

DRAFT MINUTES – SUBJECT TO RATIFICATION AT MAY MEETING

Minutes of the North Muskhams Parish Council held on Monday, 16th April 2018 at 7pm in the Muskhams Rural Community Centre

Present: Councillor I Harrison, in the Chair
Councillor E Catanach
Councillor S Dolby
Councillor Mrs J Hurry
Councillor P Morris
Councillor D Saxton

Also in attendance: District Councillor Saddington and 14 members of the public

1. Apologies for absence

Received and accepted from Cllr P Beddoe.

2. Declarations of interest

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

3. Minutes

The minutes of the meeting held on Monday, 12th March 2018 were accepted as a true and correct record and signed by the Chairman.

4. Public 10 Minute Session

The Chair suspended the meeting at 7.04pm to allow members of the public present to raise any questions.

No questions were raised and the Chair reconvened the meeting at 7.05pm

5. District Councillor Session

The Chair suspended the meeting at 7.06pm to allow Councillor Mrs Saddington to present her report.

Councillor Mrs Saddington reported that the District Council had appointed a new Chief Executive, John Robinson, from Gedling Borough Council. He was expected to start his role in July.

In the absence of County Councillor Laughton, Cllr Mrs Saddington updated the Parish Council on a couple of matters related to the County Council.

The inconvenience caused by Network Rail and the problems with the automated barriers was due to be discussed by the Communities and Place Committee.

Councillor Mrs Saddington advised she had been appointed as Vice-Chair of the County Council for the 2017/18 Civic Year and expected to be Chairman from 10th May 2018. This

may mean that Councillor Mrs Saddington would not be able to attend all Parish Council meeting as previously. Clerks would be asked to raise matters up to 10 days prior to the meetings.

Councillor Mrs Saddington advised she would also be resigning from the District Council's Planning Committee from May, after 19 years of service. This may impact on Planning applications and speaking at Committee.

The Chair congratulated Councillor Mrs Saddington on her appointment and thanked her for the representation given to the Parish on the District Council's Planning Committee.

6. County Councillor Session

This matter would be taken if and when Councillor Laughton arrived.

7. Planning

(a) 18/00124/FUL – Tresco, 5 Main Street, North Muskham - Householder application for single storey side extension, porch and loft conversion

It was considered that there was a potential issue of loss of privacy from the close proximity to the boundary and the large windows in the loft. There were two significant windows, one an en-suite which should be frosted. The one in the bedroom would not be and would overlook the neighbouring property and in to the garden.

Councillor Morris had asked the Clerk to seek clarification on the position of the shed.

It was proposed by Councillor Morris, seconded by Councillor Mrs Hurry, that objection be raised to the application on the grounds of overlooking and loss of privacy to the neighbouring property. This was AGREED with 5 for and 1 abstention.

(b) 18/00597/FULM - Proposed development of 16 new affordable homes (Re-submission of 16/01885/FULM) - Land At Main Street, North Muskham

The Chair summarised on what had happened with the previous application that had been refused planning permission when it was considered by the District Council's Planning Committee in September 2017. It was noted that Officers had recommended permission be granted but this had been overturned by Planning Committee members.

Leading up to the consideration by the Planning Committee, the Parish Council had repeatedly tried to clarify, in detail, a proven local need, but the information given was from the housing register which related to the whole of the district.

The Chair explained that the only change in the application was the mix of properties for which permission was now being sought for 7 shared ownership and 5 affordable rent (both tenures with a local connection obligation in the legal S106 Agreement that will run with the land in perpetuity) and 4 discount for sale bungalows at a 25% discount of the open market value.

The reasons contained in the Decision Notice for refusal against the original application were:

1. Presumption against development that would harm the setting of Listed Buildings and in the overall planning balance it is considered that there are no wholly exceptional circumstances or public benefits of a level to outweigh this level of harm.
2. The application has failed to adequately demonstrate a local need to justify the quantum of affordable housing proposed. As such, the proposed development is not considered to fall within a rural affordable housing 'exceptions site,' set out within Core Policy 2 of the Core Strategy and would therefore result in additional dwellings within the open countryside, outside the main built-up area of North Muskham.
3. The application site lies wholly within Flood Zone 2 as defined by the Environment Agency Flood Maps, which means it is at medium risk of flooding. Both the policies of the Development Plan and the National Planning Policy Framework state that inappropriate development in areas at risk of flooding should be avoided by directing new development to areas with the lowest probability of flooding through the application of the Sequential Test. As this proposal represents new residential development, the proposal is required to pass the Sequential Test. With local need unproven for the full quantum of development proposed, in the opinion of the Local Planning Authority there are many other sites within the District (including potentially in North Muskham), at lower risk of flooding where development should be located.

