#### **UPPER POPPLETON PARISH COUNCIL**

#### MINUTES OF THE PARISH COUNCIL MEETING HELD IN THE POPPLETON CENTRE, MAIN STREET, UPPER POPPLETON AT 7.00 PM ON MONDAY 9 OCTOBER 2023

#### **PRESENT:**

Councillor Neil Lawrence (Chairman)

Councillor Alan Catterick	
Councillor Ian Clark	Four members of the public
Councillor Bill Hall	
Councillor Anne Hook	Mr James Mackman (Clerk)
Councillors David Johnson	
Councillor Richard Robson	
Councillor Sheri Scruton	
Councillor Sue Tomlinson.	

#### 23.162 - TO RECEIVE DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST (NOT PREVIOUSLY DECLARED) ON ANY MATTERS OF BUSINESS None.

### **23.163 - TO RECEIVE APOLOGIES FOR ABSENCE GIVEN IN ADVANCE OF THE MEETING**

All Councillors being present there were no apologies.

#### **23.164- TO CONSIDER THE APPROVAL OF REASONS GIVEN FOR ABSENCE** None.

#### **23.165 - TO APPROVE THE MINUTES OF THE MEETING HELD ON 11 SEPTEMBER 2023**

The minutes of the meeting held on 11 September, having been circulated and read, were accepted and signed.

#### **23.166 - PUBLIC PARTICIPATION**

Two members of the public addressed the Parish Councillors about the planning application for Model Farm.

## **23.167 - TO RECEIVE THE CITY OF YORK COUNCILLOR'S REPORT – FOR INFORMATION ONLY**

City Councillor Anne Hook reported that: -

- A 30mph limit is to be applied to Northfield Lane.
- The City Council is to install larger signs in Northfield Lane directing vehicles to the Business Park.

#### 23.168 - PLANNING APPLICATIONS

(a) The Councillors considered the planning applications received since the September Parish Council meeting as listed below: -

Council meeting as listed below	1
Details of Planning Application	Comments
Ref: 23/01490/FUL - 2no. dormers to front and 1no. dormer to rear at 3 Chantry Avenue, YO26 6DJ.	No objections
Ref: 23/01658/TCA - Fell 1 no. Laburnum - tree in a Conservation Area at Cherry Croft, Beech Way Close, YO26 6JE.	No objections
Ref: 23/01704/FUL - Construction of 2no. dwellings on land to the rear of Model Farm following demolition of Nissen Huts with associated access, landscaping and parking and restoration of existing pole barn at Model Farm House, The Green, YO26 6DP.	The Parish Council objects to this planning application. See attachment below for details of the objections.
Ref: 23/01768/TCA - Fell 1 no. Copper Beech in front garden - tree in Conservation Area at 4 Beech Grove, YO26 6DS.	The Parish Council objects to the felling of the tree. The Councillors would have liked to have had a report from an arboriculturalist indicating that felling the tree was the only choice and that crown lifting etc. was not an option.

(b) To note Local Authority Planning Decisions

- It was noted that the Local Planning Authority had approved the following applications: -
- Ref: 23/01125/FUL Erection of carport and garden room following demolition of garage at 2 Station Road, YO26 6PY
- Ref: 23/01391/FUL Single-storey side and rear extension following demolition of garage at 14 Brackenhills, YO26 6DH.
- Ref: 23/01457/TPO Fell 1 no. dying Sycamore (Tree x) and carry out 25% crown reduction to T2 Sycamore (as per annotated photograph submitted with application) at Dene Holm, The Green, YO26 6DP.

#### 23.169 - FINANCE

(a) To receive a financial statement

The Clerk had emailed Councillors a detailed report showing the actual income and expenditure for the year for the period to 9 October 2023. The report reflected the receipts and payments below.

The bank balances on 9 October were: -

Current Account

Business Money Manager Account

£100.00 £55,784.20

(b) To note accounts for payment (net of VAT);

67 DD	EDF Energy	Guild hut electricity – Jul/Aug	£11.60
68 BP	Poppleton Youth Club	Grant	£2,000.00

69 CHG	HSBC	Bank charges – Aug/Sep	£8.00
70 BP	Sleightholm Landscapes	Grass cutting per contract	£1,015.00
71 BP	PKF Littlejohn	Audit fee	£210.00
72 BP	James Mackman	Salary – October	£587.14
73 BP	HMRC	Income Tax – October	£146.80
74 BP	James Mackman	Expenses including wreath £20	£32.99
75 BP	Poppleton Community Trust	Room hire 11 September	£28.00
(c) To rec	eive a report on income received City of York Council HMRC	<i>l</i> 2 <sup>nd</sup> half year's precept VAT refund	£17,500.00 £180.37

(d) To consider releasing the Poppleton Luncheon Club's grant for 2023-24 (£100) This was agreed.

