

Medbourne Parish Council

MINUTES OF THE MEETING HELD IN MEDBOURNE VILLAGE HALL AT 19:45 ON MONDAY 5 JUNE 2017

Councillors present: Gidley-Wright (Chair), Caffrey, Easton, Pilkington, and Shaen-Carter.

Also present: Ten members of the public, District Councillor Rickman, and Graham Thomson (Clerk to the Council).

- 27.0 D **TO ACCEPT, OR OTHERWISE, APOLOGIES FOR ABSENCE RECEIVED**
No apologies for absence were received.
- 28.0 D **DECLARATIONS OF INTERESTS**
No declarations of interest were made.
- 29.0 D **TO NOTE ANY REQUESTS FOR DISPENSATION GRANTED**
The Clerk reported that no requests had been granted.
- 30.0 D **PUBLIC REPRESENTATIONS**
The Chair suspended the meeting at this point and invited comment from members of the community present.
- 30.1 D **Riverside Planning Application**
District Councillor Rickman expressed his disappointment at the manner in which the applicant had proceeded with the effort to fence the Ancient Road.
- 30.2 D **Drayton Road Planning Application**
District Councillor Rickman said he had queried why this application was being dealt with as a variation. He explained that although the Head of Planning saw it as a variation on the previous application but that he would treat it as a full application.
- 30.3 D **Resumption of the meeting**
The Chair resumed the meeting at this point.
- 31.0D **CONFIRMATION OF THE ACCURACY OF THE MINUTES OF THE COUNCIL MEETING HELD ON 8 MAY 2017**
The minutes of the meeting of the Parish Council held on 8 May 2017 had been circulated. It was noted that there was a typing error in minute 19.2 *Drayton Road variation of condition* which said "spoil could" instead of "spoil heap". Cllr. Easton MOVED and Cllr. Shaen-Carter SECONDED and it was RESOLVED that the minutes as amended be accepted and signed by the Chair.
- 32.0D **TO RECEIVE FACTUAL UPDATES OF MATTERS ARISING FROM THOSE MINUTES NOT MENTIONED ELSEWHERE ON THE AGENDA**
- Minute 21.2 Bowls Club Painting**
Cllr. Shaen-Carter reported that the shed would be painted at the end of the season.
- Minute 14.2 Cycle Races**
Cllr. Shaen-Carter reported that for time trials the Police had to be notified and could object but permission had to be obtained for road races. It was noted that because there was not central register of all activities and events it was difficult for cycle clubs to avoid conflicting with organized events. It was suggested that local cycle clubs could notify David Tuffs who could pass on the information to the village.
- Minute 21.1 Neighbourhood Watch Scheme**
The Chair reported that the official information had been received but that it was not clear whether the desire was to enrol the village as a whole or on a street by street basis. IT was suggested that the matter be fully discussed at the next meeting.
- Minute 16.2 Uppingham Road And The Hallaton Road**
The Clerk reported that he had pursued the matter with the County Council without success. He undertook to make further contact.
- Minute 16.3 Land Adjacent To The Church At Riverside House**
The Clerk reported that the Council's objection had been rejected by the Secretary of State and that he was drafting a letter objecting to the rejection. Cllr Pilkington stated that she considered the matter to be procedurally unfair given that acceptable grounds for objection were not publicized.
- 33.0D **TO RECEIVE REPORTS INCLUDING ON THE FOLLOWING MATTERS:-**
- 33.1 D **Broadband / Websites**
It was noted that there was nothing new to report.
- 33.2 D **Lighting**
The Chair stated that there was nothing new to report.
- 33.3 D **Sports Club**
Cllr. Caffrey stated that there was nothing new to report.
- 33.3.1. D **Request from the Sports Club to purchase a Quadraplay using the Mower Fund**
The Clerk reported that there was just over £6,000 in the Mower Fund. It was noted that the Sports Club had provided some information about the Quadraplay but the likely cost was not clear but could be £10,000. The Council considered the background to the Fund and the Council's decision in principle to agree to the use of the Fund for the purchase of a Quadraplay. Following a full discussion it was RESOLVED that Cllr. Caffrey ask the Sports

Club for clarity of the total cost, how much of the Mower Fund was being requested, and what was the contingency plan if the mowers needed to be repaired or replaced.

33.3.2. D **To consider the Council's views on the proposal from the Sports Club to erect a sign**

Cllr. Caffrey stated that the Sports Club were requesting the Council's views on a proposal to erect a large sign approximately 4 foot square. RESOLVED that Cllr. Caffrey request accurate details of the size, content and position of the proposed sign.

