



Middleton St George Parish Council

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Draft Minutes of the meeting of the Parish Council held on Monday 26th November, 2018 in the Parish Council Meeting Room

Present: Councillor Mrs. C. Gilsenan (Chairman),
Councillor S. Crowther (Vice Chairman),
Councillor Mrs. M. Beadle,
Councillor A. Blacklee
Councillor Mrs. H. Bullock,
Councillor N. Embleton,
Councillor L. Foggett,
Councillor M. Robertson
Councillor R. Sansom.
Alan Macnab, Clerk.

1 Members of the Public was present.
Richard Cowen CPRE

The meeting started at 6.40 p.m.

707. Chairman's opening address

The Chairman welcomed Councillor Michael Robertson on his return to the Parish Council following his recent illness. The Chairman also welcomed Richard Cowen, the Chairman of the Durham Branch of the CPRE who would discuss the next steps in the Gladman appeal.

708. Public Participation Session

The Clerk reported that no members of the public had notified him that they wished to address the Parish Council.

709. Apologies for absence

An apology for absence was received from Borough Councillor York.

710. Declarations of Interests

No declarations of interests were made.

711. Minutes of the Parish Council meeting on 22nd October, 2018

The minutes of the Parish Council meeting held on the 22nd October, 2018 were presented. The Parish Council **agreed** that the minutes were a true record of the proceedings and the Chairman signed minutes at the end of the meeting.

Chairman's Signature..... **Date**.....

712. Matters Arising

The Clerk reported that the matters arising from the meeting on the 22nd October, 2018 would be covered by agenda items for this meeting.

713. Planning Appeal by Gladman Developments Limited. Land off Neasham Road, Middleton St George

The Clerk reported that no representatives from Neasham Parish Council could attend the meeting because of prior commitments. However Richard Cowen the Chairman of the Durham Branch of the CPRE was present.

Mr. Cowen gave the background to the appeal to the Planning Inspectorate by Gladman Developments Limited.

Darlington Borough Council, Neasham Parish Council, Middleton St. George Parish Council and the CPRE have subjected objections to the Planning Inspectorate. The public inquiry will be held on the 8th May, 2019 and will last for six days.

Mr. Cowen asked if the Parish Council wished to be involved in the inquiry which require the collection and production of evidence, the adherence to a strict timetable laid down by the Planning Inspectorate and the right to cross examine witnesses under Rule 6 or to attend the inquiry as members of the public and not speak. If the Rule 6 route was followed the Parish Council would have to be disciplined in collecting and giving evidence before the Inspector. Any form of indiscipline at the appeal hearing may result in the Parish Council incurring legal costs from the other party. The Parish Council would need professional advice in collecting and presenting evidence. The people who would present the case before the Inspector must know what they were doing. The Parish Council was not in a position to represent itself at the appeal therefore there was a need for professional advice. The areas which needed to be covered may be the impact of the development on the conservation area.

Mr. Cowen stated that the Proofs of Evidence, according to the Planning Inspector's Programme for the Inquiry, must be made by 10th April 2019. Mr. Cowen offered to be the Parish Council's Ley Advocate with the assistance of Mr. Bob Barfoot

Reference was made to the offer of Mr. Niall Hammond to be the Heritage Witness and details were given to the meeting on his experience in carrying out this work.

Mr. Cowen urged the Parish Council to start the process of collecting the information and giving it to the case presenters. The Parish Council considered that it needed to find out if Neasham Parish Council will be seeking Rule 6 representation or not. The Parish Council's view was that there was a need for it to be represented under Rule 6 and irrespective of what Neasham Parish Council will be doing this Parish Council must have Rule 6 representation and Neasham Parish Council be informed accordingly.

Following a discussion, the Parish Council **agreed** that:

- a. The Clerk will contact Neasham Parish Council to ask if the Vice Chairman can attend its next meeting on the 3rd December, 2018.
- b. Mr. Niall Hammond be appointed as the Heritage Witness. The proposal was made by Councillor Embleton and seconded by Councillor Sansom.
- c. It goes forward and recruits rapidly Rule 6 legal representation.

Chairman's Signature..... **Date**.....

714. Land to the rear of High Stell, Middleton St. George.

714.1 Discharge of Conditions

The Parish Council received in the papers for the meeting the letters from Darlington Borough Council giving the refusal of the discharge of conditions relating to the road condition survey, road safety audit, the construction management plan, phasing of development and route of construction details. The Parish Council noted that whilst there had been a partial refusal of the conditions relating to the site but the first phase of the development had been approved with one entrance to the site. There was now an acceptance by the Borough Council that two entrances would be necessary. Therefore the original decision to grant planning permission based on one entrance was ultra vires and the only way this could be tested was in court.

