

# KIRKBY MALZEARD, LAVERTON AND DALLOWGILL PARISH COUNCIL

## NEIGHBOURHOOD PLAN STEERING GROUP MEETING

### Minutes of the meeting held in the Annex Room of the Mechanics Institute, Kirkby Malzeard on 23 February 2022

Steering Group members present: Cllr Peter Saxon (Chair), Mrs Claire Walker (Vice-Chair), Cllr Chris Floyd, and Cllr Geoffrey Berry. Mr Andrew Towlerton (Planning Consultant). Mr Howard Mountain (Secretary). One member of the public present.

The meeting commenced at 7.30pm.

#### **1. Welcome. Receive and Approve Apologies. Declarations of Interests.**

PS welcomed members to the meeting. Apologies were received and approved from Mrs Anne Hancock, Cllr Jane Aksut and Cllr Fiona Robertshaw. There were no Declarations of Interests by Members.

#### **2. Approve minutes of meeting held on 25.01.2022**

The Minutes of the last Meeting were approved as an accurate account and were signed as such by the Chair.

#### **3. Action Points from previous meeting (where not dealt with elsewhere on Agenda)**

a) It was confirmed that buildings cannot be Listed under a Neighbourhood Plan but can be classified as a non-designated heritage assets known as Local Character Buildings. This would then be seen as a 'material consideration' when planning applications are considered. In order for a building to be Listed an application has to be made to Historic England.

b) AT provided a revised Schedule of Listed Buildings within the Plan Area to be included for information within the Built Heritage policy.

c) HM confirmed that HBC are providing a Schedule of Tree Preservation Orders in the Plan Area, and it was agreed that this would be included within the Natural Environment policy for information.

#### **4. Public Consultation.**

PS confirmed that the responses from the Public Consultation were now available on the website and that this had been publicised on Facebook and as a news item on the website home page.

Signed.....

Date.....

## 5. Stakeholder Consultation.

HM provided the finalised version of the Stakeholder Consultation document to the meeting, and confirmed that the 18 responses obtained would be taken into account, alongside those from the public, in determining draft policies. The response from the Parochial Church Council covering St Andrews Church and The Chapel of the Resurrection was still not available. **Action: GB to provide this after the next PCC meeting.**

## 6. Introductory Chapters and Draft policies – further consideration.

**a) Introductory Chapters (Sections 1-3).** Paragraph to be added to fully describe the area covered by the NP referring to all villages and hamlets and to the rural areas. Paragraph to be added to explain that the Plan Area comprises the Parish of Kirkby Malzeard and the Parish of Laverton and that it will be referred to as ‘The Parish’ or ‘The Plan Area’ throughout the document. There will also be a paragraph containing a brief history of the area. **Action: Draft of History paragraph to be produced by HM for next meeting.** The precise wording of the Vision Statement and Objectives were discussed further. **Action: HM to provide a draft Statement and draft Objectives for consideration at the next meeting.**

### b) Built Heritage Policies (Section 4.1-4.3).

**Introduction:** Minor changes to wording were agreed.

**Listed Buildings section:** Revised schedule from AT incorporated. **Action: HM to provide any necessary clarification on location to avoid confusion.**

**Local Character Buildings section:** A number of additional buildings were added to draft list comprising St Peters Church, Dallowgill bridge, Swetton bridge, Aqueduct nr Low Ray Carr, Aqueduct across Carlsmoor beck and the Sighting Tower at Carlesmoor, all of which are in Dallowgill. Agreed that any special stretches of drystone walling should also be included. **Action: CF to provide list of specific examples.** Further investigation of NY Historic Environment Record heritage items needed to establish if any warrant inclusion. **Action: HM to undertake review.**

**Community Facility section:** AT suggested that Community Facilities section could form part of main NP rather than run alongside as Community Actions, to be confirmed within future discussions with HBC. **Action: Analysis of Public Consultation Community Facilities sheet to be completed by JA and CW for next meeting. HM to rewrite list of existing facilities (paragraph 22).** Agreed that NP should include comment on flawed nature of HBC Local Plan policy HP8. **Action: AT to write appropriate sentence to reflect this in paragraph 28.** Comment on healthcare in para 30 to be removed.

**Assets of Community Value:** No amendments at this point.

**Special Character Areas:** Basic format still pending. Suggested boundaries to Church Street SCA to be considered as part of next stage of Public Consultation. Consideration to be given for SCAs to cover both of the Kirkby Malzeard Back Lanes and adjoining land, and for each of the hamlets of Dallow, Carlesmoor and Greygarth. **Action: AT to prepare sub-section for consideration at next meeting.**

Signed.....

Date.....