## 23.170 – TO CONSIDER MATTERS RELATING TO THE VILLAGE GREENS, ALLOTMENTS AND GUILD HUT

(a) Trees including considering quotations for the five-year tree survey

Two quotations for the work were considered. It was agreed to award the contract to Tree Care Consultancy. It was noted that the Greens working group had proposed the following questions for the contractor.

1. Do any of the trees on our land need to be crown lifted or are they better left to grow to their natural shape?

2. Is the original Millie Wright tree regrowing healthily and can it be replanted now or left to mature for another season?

3. Where on Parish Council land, excluding maypole green, should there be new trees planted and what type of trees he recommends?

The Clerk is to ask the contractor to cost out the extra items. (Action Clerk)

(b) Events None.

(c) Maintenance including paying for the maintenance of the Collingwood car park

It was agreed that the person who had been carrying out unauthorised maintenance of the car park should be paid. It was agreed that the Parish Council should engage a professional gardener to work on an ad hoc basis for work on the Greens in the future. A costed proposal to be available at the next meeting. (Action Cllr. Clark)

(*d*) Allotments No news to report.

(e) Guild Hut No news to report.

## 23.171 – TO CONSIDER MATTERS RELATING TO HIGHWAYS, FOOTPATHS, LAMPPOSTS & SIGNS

(a) To consider reports on vandalism None.

(b) To consider how to raise resident awareness of hedges overgrowing pavements and cars parked on footpaths

It was agreed that the Chairman would write a short article for Centrepiece asking people to be respectful of the needs both of wheelchair users and of pedestrians and not block or impede pavements either by parking cars on them or allowing garden hedges to grow well outside the boundary and restricting normal use of the footpath. (Action Councillor Lawrence)

*(c) To receive other reports* None.

#### 23.172 - TO CONSIDER COUNCILLOR AND CLERK TRAINING

Details of YLCA courses are circulated to Councillors on a regular basis. It was agreed that none of the forthcoming courses were required.

## 23.173 – TO DISCUSS THE NEXT STEPS IN CREATING ONE PARISH COUNCIL FOR POPPLETON

Contact has been made with the new Head of Democratic Governance at the City Council. The objective is to ensure that the Grouping process is followed correctly and that City Council is fully involved.

#### 23.174 – TO CONSIDER ARRANGEMENTS FOR REMEMBRANCE SUNDAY

- (a) It was agreed that the Parish Council would buy the wreath to be laid by the War Memorial at the Remembrance Day Service.
- (b) The fact that the police will no longer be attending any Remembrance Day Service and that the City Council is demanding that a Traffic Management Scheme be implemented before it will grant an application for a road closure was debated. It was agreed that attempts should be made to have a Traffic Management plan in place. (Action Clerk)

#### 23.175 – TO RECEIVE COMMITTEES' REPRESENTATIVES REPORTS

(a) D-Day Celebrations June 2024 Working Group The group is to meet on 18 October.

(b) Listed Buildings Working Group No report.

*(c) Poppleton Community Trust* No report.

(*d*) Village Show No report.

*(e) YLCA York Branch* No report.

(f) Youth Club

*(g)* Any other meeting None

#### 23.176– TO RECEIVE A REPORT ON VILLAGE POLICING

Prior to the meeting the Clerk had given each Councillor a schedule of incidents in Upper Poppleton reported to the police in September 2023. The schedule was noted.

## 23.177 – TO RECEIVE THE CLERK'S REPORT ON PROGRESS ON THE FOLLOWING:

(a) Drawing up of a tree policy for the Greens (Min. 23.156b) This is still work in progress.

(b) The easement for vehicular access to Lyndhurst, Hodgson Lane (Min. 23.156c) No further news to report.

(c) The possibility of converting the old coal yard at the station into a car park (Min. 23.156d) Councillor Lawrence reported that Julian Sturdy MP had written to say that his contact was no longer working for the rail company so, at the moment, he could not help.

Two of the Councillors said that they had contacts on the railways and would seek their advice.

(d) Repainting the maypole (Min. 23.149ci)

The Clerk reported that Bagnalls who are to repaint the maypole had recommended that the maypole be painted with a gloss finish and now had the matter in hand.