33.4 D **Village Hall**

Cllr. Easton reported that a fundraising event would be held on 18 June 2017 with at least two Open Gardens, and flowers in the church.

33.5 D **Medbourne Educational Foundation Trust (MEFT)**

Cllr. Pilkington stated that there was nothing new to report.

33.6 D **The Hollow**

Cllr. Pilkington stated that there was nothing new to report.

34.00 **NEIGHBOURHOOD PLAN ADVISORY COMMITTEE (MNPAC)**

Mrs Lee reported that an open event had been held on 13 May 2017, with 78 people attending who had been mostly positive. She added that information was on the website and the MNPAC was working through the details and that a first draft should be available on 21 June 2017. It was noted that a great deal of information and data had been gathered in the process and thought would have to be given to how it should be used and made available after the planning process. Mrs Lee added that a conditional offer of a £4,075 grant had been received from Locality

35.0 D **TO CONSIDER AND MAKE COMMENT ON PLANNING MATTERS**

35.1 D **17/00766/NOT Prior Approval for a proposed larger home extension: Erection of single storey rear extension depth 4.8 metres, height 4.5 metres and eaves height 3.5 metres, Brookfield House Drayton Road Medbourne**

Cllr Shaen-Carter expressed a view that the extension was so significant that it ought to have a full planning application rather than permitted development. RESOLVED that no objection be made.

35.2 D **17/00716/FUL Erection of a single storey side extension, 24 Main Street Medbourne**

RESOLVED that no objection be made.

35.3 D **17/00666/VAC Variation of condition 2 (approved plans) alterations to Units 1, 3 and 4 of 14/01411/FUL, The Paddock Drayton Road Medbourne**

RESOLVED that the Council comment in the following terms:-

"Unit 1, The garage has been repositioned near the access, in-between the property and the rest of the development, instead of round the back, which is sensible. However, the rearranging has had the effect of visually linking this house to the next property, with only a metre gap between the two. On the street elevation, this is hidden by the chestnut tree on the road verge.

"The end unit should be moved away from the village so that there is at least a 3m gap between the two properties, making the lawn 11.5m wide instead of 13.5m. This would at least allow glimpses of the countryside beyond.

"Also instead of a gate at the end of the shared drive, the drive now ends in a large hammer head, presumably for communal use. It is unclear where the boundary/curtilage of this property will be. Please could the extent of the curtilage of the end house be shown?"

"With regard to the landscape scheme, the drawing is inadequate. It does not show what new shrubs and hedging are going to be placed where exactly, or the variety, size, number and centres of the shrubs. There are just general tree blobs scattered around with green infill areas for the hedges. There is no maintenance replacement programme. More details need to be provided."

35.4 D **17/00668/FUL Conversion of existing garage, erection of first floor extension above and erection of carport to side, Cobblers Cottage Old Green Medbourne**

RESOLVED that the Council comment in the following terms:-

"Medbourne Parish Council considers that this scheme will be an improvement to the street scene and therefore has no objections. Any gates should be located at the rear of the carport so that the road is never blocked."

35.5 D **17/00806/FUL Erection of perimeter fencing and gates to enclose garden land, Riverside House 9 Springbank Medbourne**

RESOLVED that the Council comment should include the submission to the Secretary of State including the Annexes and the following:-

"The Medbourne Parish Council objects in the strongest possible terms to the planning application and permission sought in application 17/00806/FUL, on the basis that its approval and the potential consequences of that approval would be detrimental to the interests of the local community and its heritage.

"In this instance the benefits to the community of the application being dismissed far outweigh the benefits to an individual landowner of it being granted.

"The land in question holds historical significance to the village of Medbourne. The importance and

relevance of that history to the local and wider community has been demonstrated several times since 2012, as various planning applications have been submitted to Harborough District Council ("HDC") seeking to remove the rights and benefits which exist for the community, for the benefit of an individual.

"The importance of this specific strip of land in terms of heritage was the basis of a public campaign in 2013, following the submission of a planning application which sought to build a house on the land.

"Submissions were made in opposition to the development on the land. A petition, signed by numerous individuals, was delivered to Leicestershire County Highways ("Highways") and consideration of the historical views and argument raised at the time resulted in Highways acknowledging the importance of the land to the village and the planning application had to be amended such that the land was not built upon.

"Significance of the Land and Importance to the Village

"It is important to note the location of the land in question – right at the centre and heart of the conservation area of the village. From a conservation and historical perspective it would be difficult to find a more focal point in the village.

"The piece of land is adjacent to the Grade II star listed St Giles Church. Part of the significance of St Giles Church is that it is one of the few remaining churches which has a visible moat. The moat is visible in part due to the fact that the land in question is not built upon or encumbered in any way.

