

NOCTON PARISH COUNCIL

Minutes of a meeting of Nocton Parish Council held in the Village Hall, Main Street, Nocton on Tuesday, 12 April, 2016 at 7.00 pm.

PRESENT

Cllr Ian Goldsworthy (Chair)

Cllr Neil Faulkner
Cllr Graham Jones
Cllr Michael Kaye

Cllr Elisabeth Murray
Cllr MaryAnn Williams

In Attendance: Steve Altridge, Clerk.

Nine members of the public were also present.

Apologies for Absence: Cllr Jane Kania.

1 PUBLIC QUESTION TIME

No questions were asked by the members of the public present.

2 DECLARATION OF INTERESTS

Agenda Item 13 – All Saints Church, Nocton – Application for Grant Aid

Cllr Murray declared a non-pecuniary interest in this item of business.

Agenda Item 14(a)1 – The Shieling, The Green, Nocton

Cllr Jones declared a non-pecuniary interest in this item of business.

3 MINUTES – 8 March 2016

The Minutes of the meeting of the Parish Council held on 8 March, 2016 were taken as read and signed as correct.

4 REPORTS OF REPRESENTATIVES

(a) Local Police

PCSO Kennedy reported that there had been no reported crimes in the village since the last meeting. Villagers were reminded to telephone '101' if they noticed suspicious behaviour.

(b) Village Hall Management Committee

Cllr Williams reported that the VHMC had moved to quarterly meetings

which meant that it had not met since the last Parish Council meeting.

The Parish Council noted that the VHMC was disappointed that it had not been contacted by the proprietors of the mobile fish and chip van regarding the use of the Village Hall car park. The Clerk undertook to ask the Village Keeper to monitor any increase in rubbish in the car park arising from the weekly visits.

(c) **Village Keeper and Dog Warden**

The Parish Council noted the Village Keeper's report, which had been circulated previously, summarising his activities over the past month.

(d) **Clerk**

The Parish Council noted the Clerk's report, which had been circulated previously.

The Clerk undertook to:

- 1 contact the Highways Authority again to query why it would not be possible to install double height kerbs on the Potterhanworth Road bend to stop heavy goods vehicles from mounting the verge. The Parish Council did not consider the reason it had been given to have been a satisfactory response.
- 2

request the NKDC Tree Officer to give notice of his visit to the village for the tree survey so that any interested Parish Councillors or villagers could attend it as well.

(e)

District Councillors

- (f) Neither Cllr Money nor Cllr Kendrick was present at the meeting.

County Councillor M Overton

Cllr Overton updated the Parish Council regarding the County Council budget setting proposals. Two recycling sites had been closed as part of the savings, and changes to school transport charges were proposed.

Cllr Overton also reminded the Parish Council that the Lincolnshire Police and Crime Commissioner election would be held on 5 May, 2016.

5 **B1188 – ROAD SAFETY**

The Parish Council received a report from Cllr Jones regarding the B1188 road safety issues.

Cllr Jones reported that he had requested that these issues were

discussed at the next meeting of the Police and Community Panel. An email received from the Road Safety Partnership in response to the letter sent by the Parish Council to the Chief Constable had indicated that the recent fatalities on the B1188 were under investigation. However, there was no suggestion that excess speed was a contributory factor in the collisions.

The Parish Council noted the position.

6 NOCTON YOUTH CLUB

The Chair reminded the Parish Council that a proposal to appoint a new Youth Worker would be considered elsewhere on the agenda for the meeting. Parish Councillors joined the Chair in thanking Maddie Parker and Lesley Stoneham for their continued support as Youth Club volunteers.

7 NOCTON VILLAGE HALL REDEVELOPMENT – NEXT STEPS

The Parish Council received a progress report from Cllr Williams about the proposed Village Hall rebuild.

Cllr Williams explained that the tenders received for the proposed Village Hall rebuild would be opened following the exclusion of the press and public in confidential session later on the agenda. The Nocton Village Hall Rebuilding Sub-Committee would meet on 18 April, 2016 to consider the tenders in more detail.

The Parish Council noted the position.

8 NOCTON AND POTTERHANWORTH NEIGHBOURHOOD PLAN

The Parish Council received a verbal report from the Vice-Chair regarding the preparation of the Neighbourhood Plan.

The Parish Council noted that the draft Plan had been submitted to NKDC so that that District Council could confirm formally that it complies with environmental regulations, through a Strategic Environmental Assessment. The draft Plan was also being sent to an impartial Planning Inspector for an initial and informal review, prior to the formal consultation taking place with parishioners for final comment. It was hoped that the formal consultation would begin no later than the end of May, 2016.