(e) Relocation of the Dikelands Lane notice board (Min. 23.159)

The Clerk reported that it was necessary to relocate the notice board. It was agreed that it should be fastened to the railing on the plinth next to the Library. (Action Clerk)

#### 23.178 – TO NOTE CORRESPONDENCE RECEIVED

23.178.1 – It was noted that the correspondence received since the September meeting, as listed below, had already been circulated to the Councillors.

- (a) Friends of the Earth An Audience with the Exec Members for the Environment and Climate Emergency
- (b) Haxby Group Response to trim back surgery bush
- (c) Resident complaining about Youth Club youths making a noise on the Green
- (d) YLCA Law & Governance Bulletin September 2023
- (e) YLCA NALC Chief Executive's Bulletin 14 September 2023
- (f) YLCA White Rose Bulletins and Training Bulletins
- (g) YLCA YLCA Information/Vacancies and Training Bulletins 15 September

23.178.2 – The Clerk referred to the following items of correspondence received since the September Parish Council meeting

(a) CYC - Guild hut rates schedule

- (b) PKF Littlejohn Annual Return response & invoice
- (c) Resident enquiring why no green waste bins have been given to the new houses in Langley Park
- (d) Resident reporting the dead tree on the Green in front of the Collingwood car park

Date of	Meeting	Venue/ Time	Councillors
Meeting			Attending
12 Oct	YLCA York Branch	Acaster Malbis village hall/	Catterick,
		7.00pm	Tomlinson

#### 23.179 – TO NOTE FORTHCOMING MEETINGS

18 Oct	D Day 2024 working group	Poppleton Centre/ 7.00pm	Robson, Clark, Hook and Lawrence
18 Oct	Poppleton Community Trust Executive Committee	Poppleton Centre/ 7.00pm	Hall

#### 23.180 - TO CONSIDER MINOR MATTERS

None.

#### 23.181 - TO CONSIDER NEW ITEMS FOR THE NEXT AGENDA

The purchase of bulbs for planting in the Greens.

#### 23.182 - TO AGREE THE DATE OF NEXT MEETING

It was agreed that the next meeting be held on Monday 13<sup>th</sup> November 2023.

There being no other business the Chairman closed the meeting at 9.36pm.

CHAIRMAN .....

DATE.....

James Mackman, Clerk 39 Calder Avenue, Nether Poppleton, York, YO26 6RG Tel: 01904 399277 - email: <u>upperpoppletonclerk@poppleton-pc.org.uk</u>

The Parish Council's website can be found at https://poppleton-pc.org.uk/

Comments on the Model Farm planning application will be pasted here in due course

The Upper Poppleton Parish Council decision on planning application 23/01704/FUL is D on the following planning grounds:

#### 1 Upper Poppleton and Nether Poppleton Neighbourhood plan 2017 Policy PNP 6 A

**States:** Within the settlement limit of the two villages as shown on the Policies Map proposals for the subdivision of an existing dwelling or for the construction of a single dwelling within the curtilages of a domestic property will be supported where the proposals are:

- In character with the surrounding development;
- Designed to safeguard the amenities of existing residential properties;
- Designed to provide appropriate elements of garden and amenity space; and
- Designed to provide appropriate levels of parking and vehicular access to the City of York Council standards at the time of application.

The proposed development at Model Farm does not comply with these elements of the policy most notably points 3 and 4. There is insufficient space within the holiday lets to allow for drying clothes, sitting in a private space to enjoy a barbeque or other social outdoor activities.

#### **PNP 1 BULLET POINT 4**

**PNP** 1 States at point 4 The re-use pf buildings proved that the buildings are of a permanent and substantial construction.

The proposed development of the pole bar, hay barn and Nissan type huts do not comply with the about <u>permanent and substantial</u> construction. They have been allowed to deteriorate to such an extent that they are structurally unsound. The space they occupy could remain as open recreational space or garden space for the properties already occupied.

#### **PNP 3 CONSERVATION AREA**

All proposals for development in the Upper Poppleton and Nether Poppleton Conservation Areas should preserve or enhance their special character or appearance.

All development and land within the Conservation areas should protect the open character and heritage assets of the villages as set out in the conservation area character assessment for the relevant conservation areas as included at Appendix *C* of the plan.

The proposal to redevelop the redundant insubstantial pole, hay barns and corrugated iron sheds does not add to the special character or appearance in the Conservation Area. Model Farm and the converted Barn were noted within the plan as Historic Assets and their refurbishment was encouraged by the Neighbourhood Plan, but the outbuildings were not seen to have this level of historic merit or asset protection. Page 28 of the Neighbourhood Plan shows a photo of the substantial buildings that were thought of as appropriate for conversion from agricultural use to residential use.

