

Draft minutes of the meeting of Darley and Menwith Parish Council held on 27 September 2021 from 7.30pm at Hookstone Memorial Hall, Low Lane, Darley

2109/1 Present: Councillors S Welch (Chairman), A Robertshaw, N Nicholas, E Butler, J McAllister, Borough Councillor Tom Watson (part) and the Clerk M Pearson. Six members of the public attended (part).

2109/2 Apologies: Councillor D Dickinson due to work commitments. Councillor D McQueen due to work commitments. County Councillor Stan Lumley due to illness.

2109/3 Declarations of Interest and consideration of dispensations: Councillor Robertshaw declared an interest in planning application 21/04008/DISCON Approval of details required by Conditions 3 and 4 (Surface Water), 7 (Wheel Washing), 8 (Highway Survey), 9 (On site parking), 10 (Land Contamination), 14 (Surface Water), 15 and 16 (Material Samples), 17 (Landscaping), 20 (Control of Cotoneaster), Condition 23 (EV Charging) of planning permission 18/01040/FUL - Erection of 5 new detached dwellings with central access road. (revised scheme). Land Comprising Field At 420945 459286 Stumps Lane Darley (Item 5) as a neighbour to the site and took no part in the discussion or vote.

2109/4 Approval of Minutes: Minutes of the meeting held on 26 July 2021 were approved.

2109/5 Public Statements:

A number of parishioners spoke in relation to planning application 21/04008/DISCON and stated that this planning application is intended only to discharge conditions under planning application 18/01040/FUL - Erection of 5 new detached dwellings with central access road. (revised scheme). Land Comprising Field At 420945 459286 Stumps Lane Darley (the agreed application) but it appears to make material changes to 18/01040/FUL, in that it seeks to:

- (i) increase the elevation of both the land levels on the site and of the dwellings themselves (relative to the agreed application) by up to 1.4m (up to 18% of the height of the dwellings). This both increases the potential for the properties to overshadow neighbouring properties (without any proposal to mitigate the impact within the design) and (as a result of the increase in elevation) also causes the distance between the new dwellings and existing dwellings to fall below the minimum recommended distance within the planning guidelines;
- (ii) encourage surface water to flow onto Stumps Lane, with a detrimental impact on houses and businesses on Main Street, Darley, below and safety concerns regarding the pedestrian crossing on Stumps Lane; and
- (iii) reduce the overall capacity of the surface water storage drainage system for the site, increasing the chances of flooding properties below the site.

The parishioners expressed concern that, as a matter of procedure under the relevant planning legislation, such material changes should not be dealt with by way of a "discharge of conditions" planning application and a full planning application should have instead been submitted by the developer. It was noted that these concerns and an objection to the planning application have been highlighted to the Harrogate Borough Council (HBC) Case Officer, Josh Arthur.

The Council agreed that clarification should be sought from HBC Planning Department regarding 21/04008/DISCON and that the HBC Chief Planner, John Worthington, should be copied in on the correspondence; **Chairman and Clerk to draft.**

2109/6 Planning

a. Planning Decisions noted:

21/03438/PNA New agricultural muck store building 32.0mx15.24m Fairfield Farm Sheepcote Lane Darley
PRIOR APPROVAL NOT REQUIRED

21/03443/PNA New agricultural cattle building 32.0mx15.24m Fairfield Farm Sheepcote Lane Darley
PRIOR APPROVAL NOT REQUIRED

20/03435/DVCON Variation of condition No. 2 (approved drawings) to allow the alteration of fenestration of planning permission Ref 17/05251/FUL - demolition of bungalow and erection of 3 dwellings with associated car parking. Primrose Bungalow Main Street Darley
PERMISSION GRANTED

21/03192/TPO 1 no Beech tree (T1): crown lift to clear road overhand to 5.2m and clear telephone line by 0.3m. 1 no Beech tree (T2): crown lift over garden and drive to 3m (maximum cuts 70mm) and Lateral reduction to clear neighbouring property by 3m (maximum cuts 60mm). Trees within Area 17 of Tree Preservation Order 05/1970. 1 Darley House Darley Head Darley
APPLICATION APPROVED

