

Dalton Parish Council

Minutes of the Ordinary Meeting of Dalton Parish Council at 6.30pm 21st September 2023 held at Dalton Parish Hall

Members: Cllrs K Oxley, D Pickering, S Pickering, P Botham, C Malia, M Bray, I C Barron, R Gleadhall, M Gleadhall, R Fox, P Stringwell (co-opted during the meeting)

In Attendance: J Holsey (Clerk), R Chico (Clerk)

6280 To receive apologies for absence given in advance of the meeting

J Workman and J Carrington

6281 To consider the approval of reasons given for absence

Resolved: Reasons given for absence were approved

6282 To note any declarations of interest on items to be discussed at this meeting

Cllr M Bray one planning item in 6300
Cllr P Botham item 6285

6283 To approve the minutes of the Council meeting held on 20th July 2023

Resolved: The minutes were accepted as a true record

6284 To resolve if members of the press and public are to be excluded from any agenda items of the meeting due to the nature of the business to be transacted. Under Public Bodies (Admission to Meetings) Act 1960, S1 (2))

Resolved : Item 6293 involving staffing to be excluded.

6285 To consider co-option for councillor vacancy

P.Stringwell was in attendance and gave council her reasons for wishing to become a parish councillor.

Resolved : P.Stringwell co-opted as parish councillor for Dalton East

6286 To note any issues from members of the public in attendance

None in attendance

6287 To consider any community matters from Councillors

The works carried out on Dalton Parish Hall were discussed and a break in the meeting was taken to all look at the concerns raised on the roof. The contractor to be requested to come back and look at the issues / repair. Contractors to be sought to inspect and report on the flashings on the building as a whole.

6288 To receive a verbal Clerk update regarding matters from previous meetings

Previous item 6265 regarding Brecks Lane allotments had been actioned and the response from RMBC is that there is no movement on their decision.

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Tree planting for the commemoration of King Charles III coronation to take place on Friday 13th October at 1pm at Magna Lane park followed by drinks at the community centre.

6289 To consider financial matters including: -

6289.1 The authorisation of payment of accounts since the last meeting (distributed at the meeting)

Resolved : The below payments of accounts were approved: -

DD/BACS	Transaction Detail	Date Paid	Total	Payee Name
DD	Water BLA 14/4-13/7	28/07/2023	£76.50	Scottish Water
DD	Telephone & Broadband	28/07/2023	£136.83	XLN Telecom
DD	DPH 19/4-18/7	02/08/2023	£129.75	Scottish Water
DD	ICO annual Fee	04/08/2023	£35.00	ICO
DD	Litter Picker Mobile Phone	06/08/2023	£13.22	EE and T.Mobile
DD	Pension Fee	07/08/2023	£18.00	Smart Pension
DD	Pension	10/08/2023	£805.39	Smart Pension
DD	Pension	18/08/2023	£2,111.70	SYPA
DD	Mobile Phone	19/08/2023	£82.33	O2
DD	Bank Charges	22/08/2023	£8.00	HSBC
BACS	Various Salaries	25/08/2023	£4,503.13	Salaries
BACS	Emergency Lights	26/07/2023	£125.64	Fireguard Ltd
BACS	High Pressure Plumbing	26/07/2023	£120.00	High Pressure Plumbing
BACS	Expenses	25/08/2023	£162.81	J Holsey
BACS	Memo of Fees 117076	25/08/2023	£57.60	Robert Ogle
BACS	Repair to Fire Door	25/08/2023	£192.66	RPMManufacturing
BACS	Hall Dep Ref 29/7	25/08/2023	£50.00	I Anwar
BACS	PAYE	25/08/2023	£1,121.49	HMRC
BACS	Expenses	25/08/2023	£350.53	J Holsey
BACS	Emergency Lighting	25/08/2023	£213.25	Chubb Fire and Security Ltd.
BACS	New Locks - SSCC	25/08/2023	£39.74	P.N. Alarms
BACS	Expenses	25/08/2023	£164.37	J Holsey
BACS	Hol Club & Seated Ex	25/08/2023	£880.00	Activ Regen
BACS	Fire Safety Contract	25/08/2023	£420.24	Chubb Fire and Security Ltd.
BACS	Pest Control - BLA	25/08/2023	£48.75	Green Pastures
BACS	Electricity 12/7-13/8	25/08/2023	£295.17	SCOTTISH POWER
DD	Phone and Broadband	25/08/2023	£136.83	XLN Telecom
DD	Photocopying	25/08/2023	£68.84	Copy Print Scan Limited
BACS	Dep Ref 12/8	25/08/2023	£50.00	Z Zahid
BACS	Aktiv Regen	25/08/2023	£2,040.00	Activ Regen
BACS	Call out CCTV	25/08/2023	£78.00	P.N. Alarms
DD	Pension Fee	01/09/2023	£18.00	Smart Pension
DD	Mobile Phone	08/09/2023	£13.22	EE and T.Mobile
DD	Pension	12/09/2023	£849.28	Smart Pension
DD	Pension	19/09/2023	£2,111.70	SYPA
DD	Mobile Phone	20/09/2023	£82.33	O2
DD	Acc Charge	22/09/2023	£8.00	HSBC
DD	Photocopying	28/09/2023	£26.96	CPS