The Parish Council **agreed** that the Clerk will write to the Planning Officer at Darlington Borough Council to ask if for its position on the two access points to the site and how the Borough Council intends to proceed on the legal front to enforce the two access points.

714.2 Public Rights of Way Diversion/Extinguishment Orders

No further information had been received.

714.3 Structural Survey of the Reservoir Ponds

The Clerk reported that prices for the structural survey of the ponds in the Water Park had been received from two registered reservoir engineers and a third price was awaited as well as more details of the work which he would carry out from one of the reservoir engineers who had submitted a price for the survey. The Clerk asked the Parish Council to defer taking a decision until the third price was obtained and further information was given by one of the reservoir engineers.

The Parish Council **agreed** to defer the decision on the structural survey of the ponds until the third price and further information from one of the reservoir engineers was obtained.

715. Issues relating to Applications that have been granted planning permission

No issues were reported relating to applications which had been granted planning permission.

716. Pending Applications

The Chairman reported that with regard to 1701195/OUT (430 dwellings etc. at High Scroggs amended plans had been uploaded to the Borough Council’s website. No other issues were reported relating to pending applications.

717. Other Updates

717.1 Updated Traffic Accident Data

The Clerk reported that the Highways Officer had apologized for not sending the requested information and he would send the information. Councillor Foggett reported that he liaises with the police regarding speeding in the village.

Chairman’s Signature..... Date.....

717.2 Map for the Meeting Room Wall

The Clerk reported that he had asked the Borough Council for a map but had not received a reply.

717.3 Meeting with the Tees Valley Mayor

The Clerk reported that no reply had been received from the Mayor to the Parish Council's request for a meeting to discuss the bus services in the village. The Clerk was asked to write to the Mayor again to ask for a meeting.

717.4 Community Infrastructure Levy

The Clerk reported that Darlington Borough Council were proposing not to introduce the Community Infrastructure Levy at this time. Information from Durham Association of Local Councils was that Durham County Council were stepping back from introducing the Levy as part of its Local Plan.

The Parish Council **agreed** to note the report.

718. Notice of a Planning Appeal

The Chairman reported that the planning appeal for the erection of an agricultural worker's dwelling, livestock barn and associated footpath diversion at White House Farm, Sadberge Road, Middleton St. George will be heard by the Planning Inspector on the 4th December, 2018.

719. CPRE Meetings

The Chairman reported that the Parish Council was not represented at the last CPRE meeting and asked if Parish Councillors could attend future meetings.

720. Darlington Draft Local Plan

The Clerk reported that the Draft Local Plan may be submitted to the Borough Council's Cabinet Meeting in December.

721. Section 106 Agreements/Developer Contributions

The Chairman reported that the Section 106 Meeting was held on the 19th November, 2018. As a result a list of projects was drawn up by the Clerk and Parish Councillors were asked to lead on obtaining quotations for the projects and then submit the quotations to the Parish Council. There was confusion about certain projects on the list. The creation of a wildflower meadow in The Whinnies Nature Reserve would require permission from Durham Wildlife Trust. The project for widening the entrance to the Water Park should be amended to clearing the undergrowth at the entrance to the Water Park.

Councillor Mrs. Bullock agreed to take responsibility for obtaining prices for improving street lighting in the Water Park. The Clerk was asked to send the lighting costs obtained from Darlington Borough Council for putting on the light on the road between the Parish Council building and the Community Centre to Councillor Mrs. Bullock.

Councillor Embleton agreed to obtain prices for installing a footpath with lighting from the airport entrance on the A67 parallel to The Whinnies Nature Reserve.

Chairman's Signature..... Date.....

Councillor Mrs. Bullock agreed to obtain prices for installing CCTV in the play area.

The Parish Council discussed the provision of a wildflower meadows in the following locations to be funded from the Amenity Space Contribution from the planning permission for 27 houses in Middleton Lane, Middleton St. George:

- a. To the south of the Whinnies and the former Stockton and Darlington Railway line, which includes two large areas of green space (behind the cricket club and bowling green, and by the school bus turning circle)
- b. The large area of green space to the south, between the back of Heathrow Close and the back of Acorn Close and The Beeches.

The Parish Council **agreed** that the Chairman will draft the letter requesting contributions from the Section 106 amenity space contributions for the 27 houses in Middleton St. George and the Clerk will send the letter to the officer responsible for the Section 106 budget at Darlington Borough Council.

722. Neighbourhood Development Plan

The Chairman reported that the Neighbourhood Development Plan Working Group met Jo-Anne Garrick the consultant who had drawn up a number of Neighbourhood Development Plans on the 22nd November, 2018. The meeting agreed that Ms. Garrick was sent the existing Plan before the meeting. The Group agreed that Ms. Garrick would draw up a costed proposal for her to draw up the new Neighbourhood Development Plan. If the proposal was agreed the Parish Council would need to apply to Darlington Borough Council for it to designate the Middleton St. George Neighbourhood Development Plan area and then apply for funding from Locality.

