

BARLEY PARISH COUNCIL
Minutes of meeting of Barley Parish Council
held at the Town House on Monday 3rd February 2020

1. PRESENT

Cllr Jerry Carlisle (Chair), Cllr Ian Turner, Cllr Yvonne Lee, Cllr David King, Cllr Brian Haughey.

2. IN ATTENDANCE

Mel Chammings (Clerk), Tim Martin (RFO), District Cllr Morris
6 members of the public.

3. WELCOME AND APOLOGIES.

Apologies were received from Cllr Bill Sterland, County Cllr Hill, District Cllr Hunter and Nick Shaw.

4. DECLARATION OF INTEREST

No declarations of interest were made.

5. APPROVAL OF MINUTES

The Minutes of the meeting held on 6th January 2020 were read and approved.
Proposed by Cllr Haughey and seconded by Cllr Turner.

6. MATTERS ARISING FROM MINUTES 6th JANUARY 2020 MEETING

The clerk was asked to report on the action log which had been distributed with the agenda papers.

Cleared actions

1. The request to plant a tree at the bottom of Baker's Lane was refused on two counts:
 - Potential damage to utilities
 - Concern about the long term maintenance of the tree.
2. Cllr Lee had written to Helen Leitch expressing her concern about the lack of depth in the Conservation Statement. No reply had been received.
3. The necessary work to remove the ivy from the tree in Richmonds Coaches parking area to the rear of the Town House was completed by Cllrs King and Haughey.
4. The council agreed the location of the deer signs as requested by County Cllr Hill.

Action carried forward

1. Cllr Lee had agreed to carry out further research on the effectiveness of Neighbourhood Plans and had hoped to report back at last December's meeting. This action has been deferred until the March meeting so that views can be sought at the Village Plan meeting held on 13th February.

2. Cllr Carlisle had spoken to the farmer and HCC about ownership of the ditch that runs alongside the access road to the sewage works off Picknage Road. The clerk was asked to email the farmer to confirm ownership and to contact Derek Jerrard (HCC) to enquire when the pipe under Picknage Road would be examined and cleared if necessary.
3. Work on the broken kissing gate on footpath 17, adjacent to the Lovely View horse field was in hand.
4. Cllr Carlisle and the RFO would meet with the chair of the tennis club to clarify financial and insurance arrangements with the Parish Council.
5. The RFO was waiting for the Saffron Building Society e-deposit account for the Town House details to be cleared.
6. New tables for the Undercroft would be purchased once the wooden tables were removed.

Village Plan

The first meeting of the Village Plan working group would be held in the committee room at the Town House on 13 February 2020 at 7.30pm.

Drainworx's report

The report from the utilities service company had been received and indicated that there was no immediate action required. There was a view put forward by Cllrs Turner and Haughey that pumps should be installed now, but as there was no definite majority to proceed with further action at the moment, it was agreed that the situation would be reviewed in 6 months time when it was hoped that plans for the future changing rooms and scout hut would be clearer.

Village Show

Cllr King reported that plans for the Village Show were going well. Cllr Carlisle asked how potential stall holders would be advised. He was thinking particularly about local organizations like the Church and Scouts who would use the event for fund raising purposes. Cllr King would discuss this with Jan McGill on her return.

Cllr Turner had sourced a new type of marquee and proposed that one should be bought to host the Flower Show. It was agreed that he would discuss size requirement with the Flower Show Committee. Any purchase would be from funds held in the Village Show accounts.

Speed reduction

Cllr Haughey reported that there were 19 Drive Safe Schemes within the county, of which only 8 were active on a monthly basis. As Richard Hann, the Tri-counties Road Safety Manager, had proposed that Drive Safe was the preferred speed reduction scheme for the county, the clerk was asked to write to him with the following points:

- Why were there so few active schemes?
- What actions were being taken to encourage take up?
- What data was available as evidence that the scheme was working?

Given the number of volunteers required to administer the scheme, the council resolved to wait for a response before taking further action.

Cllr Turner had attended a meeting on Royston Rural Policing priorities. Subsequently PCSO Brabrook had written to confirm that speeding was seen as a priority for villages

and that the police team would consider what police action would be taken. The clerk was asked reply to this communication asking for an update.