### c) Natural Environment Policies (Section 4.4)

**Protecting and Enhancing the Landscape:** Agreed that limitations of AONB need to be commented upon within NP in light of consent for Laverton Road site and that a request be made that existing AONB powers to implemented to a much greater degree. **Action: AT to revise wording of paragraphs and also clarify extent of 'permitted development' allowed in AONB.**

References to the HBC Landscape Character Assessments should include Areas 9, 32 and 34 as well as Area 35. Agreed that as some sections of Dallowgill area are not included under the North Pennine Moors Special Areas of Conservation designation additional protection available under the NP should be provided. **Action: AT to reflect in paragraph 46.**

**Local Green Spaces:** Discussion took place about protection for areas such as the Back Lanes and adjoining land in Kirkby Malzeard and in addition to consideration as Special Character Areas it was agreed that NP needs to seek stricter implementation of Village Development Limits now that Local Plan has been adopted. It was previously agreed that the VDL around Kirkby Malzeard should be updated to reflect existing housing but the conclusion of the Consultation process was that the limits should not otherwise be extended. **Action: AT to include Policy to this effect in 'Sustainable Housing Growth'.**

**Allotments:** Agreed that the area of land within KM identified by the PC this should be specifically referred to. **Action: AT to refer to site in revised paragraph.**

**Dark skies:** No amendments.

**Wildflowers and Wildlife:** Further information needed on the Sites of Importance for Nature Conservation (SINCS) referred to from the NEYEDC (Paras 72 and 73) **ACTION: AT to provide.**

**Trees, Hedgerows and Woodlands:** Noted that Local Plan tree policy covers trees affected by proposed development but otherwise no protection unless covered by Tree Preservation Orders. Agreed that schedule of Ancient Woodlands and any other specific trees or groups of trees needs to be included in NP and means of providing protection sought. **Action: AT to advise further.**

**d) Community Facilities.** Covered under Built Heritage Policies above.

**e) Housing Need.** Covered under item 7 below.

### 7. Draft Housing Policies (Section 4.6)

**a) Sustainable Growth.** Agreed that para 2 should be omitted. **Action: AT to delete.**

**b) Supporting Housing Growth.** Comment needed on Village Development Limit as referred to under local Green Spaces above. **Action: AT to include in Paragraph 8.** Agreed that the renovation or re-building of existing houses and traditional barns in rural areas should be encouraged as it replaces the need to develop green field sites. **Action: AT to incorporate policy in paragraph 10.** Policy needed to support dwellings for agricultural workers where appropriate but also to strengthen rules against occupancy restriction being lifted. **Action: AT to incorporate policy to clarify this.**

Signed.....

Date.....

**c) Windfall Sites.** No amendments.

**d) Housing Mix.** Agreed wording of Policy to be amended to read 'In order to meet the identified need for smaller homes no more than 50% of new homes in a development of two or more dwellings should have 4 or more bedrooms.' **Action: AT to amend.**

**e) Affordable Housing.** Para 24 to be clarified in respect of likely number of affordable homes on sites already allocated. **Action: HM to verify.**

**f) Other matters.** Agreed that Policy required in respect of second homes and holiday lets as control required to protect nature of villages and hamlets. **Action: AT to prepare policy for consideration.**

#### **Draft Transport Policies (section 4.7)**

**a) Traffic Impact.** Agreed that word 'pedestrian' be replaced by 'vulnerable road users' so that it also covers horse-riders and cyclists. **Action: AT to amend throughout Transport section.** Agreed that Main Street in Kirkby Malzeard is the best example of where speeding occurs within a built-up area. **Action: AT to incorporate in Paragraph 32.** It was also agreed that it should be a requirement that a footpath is provided in front of any newly developed property. **Action: AT to prepare a new paragraph reflecting this.** This section noted to need further input.

**b) Car parking in Kirkby Malzeard village.** Agreed that policy requires extending to include the provision of a public car park. **Action: Matter to be discussed again at next meeting.**

#### **Examination of Design Issues.**

This matter was discussed and it was agreed that the existing Kirkby Malzeard Village Design Statement created in 2002 requires updating and extending to cover whole Plan Area but that it could usefully form the basis of a Design Statement for the NP. **Action: CF to report back to next meeting with suggestions.**

### **8. Planning Applications.**

The advice from Harrogate Borough Council Planning Department was that the Group would need to have published the Draft Policy document and received support for individual Policies, before any comment made by the Group could be taken as a 'material consideration' (as it would be part of an emerging Neighbourhood Plan) when determining the application. However, until such time as that stage is reached it was appropriate that the Parish Council be asked to have regard to the views of the public on matters being considered for inclusion within the Neighbourhood Plan, which are now available on the Kirkby Malzeard Area website, when considering applications, as the Plan will reflect the Consultative responses. **Action: HM to inform the PC of this advice. Once Consultation has taken place on the Draft Policies this position will be reviewed.**

Signed.....

Date.....

**9. Approve payment of invoice.**

a) The invoice from Andrew Towlerton Associates for the sum of £1700 plus VAT for planning consultation services was approved. The balance of the grant funding for 2021-22 remaining is £5,548. **Action: HM to inform the PC and request that they approve payment of the invoice from the grant funding at their next meeting.**

**10. Any other business**

a) None.

**11. Date of next meeting.**

This will be held in the Methodist Chapel School-room on Tuesday 29 March 2022 commencing at 7.30pm.

Minutes were taken by HM. The meeting finished at 9.40 pm.

Neighbourhood Plan Contact details: For information on the Neighbourhood Plan please contact Howard Mountain on [kmlldpc@btinternet.com](mailto:kmlldpc@btinternet.com) Tel. 01765 689390.

Agendas, Minutes and other information available under the Parish Council pages of Kirkby Malzeard Area community website: [www.kirkbymalzeardarea.org.uk](http://www.kirkbymalzeardarea.org.uk)

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Dated 02.03.2022

Signed.....

Date.....