It was therefore considered that the proposed development was contrary to Core Policy 9 and 10 of the Core Strategy, Policy DM5 of the Allocations and Development Management DPD and fails the Sequential Test as set out in the NPPF, which was a material planning consideration

Since the Housing Survey was undertaken in 2015 there have been seven (mostly 3 bedroomed) properties granted planning permission, some of which could have met some of the need identified in the survey.

In 2007 the Secretary of State stated that all Local Authorities should bear in mind that the flood plain should not be built on if other land was available.

It was noted that there were inaccuracies within the application, which included there was a shop in North Muskham.

The Chair suspended the meeting at 7.35pm to allow for questions from members of the public.

A resident was concerned at the safety aspect of traffic feeding in to the main road, especially given the heavy vehicles along that part of the village.

The Chair explained that highways had already considered that previously and mitigation measures had been included, which also allowed for a footpath to Old Hall.

A resident asked whether the four market value homes were funding the whole of the site as it was understood that the £160,000 grant previously available was now withdrawn.

There was a reference in one of the documents that a site at Rose Cottage had been considered. The owner was present at the meeting and confirmed that they had been in discussion with the Planning Officer since the Local Development Framework was in place about developing their land, which would include affordable housing. They had not, however, been approached as an exception site.

Councillor Mrs Saddington asked if the Parish Council wanted the application to be referred to Planning Committee she would make this request. The composition of Members on the Planning Committee would change in May.

A resident asked if comments made on the previous application would be carried over, or whether comments would have to be resubmitted. The Chair stated the Clerk would investigate and advise accordingly.

It was noted that letters had been sent out to individuals who had previously registered their interest in the application.

It was further noted that no notice advising of the application had yet been put up on site.

The Chair thanked the members of the public present for their questions and reconvened the meeting at 8.12pm.

After discussion, it was proposed by Councillor Morris that the Parish Council continue to raise objections on the following grounds:

- the comments in the previous Decision Notice stated that there was a statutory presumption against development that would harm the setting of Listed Buildings and there were no wholly exceptional circumstances or public benefits of a level to outweigh this level of harm. It was not considered that the new application had overturned this reason for refusal. The District Council had been unable to identify a proven local need.
- the Parish Council had not received, neither was it confident, that proven local need had been identified for this site and type of development, especially given the developments that had taken place in the community since 2015
- there was still a flood risk issue regarding SUDS and the Parish Council was still of the mind that it still did not meet the sequential test as there were other potential sites in the village at less flood risk.
- the Parish Council were surprised and concerned that the site known as 'Rose

Cottage' had never been included in the assessment of affordable housing sites, irrespective of whether the land owner would sell at a reduced rate, although this site had been identified some years ago

This proposal was seconded by Councillor Mrs Hurry.

The Chair asked whether any other Members wished to make an alternative proposal.

In the absence of any other proposal being made, a vote was taken on the proposal before Council. This was carried by 5 votes for and one abstention.

(c) Decision Notice – 18/00015/FUL – 10 Crab Lane, North Muskham – Erection of dwelling and widening of Crab Lane to create passing space at front of site

Members noted the decision notice granting planning permission for the erection of a dwelling.

A resident expressed concern that the Parish Council comments had not been submitted to the District Council. The Clerk confirmed that comments had been submitted but would query with the Planning Officer and report back to Members and the resident who had raised the query.

(d) PAGE Update

The Chair advised that a meeting would be held with the PAGE Consultant shortly.

There were still potential quarries between South and North Muskham and opposite the Sugar Beet Factory on Great North Road.

(e) Planning Enforcement Matters

It was noted that there had been a couple of incidents where motorhomes had parked overnight. The Clerk had notified the Enforcement Officer.

After discussion, Members suggested it would be helpful for a sign stating 'No Overnight Parking of Motorhomes' to be erected in the car park. The Clerk was asked to speak to the landlord and ask if a sign could be put up.

9. **Parish Council Matters**

(a) Capturing Memories Project

The Clerk was asked to post a request on the Messenger for an individual(s) to deliver the project, with a small donation available to cover expenses. It was considered that it may be of interest to a student.

10. **Environmental & Community Issues**

(a) Update on Section 130A Submission

The Clerk advised that a request had been made for an update but one had not been provided prior to the meeting.

The Chair observed that the County Council had failed to carry out what was agreed at the meeting some 9 months ago. The agreement was that the County Council would serve licences on certain householders, conditional on allowing them to have small hedgerows, but having everything else removed. However, that had not been delivered despite the Parish Council being advised that a contractor had been instructed. Matters could not now proceed as it was bird nesting season.

The options open to the Parish Council were to continue to the Magistrates Court or to express the Parish Council's extreme disappointment to the County Council.

After discussion it was AGREED that the Clerk would write to the County Council to express the disappointment of the Parish Council that contractors were not arranged in time and that it expected to be given a timetable for delivery. The Parish Council would then monitor the timetable and expect the work to be done as soon as the bird nesting season ended.

