

Minutes of Meeting

of the Full Council Meeting of Barrowden Parish Council held at
St Peter's Church, 11th September 2024 at 7.15pm

Public Forum: Members of the public may ask questions or make short statements on items relating to the Agenda, below or request topics for future meetings.

There were 20 members of the public present most of whom wished to make comment on agenda item 2024/09/11 Planning Application 2024/0959/PAD. The parish council gave the members of public an opportunity to make comments and agreed to take them into account when discussing the planning application in the meeting.

A member of the public made a comment on agenda item 2024/09/07. The Village Hall rebuild is making rapid progress and is on schedule and currently within budget. It was requested that the Parish Council take in to consideration when allocating S106 funds an application from Barrowden Village Hall for fixtures and fittings. The parish council agreed to take the comments into account when discussing the item.

Susan Pickwood informed the Parish Council that residents if eligible, will be invited for their flu and necessary covid jabs.

A member of the public asked if the overgrown vegetation around the Mill Pond be trimmed back and requested that Burghley Estates be made aware. They also made reference to various areas within the village that have overgrown vegetation that requires attention. These items will be reported to the relevant people by the Clerk. Tippings Lane has been dealt with and the contractor has been issued a section 157 notice and is required to cut back within 2 weeks from the 11th July 2024.

A member of the public asked for an update on the flood defences at the allotments. Cllr M Hardwick provided the following information. An assessment has been made of the area at the allotments to see what measures could be taken to afford a little bit more protection. Cllr K Payne and Cllr M Hardwick met with the farmer Ian Roberts. A quote was obtained from a company to carry out the works and this has been submitted to the Parish Council for consideration. Any further updates will be provided at the parish council meeting on the 9th October.

- 2024/09/01 **Record of Members Present**
Cllrs M Ferrow, J Nicholls, K Payne, P Jones and M Hardwick
- 2024/09/02 To receive and approve **Apologies for Absence**
RESOLVED – It was agreed by a unanimous vote in favour to accept the apologies of absence from Cllr C Arcott.
- 2024/09/03 **Disclosure of Pecuniary Interests:** To receive any declarations of interest in accordance with the requirements of the Localism Act 2011, and to consider any requests for dispensations in respect of disclosable pecuniary interests'
Cllr M Hardwick declared an interest in agenda item 2024/09/11 Planning Application 2024/0895/CAT
A declaration of interest was received from Cllr Karen Payne in respect of her County Council responsibilities and in particular her membership of the Planning Committee at RCC. In relation to planning application 2024/0959/PAD Cllr K Payne will remove herself from any discussion and voting should this be raised in a meeting at Rutland County Council.
- 2024/09/04 To approve and sign the Minutes of the Full Council Meeting of 10th July 2024
RESOLVED - It was agreed by a unanimous vote in favour to accept the minutes of meeting dated 10th July 2024 as a true and accurate record. The chair signed the minutes.
- 2024/09/05 To receive any Matters Arising for information exchange [NB Matters Arising may only appertain to the immediately preceding Parish Council Meetings - i.e., 11th July 2024]
Cllr P Jones to contact Burghley Estate to ensure they are aware of the planning application – *Confirmed that Burghley Estates were made aware*
Clerk to check insurance policy to ensure that essential work can be carried out by a general maintenance person - *The work was covered by Mr Karaj's own Public Liability, the clerk received a copy before work commenced.*

Peter Jones agreed to look at the cost of producing these signs in his workshop as he thought £75 per sign was very expensive - Dimensions for signs sent, signs in the final part of production, wording to be agreed by Cllr M Hardwick

