

## Minutes subject to approval at the next meeting

### MINUTES OF THE MEETING OF BREEDON PARISH COUNCIL HELD ON MONDAY 10<sup>TH</sup> JUNE 2024 AT 7PM AT BREEDON PARISH HALL, PRIORY CLOSE, BREEDON.

#### **Open Forum:** Comments raised by members of the public:

- 1) On behalf of the PCC, Pete Hyland, would like to register his thanks to Breedon Quarry for providing all the aggregate for the works to the car park and paths at the Church and to Matt Pursglove, of Premier Road Surfacing LTD, for doing all the groundworks and providing all the machinery free of charge.
- 2) Worthington Lane planning application concerns; including access and egress, previous appeal, outside the limits to development and speeding traffic.

#### **2468 Attendance and apologies**

**Present:** R Morris (Chairman), R Bates, T Bream, R Theaker and P Smith.

**Clerk:** Samantha Lockwood.

**Members of the public:** 9.

**Apologies received and accepted by Council:** Parish Councillor J Bexon-Smith and County Councillor: Cllr N Rushton.

#### **2469 Code of Conduct - Councillors' Declarations of Interest**

**RESOLVED:** None.

#### **2470 To approve the minutes of the previous meeting of the Council**

**RESOLVED:** The minutes of the Parish Council meetings held of 13<sup>th</sup> May 2024, previously circulated, be taken as a true record, confirmed and signed.

#### **2471 Any matters to be raised with the County Councillor and District Councillor.**

**RESOLVED:**

- Cllr Morris to 'call in' the Worthington Lane planning application to planning committee at NWLDC.
- General point – all potholes need filling rather than just one! This is not best value for money. – Clerk to write in.

#### **2472 Police, crime, safety.**

**RESOLVED:** The Clerk has circulated the report to all members.

#### **2473 Chairman's Report**

**RESOLVED:** Cllr Morris reported the following:

- Thank you very much to members for reelecting him as Chairman.
- Thank you to many unsung heroes within the parish; small things that make a huge difference.
- Thank you to Rachel, the Heritage Officer at the Church. She has made a huge contribution to the parish, the Parish Council to recognise this.
- Thank you to Mr and Mrs Theaker for their contribution to the planters.
- D-Day celebrations – Thank you to Nidge Jaxon and Rob Hounslow and to Andrew Heath for lighting the beacon.
- Thanks very much to Matt Pursglove and Breedon quarry for the work and materials to upgrade the car park at the church and the paths.
- The Play area looks good and well maintained.

#### **2474 Administration & Finance**

##### **(a) Clerk's Report and monthly payments.**

**RESOLVED:**

- VAT has been reclaimed.
- **Breedon on the Hill - 80th Anniversary of D Day - Thank you.**

Monday 10<sup>th</sup> June 2024.

Thank you to everyone that was involved in commemorating the 80th Anniversary of D Day at the Beacon Lighting on Thursday 6th June. It was a very moving evening, with prayers and readings from children, servicemen and our vicar.

As the beacon was lit, **we remembered those that gave the ultimate sacrifice for our today. A huge thank you to all that attended.**

**A special thank you to the following:**

- Andrew and Harold Heath, Robert Bonsor, Edward Haimes for arranging the lighting of the beacon.
- Sue and bell ringers.
- Rob Hounslow, RAF Servicemen.
- Nigel Jaxon, Army Serviceman.
- Cllr Bates, Cllr Theaker, Sarah and Zack for helping road marshal.
- Rachel, Breedon Heritage Officer for road marshalling.
- Pete Hyland, for setting up the PA system and running the service by the beacon.
- Laura and WI ladies for all the refreshments.
- Sue and all PCC members in attendance.
- The primary school children for their lovely reading at the service.
- The lovely Steph, our minibus driver, from Castle Donington Volunteer Centre.
- Breedon Quarry for strimming the footpath up to the Church on Thursday morning!

