

BARLEY PARISH COUNCIL
Minutes of meeting of Barley Parish Council
held at the Town House on Monday 4 November 2019

1. PRESENT

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

2. IN ATTENDANCE

County Cllr Fiona Hill, District Cllr Gerald Morris, District Cllr Tony Hunter, Mel Chamblings (Clerk)
13 members of the public.

3. WELCOME AND APOLOGIES.

Cllr Carlisle welcomed everyone and recognizing that the majority of the public were attending to discuss the planning application relating to Brick House, Pudding Lane, decided to alter the agenda and bring the Planning items forward.

Apologies were received Tim Martin (RFO) and Nick Shaw (Town House)

4. DECLARATION OF INTEREST

No declarations of interest were made.

5. APPROVAL OF MINUTES

The Minutes of the meeting held on 14 October 2019 were read and approved subject to including the word Tree before Charter Branch at paragraph 6(3). Proposed by Cllr Sterland and seconded by Cllr King

6. PLANNING

Planning reference: 19/02377/FP. Change of use of existing agricultural land to residential garden. 8 Cambridge Road, Barley

The council had no objections to this planning application.

Planning reference: 19/02453/FPH. Detached single storey rear building to provide a studio/home office. Gingerbread Cottage, Pudding Lane, Barley.

The council had no objections to this application provided that the use and occupation of the new build was tied to Gingerbread Cottage.

Planning reference 19/024024/FP. Erection of one 4-bed dwelling and detached cart shed.

Brick House, Pudding Lane, Barley

Barley Parish Council objected to this planning application and in arriving at their (NHDC) decision wished NHDC to take the following comments into account.

Barley Parish Council considers the proposal:-

- to be contrary to national and local planning policy
- to result insignificant and overwhelming demonstrable harm to the Barley Conservation Area
- to compromise the integrity of the surrounding listed buildings
- to have serious implications for the ecology of the area; and
- to severely impact on the amenity of the immediate neighbours and local residents in general.

Introduction

The site proposed for development is wooded and land locked with no current means of vehicular access. It occupies an elevated position some 3 metres higher than Pudding Lane and the properties to the west of the lane, is outside the settlement boundary defined for Barley and falls within the Barley Conservation Area (BCA). It is bounded to the north by Brick House, to the west by the un-adopted, single track Pudding Lane, to the south by a public footpath and two new dwellings recently built on brown field land (a former builder's yard) and to the east by private open space.

Planning and policy context

Barley is identified in both the District 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. However, this site is outside the defined settlement boundary for Barley in both of these documents as well as being within the BCA in both documents.

The characteristics of the BCA were captured very well in the recent planning appeal decision letter for the proposed development at The Gables. 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 development...which is complemented and softened by the presence of mature landscaping..”

He goes on to comment further on the overall degree of openness within in the BCA and indeed concludes that the openness is a defining part of the significance of the BCA. The Inspectors observations match those of NHDC; whilst a Character Statement has not yet been completed for the BCA in the Emerging Local Plan, nonetheless, NHDC has previously identified several character areas in Barley. Two of these, V4 Church End and V5 Southern Edge are highly relevant to this site:-

- V4 Church End: Policy aims
Character of large buildings surrounded by important large open spaces with significant trees to be retained at the village edge
- V5 Southern Edge: Policy aims
Important hedges and existing dwellings up lane should be retained to give village generally undeveloped character.

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.

The site is also in extremely close proximity to three listed buildings located along Pudding Lane and the impact on these historic, heritage assets also needs to be considered.

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving a building or its setting or any features of special architectural or historic interest which it possesses. In addition, Section 72 (1) of the Act requires that in making decisions on planning applications within a Conservation Area, special attention is paid to the desirability of preserving or enhancing the character and appearance of that area.

Consideration of the impact of the development

It is a fact that 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 (Para 196 NPPF).

- The site is land locked and has no access onto Pudding Lane. BPC understands that the site has no right of access onto Pudding Lane and neither does it benefit from any claim to any right of access.
- Pudding Lane is a narrow un-adopted single track lane, rising along its length up to the property known as Churchfields. There are no

passing places and the recent development of two properties on the former builder's yard has added considerably to the traffic movements, conflicting at times with the users of the footpath which crosses Pudding Lane close to the new dwellings. Although the surface of the lane has recently been improved it remains the view of BPC that the lane is most unsuitable to accommodate any additional vehicular traffic and certainly not the additional traffic that would result from this proposed development were it to be approved. There is no scope to increase its width and hence capacity nor to install passing places.