To ensure that accurate speeding averages were reported Cllr Haughey would move the speed sign from the crossroads at Picknag Road to a more appropriate location.

Highways Action Plan

The clerk was asked to contact Gary Hennings (Hertfordshire CC Highways) asking for an update on plans to rectify the drainage and verge embankment problem on London Road. This was now considered to be a serious safety hazard. Similarly, the gully at the junction of B1039/B1368 and Picknag Road required to be cleared urgently.

The Club Room

Cllr Carlisle had met with the MD of Bright Advertising and had discussed a number of options for renewal of the lease which was due to end in May 2022. Subsequently the MD had written to advise that a 5 year lease to May 2027, subject to a review in late 2023 rather than May 2022, would be acceptable.

The council resolved that Cllr Carlisle should accept this arrangement with a view to the Councils' solicitors being instructed accordingly.

7. PLANNING

Consultation reference: 20/00059/FPH and 20/00060/LBC Single storey rear extension.

Church Cottage, Church End, Barley

The council had no objections to this application.

Consultation reference: 19/03064/FP Erection of one 5-bed detached, four 4-bed detached, one pair of 3-bed semis and one pair of 2-bed semis with associated access and ancillary works, following demolition of existing buildings

The following comments were discussed and sent to NHDC

Barley Parish Council (BPC) considered this application at its meeting on 3rd February 2020 and unanimously resolved as follows:-

Barley Parish Council objects to this planning application and ask NHDC in arriving at their decision to take the following comments into account:-

Barley Parish Council considers the proposal inter alia:-

- To be contrary to national and local planning policy
- To result in the loss of a valuable and well used village amenity
- To result in significant and overwhelming demonstrable harm to the Barley Conservation Area
- To have serious implications to surface water disposal affecting a large part of the village
- To severely impact on the amenity of the immediate neighbours and local residents in general.

Planning and policy context

Barley is identified in both the current District Local Plan No 2 with Alterations and the Emerging Local Plan as a selected village beyond the green belt which is capable of taking limited infill development and where development will generally be allowed within the defined settlement boundary.

It is not without irony that Barley is identified as village capable of taking limited infill development by virtue of its range of amenities; yet this application will see the loss of one those important amenities.

BPC acknowledge that this site is within the defined settlement boundary of both documents and therefore the principle of development on the site is acceptable, However, this is subject to the provisions of Policy 7(ii) and 7(iii) of the current Local Plan which require that development proposals are in line with the Policy aims for Visual Character Areas, in this case Visual Character Area V2, and that proposals would maintain or enhance the character or visual quality of the village or the surrounding area; and where within a Conservation Area the positive preservation or enhancement of its character will be expected.

The site is within the Barley Conservation Area (BCA) in both documents.

The characteristics of the BCA were captured very well in the recent planning appeal decision letter (appeal refused) for the proposed development at The Gables which site is located directly opposite this site on the other side of the road. The inspector made the following observations:-

“...I find the BCA to display an open and loose knit character that is reinforced by the open layout of developmentwhich is complemented and softened by the presence of mature landscaping...”

He goes on to comment further on the overall degree of openness within the BCA and indeed concludes that the openness is a defining part of the significance of the BCA.

The National Planning Policy Framework (NPPF) requires that decisions should be taken that support development where it (the development) makes efficient use of land. However, this must take into account the desirability of maintaining an area's prevailing character and setting. Furthermore, the presumption in favour of sustainable development does not prevail where the harm of a development outweighs the benefits.

Consideration of the impact of the development.

The site falls within the BCA. The test for permitting development in instances such as this is one of balancing any benefits that would result from the development against any resulting harm.

- This proposal constitutes a change of use for a substantial part of the site from garage/petrol station and vehicle repair workshops to residential use. There does not appear to be any application for a change of use.
The existing garage facilities are an important amenity for the village and surrounding area, greatly valued and used: and their loss would be very much regretted. The applicant, a developer, has not demonstrated that the existing use is obsolete or that the existing business has been actively and widely marketed. They merely note that the existing proprietors are of, or close to, retirement age and do not wish to make the investment they consider necessary to improve the premises.
- While the existing garage buildings are not of themselves of great architectural merit they are an integral part of the streetscape in this location and which (the front part at least) have been there for probably over 100 years. The proposed

development replacing these buildings is not necessarily an enhancement or improvement to the character of the BCA.

