

Minutes of Full Council Meeting
of Barrowden Parish Council held at
St Peter's Church, 10th July 2024 at 7.00pm

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 12 members of the public in attendance who wished to make comment on agenda item 2024/07/09 – 1. The parish council gave the members of the public an opportunity to ask questions and make comments on the Planning Application 2024/0666/PAD. The Parish Council has taken note of the issues raised and will review the draft document to be submitted to Rutland County Council. Cllr M Ferrow thanked the members of the public for attending.

A question was raised in relation to flood defences which the Parish Council had discussed at previous meetings. Cllr M Hardwick gave an update and agreed that it will be placed on a future agenda for further discussion.

- 2024/07/01 Record of Members Present
Cllr M Ferrow, K Payne, M Hardwick, J Nicholls, P Jones and C Arcscott
Also in attendance was clerk to the council D Rolfe
- 2024/07/02 To receive and approve **Apologies for Absence**
There were none
- 2024/07/03 **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'
There were no declarations of Pecuniary Interests from the Parish Councillors. 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
- 2024/07/04 To approve and sign the Minutes of the Full Council Meeting of 12th June 2024
RESOLVED - It was agreed by a unanimous vote in favour to accept the minutes of meeting dated 12th June 2024 as a true and accurate record. The chair signed the minutes.
- 2024/07/05 To receive any Matters Arising for information exchange [NB Matters Arising may only appertain to the immediately preceding Parish Council Meetings - i.e., 12th June 2024]
- *Agenda Item 20 – Advert produced and placed on the notice board, village shop and send via village email and will be entered into parish magazine*
 - *Awaiting quotes and correct sign still to be sourced for the drainage ditch at the allotments – Peter Jones agreed to look at the cost of producing these signs in his workshop as he thought £75 per sign was very expensive*
 - *Cllr Hardwick to provide update on Allotments meeting
A meeting is still to be scheduled*
 - *Parish Online still to be reviewed.
It was agreed to keep the contract with Parish Online and review in a year*
- 2024/07/06 To receive and approve Financial Report attached from 1st April 2024 – 3rd July 2024
RESOLVED - It was agreed by a unanimous vote in favour to accept the financial report dated 1st April 2024 – 3rd July 2024 as a true and accurate record. The chair signed the report.
- 2024/07/07 To receive and approve payment to Clerk for purchase of Dell Laptop £459.00 and Microsoft 365 Office Package £59.99.
RESOLVED – It was agreed by a unanimous vote in favour to reimburse the clerk for the new laptop and Microsoft Office package.
- 2024/07/08 To receive, consider and approve Tree Removal quotes as determined by report published by Stuart Kidd, Tree Officer, Rutland County Council
RESOLVED – it was agreed by a unanimous vote in favour to award the tree

removal contract to Gary's Tree Care

2024/07/09 To discuss and approve response to Rutland County Council in relation to Planning Application

1. 2024/0666/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

Document Date 10th July 2024

Barrowden Parish Council Comments on Planning Application 2024/0666/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

Before considering this application, reference should be made to Land Registry title number LT211288 in order to understand the ownership of the field.

We note a new block plan has been submitted, added to the planning portal on 10th July 24.

1.the same objections apply to this application as to application number 2024/0464/MAF, for the avoidance of doubt and to avoid cross referencing application 0464 we have included those objections in this document.

2. 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. There is still no road or track leading to the shed on the new plan. Suitable access to a public highway is a requirement of The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2024.

3. the 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 on safety grounds.

4. this corrugated iron building is an ex-hobby shed, used for a model aeroplane club repairs in the past. It has never been used for agricultural use. It is also 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.

6. the site is outside the planned limits of development of the conservation village of Barrowden.

7. there is no demonstrable need for this building locally or otherwise.

8. 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.

9. 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.

10. 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.

11. the ownership of the shed is unclear under Land Registry title LT211288, the applicant does not own all the field. The shed is partially sited on another person's land labelled 32286844 in Appendix 1.

12. 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 already on site does not have permission.

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.