**I hope I have included everyone; thank you again for coming together as a community.**

**RESOLVED:** The Parish Council confirmed the following payments.

<b>Payee</b>	<b>Reason</b>	<b>BACS/Cheque</b>	<b>Amount</b>
S Lockwood	Salary and expenses	BACS	£509.63
Clear Council Management	Parish Council Insurance	BACS	£1572.68
R Theaker	Sand bags	BACS	£62.40
RoSPA	Independent Play Area Inspection	BACS	£98.40
Heaths	Grass Cutting Contract	BACS	£1723.20
O'Heaps	Fire Risk Assessment Parish Hall	BACS	£552.00
Planit-X	NHP	BACS	£4800.00

**Total: £9,318.31**

**(b) To discuss traffic calming within the Parish.**

**RESOLVED:** Cllr Morris explained that as more development starts to surround the parish e.g. the Freeport and the new settlement at Isley Woodhouse, traffic is going to increase and as a Parish Council it should start a campaign for traffic calming measures. Many people in attendance agreed the need to reduce traffic and speed, however, unsure on what measures would be suitable for the area. The clerk explained the issues the PC will face when asking for traffic calming, based on her involvement on a previous campaign at Long Whatton and Diseworth and suggested that the PC should work with developers in order to get some S106 monies to ensure they pay for traffic mitigation measures. Cllr Morris suggested that the PC start the ball rolling and that the Clerk send out letters to county highways. Cllr Bream explained that if you sort the 'rat run' issue out in Breedon you pass the problem onto other neighbouring villages and that we should look at the wider issue. It was also suggested by a member of the public to ask LCC Highways for a copy of Strategic Impact Study they have created based on the future development of the Freeport and Isley Woodhouse.

**(c) To discuss ideas for landscaping within the Parish.**

**RESOLVED:**

- The Clerk to order additional blubs for the parish.

- *Vegetation maintenance along the stream at Burney Lane – the Clerk to speak to LCC to see what position we are on the list. There was a suggestion of a working party but the Clerk explained it would be best to speak with LCC before as it is land they're responsible for and there is risk assessment required if the PC took on the work.*
- *Entrance boulders – village names carved into the boulders – the Clerk to find out how much this would cost from the local stone mason.*

**(d) To receive the RoSPA Play Safety inspection report for Breedon Play Area.**

**RESOLVED:** *Cllr Bates and the Clerk to go through the report together and make necessary recommendations for approval.*

**2475 Community**

**(a) To provide an update on the following:**

- **Parish Hall.**  
**RESOLVED:**
- *Received a complaint regarding inconsiderate parking, this is being dealt with.*
- *A resident of Priory Close is joining the Parish Hall committee to represent its immediate neighbours.*
- *The Parish Hall has received a grant of £2,600 from the Oddfellows.*
- *Oddfellows pictures in the parish store to be displayed in the Parish Hall.*
- **Neighbourhood Plan.**  
**RESOLVED:** *The Clerk submitted the Neighbourhood Plan for Breedon on the Hill and accompanying documents to North West Leicestershire District Council under Regulation 15 of The Neighbourhood Planning (General) Regulations 2012. Documents attached were the Submission Draft Neighbourhood Plan, Consultation Statement and Basic Conditions Statement, this meets all the relevant statutory requirements.*
- **Flood Matters.**  
**RESOLVED:** *Nothing to report.*
- **Freeport.**  
**RESOLVED: The Clerk reported the following:**
- *The application from East Midlands Airport for their land on the Freeport site has just been received, therefore the Parish Council will be expected to comment at its next meeting.*
- *The airport put forward their land for Freeport to the Government and want to retain the sovereignty over the land they own, which is the land between the A453 and Hyams Lane.*
- *The issue is SEGRO want the entire site, including that owned by EMA.*
- *SEGRO have permission, as of 7<sup>th</sup> May, to go down the DCO route if they choose (this means they bypass NWLDC planning and go directly to the inspectorate). If they do this, they could compulsorily purchase EMA land if they want to.*
- **Isley Woodhouse Development Proposals.**  
**RESOLVED: Isley Woodhouse Meeting – Tuesday 21st May – 3.30pm.**  
*Cllr Bates and Clerk attended a meeting with the Pegasus Group and Oxalis Planning which are acting on behalf of Harworth Group and Caesarea in relation to proposals for a new settlement located to the south of East Midlands Airport and Donington Park Racing Circuit, and west of Diseworth and south of Isley Walton, known as Isley Woodhouse.*