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

There were no issues to report at this time.

(c) Land at The Grange – Confirmation of Ownership

The Clerk advised that the ownership of the land at The Grange had been confirmed as Taylor Wimpey East Midlands who were now in discussion with the resident about the condition of the trees.

Additionally, it had been confirmed that the two other pieces of land shown on the title plan were now in private ownership.

(d) End of WW1 Commemorations

The Chair reported that the MRCC would sponsor the lamp post poppies up to £250. Residents would also be welcome to sponsor a poppy if they so wished.

The Clerk was asked to confirm with the Royal British Legion the cost of the poppies and then seek support from residents through the Messenger.

Cllr Saxton, with the Clerk, would be the liaison with Church to arrange the service.

(e) Community & Mental Health Services – Survey Questions

This had been circulated to Members for completion as appropriate.

11. Highways

(a) Highways Repair Log

Members received and noted the highways repair log.

The repairs recently undertaken to potholes outside the Church on Main Street and at the junction with Ferry Lane appeared to be of poor standard and had been reported to Via.

Cllr Mrs Hurry reported that the old dog waste bin had not yet been removed from Marsh

Lane. The Clerk would chase the District Council for it to be removed as requested. Additionally, the Clerk was asked if the handyman could look at the dog bin on Mill Lane with a view to making it more visible.

(b) Advance Roadworks Bulletin - Bathley Lane Level Crossing, Bathley Lane, North Muskham for 10 metres each side of the Level Crossing Barriers

Notification had been received from Via that the Bathley Lane level crossing would be closed over three weekends as follows:

23.30hrs on Saturday, 5th May to 08.15hrs on Sunday, 6th May

23.30hrs on Saturday, 12th May to 08.15hrs on Sunday, 13th May

23.30hrs on Saturday, 20th May to 08.15hrs on Sunday 21st May

12. Financial Matters

(a) Accounts for payment:

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

- Clerk's Wages – March - £231.90
- Payment to HMRC for Clerk's wages – March – £58
- Village Handyman to 31st March 2018 - £108
- MRCC – Hire of Hall & Refuse – March - £31.75
- MRCC – CFR Training – 03.03.18 - £17
- Larken & Co – Legal Fees - £540
- Newark & Sherwood District Council – Dog Bin Emptying Service - £634.92
- Tuxford Lawnmower Centre – Machine Servicing - £460.89

(b) To note any receipts

- South Muskham & Little Carlton PC – Contribution to SSA Planning Invoice – £93

(c) Financial Report – to 31st March 2018

Members received and noted the Council's financial position as at 31st March 2018.

(d) Appointment of Internal Auditor

It was AGREED that the Clerk should approach Mr Shaw and ask him to undertake the Council's Internal Audit for the 2017/18 financial year.

(e) Arrangements for External Auditor

Information had been received from PKF Littlejohn regarding the external audit. The Clerk to review and advise Members accordingly.

(f) To allocate the Council's Budget

After discussion it was AGREED that the Clerk would put together a budget with the aim of increasing reserves and circulate to all Members.

(g) Notification from NALC of Section 137 Limit

Members noted confirmation from the Ministry of Housing, Communities and Local

Government of the increase in the Section 137 expenditure limit from £7.57 to £7.86.

(h) PWLB Audit Statement

Members noted receipt of the end of year statement which showed an outstanding balance of £45,438.65.

13. Notts Association of Local Councils

(a) Rural Roundup Newsletter

Members noted receipt of the Rural Roundup Newsletter, a copy of which had been circulated to them for information.

(b) Planning Training

Two training sessions had been arranged covering the basic principles of planning, on Wednesday, 20th June and Thursday, 28th June between 1pm and 4pm.

Members were asked to advise the Clerk if they wanted to attend.

(c) Publication of Revised Model Standing Orders

These would be reviewed the Clerk with a view to presenting revised Standing Orders at the May meeting.

14. Correspondence

(a) Decision Notice - 18/00008/FUL – Juleen, 7 Main Street, North Muskham – Householder Application for Single Storey Rear Extension to Semi-Detached Bungalow (Retrospective)d

Members received and noted the decision notice granting retrospective planning permission.

(b) NJC for Local Government Services – 2018 & 2019 Payscales & Allowances

The Clerk advised that agreement had been reached on rates of pay applicable from 1 April 2018 and 1 April 2019. A confirmed pay scale was awaited.

(c) 2018 Annual Playground Inspections

The Clerk advised that the District Council had circulated the details for the 2018 annual playground inspection which would be undertaken by The Play Inspection Company at a cost of £45 plus VAT.

(d) Correspondence from Robert Jenrick MP

The MP had confirmed that a consultation on had been launched by the Minister of State for Housing on a traveller's policy.

15. Date of Next Meeting

Monday, 14th May 2018

The meeting closed at 9.05pm