- 2024/09/06 To receive and approve Financial statement from 1st April 2024 – 3rd September 2024 and note payments made from 4th July 2024 – 3rd September 2024 as per reports attached
RESOLVED - It was agreed by a unanimous vote in favour to accept the financial report dated 1st April 2024 – 3rd September 2024 as a true and accurate record. The chair signed the report.
- 2024/09/07 To discuss and produce a framework for the allocation of S106 funds
The council discussed the framework for the allocation of S106 funds and agreed that a process needs to be put in place to ensure transparency for members of the public of how and where the money is being allocated and to ensure that the council is acting within the remit of the spending powers of S106 funds. This will be placed on the October agenda for further consideration.
- 2024/09/08 To review and approve the policies listed below:-
 - Financial Regulations - Updated
 - Complaints Policy – No changes
 - Code of Conduct – No changes**RESOLVED-** It was agreed by a unanimous vote in favour to approve the above policies.
- 2024/09/09 To discuss the Parish Councils inclusion in the Civility and Respect Project
RESOLVED - It was agreed by a unanimous vote in favour that the Parish Council would continue to be included in the Civility and Respect Project and that all councillors will attend Code of Conduct training with LRALC
- 2024/09/10 To discuss accidents and traffic issues on the A47
A discussion was held in relation to the accidents and traffic issues on the A47 following further incidents reported to the Parish Council by a resident. It was noted that information received from Rutland County Council and Police, that incidents had in fact had decreased since further safety measures, detailed below, had been put in place after a lengthy campaign.
 - 1.Moved 50mph zone extended from edge of Morcott to the Windmill turnoff into Barrowden with the addition of queuing traffic signs installed.
 2. Crossover at the A47 junction on Luffenham Road changed from Give Way to Stop
 3. No overtaking zone applied for, granted and implemented on the staggered junction just down the road at Tixover along with turning zone and rumble stripsCurrently it is felt that there are no further safety measures needed on this stretch of the A47 however residents are urged to report any near misses to www.leics.police.uk select Report – Road Traffic Incident – Driving Offence.
- 2024/09/11 To discuss and approve response to Rutland County Council in relation to Planning Applications
 1. 2024/0920/CAT – Tree Works – No objections
 2. 2024/0892/CAT – Tree Works – No objections
 3. 2024/0893/CAT – Tree Works – No objections
 4. 2024/0890/CAT – Tree Works – No objections
 5. 2024/0891/CAT – Tree Works – No objections
 6. 2024/0895/CAT - Tree Works – No objections
 7. 2024/0770/CAT - Tree Works – No objections
 8. 2024/0939/CAT - Tree Works – No objections

9. 2024/0959/PAD - Change of use of agricultural building to form 1 No. 1 bedroom dwelling; and building operations reasonably necessary to convert the building to a dwelling. Land Off Morcott Road Barrowden Rutland

Planning Application 2024/0959/PAD

Conversion of agricultural building to create 1 no. 1 bedroom dwelling, together with building operations reasonably necessary to convert the building.

Land off Morcott Road, Barrowden

Applicant; Mrs Lisa Dougherty

Agent; Mr Tony White

Planning Officer; Joe Mitson

Barrowden Parish Council strongly objects to this application for the reasons stated below. The objections to the previous application 2024/0666/PAD still apply and are attached to this objection. There is strong local objection to the application on road safety grounds and for the other reasons originally stated in 2024/0666/ PAD. The Parish Council recommend this application is refused. We respectfully request that if this is not refused under delegated powers that it is brought before the Planning Committee for determination.

General Points from the Application

Eligibility

The applicant has ticked that the application will use a permitted development right as it stood prior to 21 May 2024. The application states this requires the completion of a supplementary information template which either hasn't been completed or is not loaded to the Planning Portal.

Important questions from this document are: -

'Was the use of the site on 20th March 2013 (or last use before that date) solely for an agricultural use as part of an agricultural unit?'

The answer to this question is 'No', there has been no agricultural use of the field since 1988, but the applicant hasn't completed the form.

'Has the use as detailed above, been continuous since the date started; and will that use continue until the proposed development commences?'

The answer to this question is 'No' the field is not currently being used for agriculture and has not been since 1988, before the shed was constructed in 1989.

Site Access

Regarding the new requirement for "suitable existing access to a public highway" below is the link to the gov.uk explanatory memorandum which clearly states in 5.6 that transitional arrangements do NOT apply to this access requirement, this requirement must be complied with when applying for prior approval after the Order 2024 No 579 came into force, with no ability to apply under the older provisions.

The existing access is patently not suitable as was clearly explained by RCC in the refusal of the earlier application for this field. The fact that the applicant has made proposals for a significantly revised access arrangement which includes changing the gradient, a major change to the width of the access gate and removal of hedges and trees on land that does not belong to the applicant clearly shows that the existing access to the public highway is not

suitable. We would reiterate that, in addition to the gated access directly from the road being unsuitable, there is no path or drive whatsoever to the shed from the gate. We do not believe that the revised proposal is suitable either.