*We were given a presentation of their proposals; the site extends to approximately 313ha and is a proposed allocation in the emerging North West Leicestershire Local Plan 2020-2040 as Isley Woodhouse (IW1) in the Proposed Housing and Employment Allocations Consultation Document.*

The emerging proposals for the new settlement include circa 4,250 new dwellings, a local centre and two neighbourhood centres, two new primary schools, a combined primary/secondary school, employment land and green infrastructure, including sports pitches.

Harworth and Caesarea have a 50% share of the development and are working together as one team to promote this site – they stated that they were ‘Master developers’ meaning a landowner who owns a large site that is planned for comprehensive development.

This site assists NWLDC fulfil their housing needs requirements. Initial discussions have taken place with NWLDC since 2021 and are already 12 months into pre-application advice.

Questions/challenges were made to presenters regarding the need for upgraded highway networks, issues around air quality, flooding, design and that its proposal is on high quality agricultural land.

Hopefully more information will follow in the near future.

Presenters stated that construction would begin in 2028, 2029 first occupancy and 2050 completion of development.

## 2476 Planning

### (a) Planning Applications: consider and respond to the following:

**24/00574/OUT:** Erection of 1 no. self build dwelling (outline - access and layout only) at Land Adjoining 20 Worthington Lane, Breedon On The Hill. - **OBJECT.**

**Breedon on the Hill Parish Council unanimously agreed at its Council Meeting of 10th June to object to the above Outline Planning Application. Our reasons are several fold and identified below.**

#### 1 The identified development is contrary to Policy S3 of the adopted Local Plan

The NPPF recognises the need to “take account of the different roles and character of different areas, and that planning should recognise “the intrinsic character and beauty of the countryside.” Policy S3 – Countryside Land outside the Limits to Development is identified as countryside where those uses listed (a) to (s) below will be supported, subject to those considerations set out in criteria (i) to (vi) below.

- (a) Agriculture including agricultural workers dwellings;
- (b) Forestry including forestry workers dwellings;
- (c) The preservation of Listed Buildings;
- (d) The re-use and adaptation of buildings for appropriate purposes including housing in accordance with the Settlement Hierarchy (Policy S2);
- (e) The redevelopment of previously developed land in accordance with Policy S2;
- (f) Flood protection;
- (g) Affordable housing in accordance with Policy H5;
- (h) The extension and replacement of dwellings;
- (i) Expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;
- (j) Sites for Gypsies and Travellers and Travelling Showpeople in accordance with Policy H7;
- (k) Small-scale employment generating development or farm diversification;
- (l) Community services and facilities meeting a proven local need;
- (m) Development by statutory undertakers or public utility providers;
- (n) Recreation and tourism;
- (o) Renewable energy;
- (p) Development at East Midlands Airport in accordance with Policy Ec5;
- (q) Development at Donington Park Racetrack in accordance with Policy Ec8;

(r) Transport infrastructure;

(s) Employment land in accordance with the provisions of Policy Ec2.

*Developments in accordance with (a) to (s) above will be supported where: the appearance and character of the landscape, including its historic character and features such as biodiversity, views, settlement pattern, rivers, watercourses, field patterns, industrial heritage and local distinctiveness is safeguarded and enhanced. Decisions in respect of impact on landscape character and appearance will be informed by the Leicester, Leicestershire and Rutland Historic Landscape Characterisation Study, National Character Areas and any subsequent pieces of evidence; and*

(i) *it does not undermine, either individually or cumulatively with existing or proposed development, the physical and perceived separation and open undeveloped character between nearby settlements either through contiguous extensions to existing settlements or through development on isolated sites on land divorced from settlement boundaries; and*