21/02404/FUL Erection of a two storey extension (revised scheme). Lollybogs Back Road High Birstwith
PERMISSION GRANTED

b. Planning Applications considered:

21/03428/FUL Conversion of existing domestic stores to form 1 No. dwelling Southfield Farm Darley
NO OBJECTIONS

21/03570/FUL Erection of a new agricultural building (revised scheme). Land At Walker Barn Walker Lane Darley

The Council had NO OBJECTIONS to the proposal to develop an agricultural building but questioned whether some of the materials (i.e. the metal profile roofing sheets and the roller shutter) are in keeping with the area and noted that it preferred the design of the original planning application submitted (20/01174/FUL Erection of agricultural vehicle store and stables. Walker Barn Walker Lane Darley).
NO OBJECTIONS

c. Planning Enforcement:

- (i) 21/00370/PR15 Land Comprising Field At 421065 459328 Stumps Lane Darley ALLEGED BREACH: None compliance with condition 8 of permission 16/01705/FULMAJ (16/01705/FULMAJ and 18/01431/DISCON), regarding the condition to move the 30 mph speed limit on Stumps Lane to the South, was noted. An update from HBC Planning Enforcement confirmed that the developer and North Yorkshire County Council are now working together to move the 30mph speed limit (this is expected to be completed by mid-November 2021); **Clerk to monitor**;
- (ii) An update was provided in relation to 21/00311/BRPC15 Silverdale Farm Silverdale Close Darley ALLEGED BREACH: Removal of electricity pylon and burying of associated powerline. Erection of bridge. Formation of access track. Works not in accordance with approved plans (19/02687/FUL 19/00468/BRPC15). HBC Planning Enforcement has met with the owner's agent and is seeking to assess whether there has been a breach of planning. It was noted that there is no time frame specified in the permission granted for burying the power lines. An update will follow; **Clerk to monitor**.

d. Other planning matters:

- (i) *Delegated planning consultation responses:* It was noted that Clerk had submitted planning application consultation responses in respect of 21/03192/TPO 1 no Beech tree (T1): crown lift to clear road overhand to 5.2m and clear telephone line by 0.3m. 1 no Beech tree (T2): crown lift over garden and drive to 3m (maximum cuts 70mm) and Lateral reduction to clear neighbouring property by 3m (maximum cuts 60mm). Trees within Area 17 of Tree Preservation Order 05/1970. 1 Darley House Darley Head Darley and 21/03715/TPO Crown lift 1 no. Sycamore tree (T1) to ridge height of adjacent building and crown lift 1 no. Ash tree (T2) to provide 2 metre clearance above ridge height and lateral reduction to give 1.5 metre clearance. Within A18 of Tree Preservation Order 05/1970. 1 Darley House Darley Head Darley in line with the agreed wording (i.e. the Council neither objects or supports but defers to the advice of the HBC Arboriculturalist);
- (ii) *Consultation on Land Comprising Field At 420945 459286, Stumps Lane, Darley Proposal: Naming of 1 no street as Hillside View, Wild Meadow View or Niddside View with a numbering scheme:* The Council agreed to respond that Hillside View was not a good choice given that there is a nearby residence named "Hillside"; **Clerk to action**.

2109/7 County and Borough Councillors' Reports:

Borough Councillor Watson confirmed that, following the decision by Central Government to move to a new local authority structure for North Yorkshire from 1 April 2023 (i.e. a single unitary authority for the county outside of the existing City of York Council unitary authority) elections are expected to be held for the new county council and for parish councils in May 2022 for a five-year term. District Councillors will serve the remainder of the year through to 31 March 2023 alongside County Councillors. It is possible that elections for a new mayor may also be held in May 2022.

Proposals for new division boundaries for the new authority are understood to have been submitted to the Boundary Commission for England and Central Government.