The Parish Council agreed to authorise expenditure of up to £400.00 to meet the forthcoming Neighbourhood Plan consultation, etc, costs.

9 NOCTON NEWS

The Parish Council:

- (a) noted that the village would not be eligible to apply to the Co-Op for funding for the village newsletter.
- (b) requested the Clerk to ascertain from the printers of the newsletter whether they would entertain a very generous proposal from a villager to provide the paper for printing it in return for an acknowledgement of the position.
- (c) agreed to continue to publish the newsletter in its current format until an independent editor offered to take it forward.

10 **NOCTON 200 CLUB – INCOME AND EXPENDITURE 2015/16**

The Parish Council noted a report from the Clerk detailing the Nocton 200 Club income and expenditure for 2015/16.

11 **NOCTON HALL – CURRENT ISSUES**

Cllr Jones reported that a meeting with NKDC and LEDA Properties was due to be held on 9 May, 2016 to discuss the current position regarding the planning application. The opportunity would also be taken to consider the apparent lack of progress on the various security issues at the site raised some months ago with LEDA.

The Parish Council noted the position.

12 **DOG WARDEN – NOCTON PARK**

The Parish Council considered an extract from an email from Nocton Park Management Ltd (NPML) regarding the role of the Dog Warden at Nocton Park since the previous Dog Warden's contract ended on 19 September, 2015. The email indicated that NPML felt that the service had not been provided since that time.

The Parish Council acknowledged that Mr Smith had not attended the dog warden training provided by NKDC until 15 February, 2016. However, the Parish Council was clear that Mr Smith had been fulfilling the dog warden role during the intervening period, albeit without a 'Dog Warden' tabard to announce his presence.

The Parish Council agreed to request the Clerk to purchase a 'Nocton Village Keeper and Dog Warden' tabard (to a maximum cost of £15.00) for Mr Smith's use, and to ask the Dog Warden to undertake some occasional early morning and evening patrols in Nocton Park at times when people tended to be walking their dogs.

13 **ALL SAINTS CHURCH, NOCTON – APPLICATION FOR GRANT AID**

The Parish Council agreed a grant of £100 to All Saints Church, Nocton towards the cost of maintaining the church yard . The Parish Council also agreed to review its financial position in approximately six months time to see if it was possible to offer the Church an additional grant of £100.00.

14 **PLANNING APPLICATIONS AND ISSUES**

The Parish Council considered the following planning application:

(a) *The Shieling, The Green, Nocton*

The Parish Council agreed to request the Clerk to comment on the application in the following terms:

'This application was considered at the meeting of my Parish Council on 12 April 2016. Councillors agreed unanimously to oppose this application in the strongest possible terms.

As the requested development is on a Greenfield Site, a determination would normally be reached based on the presumption in favour of sustainable development contained in Para 14 of the National Planning Policy Framework (NPPF).

However this application has characteristics which set it apart from a simple application for development of a greenfield site on the outskirts of Nocton.

The relevant facts that give a different character to this application are as follows:

- *It is within the Conservation Area*
- *The access to the site does not comply with existing guidelines and is demonstrably unsafe*
- *If permission be granted an unfortunate precedent will be set*
- *If permission be granted it would be inconsistent with the refusal of application 15/0011/OUT (The Vicarage, The Green, Nocton)*
- *It is in close proximity to a Grade II listed building (Park Farm)*
- *It is tandem development in a Conservation Area*
- *An Outline Planning Request does not give sufficient detail for its impact on existing protected trees to be ascertained*
- *The proposed development will be visible from The Green and from the bridle and foot paths on the south side of the village. The outline planning application does not give adequate information for the visual impact to be fully assessed*

The Conservation Area

Ref: Nocton Conservation Area – An Assessment of the Character and Appearance of the Conservation Area. Adopted July 2008

The site borders a Grade II listed building and designated Heritage Asset (Park Farm) and a building identified as sensitive to change (3 Wrays Yard). Para 7.2 of the above document identifies that both need every effort to preserve their character.

Para 3.3 of the above document also states that new residential development will be permitted only if it meets local needs for affordable housing and is on plots within previously developed frontages.

Para 9.14 states the “Trees, hedges and open spaces are an essential element of the Conservation Area..... The District Council's aim is to protect and conserve trees where possible”. Previous experience has proved that this is indeed the case, and this application will require the same ruthless application of the rules of good practice as before.

