

NOCTON PARISH COUNCIL

Minutes of an Extra Ordinary General Meeting of Nocton Parish Council held in the Village Hall, Main Street, Nocton on Tuesday, 29 November, 2016 at 6.00 pm.

PRESENT

Cllr Ian Goldsworthy (Chair)

Cllr Graham Jones
Cllr Michael Kaye

Cllr Elisabeth Murray
Cllr MaryAnn Williams

In Attendance: Steve Altridge, Clerk.

Fourteen 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

No declarations of interest were made.

3 PLANNING APPLICATIONS AND ISSUES

- (a) The Parish Council considered the following planning application and also invited comments on from the public present at the meeting:

Plot 72A – Formerly 27 Steamer Point Road, Nocton

The Parish Council agreed unanimously 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 9th August 2016. Members agreed unanimously to oppose this application in the strongest possible terms.

The assumption in favour of permitting sustainable development in Para 14 of the National Planning Policy Framework is qualified by the statement “unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole;”

In the words of NKDC's Refusal of Planning Permission for the previous application for this site:

“The proposed development by reason of its prominent siting on a cramped corner plot would result in a poor relationship with adjoining properties and the streetscene being harmful to the more spacious character of the area (See Fig 1) and contrary to the general arrangement and relationship between dwellings which is defined by the provision of significant space afforded between each pair of semi-detached properties fronting Steamer Point Road and Wegberg Road in the vicinity of the site.

The proposal for a single dwelling on this small plot (See Fig 2) would therefore amount to the over development of the site resulting in an unwarranted cramped form of development unsympathetic and insensitive to the local built environment.”

Every word of this is still valid.

In response to this refusal the Applicant has reduced the overall size of the property but made it wider, and even closer to its neighbour (3m or so according to the Design and Access Statement (DAS)). The spacing between the existing houses is 4.7m. The house is also only 1m from the site boundary and the footpath. The existing MOD development consists of well-designed and constructed semi-detached houses set well back from all the roads, with generous green verges to the front and, where applicable, to the side, giving good visibility at all junctions.

The Design and Access Statement (DAS)

The DAS contains several misleading statements. “Highways and Planning support the application.” The Parish Council is sure you will spot the flaws in that one. It also implies that this plot has always been earmarked for development, when as was stated, and not denied, in the previous hearing, it is an afterthought. It was not, in its current form, on the original application.

In line with Policies C4 and LP12 the applicant is obliged to bring the site infrastructure, mainly the roads, up to a suitable level. He is now using this application to imply that unless this application is approved this will not be carried out.

“Without this approval, who is going to make up the resulting shortfall to complete the roads, footpaths and landscaping along Wegberg Road?”

It is not for the Parish Council to decide whether this is a “threat” or a “question”. Either way, The Parish Council considers that to use this as a basis for permission would have a pernicious effect on the whole planning system both now and for the foreseeable future. This is not a valid planning consideration and should not, therefore, be considered. The evidence is that were this house to be built, it is unlikely to result in a quick sale. If sold, it seems unlikely that it would provide sufficient cash to complete the road, footpath and landscaping obligations. Wegberg Road is

not the only road that needs bringing up to standard.

The Parish Council considers that the applicant should carry out his existing obligations under C4 and LP12 and not use them as a lever to get his own way retrospectively. The Parish Council notes that the applicant still has houses worth a combined total of over £1.8 million for sale on Nocton Park. Most of them have been on sale from 2014. Since this was pointed out at the last hearing, the dates on the rightmove.co.uk site have, it seems, mysteriously changed from 11/12/14 to 24/10/16 as if they have all just come up for sale. The fact is that they have been for sale for nearly 2 years.

Local and Neighbourhood Plans

Now that the Submitted Central Lincolnshire Local Plan (SCLLP) is in the process of Examination, it is certain that both it and the complementary Nocton and Potterhanworth Neighbourhood Plan (which has now completed its formal public consultation process and is in the Publicity Phase) can safely be given more weight. In the Schedule of Proposed Submission Suggested Modifications to the SCLLP, Nocton is shown to have reached 141% of its projected growth level. In the Note produced at the request of the Inspector in Week 1 of the Examination it is stated that the Neighbourhood Plan “provides a framework for the former RAF Hospital Nocton Hall to be redeveloped including some housing.....this could deliver some substantial additional growth”. There is, therefore, absolutely no need whatsoever to approve this entirely inappropriate application.

If the Neighbourhood Plan had been adopted in its current form, following the public consultation, then under its policies this application would not be supported. It is, therefore, relevant to point out that this submission draft reflects in its entirety all of the comments submitted by NKDC’s own planning officers.

In the Refusal of 16/0795/FUL policies C1, C5 and C18 of the 2007 Local Plan were cited as germane. They still are, and for exactly the same reasons.

