

DRAFT MINUTES SUBJECT TO RATIFICATION AT 10TH SEPTEMBER MEETING

Minutes of the North Muskham Parish Council held on Tuesday, 31st July 2018 at 7pm in the Muskham Rural Community Centre

Present: Councillor I Harrison, in the Chair
Councillor E Catanach
Councillor D Jones
Councillor P Morris
Councillor D Saxton

Also in attendance: 9 members of the public

NM29-19 Apologies for absence

Received and accepted from Cllrs P Beddoe and S Dolby.

NM30-19 Declarations of interest

It was AGREED that any declarations of interest would be stated by Members as required during the meeting.

NM31-19 Minutes

The minutes of the meeting held on Monday, 9th July 2018 were accepted as a true and correct record and signed by the Chairman.

NM32-19 Public 10 Minute Session

The Chair suspended the meeting at 7.01pm to allow members of the public present to raise any questions.

No matters were raised and the meeting was reconvened at 7.03pm.

NM33-19 Planning

- (a) 18/00597/FULM – Land at Main Street, North Muskham - Proposed development of 12 affordable homes and 4 market bungalows (Re-submission of 16/01885/FULM) Membe received and noted the decision notice granting planning permission for the proposed c shed.

The Chair outlined the background to the application being before Members again. It had been submitted in late 2016, revised in September 2017 and then resubmitted in April 2018.

The description had changed to '12 affordable homes and 4 market bungalows' and there were minor alterations with plots 14, 15 and 16 moving approximately 1m further to the south with feature planting beds now sited in front of those units and an increase in the number of new trees planted along the northern and eastern boundaries of the site.

It was understood that this was the extent of the amendments submitted.

Members last considered application 16/01885/FULM on 16th April 2018 and the Chair read the comments that were made at that time, and submitted to the District Council, to the meeting.

When the application had been resubmitted in April 2018 there was a more robust submission by the consultant retained by the applicant with regard to the flood risk assessment.

Change of emphasis by Conservation Officer who had been highly supportive of the officer in the first two submissions. The Officers report referred to the National Planning Policy Framework (NPPF) and recent revisions with Section 16 having subtle changes made to order and wording to reflect recent caselaw. The NPPF now stated:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”. Irrespective of the scale of harm, great weight should be given to the conservation of heritage assets in accordance with section 66 of the Planning (Listed Buildings and Conservation Areas) Act 2960. Harm requires a clear and convincing justification. The Planning Committee were being advised that they needed to be satisfied that the benefits of the proposal decisively outweighed any identified harm to the setting of the Old Hall.

In the Planning Officer’s report the final paragraph reads:

“In such a balance which is necessarily a very fine one, I can see how Members may be skeptical on the degree to which heritage harm identified has been addressed. There is a degree of heritage harm to offer statutory weight in a planning balance. That said, notable issues of need have been resolved and affordable housing provision meeting an identified need remains a significant material planning consideration. In the overall balance, and balancing specifically my professional view with the unchallenged reasons of members I conclude that a recommendation of approval remains justified. I am sure Members are in no doubt from the way this report is written that I could have equally as justifiably recommend refusal in this case. “

The Parish Council had always contested ‘need’ and no further information had been received in this regard.

The Chair asked Members for their comments on the application.

Councillor Morris commented on the Planning Officer’s position, in which there didn’t appear to be a clear recommendation as the final sentence stated that ‘I could have equally as justifiably recommended refusal in this case.’

There was also a concern about the proven need, which the Officer still seemed to think had been demonstrated.

Councillor Morris also expressed concern at the definition of affordable housing. The NPPF stated that affordable housing was housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers). It was, he suggested, not for older people to downsize from larger properties in the village who had the means to purchase another property. This was an additional element that needed to be clarified. The District Council had not responded to the 'need' which is overstated by the size of the development.

10 had been identified in the original housing needs survey, and that was included in the officer's report, but was not necessarily fact.

The Chair reflected that the other area of concern was the flood risk, with calculations suggesting that there would be in the region of 4,000 cubic meters of flood water displaced. The Flood Risk Assessment consultant diminishes this as not substantial, as a result of which the applicant has not had to find anywhere on site to hold water. It was concerning to note that no mention had been made of the Muskham Fleet which was only 50m from the site.

In summary, there were still three areas of main concern for Members:

- 1 Need
- 2 Impact of heritage aspect on the Old Hall
- 3 Flood Risk

The Chair suspended the meeting at 7.15pm for questions from members of public.

A resident suggested that a needs based development was important and questioned whether that need within the village should be reviewed and questioned whether a different type of accommodation should be looked at for older people.

The Chair explained that a Housing Needs Survey had been undertaken in 2015 and the results of that remained usable for a period of 5 years. The Parish Council had previously suggested that Nottingham Community Housing Association carry out a further housing needs survey to give conclusive clarification of need, but that had not been undertaken.