#### PNP 4 VILLAGE DESIGN STATEMENT

Proposals for development within the villages of Upper Poppleton and Nether Poppleton will be supported where they bring forward high quality design appropriate to their character and appearance. All new developments within the settlement limits of the villages should respect the Design Guidelines.

### The proposed development does not bring forward high quality design with appropriate character, amenities, or green open space. NPPF PARA 110 C

In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;

b) safe and suitable access to the site can be achieved for all users;

c) <u>the design of streets</u>, <u>parking areas</u>, <u>other transport elements and the content of</u> <u>associated standards reflects current national guidance</u>, <u>including the National</u> Design Guide and the National Model Design Code 46; and

d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

It is felt that as the proposed development currently is situate at a particularly busy part of the village. The Village Green Area of Poppleton is already a pinch point for traffic as situated in this area is the Doctors Surgery, the Local Pharmacy, two Public Houses, the Local shop, the Local estate agency and the two churches in the village. Cars are park on the road, as well as the small car park area outside the shops. Specifically on Sundays, Saturdays, Tuesdays, and many cars are parked for the church services, the village coffee mornings, and the community help for local residents. The Methodist Hall is also used for morning playschool activities which continue into the landscaped garden area behind the hall. Permission for this was granted as it was for the use of the community. The proposed developments at Model Farm will have no additional use for the community.

#### NPPF PARA 111

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

#### This is extensively covered in the following three paragraphs. NPPF PARA 112 C

c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

#### NPPF PARA 113

All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

In terms of highway management the indications from the Highways department are clear as stated below:

#### 8.7 Minor Accessways

8.7.1 Minor Accessways were developed in response to concerns by residents of shared private drives, where problems caused by indiscriminate parking were a particular source of complaint. They may serve up to a maximum of five properties and will be adopted as public highways. 8.7.2 Minor Accessways can be used where, because of the shape of a site, parts could not be developed or could only be developed with shared private drives. They are not intended for widespread use in layout design, nor to be used as an expedient to increase the numbers of houses accommodated on a site. In general, Minor Accessways will be preferred to Shared Private Drives.

8.7.3 Minor Accessways are similar in layout to Shared Surface Roads. They may connect to a Residential Access Road or a Shared Surface Road. They should have the following characteristics:

- serve up to five dwellings
- be no more than 25m long have a width of 4.5m
- have sufficient on-plot parking for residents and visitors
- provide at least one parking space for deliveries/casual callers, that space to be convenient for all dwellings served and clear of the driveway or turning area.
- provide a turning head for cars (see Appendix 6)
- provide approved lighting
- provide an adoptable surface water outfall An illustrative layout is shown in Appendix 7.

#### 8.8 Private Drives Shared

8.8.1 Shared Private Drives are unadopted and may serve as a primary access up to a maximum of five dwellings. However, in view of the on-going maintenance liabilities for householders, the Council encourages developers to minimise the use of private drives for communal use and seek to extend adoptable areas wherever practical.

8.8.2 Where private drives are shared the communal area should be easily distinguished from areas associated with individual plots. Areas for individual plots should be of sufficient size to accommodate the required parking standards (an additional parking space shall be provided for each dwelling above the normal provision) to prevent blocking of communal areas.

Responsibility for the future maintenance of communal areas should be established. 8.8.3 Private drives are similar in layout to minor accessways. They may connect to Minor Access Roads and Share Surface Roads. They should have the following characteristics:

- Serve up to 5 properties;
- Be no more than 25 metres long;
- carriageway width of 4.5 metres at the junction for the first 10 metres of private shared drive;
- minimum carriageway width of 3.2 metres;
- A margin of at least 0.5 metres must be provided between the edge of the drive and any boundary wall;
- Where any building (ground floor plan) is more than 45 metres from an adopted highway, the carriageway shall be 3.7 metres wide (suitable for emergency vehicles);
- adequate sight lines;
- a turning head will not normally be required, but vehicles should be able to enter and leave in a forward gear;
- no shared driveway shall be located within 20 metres of a junction;

- provide approved lighting for adoption;
- Provision shall be made for the collection and disposal of surface water so as to prevent it discharging onto the public highway;
- Where properties are more than 23 metres away from a public highway, an area must be set aside within that distance for the storage of refuse bins off the main drive, on collection days;
- Discussions must take place with Public Utilities to ensure each property can be adequately served and provision is made for future access and maintenance of their services.