"The land also affords a visual amenity to the Listed Monument Medieval Pack Horse Bridge (referred to as the "Scheduled Medieval Bridge" by English Heritage in their correspondence dated 11.02.17 – Annexure G of the submissions to the Secretary of State attached with this document).

"It is vital that the land retains its open nature such that these historic assets can be enjoyed and viewed by all and that no development of any kind including fencing/railings should be permitted to fully enclose it.

"In order to preserve the character of the Conservation Area in this location and not harm the significance of the setting of the church as a designated Heritage Asset, the land in question should not be permitted to be fenced off or developed in any way.

"The importance and significance of this land – and the detrimental effect of allowing it to become part of a fenced garden, has been considered not only by local residents and the Parish Council, but also by English Heritage.

"In correspondence to HDC dated 11.02.17, in response to application 16/01916/FUL relating to this land, English Heritage opposed the application, noting that the relocation of the boundary in that application:

"will result in the loss of highway space as a legible part of the village layout through the loss of the existing boundary line and the likely accretion of domestic garden planting and structures within the highway. This would represent harm to the the (sic) ability to understand the Church of St Giles and the Scheduled Bridge in their historic spatial context, itself a key part of the character of the Conservation Area. There may also be physical impacts upon the below ground archaeological remains. This proposal represents harm therefore to the significance of these designated heritage assets. (Correspondence from English Heritage to HDC dated 11.02.17 – Annexure G of the submissions to the Secretary of State attached with this document)

"The correspondence from English Heritage, sets out various recommendations and refers to appropriate policies which should be taken into consideration by HDC when coming to any decision in relation to this application – particularly with regard to the National Planning Policy Framework paragraphs 132 and 134 (which state that all harm to designated heritage assets require clear and convincing justification and must be weighed against public benefits) and the statutory duty of s66(1) and s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

"The importance of the land from an historical perspective was not lost on the planning officers and planning committee in relation to application 16/01916/FUL, when various conditions were ascribed to the land in question to protect the visual amenity of the area including the setting of adjacent heritage assets.

"We ask that HDC stand by those conditions and protect the historical significance of this land.

"The Decision Notice in 16/01916/FUL notes the:

"Statement of reason for grant of Planning Permission: The change of use from highway land to residential land with suitable conditions will not affect the visual amenity of the area, including the setting of adjacent heritage assets."

"Condition 3 of the Planning Permission states:

" With the exception of the details shown on the permitted plan, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), no gates, fences, walls or other means of enclosure, shall be erected or placed on the land subject to this change of use application. REASON: In the interests of visual amenity and to accord with Harborough District Core Strategy Policy CS11" (Planning Permission notice in application 16/01916/FUL dated 17.02.17)

"We maintain that this condition is of the utmost importance and significance with regard to protecting the "visual amenity of the area including the setting of adjacent heritage assets" and ask that HDC reinforce and uphold this condition from their decision in 16/01916/FUL.

"To grant the permission sought in the current application would be in breach of HDC's Core Strategy 11 – particularly Core Strategy 11 a), b) and d).

"In particular we ask that HDC enforce condition 3 of the Planning Permission:

"3. With the exception of the details shown on the permitted plan, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), no gates, fences, walls or other means of enclosure, shall be erected or placed on the land subject to this change of use application.

REASON: In the interests of visual amenity and to accord with Harborough District Core Strategy Policy CS11" (Planning Permission notice in application 16/01916/FUL dated 17.02.17).

"Once the land is included in the curtilage of a residential garden, there is nothing that the Parish Council or HDC can do to prevent the Applicant from using that land as a normal garden – growing trees, hedges etc along it which could destroy the view and vista of the Grade II star listed Church and Medieval Packhorse Bridge.

"This is not a simple application seeking to move a perimeter fence to incorporate "extra" land into a garden – land which would otherwise serve no other purpose. The land in question is of great importance to the village as it currently exists, unfenced and unable to be developed or planted – but simply maintained. Its unencumbered existence helps to ensure that the sanctity of the circle around St Giles Church, (the Grade II star listed moated church) is maintained and that a visual remnant of Medbourne's droving history is preserved.

"The Applicant has stated in his application that:

"consent has previously been given to enclose exactly this area using the same fencing under application 12/01644/FUL".

"We submit that this statement should be viewed as being deliberately misleading. Whilst consent may have been given at one time for this land to be enclosed, that consent was given in error and the error was subsequently rectified. In 2013 the arguments regarding the rights of the public in relation to this strip of land were upheld, resulting in the proposed development under 12/01644/FUL being amended.