Attached is a link to the Explanatory Memorandum.

https://www.legislation.gov.uk/uksi/2024/579/pdfs/uksiem_20240579_en_001.pdf

Highways Technical Note

Roberts Highway Consultants were employed by the applicant to make suggestion regarding the vehicle access to the site, this is found in the Highways Technical Note. They undertook a traffic survey by means of an Automated Traffic Count Survey on Morcott Road. There are many issues with this survey which invalidates any data used by the consultants and the applicant and consequently, the solutions they have proposed.

- a. The survey should have been authorised by RCC Highways, no such authorisation sought or obtained.
- b. The survey was conducted in the school holidays for a week from 7th August therefore the volume of traffic was low and not representative of typical volumes, no school busses or school related traffic and residents on holiday.
- c. In Roberts document, the Highway Technical Note Appendix D p21 the site of the survey is depicted as being on the Morcott side of the field entrance towards the A47, this is wholly misrepresented. The ATC was actually placed in front of the 30mph entrance to Barrowden, at least 30m away from the field entrance. There is photographic evidence of this which RCC Highways are in possession of. It was **not** placed at the field entrance or on the Morcott/A47 side of the entrance as the report states.
Stopping sight distance is 215m on a road subject to a 60mph speed limit in accordance with the Design Manual for Roads and Bridges CD109, table 2.10. This means the valid position for a traffic survey should have been at least 215m from the field entrance, in the 60mph zone on the road towards Morcott/A47 **not** just before the 30mph signs on the approach to Barrowden.
- d. On Friday 9th August it was noted one of the rubber strips was broken, this was reported to RCC Highways who have since confirmed this would not produce valid data. The 'survey' was therefore only running in the wrong location, for 1 to 2 days maximum.
- e. The device on the roadside had no serial number to identify or validate it therefore how do we know the calibration of the equipment is correct.

Other than the invalid traffic survey, are many other issues with the document submitted by Roberts.

- a. The document points out under 'Existing Site' that the road is a single carriageway road. Later in the document there is an assertion that two vehicles can pass. This is not true without stopping especially when met by HGV's or busses. The document contradicts itself.
- b. The document also makes no reference to and appears to ignore the dangerous blind bend in the road.
- c. The proposal refers to excavating the land at the site entrance and makes the statement the applicant owns some of the land required to undertake these

excavations. This is simply untrue, the applicant does not own the land at this point, its owned by a third party, please refer to Appendix 1. There is only 2.4m of space on the steep verges which are tree lined .The verges are owned by RCC. These landowners have not given permission for their land to be taken away through excavation.

- d. Although the field is not technically in a flood risk zone, in recent storms surface water run-off down Morcott road has been extreme, flowing rapidly down Main Street down to Church Lane on the banks of the River Welland where it has flooded residential properties. Similarly, houses on Seaton Road have had to protect themselves from surface water run-off from Morcott Road. Excavation of the field entrance, creation of hard standing and removal of trees will further exacerbate this issue of flooding to other residences.
- e. The report makes the comment the remaining land in the field will 'continue' to be used for agricultural purposes. The land is not agricultural therefore cannot 'continue' to be used for this purpose.

Comments Applying to Application 2024/0959/PAD From Application 2024/0666/PAD

- 1.** the site is outside the planned limits of development of the conservation village of Barrowden.
- 2.** there is no demonstrable need for this building locally or otherwise.
- 3.** there are no amenities on site and no reference is made in the application of how any connectivity to electricity, water or gas will be achieved or how foul water will be dealt with.
- 4.** this corrugated iron building is an ex-hobby shed, used for a model aeroplane club repairs in the past. It is unsuitable for agricultural use, please see comments from local landowners and farmers already lodged against this application.
- 5.** The land has not been used for agricultural use since 1988, comments by local farmers referenced inaccurately in the application by the agent, support this statement, these objections are already lodged on the website under this application. Photos in the application are similarly inaccurate, those that show different time periods are of one occasion only, when the field was cut. A visit to site will prove this field has not been used for agricultural purposes. Please see the timeline history of the field in Appendix B.
- 6.** The dimensions of the shed as stated in the application are incorrect with big discrepancies in the height of the building, the applicant's height measurement shows 2.2m from the ground to the bottom end of the roof, in fact this measurement is 1.8m. The applicant shows 3.16m to the apex of the pitched roof which is in fact 2.5m. Surely this does not give enough head clearance for a person to exist comfortably within the building.
- 7.** issue with the entrance to the field still applies, the same issue applies to this application as applies to 2024/0464/MAF. Highways have recommended refusal of application 0464 on the grounds of conflicting and inadequate information, safe vehicular access and safe pedestrian access, whichever access on that plan applies. Indeed, the original application 20/24/0464 has now been refused
- 8.** the shed does not have suitable existing access to a public highway, there is no road or track leading to it even though a new block plan has been submitted, loaded to the planning portal on 10th July 2024. Suitable access to a public highway is a requirement of The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2024.
- 9.** The entrance to the field on the new block plan loaded to the site on 10th July 24 is on another person's land that does not belong to the applicant. We are not aware the applicant has permission to excavate land in third party ownership.