A. Comments Made on Application 2024/0464/MAF Applying to 2024/0666/PAD

Pedestrian & Vehicle Access

The access on the proposed plan is in the bottom left-hand corner of the field, while the existing access is in the front and centre of the field. There is either an inaccuracy here, or the entrance would have to be moved. According to the Land Registry the land housing the existing access is owned by the title numbers LT420077 and LT412785, Cadastral number 32287557 in Appendix 1 and not by the applicants.

The Parish Council previously made comment on the dangers of this access on to a 60mph road on a corner at its meeting in April 2024. See Appendix 2. In addition, there is a steep gradient from the field on to the road. If the access were to be moved to the position in the plan which we assume is proposed, although not stated, the entrance would need to be excavated to allow vehicles to traverse it. This would necessitate cutting into plot numbers 28407,32284302, 46808155, 46806862 and possibly 322865079. Have the owners of these plots given their permission or sold their land back to the applicants? The agent seems to have marked these plots on his site plan but does not acknowledge the other owners in his application. The visibility splays on a corner and a 60-mph road are limited and dangerous.

Rutland Site Allocations and Policies Development Plan Document 2014 requires that:
'Development comprising new agricultural, horticultural, equestrian and forestry buildings will only be acceptable where:

SP13f) An adequate safe and convenient access will be provided.

SP13g) It will not be detrimental to environmental and highway considerations in general.'

The amount and type of traffic generated in this constrained area by the proposed equestrian business would create a materially increased risk on this road which we believe is unacceptable. This is of great concern to many Barrowden residents who have sent comments on this application. We respectfully request that Highways at RCC review this point.

Assessment of Flood Risk

Application Question: Will the proposal increase the flood risk elsewhere?

Agents Answer: No

During Storms Babet and Henk surface water ran in torrents off the A47 and the surrounding fields, down Main Street, ending up in Church Lane where a number of properties suffered significant flooding.

Removal of vegetation in the field and creation of hardstanding would increase surface water run-off and exacerbate this known problem. Further detail is required as to how sustainable drainage might handle this.

See Appendix 2 for comments made by the Parish Council on this subject.

Ecology

There are badgers, great crested newts and pipistrelle bats within proximity of the field, which is not referenced in the application. The site has not been used for agricultural use and has lain fallow since at least 1988. We recommend a full ecological survey be carried out as there may be species present that are of special scientific interest.

Pre-Application Advice

Application Question: Has assistance or prior advice been sought from the Local Authority

Agent's Answer: Yes

The Local Authority in this instance is Rutland County Council. A draft proposal was submitted to Barrowden Parish Council on in April 2024, but we are not aware of any approach to RCC. The Parish Council sent their comments to the applicant's agent but these have not been addressed in any detailed or systematic way..

Ownership Certificates and Agricultural Land Declaration

Application Question: Is the applicant the sole owner?

Agent's Answer: Yes

This answer is simply untrue, and Mr White's own planning statement is inconsistent with this answer, as his perception is that there are 11 other owners. The field is split into 217 plots as per Appendix 1. 206 of these plots have been sold and are registered with the Land Registry, and some of the owners own more than one plot. There are therefore multiple other owners of this field. The applicants (Mrs Dougherty and Mr Casey) have purchased title number LT211288. According to the land registry, this title is for the spaces between the plots on the map and a small number of unsold plots only, and not for the whole field.

Application Question: Can you give appropriate notice to all other owners/agricultural tenants?

Agent's Answer: Yes

The applicants/agent will need to contact all the other owners. This may be difficult because many of these titles are registered C/O Commercial Land, Knights Court, 6-8 St Johns Square, London EC1M 4DE. It's understood that Commercial Land is not or no longer a registered company, and the address is not a registered office for the company. Thus, owners of the plots are unlikely to be contactable.

How will RCC notify these plot owners as notifiable neighbours?

Certificate of Ownership – Certificate B

Agent has completed the statement:

I certify/The applicant certifies that:

The applicant is the sole owner of all the land and buildings to which this application relates and there are no other owners and or agricultural tenants.

