

GREAT CASTERTON PARISH COUNCIL

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The Minutes of Parish Council meeting held at Casterton Church Hall at 7.00 pm on Wednesday 13th July 2016.

In Attendance:

Councillors Mark Bush (MB) in the Chair, Michael Markey (MM), Clare Rowbotham (CR) Alasdair Ryder (AR) John Sylvester (JS) and Derek Patience, Parish Clerk. Also present was County Councillor David Wilby (DW). There were 6 members of the public in attendance, Mr. & Mrs. Marriott, Mr. & Mrs. Amps, Mr. & Mrs. Broome.

16.042 Public Questions

The Chairman welcomed those members of the public present, and outlined the procedures for public questions as set out in Standing Orders. He also explained the guidelines to be followed by Parish Councils when considering planning applications.*

Mrs. Marriott wished to speak on the subject of the planning application submitted recently for Toll View, and explained that the reason for their attending this meeting was to generate support for the renewed application. She had three points to reinforce:

1. The Parish Council's comments on their original application was the the development was "overly large". In her opinion this was not the case, and in fact the footprint of their property was smaller than the adjacent property, The Granary, and of similar size to their other neighbour, Roman Meadow.
2. The Planning Officer at RCC had commented in his assessment of the application that the proposed roofline of the extension would be "visually intrusive". Mr. David Brown, RCC's Director of Places, in a subsequent visit to the property, had indicated that this would not be the case.
3. Mr. Broome's comments on the original application regarding loss of light, etc. were not material to the application. No individual would be at detriment as a result of the development.

Mr. & Mrs. Marriott had petitioned villagers on the matter, and lodged a copy of the petition signed by 80 residents. They also highlighted a possible conflict of interest in view of Mr. Markey's friendship with Mr. & Mrs. Broome.

In conclusion Mrs. Marriott asked the Parish Council to reconsider its objection to the proposals.

In response, the Chairman said that the Parish Council would be looking only at the renewed application when discussing the matter later in the agenda. The Parish Council had not been party to Mr. Brown's comments, and could take no account of them in its deliberations. He read out extracts from Historic England's letter to the Planning Dept., and asked whether Scheduled Monument Consent (SMC) had been applied for.

Mr. Marriott confirmed that SMC had been applied for and produced the application from dated 12th July. The also confirmed that they had taken the advice of an archaeologist of their own accord, even though RCC had approved the application, and had indicated that an archaeological survey would not be necessary. There was no written evidence for this.

* Extract of Section 1 attached

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Mr. Broome also asked to comment on the planning application relating to Toll View, and left a copy of the formal objection to the current application submitted to the planning authority by his consultants. He suggested that RCC had made a gross error in granting approval to the original application, as a result of the “wrong button being pressed” and the approval notice listed all the reasons why it should not be approved. In consequence, development had commenced, and as a result archaeology had been visibly destroyed.

He said that Mr. Brown had suggested that “it was no longer expedient” to continue with attempting to revoke the erroneous decision even though an error had been made. The matter had now been taken to judicial review. The matter was also in the hands of the Planning Ombudsman, who, however, would have no power to revoke the decision. Mr. Broome had instructed his lawyers to take action against RCC for their “perverse and illegal act”, and RCC had offered no defence.

Mr Broome said that the renewed application was identical to the original, and suggested the planners should not change their opinions. According to the original development approval, the property was deemed to be large enough for the site, and a restrictive covenant was placed on to prevent further development. This was removed in 1991, and further development had taken place since. Since the erroneous approval was given, development had taken place apace.

In conclusion, Mr. Broome asked the Parish Council to consider the new application on the same basis as it had given to the original.

Mrs. Marriott indicated that RCC had accepted the Judicial Review purely on financial grounds, as to contest it would have cost it many thousands of pounds. They had commenced development in good faith, having received approval from the planning authority.

Mr. Broome suggested that the Marriotts had been advised by RCC to stop development pending the outcome of the legal procedures now being followed.

Mr. Amps asserted that the planning consent would be upheld in a court of law.

Mr. Broome re-asserted his view that it was an identical application to the original, and should receive an identical response.

The Chairman closed Public Questions and reminded the public that no comment or interruption would be allowed during the Parish Council Agenda.

