitute small-scale in the context of the Core Strategy. However, the lack of weight which may be attributed to the Core Strategy (even if it is not withdrawn), coupled with the lack of a 5-year supply could, subject to other aspects of any proposal being acceptable (e.g. highways, design), make it difficult for the Council to refuse further applications.

I appreciate that I have not been able to provide a definitive answer to the question posed, but at the present I am unable to do so due to the considerable uncertainty that the Council finds itself in following the recent appeal decision and the Core Strategy Inspector's advice.

Public forum closed

13104 Minutes of the Parish Council meeting held on August 1st 2013 were endorsed and signed

13105 Decisions made under delegated powers – Nil

13106 Police / Neighbourhood Watch Matters

Please ring 0116 2222222 or 101 or Crimestoppers 0800 555 111 to report suspicious behaviour or crimes. Police Sergeant 531 Mark Watson, mark.watson@leicestershire.pnn.police.uk

An online report had been received from the Police:

1 x theft and 1 x damage to a motor vehicle, so far this year Appleby Magna has been one of the best in the area for less crime on the beat.

13107 Planning Consultations

a. Outline planning application for Top Street – no comment until official planning application is received from NWLDC. However, the Severn Trent sewage report shows that the area has reached its capacity, and the Pre-determination guidance for Councillors clearly sets out the new provision which may protect Councillors if there is a challenge to the validity of the decision taken by a Parish Council.

b. 13/00663/FUL, Barns Heath Farm, erection of replacement toilet block – no comment.

13108 Planning Decisions

a. Hall Farm, 1 New Road, proposed change of use of building and land from agricultural to the storage of leisure vehicles – granted.

b. 3 Top Street, demolition of outbuildings (conservation area consent) – consent granted.

13109 HS2 (High Speed Train) project – keep on agenda – no further useful information available at this time.

13110 Appleby Magna Recreation Ground issues and concerns

a. The ditches around the recreation field have been cleared – there was a short window of opportunity to carry out this vital work due to farming in adjacent fields – cost was £360.00, previously agreed at PC meeting. Several bags of detritus and litter were collected by Cllrs P Hemmerdinger and R Butler.

b. Mr Paul Cooper attended the meeting to update members on the development plans for a new sports pavilion to be erected on the recreation field. Members looked at the plans and funding to date. The plans are ready to be put in for planning application – members commented that the plans look excellent, and are inclusive (there is disabled access and multi-use facilities).

13111 Footpaths, Hedgerows, Street and Allotment Matters

- a. Cllr P Hemmerdinger to ask Mr Richard Denson to repair the bench which sits on the footpath between Didcott Way and Wren Close – all agreed.
- b. Bulb planting in the village was discussed, Cllr P Hemmerdinger proposed, seconded by Cllr Pott, it was **RESOLVED**, unanimous to allow Cllr Smith to purchase bulbs to a maximum value of £200.00 (mainly Tulips), Cllr Smith kindly offered to organise bulb planting in the village.
- c. All agreed that Cllr P Hemmerdinger ask Mr Richard Denson to remove the dead tree on the corner of the recreation field and Church Street.

13112 Sir John Moore Foundation update

- a. The Food Gusto Festival will be held on 14th September 2013. Building works around the school are ongoing.

13113 Correspondence

- a. The Clerk had received a response from LCC re the Parish registration for a Snow Warden, however no further information has been received to date.

13114 Village Design Statement update – see public session - It was **RESOLVED**, unanimous, that Cllr Richard Butler would join the group.

13115 Approval of Financial Statements & Payments

- a. The payment list and bank reconciliation were reviewed and approved, **RESOLVED**, unanimous.

13116 Ideas for Written Piece – Parish News Line

- a. The Parish Council will be purchasing and planting bulbs around the village.
- b. Ditches have been cleared around the recreation field and this will hopefully assist with improved drainage across the field.

13117 Urgent Items - Nil

The meeting ended at 9.20 pm

Date of next meeting: October 3rd 2013, 7.30pm @The Stables Community room, Sir John Moore School

Lindsay Swinfield (Clerk to the Parish Council)