(ii) *it does not create or exacerbate ribbon development; and*

(iii) *built development is well integrated with existing development and existing buildings, including the re-use of existing buildings, where appropriate; and*

(iv) *the development will not seriously undermine the vitality and viability of existing town and local centres; and*

(v) *The proposed development is accessible, or will be made accessible, by a range of sustainable transport.*

*The Local Plan also states*

*5.28 The uses listed above are those which it is considered would be potentially appropriate in the countryside but it will be necessary to ensure that proposed development does not unduly impact upon the character and appearance of the countryside.*

*5.29 The landscape of the countryside varies in character and appearance across the district. It is important that account is taken of these differences in considering development proposals in the countryside.*

*We consider the proposal for one self build dwelling would adversely and disproportionately affect the character of the approach to the village down Worthington Lane as stated in the 2017 appeal decision highlighted below (2).*

*Worthington Lane is abutted by short grass verges and established tall vegetation to its sides on the approach to Breedon on the Hill from the south. These attributes give Worthington Lane an attractive verdant and rural character on the approach to the village.*

## **2 Development using the same access previously refused at appeal**

*Recent relevant planning history found at the site: 16/00360/OUTM - Erection of 27 dwellings (Outline application - all matters reserved except for part access) Refused (Dismissed at appeal). The reason for dismissal of the appeal taken from the Appeal Decision Notice was:*

*10. Worthington Lane is abutted by short grass verges and established tall vegetation to its sides on the approach to Breedon on the Hill from the south. These attributes give Worthington Lane an attractive verdant and rural character on the approach to the village. The 30mph sign adjacent to the proposed site access marks a transition from the countryside to the village which opens up by virtue of properties with well-maintained front gardens and driveways. This contrast in character from countryside to the village is noticeable when viewed from vantage points along this section of Worthington Lane and contributes positively to the setting of the village.*

*11. In order to achieve satisfactory visibility from the proposed site access, it is anticipated that a visibility splay measuring over 100 metres would be required. The visibility splay would run in a south direction along Worthington Lane and necessitate the extensive reduction and removal of roadside vegetation. The proposed access road and the length of the visibility splay would result in significant harm to the verdant and rural character and setting of the village provided by this section of*

Worthington Lane. As the visibility splay would be required to remain at a reduced height along the roadside to ensure it functions effectively, additional landscaping details at the reserved matters stage would not fully prevent or reduce this harm.

12. In reaching this view I accept that the site would abut the defined limits to development on its northern, eastern and western boundaries. Furthermore, the proposal would project no further south than the properties to the south and east. I also saw that vegetation to the south of the site would visually conceal the wider development from views to the south and that views of the proposal from Main Street would be limited. In addition, it is put to me that the proposal would not occupy an isolated location in the context of paragraph 55 of the Framework. However, such factors would not prevent or outweigh the harm to the rural and verdant character along Worthington Lane and the setting of the village identified above.

24. Combined, the weight afforded to the noted benefits would not outweigh the harm identified in relation to the first main issue. Moreover, the impact of the proposal on the character and appearance of the surrounding area would result in environmental harm. Consequently the proposal would not simultaneously deliver the environment, social and economic dimensions required to be considered sustainable development by the Framework.

Conclusion

25. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

The main reasons for dismissal of the appeal against the refusal of planning permission 16/00360/OUTM still apply to the present outline application and is in fact strengthened by the fact that the proposed development sits further to the South of adjacent dwellings on Worthington Lane than was the case in 2016.

### **3 Highway Safety**

The existing agricultural access to the proposed site was granted under the planning application 17/01342/FUL|New agricultural access.

In our view the granting of permission for an access purely for the purpose of agricultural access does not confer the right to use the same access for a residential access.

Also, the original permission for agricultural access included a requirement for a turning head inside the site. The current application uses that same identified turning head area for the access arrangements for the proposed dwelling, meaning the original planning conditions can no longer be met.