8.8.4 In view of the many problems caused by the nature of shared private drives the Council urges developers to reconsider their use and seek instead to provide Minor Accessways. Single drives

8.8.5 The minimum width of a single private drive shall be 3.2 metres, which may be reduced to 2.4 metres where a separate pedestrian path is provided. The width must also be sufficient to enable vehicles to manoeuvre satisfactorily into and out of parking spaces/garages. The minimum length of the drive shall be 6.0 metres.

8.8.6 To enable a vehicle to leave or enter the highway in a forward gear, turning spaces will need to be considered when the access driveway: -

- Serves more than one property
- Is directly from a classified road
- Is more than 25m in length
- Exits onto a highway at a hazardous location

8.8.7 For turning spaces to be effective they must include adequate additional space for parking so that the turning area is free from parked cars. Figure 4 Turning areas

8.8.8 The entrance to a private drive should be in the form of a dropped kerb crossing and any part of the above which will lay within the public highway shall be constructed to an adoptable standard. A 2.0 wide transition strip, between the edge of the highway and the drive, must be provided in hard paving, if the drive is not to be fully paved.

This development would mean that the private driveway at present has more than five dwellings so additional development would increase the traffic out of a private drive and effectively make it a road which would be over the common land of the village.

#### NPPF PARA149 D

## This area of Upper Poppleton is confined to the rear of the village limit by the official Green Belt as stated in the Neighbourhood Plan and the latest inspection stage Local Plan which is expected to be law very soon.

A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

a) buildings for agriculture and forestry;

b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;d) the replacement of a building, provided the new building is in the same use and

not materially larger than the one it replaces;

e) limited infilling in villages;

f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

#### NPPF PARA 191

When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

# This has already been agreed as the areas was created as a Conservation Area in2006 as indicated on the maps on page 27 of the Poppleton Neighbourhood Plan.

#### NPPF PARA 195

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

#### NPPF PARA 196

Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

The proposed housing development will be on insubstantially developed buildings as there were always considered to be of a temporary practical nature to protect livestock and crops from deterioration. They have no foundations or amenity supplies of water or electricity. This would mean that the current occupants of the redeveloped substantial buildings would have inconvenience of this proposed building plan were to be approved NPPF PARA 197

In determining applications, local planning authorities should take account of: a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness.

## The proposed development at Model Farm would not fulfil any of the above considerations in the NPPF.

#### NPPF PARA 201

Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

a) the nature of the heritage asset prevents all reasonable uses of the site; and b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation.

and c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible;

and d) the harm or loss is outweighed by the benefit of bringing the site back into use.

There was a proposal like the one being presented by the developer but at a public meeting of the Upper Poppleton Parish Council 57 complaints over this urbanisation of the Open aspect of the area were received by the City of York Council Planning Department. There is, at present, no public notice of a proposal to develop the area again so that those who objected to development in the past have not been informed of the latest proposed developments. This seems to fly in the face of openness and consultation by the developer and the Council.

#### NPPF PARA 204

Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

The refurbishment of the original substantial farm dwelling has been closely monitored at all stages of development as there were actively ensuring that the heritage assess of this site were retains. Unfortunately, on completion the original dividing wall of the plot was demolished, and a rather inferior wooden fence replaces it. It does allow for a more open view of the development and potential a clear view of the cars now exiting the properties, originally only a tractor or car would have done so. With the development of 'holiday lets' strangers to the area might not be aware that they are crossing the public footpath and public land on exiting the site. As there is a children's play group in the Methodist Hall this is considered by the Parish Council to add to the potential for accidents already covered elsewhere in the document. NPPF PARA 208

Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies, but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

It was strongly felt by the Upper Poppleton Parish Council at the meeting on Monday 9 October that this further development will cause more harm than good to the area, to the community and to the history asset of the Village Green where so many activities of the village are sited.

The site is now occupied by four permanent buildings two of which are permanently occupied and two of which are used as holiday lets which was not mentioned in the original plans submitted by the owner. This required retrospective planning permission, which sets the precedent of construction without approval. Currently, this is being investigated by the Enforcement Team.

The area of the Village Green is vital to the life of the village. It is the site of the annual Village Sports Day, the annual Remembrance Day Service, during this time the road is closed off to traffic. It has been used every year for the last twenty years to celebrate occasions such as the late Queens, Golden, Diamond and Platinum Jubilees, and the Kings Coronation. It is the site for the Annual Village Fair. It is an important part of everyday life of the residents of Poppleton and further housing development would upset the equilibrium of the area.

The above reasons related to policies is the reason the Upper Poppleton Parish Council wishes this application to be refused.