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DD	Phones & Broadband	28/09/2023	£136.83	XLN Telecom
DD	Electricity Qtr 2	15/09/2023	£402.85	SSE
BACS	Planning Appn Fencing	26/09/2023	£376.69	Ariane Design
BACS	Electrical Work	26/09/2023	£595.00	MD Staniforth
BACS	Dep Refund - Booking Canc	26/09/2023	£50.00	R Swallow
BACS	Play Ins Reports	26/09/2023	£1,291.14	RMBC
BACS	Expenses	26/09/2023	£192.18	R Chico
BACS	Engraving	26/09/2023	£82.00	Roth'm Engravers
BACS	Chairmans Course	26/09/2023	£66.80	YLCA
BACS	Dep Refund - Nishat	26/09/2023	£50.00	J Nishat
BACS	Grant	26/09/2023	£450.00	Send Youth Club
BACS	Dep Refund - M Nishat	26/09/2023	£50.00	M Nishat
BACS	Tree Cutting Parish Hall	26/09/2023	£300.00	Lockwood Bros
BACS	FRA	26/09/2023	£720.00	JP Fire
BACS	Pynt to SSCC	26/09/2023	£30.00	Incorrect Pynt to DPC
BACS	Don Valley Windows	26/09/2023	£9,895.00	Fascia Boards
DD	Electricity 14/8-15/9	29/09/2023	£299.18	Scottish Power
DD	Bank Charges	30/09/2023	£37.35	Unity Trust
BACS	Memo of Fees 117163	26/09/2023	£57.60	R Ogle
BACS	PAYE	26/09/2023	£768.89	HMRC
BACS	Salaries	26/09/2023	£4,676.12	Various
BACS	Expenses - Teaspoons	26/09/2023	£12.63	J Holsey

6289.2 To receive and agree bank reconciliation to July 2023

Resolved : The bank reconciliation was received and approved to July 2023

6289.3 To agree the Christmas Trees for Sunnyside Community Centre and Dalton Parish Hall

Resolved : To purchase trees for Sunnyside Community Centre and Dalton Parish Hall as per specifications for previous year, roughly 25ft trees with the additional cost to put on the lights, estimate of £2400. 1 abstention

6289.4 To note charging changes for website

The website used by the parish council had been free for the five years it has been used, the site are starting to charge a monthly fee

Resolved : To agree monthly charge (9.99 per month)

6289.5 To confirm Clerk agreed additional hours to date

Resolved : 7 additional hours agreed

6290

To consider any general correspondence and publications including:-

6290.1 To receive a summary and agree any actions for play inspections reports

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No new items to report, minor works at Sunnyside for tree cutting back. The bin at Magna Lane still on site but not in original position. Ruby Cook flooring has been rectified as much as possible.

6291 To discuss actions for planning requirements for fencing for Magna Lane Park

The planning application for the fencing had been approved by RMBC subject to terms which were read out at the meeting.

Resolved: The selected contractor to be asked if it is possible to carry out the works whilst adhering to the planning conditions.