It is apparent the consolidating the various systems operated by District Councils and the alignment of the new divisions to Parliamentary Constituencies (i.e. Skipton and Ripon in the case of Nidderdale) might not be straightforward. There remains a concern that the reduction in the number of Councillors within the County might lead to a loss of democracy.

Councillor Nicholas confirmed that a meeting of the North Yorkshire Unitary Council / Parish and Town Council working group is expected to be held in Autumn 2021, with the date to be confirmed.

2109/8 Queen's Jubilee Celebrations: It was noted that the use of Oddy Garth to form a Community Orchard will not be possible as this is understood to be tenanted. The possibility of planting a tree to mark the occasion was agreed to remain an option and ideas for other projects are still sought. **Clerk to add to next agenda**.

It was agreed that a request for suggestions for events or activities to celebrate the Queen's Jubilee should be included in the next village newsletter; **Chairman/Clerk to action**.

2109/9 Defibrillator for Hookstone Memorial Hall:

- a. It was noted that a defibrillator has now been installed at Hookstone Memorial Hall (HMH). The Council expressed thanks to Borough Councillor Watson for his significant help in repurposing an HBC defibrillator unit for HMH, County Councillor Lumley for a Locality Grant of £300 to purchase a new battery and pads, and HMH Committee for arranging for the defibrillator cabinet to be connected to the HMH electricity supply. It was confirmed that this defibrillator is sponsored by the Council and will be insured, checked and maintained by it.
- b. It was agreed that the application for £300 of Locality Grant funding should be signed by two Councillors and submitted to North Yorkshire County Council; **Clerk to action**.

2109/10 Highways and Footpaths

- a. *Drainage issues on Walker Lane, Darley, water leak outside Hillside, Main Street, Darley, water leak outside the Maples, Main Street, Darley and separate drainage ditch issue outside the Maples, Main Street, Darley:*

Walker Lane, Darley: It was noted that further investigation has been carried out by NYCC Highways and that this has confirmed that the drain behind 20 Low Green is clear through to the rear of the property and that this connects to a drain which heads down Station Road. The engineers had difficulty tracing the drain to the South of 20 Low Green towards Walker Lane due to the overgrown field and a lack of access to the drain above the property. Further work will be carried out to check that there is pipe/culvert crossing Walker Lane. Maintenance of the drain through the field above Low Green by the landowner may be required.

Hillside, Main Street, Darley: Further investigation work has confirmed that, although significant sections of the drain on Main Street are clear and in good order, there are blockages under the verges around Hillside in both directions.

The Maples / Monteverdi: Further work to understand the cause of water issuing from the surface of Main Street has determined that, in addition to damage cause by BT, the School road sign may also have damaged pipes taking water towards Fringill Beck. Further work is needed to dig up and repair the drain.

Timescales for further work and repairs on all of the above are being sought; **Clerk to chase**.

- b. *Stepping stones on River Nidd, Dacre Parish / Hartwith cum Winsley Parish*: It was noted the administrators of the Farming in Protected Landscapes grant have made contact with Chairman and the relevant NYCC Public Rights of Way team in order to try to progress an application for funding for a new bridge.
- c. *Signage for Darley Memorial Hall car park*: It was noted that draft wording for the sign has been agreed and that the sign is awaiting printing (please see Item 13e). Clerk confirmed that he has not received any response from NYCC Highways regarding a new public car park sign on Main Street, Darley since 10 May 2021, despite seeking updates. It was agreed that Mr Blackburn, NYCC Highways Customer Communications Officer should be contacted for assistance in progressing the matter; **Clerk to action**.
- d. *Resurfacing of Main Street, Darley in August 2021*: It was noted that Main Street, Darley, had been resurfaced in August 2021. The Council agreed to commend Mr Lewis McCarthy of Premier Traffic Management on his significant efforts to keep residents updated during the works; **Clerk to action**.
Problems with the management of buses through Darley during the work were noted. It was noted that a review of bus services in the district by the HBC Overview and Scrutiny Commission (HBC O&S Commission) will not be completed. The Council expressed disappointment, noting a general lack of consultation with affected parishes when changes are made by the bus service operators, and agreed to contact the Chairman of the HBC O&S Commission to ask that this be noted; **Clerk to action**.
- e. Sleepers on the path alongside the River Nidd towards Nidd Lane are reported to be rotten; **Clerk to report**

2109/11 Village Maintenance

- a. It was noted that new benches have been installed near Stumps Garage / Nidd Lane and on Stocks Green;
- b. It was noted that the Low Green street sign at the Sheepcote Lane end of Low Green is in need of repair; **Clerk to report**. No other village maintenance actions were agreed.