- The junction of Pudding Lane with Church End is narrow and restricted. At the junction there are no sight lines towards the east along Church End, the view is totally obscured by the retaining wall supporting Brick House.
- The increase in vehicular traffic movements resulting from this proposal both during and post development would totally compromise the safety of vehicles entering and exiting Pudding Lane, as well as those using Church End to access the village school, shop and Post Office, Church, village hall and Margaret House nursing home. In addition the amenity value of the existing dwellings would be prejudiced not to mention the setting of the listed buildings situated on both Pudding Lane and Church End.
- The site of the proposed development is as referred to earlier, some 3m above the level of Pudding Lane. To achieve a safe and, if even possible, adequate means of access (notwithstanding our comments on the site's lack of rights of access), substantial works will be required. The disturbance to the surrounding area will be substantial creating in our view wholly unacceptable changes to Pudding Lane and its environs.
- Given the elevated nature of the site, the impact on the surrounding listed buildings and the general level of visual intrusion into those properties and their gardens is unacceptable.
- The elevated position of the site, the extent of recent development in the area and physical disturbance already experienced by nearby properties together with the lack of detail of the method of construction, foundations and surface water disposal is of major concern.
- Surface water discharge has been a longstanding issue in this part of the village; it has been further exacerbated by the recent developments on Pudding Lane and the improved surface to the lane itself. The latter providing a clear focused route for water to discharge out on to Church End adding to the well documented drainage and flooding risk in this part of the village. If permitted this proposed development would undoubtedly make this problem significantly worse.
- The site is currently private open space with substantial flora and fauna, making it a key contributor to the overall character of the BCA.

- The site is an important habitat for a diversity of wildlife, with trees, shrubs and ground-level vegetation providing cover and food from floor level to high woodland canopy. Contrary to the conclusions of the Ecology Report, priority species are present on the site. Badgers are in the vicinity (there is a current badger latrine on the footpath to the south of the site) and bats over fly the site. The site is contiguous with woodland where red kites, buzzards, tawny owls, nuthatches, and many other significant bird species nest.
- The plan entails the felling of 16 trees. Regardless of the mixed quality of these trees, their removal will destroy habitats for many species and remove valuable carbon sequesters. This goes against the policy of Barley Parish Council (BPC) to contribute to the fight against climate change. BPC has registered as a branch of the Tree Charter (supported by the NALC and the Woodland Trust) and is guided by the charter's principles, including: 'sustain landscapes rich in wildlife; protect irreplaceable trees and woods; strengthen our landscapes with trees; and plan greener local landscapes.

So what are the benefits? As a Parish Council we are struggling to determine any benefits for the village from permitting this development. This view was unanimously supported by the many villagers who attended the Parish Council meeting on the 4th November 2019 when this application was discussed. By comparison the harm that would be done by this development to the BCA and its heritage assets in this location is considered to be so substantial that the BCA in this area would effectively be totally destroyed.

Conclusion

Barley Parish Council has concluded that the demonstrable harm that would be done to the BCA and the three adjacent listed buildings totally outweighs any possible benefit that the applicant may argue would result from this development.

In our opinion, this means that the development is in direct conflict with the policies of the North Hertfordshire District Council Local Plan No.2 with Alterations and indeed with those contained in the Emerging Local Plan, together with 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 of the development should enhance or at the very least maintain the character of an area.

Barley Parish Council considers that this application must be refused and we urge NHDC to do so.

7. MATTERS ARISING FROM MINUTES 14 OCTOBER MEETING

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

Cleared actions

- 1) The enhanced street cleaning programme was successfully carried out during October in Church End and the High Street... Cllr Haughey was thanked for organising this and he said that he hoped to repeat the exercise bi annually from now on.
- 2) PCSO Brabrook was still awaiting clearance from a senior officer on the police collective parishes' proposal. The council agreed to close this action until a permanent senior police officer was in post.
- 3) There was concern that the October date set for the Village Plan meeting fell within the Cambridge half term week and would affect attendance. It was decided to postpone the meeting until early in the New Year.
- 4) The clerk wrote to all regular users to request that they did not park in front of the School Fire Exit in the Town House car park.
- 5) Work to the London Road hedges was completed on 19th October.
- 6) Addressing the speeding issue in the village: the redraft of the covering letter to the Chief Constable copied to the Police Commissioner was agreed. *{subsequently the clerk signed the letters and posted them on 5 November}*

Action carried forward

- 1) One of the property owners of the London road hedge was in attendance and raised concerns about the fact that two members of the public had attended the hedge cutting and although their attendance may have been well meaning they had not informed the property owner, who had instructed the work and who was therefore responsible for it, of their proposed attendance and their perceived interference with the work had consequently caused unnecessary upset.