"The issue to be determined here, we submit, is whether the benefit of to the individual of having an increased garden area, outweighs the benefits to community by ensuring that a strip of land in the heart of the conservation area of the village is protected and left unencumbered, thereby protecting and keeping the sanctity of the circle around the Grade II star listed moated church and also preserving the visual reminder of Medbourne's droving history.

"This application is seen as not only an application which is detrimental to the visual amenity of the significant Grade II star listed Church of St Giles and the listed monument Medieval Pack Horse Bridge, but is seen as an application which, if granted, would be to the benefit of an individual home owner and to the detriment of the community both now and in the future.

"We submit that the application should be dismissed and that Harborough District Council should strongly enforce the planning conditions set out in Application 16/01916/FUL, in the public interest.

"Background

"If it seems incongruous that the Parish Council did not oppose the previous application, 16/01916/FUL, seeking a change the use of the land from "public highway to domestic land" but now opposes this application with such vigour, we explain our position.

"We also attach a copy of submissions made by the Parish Council to the Secretary of State in this matter in relation to the recent application by the Applicant to stop up the Highway on the land – application NATTRAN/EM/s247/2733.

"Since 2013 the applicant has had numerous dealings with the Parish Council in an attempt to reach a compromise over the use of this land. The basis of the discussions was the Applicant's claim that the security of his house was compromised by the existing fenceline along what was until very recently, a public Highway.

"It was submitted by the Applicant that by reducing the highway slightly, the community would not suffer any detriment but that he and his family would be considerably safer.

"We refer to copies of correspondence from the Applicant to the Parish Council dated 19 May 2016 (Annexure A in the submissions to the Secretary of State attached with this document) and from the Parish Council to the Applicant dated 28 June 2016 (Annexure B in the submissions to the Secretary of State attached with this document) setting out the basis of the agreement and how it was intended to apply, from both parties perspectives, to application 16/01916/FUL.

"It is very clear from the correspondence that, if at any time, the Applicant deviated from the proposals he set out, that the Parish Council would not agree to support any change of use of the land.

"The Applicant always maintained to the Parish Council that it was not his intent to seek to stop up the entire section of land and that the purpose of his original application 16/01916/FUL was to attempt to secure his property, not for his personal gain and benefit or to the detriment of the community.

"At the time of application 16/01916/FUL it was believed that an agreement had been reached between the Applicant and the Parish Council regarding the intent and actions which would be acceptable to both

parties, and ultimately it was felt, to the benefit of the community as a whole, accommodating the needs of the community and the individual.

"It was for this reason, and this reason alone that the Parish Council agreed not to oppose Application 16/01916/FUL.

"The Applicant has clearly not adhered to the agreement either to the letter or in principle.

"The Applicant has clearly manipulated the Parish and District Council into changing the use of this land for purposes other than those set out in his correspondence or application 16/01916/FUL.

"These actions clearly demonstrate the potential for current and future landowners to act in a manner which is contrary to the community's interest to protect the visual integrity of the Grade II star mooted church and Medieval Packhorse Bridge in their historic spatial context.

"By allowing the application and enabling the land in question to be incorporated into a larger garden area, we submit the interests of the community are put at risk and potentially denied.

"The application should be denied and dismissed.

"While the Medbourne Neighbourhood Plan has yet to be finalised and therefore has no legal status or weight, the evidence gathered through the questionnaire and the open events can be seen as evidence of community opinion. In this case, the Medbourne Neighbourhood Plan Community Questionnaire Analysis dated 2nd April 17, which can be seen on the Medbourne website, shows that the community values St. Giles church both as a heritage asset and as an important open space. See attached pages below.

"Medbourne Parish Council therefore considers that it is important that the setting of this heritage asset is preserved, and asks that this Planning Application, which will result in fencing and possibly planting next to the boundary wall of St Giles Church be refused."

35.6 D 17/00764/FUL Change of use of land to camping and caravan site, Land Opposite Medbourne Tennis Club Hallaton Road Medbourne

RESOLVED that the Council comment in the following terms:-

"Medbourne Parish Council objects to this proposal.

"The land in question's present use is 'a field with stables'. As such it can be used by the Camping and Caravanning Club, which allows 10 tents and 5 motor homes (plus the 4 bell tents), but limits it to use by CCC members.

"The Parish Council does not wish the use of the field to be changed to a camping and caravan site.

"The proposal submitted does not make any provisions for waste, either in terms of the storage of waste (recycling provisions etc) or to aid in the collection of waste. The change in use from primarily agricultural land to a site with potentially 20 pitches would see a significant increase in people using the site and hence waste.