16.043 Apologies for Absence:
County Councillor Chris Parsons,

16.044. Declarations of Interest and Amendments:
MB declared an interest in the trees at Home Farm, as a resident of Home Farm Close

16.045 Minutes of Previous Meetings held on 10th.May 2016

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- a) Annual Parish Meeting
- b) Parish Council Meeting

The minutes of both meetings were accepted as a true record, proposed MM, seconded MB, all in favour

16.046 Matters Arising from the Minutes

None

16.047 Police & Neighbourhood Watch

No report in the absence of a police representative.

16.048 Financial Update

Current Position: The Clerk had circulated a financial update to councillors prior to the meeting. This showed expenditure so far this year of £2,436, and income of £5,510, leaving a current balance of £9,541. The most significant item of expenditure had been £660 on the development of the new website, approved at the last meeting.

16.049 Planning

1. Toll View, Ryhall Road: The Chairman asserted that the council was reviewing a new application, and councillors had heard the views of the owners and neighbours expressed in Public Questions. In his view, there were two aspects which needed consideration: the proposed roofline, and the archaeological considerations.

MM said that in view of the perceived conflict of interest he would not cast a vote on the planning application.

From the floor, Mrs. Marriott suggested that neither of these considerations was relevant, given that the Parish Council had, in its comments on the original application, had not mentioned either the roofline, or the archaeology. She was again reminded by the Chairman that public interruptions were not allowed.

DW introduced himself to the members of the public, and told them that as Ward County Councillor, one of his responsibilities was to sit on the Planning Committee. He indicated that, should this application be brought to the committee, he would not vote on it in view of his involvement here.

MM commented that non-permitted development has taken place on the property over recent years. Mrs Marriott interjected that these had been only undertaken on the same footprint.

AR expressed his regret that he had not been able to attend the meeting at which the original application had been discussed. He asked what considerations had been applied, which the Chairman outlined. He also asked who was involved in the archaeological process, and the Chairman indicated that letters to the planning authorities had been submitted by Historic England and Leics. County Archaeologist which suggested that the applicants should submit a written scheme for archaeological survey and investigation before any work was commenced..

At this point the Chairman again overruled further interjections from the floor.

DW suggested that any comments made on the renewed application should relate only to material factors.

CR felt that the Parish Council should adopt a neutral stance.

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JS agreed that the comments should take a neutral view and the the petition of residents should be taken into account.

MB agreed that a neutral comment should be lodged, and that comments should express concerns regarding the archaeology and the oversize development.

Further interjections from the floor were yet again overruled by the Chairman, following which Mr. & Mrs. Amps left the room.

After further discussion, it was agreed, with four votes in favour (MM abstaining) that the clerk should post a neutral response on the planning website without any further comments.

2. Home Farm Trees: The Chairman reported that Mr. Lamb had submitted an application to fell the remaining two lime trees, in response to which RCC had refused, and imposed a Tree Preservation Order (TPO) on the remaining trees. Mr. Lamb has lodged an appeal, which will be heard by an independent arbitrator appointed by RCC.

DW commented on what appeared to be a lack of communication between the Parish Council and the Planning department regarding trees in the village. He suggested if these concerns were put in writing to him, he would take the matter up on our behalf.

3. Stamford Neighbourhood Plan: no further news at this point. DW suggested that little will be heard until November this year.

16.050 Parish Website

The new website is now up and running.

16.051. Street Lighting Proposals

The Clerk outlined the details of the proposals, which will see the whole lighting stock in the parish being taken on by the County Council, with a community lighting charge being passed on to parishes covering lights on non A or B roads, which latter will be the full responsibility of RCC. The Parish Council will have no further responsibility for lighting issues in the village. The Clerk had circulated details of current costs to the Parish Council for street lighting, which showed a net outlay of some £450 pa, with the proposed community lighting charge coming in at £385 for 2017/18. He also pointed out that in recent years, the Parish Council had expended a net £1,666 on upgrading all its lighting stock to LED units, a prudence which many other parish councils had not followed.

RCC Highways Department had asked the council to express its satisfaction with the proposals by 19th. July. It was agreed that the Clerk should respond in the affirmative, and additionally should comment that it would be expedient for RCC to recompense the Parish Council for the upgrade expenditure which it itself would not have to undertake.

Any Other Business

None.

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16.028. Date of Next Meeting:

Wednesday 21st. September 2016

There being no other business, the Chairman declared the meeting closed at 8.55 pm.