Following completion of the work it was clear that the embankment where the hedge was growing had shifted forward, narrowing the road and blocking the drains. County Cllr Hill advised that Gary Henning, HCC Highways, was aware of the issue and it was agreed that a meeting should be arranged between Mr Henning, County Cllr Hill and Cllr Carlisle as soon as possible to endeavour to find a permanent solution to the problem.

The 4 remaining children's speed posters were given to Cllr Haughey to position in suitable locations around the village.

- 2) Cllr Lee agreed to carry out further research on Neighbourhood Planning and hoped to report back at the December meeting.
- 3) The clerk would follow up her request to HCC for permission to plant a tree at the foot of Bakers Lane.
- 4) The scout hut: Mr Truett informed the meeting that the scouts had **begun** a fundraising programme to replace the scout hut, anticipating that it would take up to five years to raise sufficient funds. He said that there were already some rough plans of the new build and agreed that wherever possible there should be synergy between this work and any plans that the council had to build changing rooms.
It was understood by all that according to the terms of the lease any plans for a new scout hut would require documented Parish Council approval. It was also noted that a concrete plinth would need to be provided to house the gas containers outside of the scout hut.
As part of the investigation into the services that would be required, Cllr Haughey and Mr Truett had opened up the waste holding tank. It was agreed that the Parish Council would pay for the tank to be emptied at a cost of £140 + VAT. Once emptied and cleaned, further investigation of the tank would be necessary. Cllr Carlisle stated that before anyone entered the emptied tank a risk assessment and method statement would be required. He also clarified that any subsequent repair work would be the scouts' responsibility.

8. TOWN HOUSE

Mr. Shaw had sent an email to say that the chairs had been steam cleaned and that he had accepted proposals from Busy Bee (electrical contractors) for the installation of a sensor on the emergency exit stairwells that would activate the lights to the stairwells as soon as the doors to the lightwells were opened. He had nothing further to report.

9. PLAISTOW

Marquees

Cllr Carlisle advised that he had been informed by the Village Show treasurer that the Village Show accounts showed a balance of approximately £15000 which would allow for any necessary repairs to the marquees to be carried out. Cllr Turner had investigated the cost and conditions for insuring the marquees when they were let out and he would liaise with Mr. Martin (RFO) on his return for holiday.

Options for replacement of the storage container

Cllr Haughey provided details of three possible options for Councilors to consider and discuss at the December meeting.

10. FINANCE

In the absence of the RFO the Clerk reported the following payments were due to be made:-

Barley Parish Council

M Chammings	382.80	Clerking for October
T. Martin	229.20	RFO for October
M Chammings	44.99	Printer cartridge
DBA Safety	800.00	H&S consultancy

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 October
N Shaw	207.94	Re imbursement of expenses for Town House

The above payments were agreed and approved.

Proposed by Cllr Turner and seconded by Cllr Haughey

Mr Martin was investigating suitable deposit accounts for the Town house Funds and would confirm arrangements on his return.

11. HEALTH& SAFETY

The Clerk confirmed that the Town House monthly check was satisfactory. The next meeting with DBA Safety, the Council's Health and Safety consultant would take place on Monday 18th November when the Fire Risk Assessment would be reviewed.

12. CORRESPONDENCE

Mr Zygmunt emailed the Clerk to ask about the insurance for the tennis hut, £1500 was the sum assured by the Parish Council, but Cllr Turner said that the hut had cost more than that. The clerk would write to Mr Zygmunt to request an updated value and any excess would be added to the insurance on Mr. Martin's return.

9. AOB

The Clerk would write to the owners of Rose Cottage to ask them to cut back the hedge that was overhanging the pavement.

County Cllr. Hill had received complaints about the lack of parking facilities in the village. Cllr Turner reported a number of suggestions for improvement from residents, two of which would require acquisition of land by the Parish

Council and one regarding the use of the school staff car park at the weekends. All of these suggestions would be fed into the Village Plan review.

The issue of the poor state of the footpath from the Fox and Hounds to the Town House was raised. This would be added to the Highways Action Plan.

As well as posting the Parish Council meeting agendas on the notice boards and through the email distribution list, it was suggested and agreed that they should also be published on the Barley Village Facebook page. The Clerk would action.

The meeting ended at 22.40