As stated previously, this is not true and the agent himself points this out in his planning statement.

B. Other Comments

Position and Dimensions of the Stable Block

From measurements on the scale drawing, it appears that the stable block and hardstanding would impinge on to the land in plots numbered 32285724, 32285715, 32285203 on the map and possibly on to the plots opposite. The property intrudes into land the applicant does not own.

The stable block itself is an elaborate stone structure with a toilet and kitchen which are not consistent with a small stable block. The Barrowden Neighbourhood Plan does ask for dwelling houses to be generally of stone construction, but that requirement applies within the village and for dwellings only. This proposal is not for a house, and it is outside the village planning limits in farmland. There is no business plan or demonstration of the need for, or financial viability of, such a stable facility in Barrowden. We are unaware of any unmet need for this type of facility in and around Barrowden.

Supply of Utilities

In the submitted documents on the portal there is no reference to how any water or electricity supply would be provided to the site, although there is a kitchen and toilet in the proposed plan. There are currently no amenities whatever on site.

Hay Barn

In the field at present there is a structure which the agent has referred to as a potential hay barn. This structure has been on the site for many years hidden behind some leylandii type of vegetation.

In 2004 an application (2004/0659) was made to switch the land from agricultural to equestrian. The change of use was permitted for personal equestrian use for a period of five years, but not for commercial use such as a livery yard, which would have involved significant additional transport. 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 already on site does not have permission. The planned barn doors may open on to land not owned by the applicant.

Mineral Rights

Burghley Estates own the mineral rights to this land. No mention is made of this in the application.

Excavations will disturb minerals in the field on any of the plots impinged upon by the excavations for the intended building. Have Burghley Estates been consulted or given their permission?

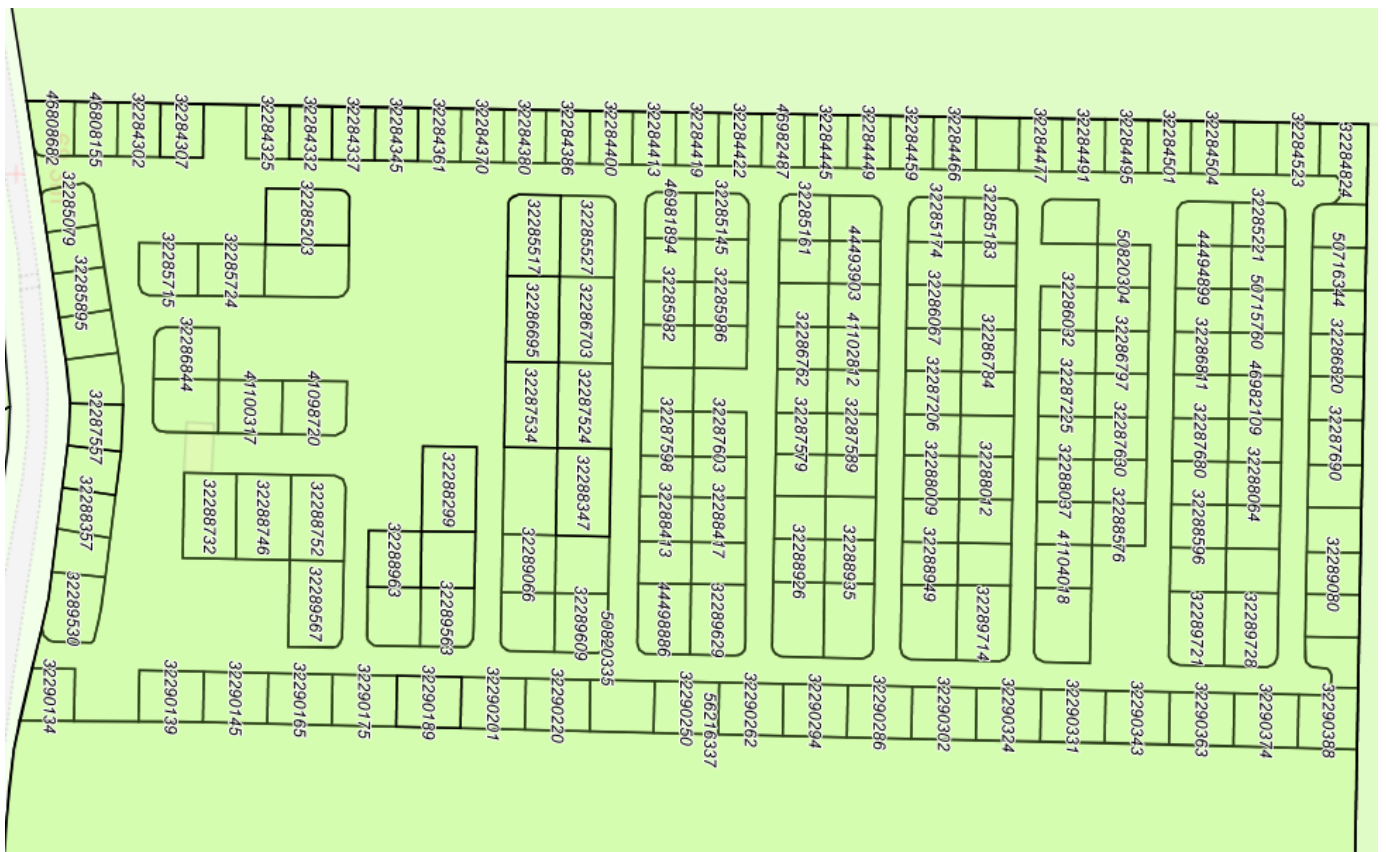
C. Summary Comments on Application 2024/0666/MAF