The applicant's Planning Statement also states:

#### **5.2 Visibility Splay**

The current access was approved under the planning application 17/01342/FUL New agricultural access. Within the application it was demonstrated that a 65m visibility was achieved given the site sits within the 30mph zone of Worthington Lane, and the proposed development was therefore considered acceptable by the LPA and LCC Highways Authority.

Measurements taken by the Parish Council on Monday 17th June indicate that the requirement for a visibility Splay of 2.4M x 65M by virtue of the 30mph speed limit can not be met. With a 2.4m setback from the carriageway edge, the visibility splay looking North was measured at just 16m and looking South 38m. Both measurements do not nearly meet the requirements laid down by the relevant specification with the roadside conditions as they currently exist.

It is also our contention that the 85th centile traffic speeds at the proposed access point far exceed 30mph. We feel this should be tested by an up to date traffic speed survey.

A further point for consideration is that there are no pedestrian footpaths on either side of the road for some distance North of the proposed access, towards the Village.

### **4 Housing Allocation**

The Parish Council has submitted its Neighbourhood Plan to NWLDC, which includes provision to meet its Local Housing Requirement for the Parish in full. Allowing development outside the updated Limits to Development conflicts with the Neighbourhood Plan and as such is likely to significantly and demonstrably outweigh the benefits as previously indicated by the dismissed appeal (APP/G2435/W/17/3167167) which concluded that the benefits of development would not outweigh the harm to the rural and verdant character of Worthington Lane and the setting of the village. The same applies to the current application.

**5 Consideration of the Application.**

We feel that this application should be brought before the Planning Committee as we believe the landowner and planning agent are related to a serving councillor (Councillor Blunt) and contrary representations objecting to the application have been received.

**24/00611/TCA:** Works to 1no Beech tree and 2no Silver Birch (Unprotected tree in a conservation area) at Former Wesleyan Methodist Chapel, Dog Lane, Wilson, DE73 8AF. - **OBJECT.**

**The Parish Council objects to the above proposal based on the following: This is a small plot with trees that are near and outside the boundary, none of the trees are overhanging the house. The applicant knew they were building large house, on a small plot, amongst trees when the project started; the property has now been built safely amongst them, but is now suggesting parts are unsafe, with immediate danger to workers? This doesn't appear to be the case.**

**The Parish Council would like to insist that the tree officer visits the property and investigates this matter in more detail before making a decision.**

**24/00624/FUL:** Erection of a two-storey rear extension at 25 Berry Avenue, Breedon On The Hill, Derby, DE73 8AL. – **NO OBJECTIONS.**

**24/00577/AIR:** Installation of loading dock leveller at Royal Mail Building Beverley Road East Midlands Airport Castle Donington. – **NO OBJECTIONS.**

**(a) Planning Decisions notified since the previous meeting:**

**24/00691/COM and 24/00690/COM:** Temporary upgrade of an existing agricultural access off the A453, Breedon on the Hill, DE73 8BB (2024/CM/0052/LCC) at Land Off A453 Breedon On The Hill, J14, DE73 8BB. – **LCC APPLICATION - NWLDC HAS NO OBJECTIONS TO THE PROPOSALS.**

**24/00567/TCA:** Fell 1no Laburnum Tree and works to 1no Walnut Tree (Unprotected trees in a conservation area) at Hillview Cottage, Short Hill, Wilson, Melbourne, Derby, DE73 8AF. – **WORKS TO TREES WITHIN CONSERVATION AREA.**

**2477 Representatives' Reports.**

**RESOLVED:** None.

**2478 Miscellaneous Correspondence** (to note and made available for Councillors' inspection)

**RESOLVED:** None.

**2479 Next meeting will be held on 1<sup>st</sup> July 2024 at 7pm.**

**RESOLVED:** Noted.

**2480 Other matters/items for future Agendas at the Chairman's discretion.**

**RESOLVED:** The Clerk to request additional CPR and Defibrillator training.

**Meeting ended:** 20.35.

**CHAIRPERSON** .....

**DATE** .....

Monday 10<sup>th</sup> June 2024.