- Reference is made in the application to the site's relationship to High Street but there is no mention whatsoever to its context in the wider village landscape when viewed, for example, from the Plaistow, Picknage Road or on the approach from Great Chishill. It is a very visible site. The extent of the visual intrusion into the village landscape which would result from this proposed development is wholly unacceptable. There is no attempt in the application to offer any mitigation measures at all.
- The proposed development is a high-density courtyard scheme more suited to an urban location rather than a small village and comprises in our view a significant overdevelopment of the site. We consider the scale bulk and size of the development to be excessive and unacceptable.
- The parking provisions are wholly inadequate for the development proposed; in an effort to cram in as many houses as possible double bank parking has been proposed for some units and a mere 4 visitor spaces provided. This will exacerbate the existing parking issues on the High Street.
- The design of the units is we consider overbearing with a poor choice of materials. The proposed 5 bed unit to the frontage appears particularly incongruous. The developers appear to be trying to create a farmyard/courtyard appearance which is totally at odds with the surrounding buildings in this part of the village and BCA. Whilst a modern design approach can be refreshing and is to be welcomed, nonetheless it must respect and complement the existing character of the BCA; this application sadly fails to do that.
- It is our view that this proposal is a significant overdevelopment of the site and that if a change of use and redevelopment proposal were acceptable in principle, then the footprint for the new units on the site should be no greater than that of the existing buildings and ideally should be less. This is a widely accepted approach to the development of sensitive brownfield sites in conservation areas.
- We are also concerned about overlooking issues for the neighbouring properties Avalon, and Lynchetts from the proposed units 3 and 4 and their close proximity to the boundary with those properties on the north side of the site. Units 8 and 9 on the south side, although marginally further from the boundary, have similar overlooking issues with the existing neighbouring properties.
- There appears to be no attempt to mitigate the loss of open space arising from this development by any landscaping proposals.
- There are wholly inadequate turning areas for vehicles including household waste disposal, delivery vehicles and emergency vehicles. The proposed estate road may be wide enough to accommodate such vehicles but not for turning large vehicles around. We also have concerns about the ability to achieve the appropriate sight lines to enable safe exit from the site.
- In terms of household waste disposal by NHDC we note the comments that have been made that the estate road layout is unacceptable as the dustcarts used to collect waste are too big to turn around on the site. From BPC point of view this

clearly needs to be addressed and merely serves to reinforce our view that this is a substantial overdevelopment of the site. Waste vehicles otherwise having to reverse into the site from the High Street or alternatively bins having to be taken out onto the High Street on collection days is totally unacceptable. We would refer you to the comments made in the recently completed Conservation Area statement, highlighting the unacceptable visual intrusion of bins into the streetscape.

- Vehicle movements on and off the site are suggested to be less than with the existing use and therefore of some benefit to the village. BPC do not share this view. At best the vehicle movements on and off the site are likely to be neutral in this respect and we would suggest may actually increase as a result of the development proposed.
- As the estate road is unlikely to meet the necessary requirements for adoption by the county council, the question arises as to who would be responsible for its maintenance together with the extensive surface water disposal arrangements.

Ground Contamination.

There is an implication in the developer's proposals that there may be ground contamination issues arising out of the existing longstanding use of the site as a garage and petrol filling station e.g. the comment about the present owners not wishing to bear the cost of or otherwise make the necessary investment to renew/replace the existing fuel storage tanks. However, no site investigation has yet taken place to determine whether or not there is an issue in this respect. If there is a contamination problem this should be identified and the scale of the problem, if any, addressed in terms of a remediation strategy as part of the application and prior to any consideration of the proposed redevelopment of the site.

Having regard to the nature of the ground conditions/geology underlying the site i.e. chalk and a major aquifer this is a particularly important issue.

Surface Water.

The whole of the highway surface water disposal for the village (with the exception of Picknagge Rd and part of Church End) runs through the site i.e. all of London Rd, High St, and much of Church End. This surface water discharges into an open ditch to one side of the site, runs across the field to the east and then eventually down to the watercourse known as Cumberton Bottom. There are already major problems with keeping this open ditch clear of vegetation, sediment and other obstacles which have resulted in flooding in the past. Responsibility for maintenance of this open ditch and the flow of water has been quite contentious over the years. It appears that each property owner that abuts the ditch has responsibility for keeping it clear. (Riparian owners' rights and responsibilities). That doesn't always happen. The increased water flow consequent on this development and that at The Gables development opposite, will only exacerbate the issue. This planning application and any subsequent consent, if any, cannot/should not ignore this problem.