Heritage

The Department for Communities and Local Government in Planning Policy Statement 5 (PPS 5) states (Policy HE6.3):

“Local planning authorities should not validate applications where the extent of the impact of the proposal on the significance of any heritage assets affected cannot adequately be understood from the application and supporting documents.”

My Council considers that this application falls precisely into this category, in that whilst it is obvious that there will be significant impact, it is impossible to understand accurately the extent of this impact. The heritage statement was written by the applicants and cannot therefore be considered demonstrably objective and impartial. The supplied map purporting to show that it is on a site being considered for development is misleading.

My Council also has concerns as to the extent to which the approval of this application would open the floodgates to other similar applications in the many large gardens in this area, and set an unfortunate precedent. Whilst a single approval may affect the ambience and sense of space only for close neighbours and of course for the desirability of “The Shieling” itself, my Council is aware that this application has aroused interest from more than one other party who may be interested in significantly increasing the value of their plots within the Conservation Area by obtaining approval for residential development. To be frank this is about the last opportunity to apply before the Emerging Neighbourhood Plan and The Emerging Local Plan are adopted which will prevent such development except in cases of proven local need. If this application is approved the District Council can confidently expect a rash of similar proposals.

Access to the Site

Emergency Vehicles: *Planning officers will surely take account of the advice in the Manual for Streets (6.7) particularly that which specifies a minimum carriageway width of 3.7m between kerbs and states that Fire Service Vehicles should not have to reverse more than 20m.*

Visibility Splay: *The entrance to the site, on the inside of a bend in the road, is dominated by large trees on either side and the normally required 2.4m visibility splay of 43m is not obtainable. This in an area which is used, twice daily, for the collection of young children from, Grade II listed, Nocton Primary School, and on Sundays by Churchgoers to the Grade II listed Church a few yards along the Green, with no off-street parking available, thus further compromising visibility.*

Precedent

The refusal of 15/0011/OUT cites the impact of the development on a Grade II listed building in contravention of saved policy HE5 of the adopted North Kesteven Local Plan 2007 and to advice in the NPPF para 132 which requires significant justification to allow development which will impact upon the setting of designated heritage assets. There is no justification for a development for which, according to recent local polling results (for the Neighbourhood Plan), there is no demand at all, except from the applicants.

Emerging Plans

My Council is concerned as to how much longer it will be possible, or indeed correct, to regard the influence of the Emerging Local Plan and the Emerging Neighbourhood Plan as insignificant.

To that end the Council makes reference to the following:

Emerging Local Plan

Policy 3.4.3: *This states that appropriate growth in “Medium” villages such as Nocton should be in the order of 10%. Nocton has already exceeded this by 50%.*

Policy 3.4.10: *States that whilst 10% is not an absolute limit, “Where a proposed development would exceed the identified growth level..... it will be expected to be accompanied by clear evidence of appropriate levels of community support by allocations or policies in an adopted Neighbourhood Plan.”*

Table CL22: *Identifies that there are still 36 properties under construction in Nocton Park*

C1 Development within settlement curtilages: *“Planning Permission will be granted for development proposals within the settlement curtilages provided they*

- 1. Will not adversely affect the character or appearance of the area;*
- 2. Will not increase the pressure for similar development that would collectively cause adverse effects.....*

Policy H1 Housing: *“Planning Permission will be granted for the residential development of land only if:*

- a) the site is allocated for housing development in the local plan”*

Emerging Neighbourhood Plan

Housing and the Built Environment:

Policy 1: *“Proposals to provide additional housing will be supported where such development..... provides a majority of low cost housing and/or smaller homes to meet the needs of older people and first-time buyers.”*

Policy 2: *“Proposed additional housing units will be supported where they:*

- *do not detract from the levels of amenity (daylight, privacy, outlook and quietness) which occupiers of the units or of neighbouring units may reasonably expect.....*
- *provide safe and suitable vehicular access between the site and an adopted highway”*

Transport and Access to Local Services:

Policy 7: *“Developments will be supported where they enhance road safety by:*

- *using appropriate road design to facilitate traffic flow in and to any new development*
- *providing adequate access and manoeuvring space for delivery and service vehicles”*

Conclusion

In summary my Council wishes to express the strongest possible objection to this development because:

- *It will adversely affect the ambience and character of the Conservation Area*
- *It will adversely affect the character of a Grade II listed building and a building identified as sensitive to change*
- *Site access is unsafe and very close to the Primary School and Church*
- *It constitutes Tandem development*
- *The Application is inadequate and should be a Full application. To this extent its validation contravenes PPS 5 from the Department of for Communities and Local Government*
- *The approval of this Application would probably lead to other similar applications and so cannot be considered in isolation*
- *The application is in contravention of the known and proven wishes of the inhabitants as well as the Emerging Local and Neighbourhood Plans, advice in the NPPF, the Manual for Streets and guidelines from the Department for Communities and Local Government.*

It is indeed ironic that, from the Gaelic, a Shielling is “a hut in a wild and lonely place’.