"The major objection of the Parish Council relates to the potential increase in traffic which could result with the change of use. The site is located immediately opposite the entrance to the Medbourne Sports and Social Club car park. It is a busy junction, with people turning into the Sports and Social club in the evenings and at weekends. Often lots of cars are parked on the verges, with young people and their parents walking down the road. Visibility is often impaired and a camping and caravan site, with its entrance using the same section of road, would increase the already existing traffic concerns.

"The Parish Council does not want to see any more traffic added to this potentially dangerous spot."

35.7 D 17/00857/FUL Installation of new access and dropped kerb, 7 Old Holt Road Medbourne and

17/00845/TCA Works to trees (fell) at 7 Old Holt Road Medbourne

RESOLVED that the Council comment in the following terms:-

"At present two houses share a joint access. This proposal creates separate accesses, which is better for both houses.

"It involves the removal of a pine tree, and a rowan tree, which make the front of the houses quite dark.

"Provided Highways are happy with the width of the access and the visibility splays, Medbourne Parish Council has no objections."

35.8 D 17/00890/PCD Discharge of conditions 3 (tree protection plan) and 4 (materials) of 17/00277/FUL at 2 Ashley Road Medbourne

RESOLVED that no objection be made.

36.0D S278 HIGHWAYS ACT AGREEMENT, NEVILL HOLT

It was noted that a holding response had been received and that the County Council's highways department would be chased again. Cllr. Pilkington reported that Simon Gaulton had said that the County Council had asked for detailed plans and for the benefits of the scheme to be set out.

37.0D TO NOTE SIGNIFICANT CORRESPONDENCE RECEIVED

37.1 D Application for Grant – Parish Magazine

Cllr. Pilkington reported that she had been approached by the Parish Magazine requesting a grant. The Clerk reported that he had provided a copy of the grants policy and application, and had made contact with Mr Ingram to offer assistance. It was noted that no application had yet been received.

37.2 D **Resignation of Clerk**

Cllr Pilkington reported that the Clerk had tendered his resignation and that preliminary arrangements for a successor were being made.

RESOLVED that:-

- the job description, pay scale (NIC LC1), and monthly hours (seventeen hours plus for a temporary period an additional four hours per month for Neighbourhood Planning);
- the staffing committee comprise Cllrs. Gidley-Wright, Caffrey, Easton, and Pilkington; and,
- the interview panel comprise three members of the staffing committee.

38.00 **QUESTIONS TO THE CHAIR**

No questions were asked.

39.00 **TO DETERMINE THE LOCATIONS OF DOG WASTE BINS**

Cllr. Easton reported that she was meeting with a representative from the District Council to determine locations and details and requested that the matter be discussed at the next meeting.

40.00 **ENQUIRY FROM ASHLEY PARISH COUNCIL: PROPOSED RIGHT OF WAY ALONG THE OLD MARKET HARBOROUGH TO PETERBOROUGH RAILWAY LINE (WITH A BRANCH UP TO STAMFORD).**

The Chair reported that a request had been received from Ashley PC seeking support for a right of way to be made along the old rail line that used to run between Market Harborough and Peterborough with a branch up to Stamford. Following a discussion during which it was noted that the line was not in Medbourne Parish it was RESOLVED that the information be passed to David Tuffs for appropriate publicity.

41.00 **TO NOTE ANY ITEMS OF REPAIRS AND MAINTENANCE IN THE PARISH IN NEED OF ATTENTION**

Cllr Pilkington reported that markings had appeared on roads suggesting that repairs would be carried out but that no works had taken place.

42.00 **COUNCIL TRAINING AND RESOURCES**

RESOLVED that no new training be required.

43.00 **TO CONSIDER AND APPROVE THE ANNUAL GOVERNANCE STATEMENTS AND TO RECEIVE AND ACCEPT THE ANNUAL ACCOUNTS**

The Clerk reported that he had not yet produced the final accounts but that he anticipated being able to do so within a week. RESOLVED that a special meeting be held on 13 June 2017.

44.00 **TO CONSIDER AND APPROVE PAYMENTS**

The Clerk reported that the payment to BT for website hosting had been made electronically. RESOLVED that the following payments be approved:-

Recipient	Purpose	Budget	VAT	Sub total	Amount
YourLocale	Neighbourhood Plan (invoice 006)	Neighbourhood Plan	780.00	3,900.00	4,680.00
Eyebrook Wild Bird Feeds (Philip Johnson & daughters)	Bird feed (invoice 4783)	The Hollow	1.91	32.06	33.97
Leicestershire County Council	Advert for Clerk	Administration	-	100.00	100.00

The meeting closed at 21:43

Signed: _____

Date: _____