6292 To consider revised TOR for Sunnyside Committee and take further action where necessary

The council were given an update of advice from YLCA of the types of committees that are an option.

Resolved : To alter the TOR as per the discussions and for the committee to remain as a committee not advisory, with delegated powers as outlined in the terms of reference.

6293 To discuss caretaking at Sunnyside Community Centre and agree actions to be taken

Resolved : To readvertise for two people approximately 20 hours per week which is negotiable and flexible on split. Relief caretaker and potential additional relief caretaker to fill in as required.

6294 To agree if to proceed with October holiday clubs

Resolved : Subject to the decision made in 6293 to proceed with the October holiday clubs

6295 To discuss bike track plans and agree next steps

Resolved : The plans for the bike track were agreed. To proceed with pre-planning consultation prior to submitting the planning application.

STANDING ORDERS SUSPENDED UNTIL CLOSE OF BUSINESS

6296 To consider and agree action for pathway at Magna Lane park in terms of flooding

Awaiting further quotes item to be brought to a future agenda

6297 To consider pricing for car park markings at Sunnyside Community Centre

Awaiting further quotes item to be brought to a future agenda

6298 To discuss bar management at Sunnyside Community Centre

Concerns had been raised regarding times and actions for requesting users to finish off their evenings at the centre.

Resolved : To write to the bar management regarding mannerisms and conduct.

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6299 To receive an update on gala plans for 8th June 2024

Clerks updated on items started on for the gala organisation. A financial / options breakdown to be brought to the October meeting to discuss items and agree actions in further detail.

6300 To discuss arrangements for community Christmas Lunches

8th December Dalton Parish Hall
11th December Sunnyside Community Centre

Resolved : To take a £2 refundable deposit as a booking fee

6301 To consider planning matters including new planning applications in Dalton 6300.1 Planning: - 29– 37 (List 37 items to be emailed to councillors prior to the meeting)

Resolved: -

The below items were noted: -

RB2023/0853 - 148 Dalton Lane Dalton - Demolition of existing single storey side extension and erection of two storey side extension with new dormer window to front and rear roof

RB2023/0985 - 15 Beech Avenue Listerdale - Erection of detached garage

RB2023/1205 - 186 Dalton Lane Dalton - Application to undertake works to a tree(s) protected by TPO No. (No.2) 1977

The council objected to: -

RB2023/0972 - Honeysuckle Farm Brecks Lane Herringthorpe - Siting of a temporary agricultural worker's mobile home

It was noted that correspondence was received from the land owner of RB2023/0972, correspondence was read out at the meeting, the resident had acknowledged the issues raised by council and said they plan to correct these.

Objection submitted: -

The council have noted a new planning application which relates to the application already objected too by the Parish Council on the email below, dates May 22nd 2023 (RB2023/0567). There were already five objections on the previous application.

The Council wish to object to the application RB2023/0972, with all the previous objections as listed below. The application and the concerns and non-meeting of legal requirements still remain valid; with the only difference now being to site a temporary residence rather than permanent.

"The proposal has a materially adverse effect on the openness of the Green Belt which would result in an unacceptable level of encroachment into the countryside. The proposal represents inappropriate development in the Green Belt; with no special circumstances demonstrated to overcome the harm caused by the inappropriate development. The proposal is in conflict with adopted Rotherham Local Plan Policies CS4 'Green Belt' and SP2