The application form contains some statements which we believe are incorrect. In some cases planning documents submitted contradict the application form. The complex land ownership issues for the agricultural field involved give real cause for concern about the applicant's proposal to build a structure at this location. The building proposed is not consistent with the stated objectives for its use. It would be built with elaborate materials more suited to a dwellinghouse within the village planning limits. We have serious concerns about traffic safety on this 60 mph limit road with bends and extensive vegetation in the summer months leading to restricted view and an unacceptable increase of risk caused by the material increase in traffic that would be turning in and out the proposed entrance. There is an issue of flooding of lower parts of the village with water emanating from areas of which this proposed development area is part. We consider this to be a serious material risk that has been once again evidenced this year, and the applicant has provided no evidence that it would not be exacerbated by their proposed development. We believe that any decision to change the use of agricultural farmland around Barrowden to other uses should be subject to extremely careful scrutiny to prevent inappropriate development that does not enhance the countryside.

For the reasons detailed in these comments we propose that the application be REFUSED. 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.

Barrowden Parish Council

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



Appendix 2. Parish Councils Response to Mr White Following Meeting 10th April 24

Mr White,

Thank you for sharing your plans for the field off Morcott Road. The Parish Council always welcomes early sight of any development plans within the village.

At the meeting of the Council held on 10th April 2024, Councillors considered your draft proposals and commented as follows:

- 1 The size and number of stables seem excessive for the land area, and no reasons have been provided for the development or its purpose.
- 2 The location of the buildings in the middle of the field seems odd and out of character with the proposed use.
- 3 Given the small number of horses that can be supported within the field, councillors did not understand the requirement for kitchen and toilet facilities on the site.
- 4 Concerns were expressed about the highway access given the potential change of use from agricultural to amenity, as the access is on a section of de-restricted road with limited vehicle visibility, primarily due to the increase in volume and horse trailers driving into and off the site.
- 5 Concerns were also raised about impact that any development will have on the existing surface water and sewage systems given their inability to handle the existing rainfall and other new developments.

The construction materials were noted as being in line with the Neighbourhood Plan.

Based on the information presented, the Council would not support this development on the site.

During the discussions on the site, you indicated that you were in the process of purchasing the land and that your visit was part of your due diligence. Has that purchase been completed, and is the whole field now under your ownership? It would be helpful for you to provide the Parish Council with evidence of ownership to avoid any misunderstandings if contractors access the site.

