



## **YAXHAM PARISH COUNCIL**

### **MINUTES OF THE MEETING OF YAXHAM PARISH COUNCIL HELD ON WEDNESDAY 27<sup>TH</sup> SEPTEMBER 2023 AT 7.30PM IN THE DAVID MYHILL ROOM AT YAXHAM VILLAGE HALL**

**Present:** Cllrs Maggie Oechsle (MO) (Chairman), Ben Conway (BC), Graham Howe (GH), Chris Couves (CC) and Paul Bone (PB)

**In attendance:** Clerk, DC P Claussen, and 7 members of the public

#### **1. Chairman's Opening Remarks**

The Chair welcomed everyone and informed them the meeting was being recorded.

#### **2. Apologies for Absence**

Apologies were received and accepted from Cllrs B Gust and G Davison.

#### **3. Declarations of interest**

BC declared an interest in item 7.3.

#### **4. Public Session**

A member of the public wanted to comment on item 7.1 **3OB/2023/0039/VOB** and listed several amenities the village had lost over the years. He understood that tens of thousands of new homes need to be built each year to satisfy the demand and questioned if 75% of the new houses are to be unaffordable who are they being built for?

The Chair asked DC Paul Claussen if he knew what Breckland deemed affordable housing in regards to rental. He replied that Breckland does not set rents as they are set by Registered Social Landlords or by private individuals.

The Chair informed a resident that a hornet's nest they had previously informed her of had been dealt with.

#### **5. Reports from County and District Councillors if present**

DC Paul Claussen reported Breckland Council approved the partial review of INF 03 which went through unchallenged and is out for consultation for the next 6 weeks.

#### **6. Minutes of Previous Meeting**

**6.1.** To approve the minutes of the Meeting of the Parish Council held on 26.7.2023.

The Chair proposed that these be agreed as a true and accurate record of the meeting with an amendment to the title by removing "Annual". This will be amended as a manuscript. **All agreed.**

**6.2.** To receive the Clerk's Report on matters since the last meeting.

The Charity accounts has been audited and are ready to be filed with the Charity commission.

The Spring Lane drain has been reported again and Highways have been informed of how dangerous it was to cyclists and requested they put cones around it to highlight the danger to the public. They have responded stating barriers/cones will be placed around this until the relevant utility company fixes the defect.

A resident complained about the state of the overgrown verges on Norwich Road. The Clerk has reported it to Highways, who replied that their contractors would be carrying out work and when completed they would see if further work is required.

A resident had reported an overgrown hedge on Station Road. The Clerk has contacted Highways who have stated it does not currently meet their intervention criteria. Also the hedge does not belong to Highways.

The recessed manhole cover and broken/missing tarmac outside Yaxham Waters has been reported and Highways have confirmed they have prioritised it for repair.

The manhole cover on Station Road has been reported, Highways have replied that the defect is not something dealt with by Highways so they have forwarded it on to the relevant authority or organisation for action.

The Clerk responded to any queries raised by PKF Littlejohn and the external audit has now been completed.

- 6.3.** To consider matters arising from minutes of previous meetings not considered elsewhere on this Agenda.

None.

## **7. Planning**

- 7.1.** To receive and consider any new planning applications.

**3PN/2023/0020/UC** - Prior approval application for a proposed: Change of Use of Agricultural buildings to one dwelling (Use Class C3), and for building operations reasonably necessary for the conversion The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class Q - Spring Lane Farm Cutthroat Lane

This Planning application was discussed together with **3PN/2023/0026/HR**

**3PN/2023/0026/HR** - Regulation 77 application for Prior approval for proposed of agricultural barn to 1no. dwelling (Use Class C3) and for building operations reasonably necessary for the conversion The Town and Country Planning General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 3, Class Q (3PN/2023/0020/UC) - Spring Lane Farm Cutthroat Lane

The Council **Agreed 3 to 2** to submit the following comment to Breckland District Council - Yaxham Parish Council has no objection to this application and consider the demolition of redundant agricultural buildings will benefit the location. However, there were questions raised about the foul drainage with the removal of an existing septic tank at Spring Lane Farm itself and new treatment plants constructed both at this location and for the new build. Both are reported to discharge into a dyke. This property is close to the river at the corner of Spring Lane and with the nutrient neutrality question - is this still a permitted option? Can planners please double check?

**3OB/2023/0039/VOB** - Variation of planning obligation on pp 3PL/2018/0021/D -affordable housing percentage within this planning permission currently at 40%, be lowered to the current policy requirement of 25%. - Land Off Elm Close

The Chair asked DC Paul Claussen if he could ask for this to be called in.