10. the ownership of the shed is not totally under the ownership of the applicant. Under Land Registry title LT211288, the applicant does not own all the field. Also, the shed is partially sited on another person's land labelled 32286844 in Appendix 1, this is Land Registry title number LT398003.

11. in 1988 an application (1988/0870/HIST) was made for the erection of a steel fabricated stable and was refused because it would have been out of keeping and obtrusive. This structure on site does not have permission.

12. There is no reference to ecology made in the application. We appreciate the application does not present a new building but extensive excavation, the creation of hardstanding and the removal of trees, bushes and scrub from land that has been fallow for 35 – 40 years will disturb many habitats and flora.

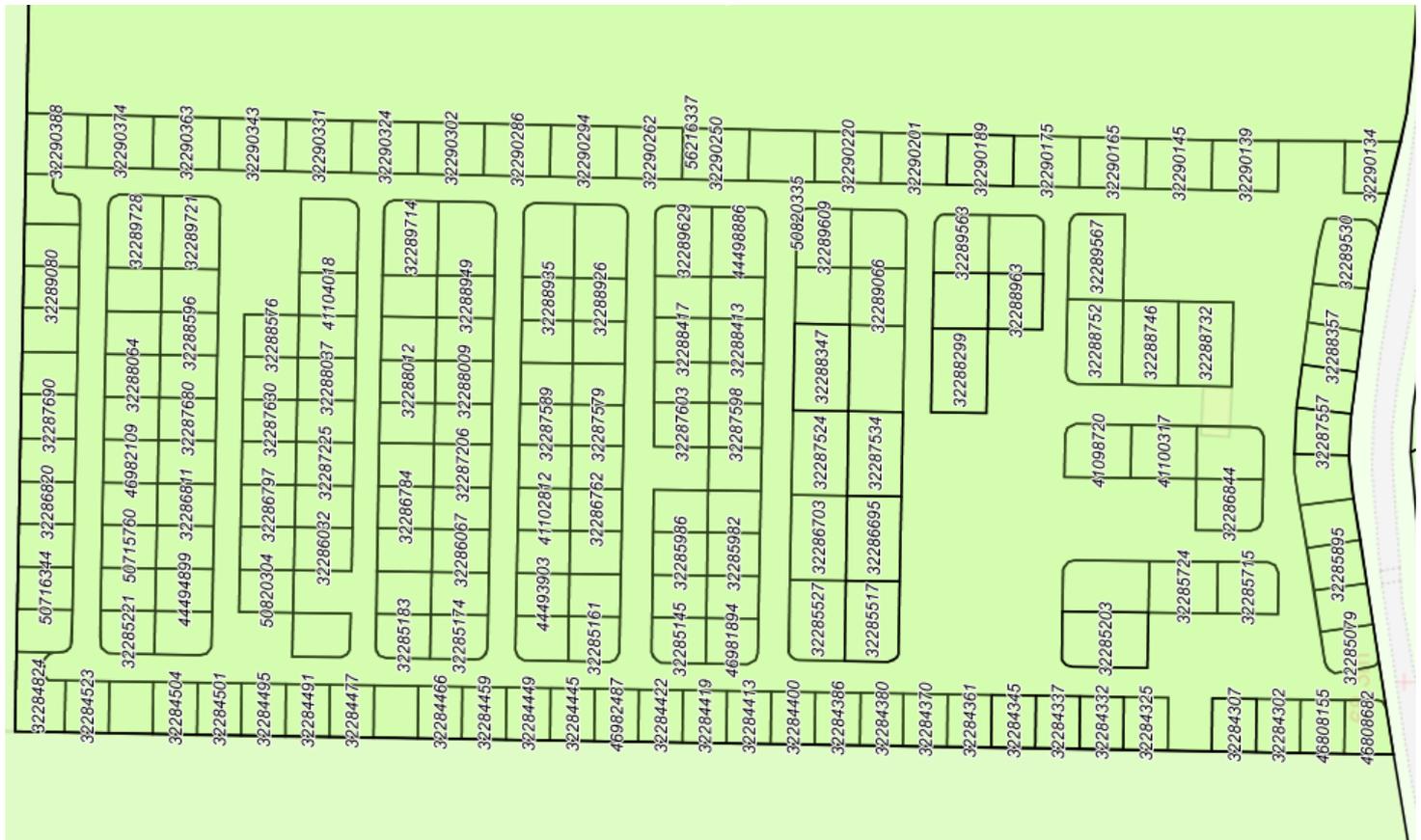
On site there are of badgers, pipistrelle bats, nesting raptors, muntjac deer. We are not expert enough to understand the flora and what might be present on long term fallow land, therefore suggest an ecological survey is undertaken. Barrowden has many protected verges due to the existence of unusual flora and glow worms. One of these protected verges is adjacent to the field about to be excavated.