Since the survey was undertaken there was not a good mix of property for sale in the village at various prices, and were impending developments that had not been approved when the survey was undertaken. It was noted that the survey was only a snapshot in time but remained relevant for 5 years.

A resident stated that they recognised the need for affordable housing but objected to the site location and number of dwellings included. They were aware of a forthcoming application for Rose Cottage, which would include affordable housing in the quantity

the village recognised there was a need for.

A resident expressed their concern at the road safety aspects of the site from the north side of Main Street.

The Chair confirmed that this had been raised several times and the application included amendments to the highway. The Highways Authority were happy with the proposals as long as the footpath was extended. Councillor Mrs Saddington had lobbied strongly on highways. The development had originally been proposed on land next to the school but then the owner pulled out. There was then a lull until NCHA advised that they had found a prospective land owner willing to release land for the development.

As it was an exception site it needed to be next to existing development in the village.

A resident expressed concern at the sustainability, there would be a £179,000 deficit and it was suggested that the development would be in negative liability

The Chair reflected that it was useful to remember why the developer had applied for 16 properties, when, at best, there was a need for 6 or 7. It was due to the viability of the scheme and the required profit margin for the development. In the previous Planning Officer's report it referred to 'much needed affordable housing' but this statement did not seem to appear in the current report. Because of economic viability there would be no contribution back to the community for infrastructure.

The Chair advised that he had recently met with the Headteacher at the primary school. There was a misconception that the school could close due to lack of numbers but it was understood that the school was at capacity and would continue for the foreseeable future.

The Chair thanked members of the public for their questions and reconvened the meeting at 7.25pm.

Members were asked if they had any further comments. Councillor Morris proposed that the Parish Council endorse the comments previously made and cover the points raised during the meeting, and within the Officer's report, as succinctly as possible.

The Clerk withdrew from the meeting at this point to review the comments made by Members to enable a proposal to be put to the meeting for discussion.

Councillor Morris commented that there needed to be a definition of need. Affordable housing was for those that can't get on to the housing ladder unless they received some kind of subsidy, renting or discount on the price of a property. It was not for people that wanted to downsize.

Councillor Saxton referred to the increase in height of the dwellings. Would that information be applied to all development in the village? The Chair advised that the

majority of the village was in flood zone 2 and the water would have to go somewhere.

The Clerk returned to the meeting at this point and reminded Members of the comments made during the course of the debate.

After consideration, Members confirmed that they wished to restate the comments made at the 16th April 2018 meeting of the Parish Council which raised objection to the application on a number of issues.

Further, Members would wish to add:

Given the recent changes made to the National Planning Policy Framework, as outlined in the Conservation Officer's comments, we suggest that Planning Committee members need to be satisfied that the benefits of the proposal "decisively" outweigh any identified harm to the setting of the Old Hall.

The Parish Council noted the apparent indecisiveness contained within the final paragraph of the Planning Officer's report, in which there didn't appear to be a clear recommendation as the final sentence stated that 'I could have equally as justifiably recommended refusal in this case.' This would suggest that the Planning determination is inconclusive, thus the application should be refused.

It was a concern that, if the application was permitted, there was no element of community funding that would be granted.

The lack of any provision within the site for any storage of flood water as a direct result of the consultants Flood Risk Assessment. It was also concerning to note that no mention had been made of the Muskham Fleet in the assessment, which was only some 50m from the site.

Members suggested that clarification on the definition of affordable housing was required. Did this include for older people who had the means to purchase an alternative property with a preference, (rather than need) to downsize from properties in the village?

The applicant had not responded to the confirmed 'need' of 6 which is overstated by the size of the development.

This was AGREED unanimously by Members.

Additionally, the Chair was granted a mandate by Members to attend the Planning Committee on Tuesday, 7th August 2018, and speak to the application.

(b) 18/01343/FUL – Walden, Main Street, North Muskham - Householder application for replacement of existing conservatory roof with toughened glass roof.

After discussion, it was proposed by Councillor Morris, seconded by Councillor Saxton, that the application be supported. This was unanimously AGREED.

- (c) Draft Nottinghamshire Minerals Local Plan – Notification of Public Consultation from Friday 27th July 2018 until Friday 28th September 2018.

Members noted that the draft Nottinghamshire Minerals Local Plan was out for public Consultation until 28th September 2018.

The draft would cover extraction until 2036 and it was pleasing to note that it excluded the two sites that would have been a concern to the Parish Council.

A meeting of PAGE, and the Planning Consultant, would be called to review the plan. The Chair was seeking a mandate from Members to support the draft plan at the Meeting and if necessary, following agreement by all PAGE members to commission the consultant to make representations on behalf of the group.

Councillor Saxton proposed that the Chair be given a mandate, seconded by Councillor Catanach. This was carried unanimously.

NM34-19 Parish Council Matters

- (a) Potential Parish Council Conference

The conference would be held on Saturday, 13th October at the Muskham Rural Community Centre. It would be funded by suppliers demonstrating their goods and services.