The Council unanimously **Agreed** to submit the following comment –

Yaxham Parish Council strongly objects to this proposal for the following reasons:

1. The Appeal Decision dated 09 December 2020 was allowed and the Inspector specifically makes reference to the application 3PL/2018/0021/D regarding the affordable housing provision which was clearly stated as 40% in the planning statement.
2. Howes Percival LLP submitted a response dated 7<sup>th</sup> February 2020 (P.6 Para 22) to the refusal of planning permission by Breckland Council to the Planning Inspectorate in which it states that although 25% Affordable Housing is sought in the adopted Local Plan, the RMA proposes 40% in accordance with the S.106 Agreement of 7<sup>th</sup> January 2016.
3. No doubt the attraction of the 40% affordable housing still offered could be seen as a very significant benefit to tip the balance in favour of approval by the Planning Inspector.
4. As one of the leading RSLs in the region, councillors consider it ill advised to reduce the affordable housing to 25% when there is overwhelming demand in the region - it would appear that profit overrides the ethos of a social housing provider.
5. In seeking this reduction, Flagship Housing Developments seek to persuade Breckland Council that it is because the scheme may become unviable. Has the District Valuer provided any evidence to Breckland beyond the single half page from Flagship Housing Developments dated 8 September 2023?
6. It is notable that despite the current question of viability, the developer has put the location forward for more housing in the current call for new development sites.
7. If one element of the S.106 Agreement is proposed to be amended some seven years later, councillors consider that all elements covering education, library and £200 FP5 signage as well as the S.278 Highways works should also be reviewed at least in line with inflation.
8. Had the developer begun developing the site to the time scale outlined first in 2014 the present situation would not exist. The surface water drainage pre-commencement condition was discharged but is no further on than two years ago.
9. For the last 9 years, home owners in Elm Close have had their homes blighted by the prospect of this development on their doorstep and this is not reasonable or fair to residents.
10. In light of all the above, Yaxham Parish Council objects in the strongest possible terms to any reduction in the affordable homes' requirement for this development. There appears now no guarantee that Flagship will honour a 25% affordable homes commitment either and may seek to reduce this even further – to zero?
11. Developers should finally receive a loud and very clear message from the LPA that what they apply for should be delivered. This is particularly the case for a development such as this which is deeply unpopular and despite Breckland in its refusal of planning permission stating “the harm to the village and including its rural setting is considered so significant that this would demonstrably outweigh the benefits.”
12. What benefits?

The Council unanimously **Agreed** to submit the following comment to Breckland District Council - The Parish Council has no objection to this application but feels it should remain under single ownership.

**7.2. To note any planning decisions**

None

**7.3. Other planning issues**

The Chair informed the meeting that a resident had contacted the Council who wished to remain anonymous who was very concerned with various planning issues at Yaxham Waters. The Clerk had contacted Breckland planning enforcement and informed them of the issues raised. A site visit was conducted and they met with the site manager and concluded there was no breach of planning and the case has now been closed.

**7.4. To consider a response to Breckland's Validation list**

The Councillors had reviewed the checklist and felt it was a very good, and had concluded with a few changes it would be much easier to use.

The Clerk to submit their comments to Breckland.

**7.5. To receive an update from Yaxham's neighbourhood plan review**

Gary Osborn, the Chair of Yaxham's Neighbourhood Plan reported that funding had now become available and this had allowed them to start contacting consultants although many are very busy and unable to help at this stage. The consensus from the consultants had been that the plan already in place is quite robust and is still valid until 2036. It just needs to be updated to meet current legislation.

One question that had been raised was if another big development came to Yaxham does the Neighbourhood Plan give sufficient defence against issues that local residents were not happy about. The advice was to look at the current plan to see if it is detailed enough to help object when concerns to future developments are raised.

The Chair thanked him for the update.

**7.6. To receive an update on Breckland's Local Plan Pre-Consultation session**

PB said that a timeline had been set out, and currently it was at the public consultation stage. The Dereham public consultation event would be held in Dereham Market place on Tuesday 17<sup>th</sup> October between 10am – 1pm.

The Clerk to place posters in the Parish notice boards and place a notice on the Parish Website.

BC said that it was felt that most of the development was going to be concentrated around the A11 corridor. This has been called the TEC corridor (A11 Norwich to Cambridge) and most of the new developments were going to be situated along this area.

## 8. Play Area Report

CC reported he is concerned about the infant swings as they are starting to crack underneath around the bolts. He does not consider this to be dangerous at present. He will be contacting the company who installed them Wickstead, to come and assess them as they are only just over a year old.

## 9. Grounds Maintenance

The Chair informed the meeting that the football club now have a ride on Lawnmower.

CC reported he had received complaints regarding the footpath next to the school and the Mouses Lane footpath. The grass has been so long the footpaths have been impassable. BC reported that the school cuts the footpath twice a year and feels it is well walked and this also keeps the grass under control. PB to talk to the owner of the field where the Mouses Lane footpath runs along and ask if he can cut the path.

## 10. Defibrillator

The Chair reported that the school now have a government granted defibrillator and have agreed for the Parish Council to install a cabinet on their side wall so that it could be used if needed by the residents in Clint Green. If the Parish Council wished to purchase a heated, lit outdoor cabinet to house the defibrillator it would cost £495. This would be installed and connected to the school's electricity. The Clerk confirmed that the Parish Council would also have to agree to the cost of the electrical work and would need to obtain quotes.

