

**Minutes of Langham Parish Council Meeting
Held on Tuesday 30th October 2018
At Langham Village Hall**

Attendance	Cllr. B Palmer – Chairman Cllr. Catlin Cllr. Duncan Cllr. Higgins Cllr. Hosmer Cllr. Ovington Cllr. G Palmer Cllr. Sweeney Helen Duckering – clerk 2 members of the public
Apologies	C.Cllr Hemsley
Item	Actions
	The meeting opened at 7.30pm
1	Declarations of Interest and Dispensations None
2	Minutes of last meeting held on 25th September 2018 These were agreed and signed by the Chairman. Proposed Cllr. Sweeney Seconded Cllr. Higgins .
3	Matters Arising Actions from the previous meeting <ul style="list-style-type: none"> • Playing field hedge – It was proposed that quotes for replacing the fencing/re-hedging at the southeast boundary of the playing field with Burley Rd be sought from 2 contractors. • RCC Winter planning meeting – It was agreed that a grit bin and supply of grit for the village hall would be requested from RCC. A request for volunteers to act as ‘snow wardens’ will be placed in the Langham News. Confirmation from RCC that the access route to the village hall has been added to RCC gritting schedule will be obtained. • Cllr. Ovington will circulate a copy of the article to be placed in Langham News regarding progress of Langham Neighbourhood Plan. • LNPSG definitions – see 9 below. • Planning Committee terms of reference – see 12 below. • IT Project Group meeting is scheduled for November 6th. • Cllr. Higgins name will be added to the minutes 25th September, confirming the composing of a letter to the Crouch family. • All other items completed.

4	<p>Clerk's Report</p> <ul style="list-style-type: none"> • Cllr. B Palmer attended the opening of the Rutland Poppy Project. The horseshoe presented has been placed on the war memorial. • Langham Neighbourhood Plan were congratulated on their Community Engagement Award. The award and certificate will be displayed in the village hall. Cllr. B Palmer will seek confirmation from the village hall trustees that this is acceptable. • RCC Planning have confirmed that they are visiting all the caravan sites advised to them and will report back in due course. • Clive Palmer was thanked for mending the playing field gate and also undertaking some remedial work to other gates around Munday's Close. • The fingerpost on Ashwell Road is now in place with the correct lettering. • The fallen tree at Munday's Close has been cleared by Munday's Close Working Group and made safe. • Consecration of the additional land at the burial ground was completed on 16th October. • Peter Burdett has confirmed that there will be no charge for the new gate installed at the entrance to Munday's Close. A letter of thanks for his generous gift will be sent. 	<p>BP</p> <p>HD</p>
5	<p>Correspondence</p> <ul style="list-style-type: none"> • Details of Rutland County Council information session for those interested in becoming a local councillor. Details have been displayed on notice boards. • Rutland transport consultation – see 11 below. • Course schedule for LRALC 2019 – circulated to all councillors. Requests to attend any courses should be made at the November meeting. • Letter of resignation from Cllr. Wright – Cllr. Wright was thanked for her 32years of service to the Parish Council and for her invaluable knowledge and expertise. The Chairman will write to Cllr. Wright to formally thank her. • Letter of resignation from Cllr. Duncan – Cllr. Duncan was thanked for his many years of service to the Parish Council, his leadership and guidance. The Chairman will write to Cllr. Duncan to formally thank him. 	<p>BP</p> <p>BP</p>
6	<p>Responsibility for bench placed outside village hall</p> <p>The damaged bench is to be replaced by the WI under the manufacturers guarantee. No formal request to assume responsibility for the bench has been made, the bench having been given as a gift to the village by the WI.</p>	
7	<p>Approval of issue of contract for work at Munday's Close</p> <p>It was proposed that the quotation to lay hedges at Munday's Close at a cost of £1330 be accepted and the contract issued.</p> <p>Proposed Cllr. Higgins Seconded Cllr. Hosmer All in favour</p>	