2109/12 Reports

- a. *RAF Menwith Hill Civic and Community Leaders Briefing 8 September 2021*; Chairman reported that this was a pleasant event which included an update on RAF Menwith Hill base news and a tour of the site;
- b. *Darley Film Nights 2021*: It was noted that two further events are planned in 2021 – a showing of *Florence Foster Jenkins* on 22 October and *Fisherman's Friends* on 19 November.
- c. *Focus on Darley meeting*; It was noted that there will be no New Year's Eve event this year. A rearranged event involving the band is being considered for Summer 2022.

Christ Church Community Centre (CCCC) has expressed an interest in acquiring a defibrillator and Borough Councillor Watson is exploring whether HBC might be able to repurpose a unit. It was agreed that the Council should help with this; **Clerk to add to next agenda**.

- d. No reports from other meetings and events were received.

2109/13 Finance

- a. *Receipts and Payments noted*: Receipts: None. Payments: Eon Next cmas lights (August) £5, Eon Next cmas lights (September) £5; Hookstone Memorial Hall – Room booking for September – November 2021 £75; M Pearson – Expenses (defibrillator battery and pads, mobile phone top-up) £317.80; S Welch – Expenses (engraved plaque for memorial bench on Stocks Green) £35; Vision ICT - Website hosting to October 2022 £270; M Pearson - Clerk salary quarter to 30 September 2021 £830.16; M Pearson - Clerk allowances and expenses (HP printing subscription) quarter to 30 September 2021 £103.47.
- b. The budget for September 2021 was approved.
- c. The purchase of website hosting services from Vision ICT for the period to October 2022 at a cost of £225 plus VAT was approved; **Clerk to action**.
- d. The purchase of two wreaths from the Royal British Legion for the Armistice Day ceremony in Pateley Bridge and for the ceremony at Darley Memorial Hall at an expected cost of £20 each was approved; **Clerk to action**.
- e. The purchase of a sign displaying the terms and conditions of parking for the Darley Memorial Hall car park was approved, at an expected cost of £620+VAT; **Clerk to action**.
- f. No other financial matters were discussed.

2109/14 Correspondence received by the Clerk:

- a. *North Yorkshire Police: Crime report to October 2021*: In the period from 19 July – 21 September 2021 there were twelve reported incidents: a road rage incident, three reports of suspicious people or vehicles in the area, one road-traffic collision, four reports of highways disruption (vehicles or livestock causing obstruction), one vehicle parked on double-yellow lines, a suspected quarantine breach and a report of a dog loose.
- b. *National Association of Local Councils: DEFRA Local Nature Recovery Strategies policy consultation*: The consultation on new strategies to drive nature's recovery and provide wider environmental benefits to 2 November 2021 was noted; **Clerk to circulate details to Councillors**.
- c. *Eldersday.org - Request to provide a guide for the village website about networking for older people*: It was agreed that, on the basis that the village website is dedicated to local organisations, events and activities, the offer should not be taken up; **Clerk to action**.
- d. *Dales and Bowland Community Interest Company*: It was noted that the Dalesbus Number 24 bus service will continue to run on Sundays throughout the winter (three services in each direction). The Council expressed its thanks to the Dales and Bowland Community Interest Company for providing the service.

2109/15 Items for Information and next Agenda: Queen's Jubilee events / project and CCCC defibrillator project.

2109/16 Date of next meetings: 25 October; 29 November; 31 January 2022; 28 February 2022; 28 March 2022; 25 April 2022.

These minutes are published subject to their approval at the next meeting of the Council