A member of the public queried who would be responsible for the maintenance and ongoing costs of the defibrillator and was it suitable to be housed in an outdoor cabinet. The Clerk to clarify who is responsible and if suitable to be housed in a cabinet and report back at the next meeting.

## 11. Highways and Footpath issues

### 11.1 To receive an update on FP1 Cutthroat Lane to Mouses Bridge

It was felt that the response received from Highways had not been favourable. The Councillors discussed this further and it was **agreed** that the Parish Council had gone as far as they could with this.

### 11.2 To receive an update on the possible extension of the school zig-zag lines towards the Old Post Office

The Clerk reported that PC Austin Clerk had responded to an email from BG and said "As far as the Zig Zags are concerned, they have been extended to the maximum without the introductions of double yellows." Double yellow lines would require a Traffic Regulation Order which would cost at least £10,000.

He had also said "Like many junctions near to schools this is a common problem during specific times and we would ask that parents and neighbours be patient during drop off and pick up times when coming out of the Well Hill junction. Impatience causes Collisions.

The Parish Council as a collective could approach Highways to see if there is anything they can do. No other person has raised this issue with me, not a word from the school either and we are well over 3 months since the improvements were made"

It was felt that considering this response the Parish Council had gone as far as they could with this issue. It was **agreed** not to pursue this issue unless it was raised again.

**11.3** To note the Tollers Lane Notice of Decision to add a restricted byway to the definitive map

The notice of Decision for the application to add Tollers Lane as a restricted byway to the definitive map in the parishes of Whinburgh and Yaxham was noted.

**11.4** To note any footpath or highway issues needing attention

None.

**12. Finance**

**12.1.** To agree the following items for payment (August and September) \* - already paid

To Pay	Detail Invoices available for viewing	£ Total	VAT	Ex VAT
Matt Garner Services	Grounds Maintenance June & July	120.00	-	120.00
Matt Garner Services	2 Cuts of the Playing Field	60.00	-	60.00
Unity Trust	Bank Interest	18.00	-	18.00
123 Reg	Website domain	20.39	3.40	16.99
R Wade	Clerk expenses for August	41.18	4.26	36.92
R Wade	Clerk expenses for September	45.54	4.46	41.08
R Wade	Clerk wages for September	414.00	-	414.00

The Clerk reported that she needed to add to the payments PKF Littlejohn's external audit fee for £252. It was confirmed that an external audit was unlikely to be required for the current year due to the levels of income and expenditure being below £25,000.

All agreed.

**12.2** To note any receipts

Detail	£ Total
Whinburgh & Westfield PC	222.72
SDA agreement	378.66

Noted.

**12.3** To review PKF Littlejohn (External Auditors) report

The External audit is complete with no recommendations received. The Chair thanked the Clerk for her efforts.

**12.4** To consider purchasing a wreath for Remembrance Sunday

**All agreed** that a wreath would be purchased and a donation added up to the Value of £50. The Clerk reported this was a S.137 payment.

The Clerk reported that the war memorial needed cleaning a few days before Remembrance Sunday as the usual person who undertakes this in the village will not be available this year. Peter Lowings kindly confirmed he was able to do this and would also place the wreath on Remembrance Sunday. The Chair thanked him for this.

#### **12.5 To consider the Clerk attending NPTS Autumn Seminar**

It was **agreed** the Clerk would attend the Seminar and would report back with anything relevant at the next meeting.

#### **12.6 To receive and consider the Financial Monitoring Officers report**

PB reported that he had undertaken his review and all was in order.

#### **12.7 Bank Position**

This was circulated prior to the meeting.

The Clerk reported that currently no interest was being earned on monies held in the current account for the Parish Council and the Charity and there are accounts in place with the bank which would attract interest. All agreed for the Clerk to raise a payment to transfer monies across and the Councillors with access would authorise this.

### **13. To review the following policy**

The Community Engagement Strategy was discussed and **all agreed** to the changes the Clerk had made.

### **14. Correspondence received since last meeting**

CPRE, letters from resident regarding Station Road Hedge, Residents letter regarding Spring Lane drain, Letter regarding Norwich Road verges, PKF Littlejohn, Norfolk Parish Training and Norfolk Police budget consultation.

#### **Standing orders were suspended**

### **15. Urgent Business**

The Chair asked if anyone knew of someone in the village who could assist with IT matters and who was possibly good at graphic design and help the Neighbourhood plan committee and with the Newsletters.

The newsletter was discussed, PB had completed the Neighbourhood plan section and the YVAA completed their section. It was **Agreed** the Clerk would add the Councillors to the front page and the Community Speed Watch. There was discussion if anything else could be included in the newsletter but it was felt there was not enough room.

BC reported that the school intake was up this year partly due to now being rated Good by Ofsted and that they are short of two parent governors.

The Chair reported there were changes to the library service on Fridays as follows :-

11.20am Wickham House

11.40am Elm Close

12.00am Well Hill outside No.21

PB said he would talk to BG as he was happy to help and put notices onto the notice boards.

**16. To note the next meeting dates of the Parish Council**

25<sup>th</sup> October and 22<sup>nd</sup> November

The Chair closed the meeting at 9.37pm