	<p>It was proposed that the quotation to replace the stile at the NE corner of the woodland area, to allow disabled access at a cost of £337.59 be accepted and the contract issued.</p> <p>Proposed Cllr. Ovington Seconded Cllr. Sweeney All in favour</p>	
9	<p>Acceptance of LNPSG report</p> <p>It was proposed that the Parish Council accepts the LNPSG report (Appendix 1 attached) the definitions contained therein, and agrees that any recommendations to RCC on planning matters that affect Langham shall be consistent with these definitions and policies of the Langham Neighbourhood Plan.</p> <p>Proposed Cllr. Ovington Seconded Cllr. Catlin All in favour</p>	

10	<p>Assessment of Planning Application</p> <p>The original proposal was amended to insert ‘normally’.</p> <p>It was proposed that any planning application is assessed by three members of the Planning Committee, with normally at least one being a member of the LNP Steering Group.</p> <p>Proposed Cllr. Higgins Seconded Cllr. Duncan</p> <p>6 in favour 2 against</p> <p>The proposal was therefore adopted.</p>	
11	<p>Response to RCC consultation on Rutland’s 4th Transport Plan</p> <p>It was agreed that Cllr. Ovington would ask the Transport Group of the Neighbourhood Plan to assess the consultation document and present their comments by the November meeting.</p> <p>It was agreed that all councillors would view the consultation document and decide at the November meeting how to respond.</p>	<p>PO</p> <p>ALL</p>
12	<p>Planning</p> <p>a) A summary of planning applications since the last meeting was circulated. Appendix 2 attached.</p> <p>b) Terms of Reference for the Planning Committee – it was agreed that Councillors Higgins, Ovington and G Palmer, would meet to draft a proposal ‘refreshing’ the Planning Committee’s terms of reference, to include the process of responding to normal planning applications, those that may be contentious and how to respond when a cohesive Langham response is required. The recommendations will be presented at the November meeting.</p>	<p>PO/JH/ GP</p>

	<p>c) It was proposed that Cllr G Palmer join the Planning Committee, with Cllr. Hosmer as a reserve.</p> <p>Proposed Cllr. Ovington Seconded Cllr Higgins All in favour</p>	
13	<p>AOB</p> <ul style="list-style-type: none"> • Cllr. Ovington to attend the Village Hall meeting on 14th November. • Chairman to write in Langham News on Rural Community Award for NP, Green Spaces project, volunteers for snow wardens and new and retiring Parish Councillors. • Permission for a skip to be confirmed with RCC. Chairman to contact residents if necessary. • Cllr. Sweeney to be added as a bank signatory. Clerk to arrange paperwork. <p>Playing field inspection</p> <p>November – PO</p> <p>Next meeting – Tuesday 27th November</p>	<p>PO</p> <p>BP</p> <p>HD/BP</p> <p>HD/JS</p>
	The meeting closed at 9.25pm	

Summary of Action Points			
Number	Description of Action	Responsible	Due Date
1	Two quotes for fencing/hedging at playing field to be obtained	HD	ASAP
2	Grit bin and additional gritting route to be requested from RCC	HD	ASAP
3	LNP article for Langham News to be circulated	PO	ASAP
4	Permission to place LNP award in village hall to be sought	BP	ASAP
5	Clerk to write letter thanks to P Burdett for gate	HD	ASAP
6	Chairman to write letters of thanks to Cllrs Wright and Duncan	BP	ASAP
7	LNP Transport group to be asked to comment on RCC Transport Consultation	PO	27 th Nov

8	Councillors to view RCC transport consultation	ALL	27 th Nov
9	PO/JH/GP to meet to propose terms of reference for Planning Committee	PO/JH/ GP	27 th Nov
10	Cllr. Ovington to attend village hall meeting	PO	14 th Nov
11	Chairman to write in Langham News	BP	5 th Nov
12	Permission for skip to be checked at RCC	HD	ASAP
13	Cllr Sweeney to be added as bank signatory	HD	ASAP