Policies LP2 and LP4 of the SCLLP seem to have survived the examination process largely unscathed with regard to this application, so perhaps they can at last be recognised as having some weight. This should limit the growth of the village to 10% (already exceeded) “unless promoted via a Neighbourhood Plan, these settlements will accommodate a limited amount of development in order to support their function and/or sustainability.”

The Amenity Considerations of Policy LP26 of the SCLLP are still relevant to this application, especially since the new dwelling would be so close to the neighbouring house and the footpath.

Policy 2 of the Neighbourhood Plan mirrors almost exactly Policy LP 26

above.

Paragraphs 17, 58 (which also references the Neighbourhood Plan) and 64 of the NPPF are still, as before, relevant to this application.

Road Safety

Those who are very familiar with this junction are concerned that LCC Highways deemed it “did not wish to restrict the grant of permission” which, by the way, is a little different from approving it. Indeed, indeed they wonder whether they had even made a site visit. The Parish Council is still very nervous about the implications for safety especially for the children who use the junction next to this development to access the playing fields. The house is still too large for the site and comes to 1m from the (still not completed) footpath alongside.

Design

The Parish Council notes the attempt of the applicant to redesign this house in order to make it more compatible with its surroundings. However, in so doing he has been forced to make it smaller than the existing houses on the estate, because of the limitations of “a cramped corner plot.” This will result in a dwelling which, particularly for a detached house, does not provide the quality of accommodation necessary for even an “affordable” house (see NPPF Para 64 “permission should be refused for development that fails to take the opportunities available for improving the character and quality of an area and the way it functions). There is no need to descend to this level just to produce another house. There are more capacious houses which have been on sale for some considerable time within this development.

Conclusion

This Application has no intrinsic merit. It comprises second-rate housing on a “cramped corner plot”. In view of the large number of houses still for sale on Nocton Park it has not demonstrated the need for such a development, or indeed that its construction would result in a sale any time soon. We question the applicant's assertion that it would provide the cash for him to complete his infrastructure obligations even were it to be sold quickly.

The Parish Council therefore requests that you refuse this Application which contravenes Policies C1, C5 and C18 of the 2007 Local Plan, Policies LP2, LP4, and LP 26 of the SCLLP and Policy 2 of the Nocton and Potterhanworth Neighbourhood Local Plan as well as paras. 17, 58, and 64 of the NPPF. This application, in the form of its DAS also attempts to claim that it is part of the original plans for Nocton Park, for which there is no evidence and perversely, and quite blatantly, attempts to use the Applicant's existing obligations under Policies C4 and LP12 as leverage to obtain Permission”.

- (b) The Parish Council agreed to make no comment on the following planning application:

Nocton County Primary School, Nocton – Retention of Mobile Classrooms

4 **NOCTON VILLAGE PLANTERS**

The Parish Council reaffirmed its previous decision that the village planters would continue to be maintained by volunteers, although the Village Keeper would also assist with their maintenance as appropriate. He would also be asked to remove leaves and trim the grass around the planters as necessary.

The Parish Council noted that the Village Keeper would also re-varnish the village wooden entrance signs when the weather permitted.

5 **NOCTON VILLAGE HALL – NEXT STEPS UPDATE**

The Parish Council agreed to:

- (a) reaffirm the appointment of Simons Group Ltd to carry out the design and construction of the new Village Hall, including the application for planning permission, and to request the Clerk to confirm the position accordingly.
- (b) authorise the Village Hall Rebuilding Sub-Committee to incur expenditure of up to £10,000 + VAT to progress the Village Hall redevelopment planning application, and to ask the Sub-Committee to meet with Symons before Christmas, 2016 to finalise the Village Hall plans.
- (c) appoint Elysian Associates to complete and submit the village hall rebuild monthly VAT 126 refund claims at a fee of £300 + VAT per month.

6 **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 the financial or business affairs of any particular person (including the authority holding that information).

7

NOCTON VILLAGE HALL – COVENANT MATTERS

The Parish Council noted a possible draft budget for 2017/18, which was tabled by the Chair. The budget outlined how it might be possible to fund the PWL required to meet the cost of rebuilding the Village whilst minimising the costs to residents. Further work would, however, be necessary on this once Simons had confirmed the “final” rebuilding, etc cost and NKDC had provided its formal advice on setting the precept for 2017/18.

The Parish Council agreed to ask Bridge McFarland Solicitors to provide further advice on the ownership of the Village Hall car park and to confirm that the Parish Council had completed the necessary discussions with all those having an interest in the site, including that on which the Village Hall stood, before the rebuilding began. It was noted that Bridge McFarland had previously been asked to advise the Parish Council about other Village Hall covenant- related matters.

(The meeting ended at 7.00 pm)

CHAIR