The Parish Council **agreed**:

- a. To defer any decisions until Ms. Garrick's proposals had been received.
- b. The Chairman will write a report on the NDP Working Group meeting for the Parish Council which would outline the recommended steps regarding the consultant, approach to Darlington Borough Council, and funding, to consider and agree.

723. Audit and Protection of Hedgerows in Middleton St. George

There was nothing to report on this matter.

724. New Planning Applications

The Parish Council received the following new planning applications.

18/00999/FUL. Erection of an extension to the front of existing integral garage and conversion into habitable accommodation. 7, Farifax Road, Middleton St. George.

The Parish Council **agreed** that no comment be made on this planning application.

18/00916/FUL. Erection of 3 No. detached dormer bungalows with attached double garages and driveways. Land to the rear of 5B, The Spinney, Middleton St. George.

Chairman's Signature..... Date.....

The Parish Council **agreed** that the Chairman will draw up a letter of objection supporting the residents objections to the planning application.

18/01032/FUL. Erection of first floor extension over existing sunroom at the rear. 84, St. George's Gate, Middleton St. George.

18/01027/FUL. Erection of a detached shed at the side (retrospective). 5, Shannon Lea, Middleton St. George.

18/01049/FUL. Conversion of integral garage into habitable accommodation. 50, High Stell, Middleton St. George.

The Parish Council **agreed** that no comment be made on the above three planning applications.

18/01060/FUL. Erection of single storey side extension to side elevation and detached garage to rear. 1, Middleton Lane, Middleton St. George.

The Parish Council agreed to object to this planning application on the grounds that it was an inappropriate development in a conservation area.

725. Trees Project, The Front, Middleton One Row

The Parish Council received a report from Councillors Mrs. Beadle and Mrs. Bullock giving the aims, objectives, the background to the project, the current options for completing phase two of the project and additional information.

The previous Middleton St. George Parish Council had paid for Phase one of the project. Phase one took place in 2014 which involved clearing undergrowth, dealing with invasive plants and repairing footpaths. Groundwork North East and Friends of The Front carried out this work. The majority of funding was from Lottery grants obtained by Groundwork. The Parish Council paid for the administration of the project by Groundwork and a full survey of the trees on the river bank which was carried out in June 2018.

The options for phase two of the project were as follows:

- a. The Parish Council to instruct Groundwork to apply for grant aid and a tree felling application to Darlington Borough Council. If the grant applications were successful and the tree felling application is permitted by the Borough Council, the work can then start. The cost of phase two would be £7,638 which would be covered by a grant of £5,000 from the County Durham Community Foundation and £2,638 from River Tees Rediscovered.
- b. If the Borough Council puts Tree Preservation Orders on all the trees, the Parish Council can ask Groundwork for continued support by liaising with the Borough Council to meet their requirements. The costs will increase but the grant funding would remain as in a. above. The cost would be £8,262 for work arranged and carried out by Groundwork and an additional £700 from the Parish Council to make up the shortfall between the grants and forecast costs. The Parish Council would incur costs of £120 for making a planning application, £400 + VAT for Groundwork's administrative costs and an unknown element depending on the requirements expected by Darlington Borough Council.

Following a discussion the Parish Council **agreed** that:

Chairman's Signature..... Date.....

1. The Clerk submits a bid to the County Durham Community Foundation for grant aid for the project.
2. The outstanding payment of £350 from the £800 be paid to Groundwork North East for the administrative work of the project.
3. Regular written reports be made to the Parish Council on the project for monitoring purposes.
4. The Chairman will check the details of the Expenditure on Phase Two of the Project so far, with Councillors Mrs Beadle, Mrs Bullock and the Clerk, and then add this report to the file.
5. Once the funding came through, a Project Management Plan and a memorandum of Agreement for the Provision of Services from Groundwork would need to be drafted for the purposes of good monitoring of the Project.

726. Fishing Club

The Clerk reported that he had written to the Organiser of Middleton Fisheries asking him to contact the Clerk to arrange payment of the outstanding rent but there had been no reply. The Clerk also reported that he will write again to the Organiser to give him 30 working days to pay the outstanding rent which would expire on the 16th January 2019.

Councillor Blacklee agreed to check to see if any fishing licences had been issued.

727. Councillors’ reports and items for future agendas

No reports and items for future agendas were raised.

728. Date of Next Meetings

- Monday 10th December, 6.30pm. Ordinary Meeting of the Parish Council) (finance and planning).
- Monday 14th January, 6.30pm. Ordinary Meeting of the Parish Council (mainly finance).
- Monday 28th January, 6.30pm. Ordinary Meeting of the Parish Council (mainly planning).

The meeting ended at 8.55 p.m.

Chairman’s Signature..... Date.....