Unapproved

Appendix 1

Report to Langham Parish Council (LPC) on terms and Policies used or referred to in the Langham Neighbourhood Plan (LNP)

Date: 16th October 2018

Attendees: LNP Steering Group Members

Gail Palmer (also councillor LPC), Brenda Palmer (also Chair of LPC), Caroline Webb, Tim Maskell, Jennifer Maskell, Penny Viner, Alex Marshall, Pat Ovington (also councillor of LPC)

At the last Parish Council Meeting we of the LNP Steering Group were asked to clarify four things:

1. The definition of 'development' in Planning parlance
2. What constitutes a 'brownfield site'
3. What is the definition of agricultural land and equestrian land?
4. What is included – and excluded – in the Policy HR2a of the LNP

1a. DEVELOPMENT

According to the *Town and Country Planning Act 1990*

'55. Meaning of "development" and "new development".

... "development," means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.'

The government website www.gov.uk further details this definition as follows:

'Development' includes:

- building operations (eg. structural alterations, construction, rebuilding, most demolition);
- material changes of use of land and buildings;
- engineering operations (eg. groundworks);
- mining operations;
- other operations normally undertaken by a person carrying on a business as a builder.
- subdivision of a building (including any part it) used as a dwellinghouse for use as 2 or more separate dwelling houses

All development requires Planning Permission EXCEPT development that falls into the classification of PERMITTED DEVELOPMENT

1b. PERMITTED DEVELOPMENT

The *Town and Country Planning (General Permitted Development) (England) Order 2015* schedule 2 parts 1 & 2 sets out classes of development for which a grant of planning permission is automatically given, provided there is no restrictive condition attached, or that the development is exempt from the permitted development rights.

These include the following (but full details are listed in the above document)

- A. The enlargement, improvement or other alteration of a dwellinghouse.
- B. The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.
- C. Specific changes of use of buildings
- D. Temporary buildings or land use
- E. Extension or addition of an agricultural building if the farm is ≥ 5 hectares (12.35 acres)

2. BROWNFIELD LAND/ SITES

The official government definition as found on the **Government Planning Portal** is:

Brownfield Land or Site is previously developed land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure

RCC defines a brownfield site as:

Land that has previously been developed

RCC then lists the criteria they use to identify and register brownfield sites in Rutland.

Sites which meet all of the following criteria will be included on the register:

- Previously Developed Land which meets the definition set out in Annex 2 of the National Planning Policy Framework;
- Is available - the developer/ landowner has confirmed their intention is to sell/build out the land;
- Is suitable - when judged against the current national and local development plan policies (in our case the Core Strategy and Site Allocations and Policies Development Plan Document) and;
- Is achievable - the site must be free of legal covenants or constraints which prevent or restrict development opportunities

The **National Planning Policy Framework Annex 2 2018** refers, under 'brownfield land', to 'previously developed land' for its definition:

Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage* of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for

restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

**Curtilage: Chambers dictionary gives it as 'a court or area of land attached to and include a dwelling house'; In law, the curtilage of a house or dwelling is the land immediately surrounding it, including any closely associated buildings and structures, but excluding any associated "open fields beyond", and also excluding any closely associated buildings, structures, or divisions that contain the separate intimate activities of their own respective occupants with those occupying residents being persons other than those residents of the house or dwelling of which the building is associated. It delineates the boundary within which a home owner can have a reasonable expectation of privacy and where "intimate home activities" take place.*

3. AGRICULTURAL LAND

There are many sources of this definition, from the Oxford English Dictionary to DEFRA:

Agricultural land is defined as horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur or for the purpose of its use in the farming of the land) the use of the land as grazing land*, meadow land, osier land [land for growing willow], market gardens and nursery grounds and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes.

The following is from the website of Solicitors who specialise in differentiating between agricultural and equestrian land usage for planning purposes *Clarke Wilmot*

The only equestrian use that falls into agriculture definition is producing horses for slaughter, working horses that are used in preparing land for crops and turning horses out for grazing only*

*As soon as something other than grazing is done for the horses - supplementary feeding, rugging, riding, work in ménage - the land is in 'equestrian use'.