Barrowden Parish Council Comments on 2024/0666/PAD

Barrowden Parish Council strongly objects to this application and recommends its refusal for the reasons stated above and those in section C of this document.

Should the planning officer be minded to approve any part of this application, we respectfully request that the decision be referred to the full Planning Committee.

Appendix 1. Morcott Road Field Plots Sold. Parish Online Cadastral Numbers.



Appendix 2 Timeline History of Field

Land North of Morcott Road LT211288

Immediately before 1988 - owned and farmed by Geoffrey Tyler and Peter Tyler based at West Farm, Main Street, Barrowden.

1988 - Geoffrey and Peter Tyler retired from farming and sold the land to Arthur J Cain of Thoroughdale Road, Corby.

1988 was the last time there was any agricultural business on the field.

The field were used for flying model aircraft. Mr Cain was one of the founding members of "The Corby and District Model Flying Club" set up in 1975.

December 1988 - Permission sought to erect pre-fabricated garage. Ref: 1988/0870

February 1989 - Planning permission refused. "Inappropriate and intrusive".

September 1989 - Application to determine whether planning permission is required to erect and agricultural building. Planning permission not required. Ref: 1989/0636

Mr Cain erected the "prefabricated garage". Leylandii type trees planted on road side of hut.

2004 - Change of use from Agricultural to Equestrian. Development within 5 years of the date of permission 22 06 04. For Private Domestic Use and not commercial use without re-application.

2006 - Stephen Cleeve bought at auction Land divided up into 216 plots.

Between 2006 - 2010 - numerous plots sold individually by Stephen Cleeve. These plots are shaded green on LT211288

14th March 2024 - Sale by Stephen Cleeve to Casey and Dougherty of the unsold plots and access strips defined in LT211288. These are unshaded on LT211288.

Land Registry states price as £12,500

2024/0464 - Stone Stable Block - refused

2024/0666 - Conversion of Prefabricated Structure - refused 2024/0959 - Conversion of prefabricated Structure – refused

2024/0959 Conversion of prefabricated structure – pending decision

END

2024/09/12 To note decisions made by Rutland County Council in relation to Planning Application

1. 2024/0666/PAD – Refused
2. 2024/0718/CAT – Granted
3. 2022/1219/FUL – Discharge of Conditions
4. 2024/0801/DIS – Discharge of Conditions

[All applications have been noted](#)

2024/09/13 External items from outside the parish, including reports from any external meetings attended and the monthly Crime and Police Report

[There were none](#)

2024/09/14 To receive and note future Agenda items from Councillors

- The use of a Post Office Card for Clerk expenses
- The switch from our current IT and website provider Cuttlefish
- Allotment Flood Defences

2024/09/15 Meeting closed at **20.34** and confirmation of next meeting date as **9th October 2024 at 7.15pm**

Debbie Rolfe
Clerk to Barrowden Parish Council
28th September 2024