- (b) The Parish Council noted the decision by NKDC to consent to work to a tree in the Conservation Area in respect of the following application:

The Shieling, The Green, Nocton

- (c) The Parish Council noted the decision by Lincolnshire County Council to approve the replacement of windows at Nocton County Community School.

15 **PROGRESS REPORTS OF PARISH COUNCILLORS**

Cllr Faulkner reported that the Wegberg Road tarmac was due to be re-instated in the near future. It was anticipated that the Nocton Park development would be completed within the next six months.

Cllr Williams reported that the white fencing had been installed at Wellhead Lane. The Parish Council agreed to consider the installation of similar fencing at Potterhanworth Road at its next meeting.

Cllr Jones informed the Parish Council that the Speed Indicator Device palmtop no longer stored data due to its age. The Parish Council agreed in principle to part fund the purchase of a new palmtop in due course.

Cllr Jones also reminded the Parish Council that the 'Clean for the Queen' event would be held on 4 June, 2016.

16 **DATE OF NEXT MEETING AND PUBLIC QUESTIONS**

- (a) The Parish Council noted that the Annual General Meeting of the Parish Council and the next ordinary meeting of the Parish Council would be held on Tuesday, 10 May, 2016 at 7.00 pm. The Annual Parish Meeting would be held on Tuesday, 17 May, 2016 at 7.00 pm.

The Parish Council agreed to provide light refreshments at the Annual Parish Meeting. Mr Steven Sensecall, Kemp and Kemp, had agreed to attend the meeting to update parishioners on the proposed Nocton Hall development, and it was hoped that outline plans of the proposed Village Hall rebuild would be available for comments.

- (b) The Parish Council agreed to adjourn to allow members of the public to ask questions on matters relating to items discussed at the meeting.

No questions were asked by the members of the public present.

17 **EXCLUSION OF PRESS AND PUBLIC**

The Parish Council agreed to pass a resolution under Standing Order 1(d), that in view of the confidential nature of the business about to be transacted, it was advisable in the public interest that the press and public

be excluded for the remainder of the meeting, and they be instructed to withdraw.

If the press and public were present during the business to be transacted there would be a likelihood of disclosure to them of exempt information of the following description:-

Information relating to any individual.

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

(The Parish Council agreed to pass a resolution under Standing Order 1(y) to extend the duration of the meeting by up to thirty minutes).

18 NOCTON YOUTH WORKER

In confidential session, the Parish Council confirmed the appointment of Miss Stephanie Jackson to the post of Nocton Youth Worker, on the terms outlined at the meeting.

NOCTON VILLAGE HALL REDEVELOPMENT – NEXT STEPS

In confidential session, the Parish Council:

- (a) received and opened the following tenders for the Village Hall redevelopment project:

	£
Simons Group Limited	507,000 + VAT
Gelder Group	793,017 +VAT
Gordon White and Hood Limited	737,410 – 903,810 +VAT

In addition the following two incomplete tenders were received:

XL Architects
Beckside Buildings and Installations Limited.

- (b) agreed to refer the tenders to the Nocton Village Hall Rebuilding Sub-Committee for evaluation and consideration as to how other interested parties, etc might be involved in the process.

(The meeting ended at 9.10 pm)

CHAIR

18 NOCTON YOUTH WORKER

In confidential session, the Parish Council confirmed the appointment of Miss Stephanie Jackson to the post of Nocton Youth Worker, on the terms outlined at the meeting.

19 NOCTON VILLAGE HALL REDEVELOPMENT – NEXT STEPS

In confidential session, the Parish Council received and opened the tenders received for the Village Hall refurbishment project. The Parish Council also agreed to refer the tenders to the Nocton Village Hall Rebuilding Sub-Committee for evaluation and consideration as to how other interested parties, etc might be involved in the process.

(The meeting ended at 9.10 pm)

CHAIR