A letter had now been circulated to all Parish Meeting, Parish and Town Councils in Newark & Sherwood District Council, through the District Council's communication channels.

The Clerk would monitor responses and requests for content and liaise with the Chair.

- (f) WW1 Centenary Commemorations

The Clerk had submitted an application for funding to the County Council for a beacon. As the Beacon of Light is a national commemoration, it had to be held on the evening of Sunday, 11th November, after HM The Queen had lit the first beacon. Funding would only be granted on this basis.

It was AGREED that the beacon lighting be moved from the proposed September date to the 11th November 2018. The Clerk to advise all parties.

A meeting to discuss other aspects of commemoration would be held on Thursday, 9th with the Methodist Minister, Reverend Hibbert, and the St Wilfrid's Vicar, Reverend Hadley.

NM35-19 Environmental & Community Issues

- (a) Update on Section 130A Submission

No date had yet been received for when the works would be undertaken. It was

AGREED that the Clerk should chase the County Council to seek clarification on when work would commence.

(b) Monitoring of development on land adjacent railway line off Great North Road

There were no issues to report at this time.

However, it was noted that there had been an incidence of overnight parking in the entrance. It was hoped this was an isolated occurrence but would be monitored by Members.

(c) Rural Bus Service – Response from Marshalls

The Clerk had now received a response from Marshalls Coaches following a request to consider extending the Saturday night service to North Muskham.

Marshalls had advised this would not be possible due to stops along Lincoln Road, Newark and the restriction of tight time constraints. However, they advised if they were able to make any changes in the future to accommodate this request they would contact the Parish Council.

(d) Bark in the Park Event – 21st August 2018

The District Council's Animal Control and Welfare Officer had arranged an information event at Sconce Hills Park on Tuesday, 21st August 2018. Details would be placed in the noticeboards and Muskham Messenger.

Six dog fouling signs had been received from the District Council to use in the village. The Chair would put three of these up along the walk from Marsh Lane to Manor House Drive. Suggestions for other areas to be submitted by Members.

Muskham and Sutton-on-Trent Safer Neighbourhood Group – Meeting 12th July

Councillor Saxton referred to the report produced after the meeting which had been circulated to Members for information.

The Chair advised that, together with the Clerk, he had met PSCO Crowhurst and the Anti-Social Behaviour Officer from Newark & Sherwood District Council at the skatepark to discuss the vandalism and graffiti. They have agreed to look at putting a camera on a lamp post overlooking the area and would make visits to speak to the young people using the facility. A joint agency meeting with Youth Services would be arranged in September.

NM36-19 Highways

(a) Highways Repair Log

The Clerk apologised to Members for not circulating the log in advance of the meeting. There were no changes, other than noting that the potholes on Waltons Lane and Great North Road had been addressed.

Members noted the advice received from the District Highway Manager explaining the

reason Church Lane, South Muskham, had been programmed for maintenance but Vicarage Lane, North Muskham, had not.

(b) Noise Attenuation – A1 – Request from Resident

The Chair referred to correspondence received from Highways England confirming that North Muskham would have a noise barrier installed alongside the A1 southbound. It was noted that it would run from the Vicarage Lane overbridge, in a southerly direction for approximately 500 metres alongside the A1 mainline carriageway and the exit slip road. It would be 3 metres in height and made of timber. A vehicle restraint system would be installed in front of the barrier adjacent to the A1 for safety.

The work would take approximately 12 weeks to complete and would take place between 8pm and 6am, Monday to Friday. It was hoped to commence on 1st October.

The Chair advised that he had been in correspondence with the East Midlands Asset Delivery Scheme Project Manager and would work with a dedicated Public Liaison Officer to ensure concerns of residents were addressed. Further details would be put in the noticeboards and on the Muskham Messenger as they were received.

(c) Advance Roadworks Bulletin – Norwell Lane Level Crossing, Vicarage Lane, North Muskham – Overnight closure on 18th August 2018

Members received and noted the advance roadworks bulletin outlining closure of the Church Lane Level Crossing overnight on Saturday, 18th August for overhead line resilience work.

NM37-19 Financial Matters

(a) Accounts for payment:

The Chair referred to the accounts for payment. It was AGREED unanimously that the following accounts be agreed for payment:

- MRCC – July Meeting - £31.75
- Village Handyman – July – tbc
- Clerk's Wages – July – £242.40
- HMRC – PAYE - £60.60

(b) To note any receipts

- Lamp Post Poppies - £18

NM38-19 Correspondence

(a) Notts Association of Local Councils

The Clerk advised that details of the 73rd Annual General Meeting had been received. It would be held on Wednesday, 14th November, at Epperstone Village Hall, commencing at 7.30pm.

NM39-19 Date of Next Meeting

Monday, 10th September 2018

The meeting closed at 8.15pm