A **'farm'** is defined in the Oxford English Dictionary as:

An area of land and its buildings, used for growing crops and rearing animals.

This obviously makes it agricultural and so subject to Permitted Development

A **small-holding** is defined by Wikipedia as a 'small farm' - although Chambers gives it as 'a holding of land smaller than an ordinary farm'

4. 'Policy HR2a - Preservation of Green Separation Zone' of the LNP

This Policy states

In line with RCC's Review of Important Open Spaces 2012 (point 3.4) and the Landscape Character Assessment, this Plan will enforce a Green Separation Zone (GSZ) between the southern Planned Limit of Development and the southern Parish Boundary to preserve the rural setting of the parish.

The definition of Green Separation Zone is in the Objective of Section HR2 – Important Green Spaces which states

To safeguard the geographical separation of Langham from Oakham by establishing a Green Separation Zone (GSZ) where building and development is forbidden.

All members of the LNPSG are clear that the 'development' referred to in the objective (and thus in the policy) is any development as defined in 1 above

This would mean any development that requires a planning application, but would exclude any Permitted Development as described in 1b above

Unapproved

Appendix 2

2018/0932/FUL

Applevue, 59 Manor Lane

T1 - 1 No. Apple - Reduce height by 1m to 1.5m, and sides up to 1m. T2 - 1 No. Apple - Reduce height by up to 2m, and reduce overhanging branches back to boundary (back to appropriate growth points). T3 - 1 No. Walnut - Reduce height by up to 2m. Remove lowest 2 no. branches facing neighbour's (no. 57a) boundary back to trunk, and reduce remaining branches facing neighbouring property back to the boundary (back to appropriate growth points).

T1 – Apple: This tree is situated to the front of the property in a prominent position within the Conservation Area (Article 4/2). It is believed to pre-date the building of the bungalow. This tree is a standard apple tree, which will always be taller than one grown on a dwarfing rootstock. This tree is productive, as demonstrated by the present crop of apples. As this tree is a landmark at the junction of Manor Lane with Ashwell Road it has considerable amenity value within the Conservation Area. It is understood that the residents of Applevue wish to keep the tree but the proposed works appear to be excessive for a standard tree. Due to the importance of this tree, it is recommended that it be given protection by means of a Tree Preservation Order. Some appropriate treeworks, which will retain the characteristics of a standard apple, can then be agreed between applicant and the Tree Officer.

Recommend Refusal

T2 – Apple: This tree, which is productive, is situated in a prominent position but it is planted too close to the adjacent Walnut. This limits the amount of light and air reaching the tree. The proposed treeworks are acceptable and the health and appearance of the tree should improve.

Recommend Approval

T3 – Walnut: This tree has grown tall and lanky; probably due to it being situated so close to the adjacent apple tree. It should benefit from the proposed works, which will give it a chance to reach its full potential.

Recommend Approval

Langham Parish Council

10th October 2018

2018/0985/FUL

7 Church Street

(T1) – 1 No. Walnut – reduce by approx. 3m (back to previous pruning points). (T2) and (T3)- 2 No. Silver Birch – Reduce by approx. 3m.

Walnut – This tree is not visible from Church Street. It can be glimpsed over the roofs of Melton Road. However, it is of little amenity value. The proposed works are acceptable.

Silver Birches – These trees are growing amongst other trees/shrubs and it is difficult to view them from either Church Street or Melton Road. They do not appear to contribute to the Conservation Area in any way.

Recommend Approval

Langham Parish Council

22nd October 2018

Reduce height of 2 No. conifer trees by 5 metres.

Although these trees can be partially seen from the road, they have limited amenity value and contribute little to the Conservation Area. The proposed treeworks are appropriate.

Recommend Approval

Langham Parish Council

10th October 2018

Unapproved