Residents are reminded that even if they have made previous comments via the Rutland Planning Portal in relation to Application 2024/0464/MAF which has now been refused, they must submit separate comments on application 2024/0666/PAD.

ACTION – Cllr P Jones to contact Burghley Estate to ensure they are aware of the planning application

2. 2024/0718/CAT T1 - Reduce spread of Beech over drive by 3m raise crown to 3.5m T2 - Reduce Copper Beech away from house to give 1.5m clearance from it, and raise crown to 4m T3 - Remove Cypress tree by drive to just above ground level. Vine Cottage 1 Wakerley Road Barrowden, Rutland LE15 8EP
NO OBJECTIONS
3. 2024/0714/DIS - PROPOSAL: Discharge of Condition 7 (Construction Management Plan) and Condition 24 (Scheme of Remediation) of application 2022/1219/FUL - The demolition of commercial buildings and the erection of a detached dwelling with associated access. 1 Tippings Lane Barrowden Rutland LE15 8EW
NO OBJECTIONS

2024/07/10 To note decisions made by Rutland County Council in relation to Planning Application - **NOTED**

1. 2024/0464/MAF – Refused

- 2024/07/11 To receive consider and adopt changes to the Planning Policy to allow for decision making on Planning Applications between meetings
RESOLVED - It was agreed to adopt the following process to allow decision making on Planning Applications:- .
- Any planning application received by the Parish Council will be notified by the clerk to all councillors within 2 working days of receipt and wherever possible will be included for discussion at the next available Parish Council Meeting. If published deadlines do not allow for discussion at the next Parish Council Meeting, then all Parish Councillors will submit their comments by email within 5 working days to the Clerk who will forward them to the Chair for review.
- At all times to enable comment the number of Parish Councillors must be quorate as in a Parish Council Meeting and those that would otherwise be excluded from discussion and voting due to a Disclosable Pecuniary Interest or Other Interest must exclude themselves from providing comment and shall then take no further role in the process.
- Comments will be coordinated by the Chair and then notified to all Parish Councillors for a final review. After 48hrs, the Chairman shall then submit final comments via the clerk to the local planning authority.
- If further time is needed to agree on a planning application due to its nature, the clerk will request an extension so that an Extra Ordinary meeting of the council can be called. Where possible local residents who the application effects will be consulted. All planning applications notified and under consideration must be listed clearly on the Parish Council website and posted on the relevant notice boards.'
- The Planning Policy will be updated to reflect these changes.
- 2024/07/12 To receive and comment on Seagrave Quarterly Playpark inspection
 It was noted that the inspection report highlighted work required to repair or remove various items of play equipment. Cllr M Ferow will contact a local contractor who may be able to carry out the removal of the damaged equipment. It will be necessary to look at a longer term solution to repair or replace tired, well used equipment which is approximately 20 years old.
ACTION – Clerk to check insurance policy to ensure that essential work can be carried out by a general maintenance person
- 2024/07/13 To receive and note Uppingham Surgery PPG report for June
Received and noted - there were no questions raised
- 2024/07/14 To discuss and allocate Councillor roles and responsibilities
- Planning - Cllr M Ferrow
 - Accounts and Governance – Cllr P Jones (accounts) and Cllr K Payne (Governance)
 - Allotments – Cllr Matt Hardwick
 - Play Area/Village Greens – Clerk D Rolfe and Cllrs C Arscott and J Nicholls
 - Articles for Parish Magazine – Collectively the council will produce an article each month for the Parish Magazine
- 2024/07/15 External items from outside the parish, including reports from any external meetings attended and the monthly Crime and Police Report
 Draft Minutes received from Wakerley Quarry Liaison Meeting which have been placed on the Parish Council Website
- 2024/07/16 To receive and note future Agenda items from Councillors
- Governance Document review
 - S106 allocation of funding
- 2024/06/17 Meeting closed at **20:24** and confirmation of next meeting date as **11th September 2024 at 7.15pm**

Debbie Rolfe, Clerk to Barrowden Parish Council, 11th July 2024