This issue will be made significantly worse by the proposed new development where it appears soakaways will not be permitted and all surface water including that from individual building's rain water disposal as well as the road and hardstanding areas will be discharged directly in to the open ditch adding considerably to the flow of water down the ditch. Much of the site at present is open garden or grass and absorbs rain naturally.

The proposed development changes all this. Some acknowledgement of the problem is made by the developer and some suggestions made as to how to tackle it but there is no firm proposal and the Environment Agency has already identified that some of the suggestions made by the developer are unacceptable.

The issue of surface water will be aggravated by the proposed development of 8 houses on The Gables site opposite. BPC are unaware how the developer of The Gables site intends to deal with surface water from the new houses or the estate road; but can only conclude, it will exacerbate the inadequate existing situation.

This additional water flow through the Draytons site plus the disposal from the development proposed on the Drayton site will in the opinion of the BPC cause potentially serious flooding issues which must be fully addressed. The matter is a major planning consideration; a solution must be agreed with the relevant authority before determination and not merely be dealt with by conditions on any consent.

Conclusion

BPC consider the demonstrable harm occasioned to the BCA totally outweighs any possible benefit that the applicant may argue would result from this development.

It is our opinion the development is in direct conflict with the policies of the NHDC District Local Plan No 2 with Alterations and with those contained in the Emerging Local Plan together with the NPPF, which all collectively seek to ensure that special account is taken of a site's location within a conservation area and that the siting and scale of the development should enhance or at the very least maintain the character of an area.

BPC consider that this application should be refused and we urge NHDC to do so.

8. TOWN HOUSE

Mr. Shaw had provided a written report:

- 9 buckets of moss were removed from the roof valley. An annual inspection would be initiated to ensure that the valley was kept free of moss.

- It would appear that part of the roof had a limited life of some 5-10 years following which major repairs and/or renewal should be anticipated with potential costs of perhaps £40,000 or more to repair.
- Unfortunately we had missed the deadline for applications for a Defra Village Hall Improvement Grant.
- Repainting of the side of the building facing Richmonds coach park was commissioned for April
- All PAT testing had been completed
- The next wedding was in June so by advertising in the Listings magazine it was hoped to secure some spring bookings

Cllr Haughey reported that the chimney stack was in need of repair. The Town House Committee would investigate and report back to the Council.

9. FINANCE

The RFO reported the following payments were due to be made:-

Barley Parish Council

M Chamings	392.40	Clerking for Jan.
T Martin	243.84	RFO for Jan.

The above payments were agreed and approved.
Proposed by Cllr Turner and seconded by Cllr Sterland

Barley Town House

C. Robinson	80.00	Cleaning for January
R Saklatvala	107.25	Letting officer fee Jan
Townhouse publishing	324.30	Advert in the Listing
S.Rushton-Cato	150.00	Return of wedding deposit

The above payments were agreed and approved.
Proposed by Cllr Turner and seconded by Cllr King.

Other financial matters

- The RFO had sourced a local tax associate to advise on the Council's VAT position
- The Pensions Regulator report was due.
- It was agreed to set up a Parish Councillor's page on the website to hold confidential documents. Legal documents would be excluded. The page would be password protected.

11. HEALTH& SAFETY

The Clerk confirmed that the Town House monthly check was satisfactory. The annual smoke alarm test was due but was delayed due to illness. On his return Mr Shaw would contact Drage Security to get an update and would seek an alternative company if there was likely to be a lengthy delay.

12. RECREATION GROUND

Following inspection Cllr Turner reported that some minor repairs to the fencing around the play area and to the play equipment were required. The spring to the new gate would be fitted shortly weather permitting. He also reported that two large branches had broken off trees near to the tennis court.

Following discussion Cllr Carlisle said he would seek quotes for the work to be carried out on the trees behind the scout hut and overhanging the car park.

13. AOB

Meeting closed at 23.10

The next meeting would be Monday 2nd March 2020.