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'Development in the Green Belt', along with the guidance contained within the Rotherham's adopted Supplementary Planning Document 'Development in the Green Belt' and the National Planning Policy Framework. The Rotherham Local Plan - development in the green belt - states that planning permission for a rural worker's home in the Green Belt is only permitted in very special circumstances – the parish council does not believe that the "special circumstances" for the proposed land use is met. The NPPF (at paragraph 79) makes clear that isolated new houses in the countryside require special justification for planning permission to be granted. One of the few circumstances in which isolated residential development may be justified is when accommodation is required to enable agricultural, forestry and certain other full-time rural workers to live at, or in the immediate vicinity of, their place of work (see Policy SP3 Rural Workers Dwellings in the Green Belt). The parish council acknowledges there will be some cases where the nature and demands of the work concerned make it essential for one or more people engaged in the enterprise to live at, or very close to, the site of their work. Paragraph 74 – development in the Green Belt states it is essential that all applications for planning permission for new occupational dwellings in the countryside are scrutinised thoroughly – the parish council emphasises the words "scrutinised thoroughly" with the aim of detecting attempts to abuse (e.g. through speculative proposals) the concession that the planning system makes for such dwellings. In particular, it will be important to establish whether the stated intentions to engage in farming, forestry or any other rural-based enterprise, are genuine, are reasonably likely to materialise and are capable of being sustained for a reasonable period of time. Keeping in mind that previous planning application projects are unfinished; the Parish Council feel this gives clear insight and evidence that these terms are not being met and are speculative proposals. It also states it will also be important to establish that the needs of the intended enterprise require one or more of the people engaged in it to live nearby. Paragraph 75 states It will therefore be necessary to demonstrate a functional need for the dwelling and that the business which it supports is financially stable to justify a permanent dwelling. Where the dwelling is to support a new business venture, which is the case with the bull breeding programme, as outlined at a later stage in this objection, it may be more appropriate to provide temporary accommodation in the short term until the business is established and the need for a permanent dwelling proven. The parish council do not consider 3 years to be "short term".

The Parish Council wish to raise safety concerns with regard to any access requirement, assuming if bulls are to be transported in and out of the site large vehicles would be required in order to do this. The site has limited sight-lines and is a narrow road this has the potential to be a major conflict with other road users. Thus increasing the potential for vehicular and pedestrian conflict to the detriment of road safety, contravening the guidance laid out in South Yorkshire Residential Design Guide and the NPPF. The nature of the highway where this is located is narrow and the safety of the public both via car users and pedestrians should be put as paramount. The parish council considers the granting of the planning permission for bull breeding activities would be detrimental to road safety. It is to be noted, that recently the parish council requested an old access point to be reopened to its own allotment site, which is a few hundred metres away from the proposed bull breeding site and was declined citing road safety as a key concern. The planning application also refers to two bins being needed on site; once again larger than average vehicles being required to access the site and have adequate space to safely turn the vehicle around.

In order for bulls to be kept on-site the site would need to be fully secure and the location of any fencing in-terms of scale and appearance would need to be in-keeping with the area of the location which is green belt and defined as woodland with the trees having an over-arching TPO in place. In-line with requiring appropriate scale and dominance of any fencing the appearance and design would need to be suitable for the area in which it is proposed and thus not having a detrimental visible effect on area. There does not appear to any indication on the plans for how the bulls will be secured into the site. Green Belt guidance 1, paragraph 13 refer to enclosures (wall, fence etc) should be the minimum size necessary and should be

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appropriate to its location in terms of materials and styles. It specifically states it is preferable to plant a hedge, for example hawthorn, rather than use fences and walls which would give a built up appearance to the area. Hedges are traditional in this area and the parish council believes they will not be sufficient to safely keep bulls in this area due to close proximity of residential estate, existing cattle farm (literally across the road), allotments and busy single track road, with few passing places and 60 mph speed limit. HSE guidelines indicate that the animals should be enclosed by a stock-proof hedging or fence at least 1.3 metres high, strong enough to retain the animals and capable of restricting access to children. The Health and Safety Executive for England and Wales (HSE), as detailed on their information sheet Number 17EW refers to Section 3 of the Health and Safety at Work Act 1974 which requires employers and the self employed to ensure, so far as is reasonably practicable, that they do not put other people, eg members of the public at risk by their work activities. This applies to keeping bulls/cattle in fields. The parish council feels that members of the public would be put at risk by agreeing to the planning request.

The parish council raised an objection to a previous planning application at this site at its meeting of 19th November 2020 – “The concerns are around the site previously having planning for a farm building which does not appear to be completed or used for the reason previously stated. Also that the site seems to be neglected and not being grazed or cultivated in anyway. The council would not like to see an additional building being erected or partially erected and not used for the purpose it was built or neglected further. It was also noted the concern of the welfare of the animals when there is no-one at the site.” Within this objection from 2020 we clearly stated that the site is neglected and not being used for agricultural reasons and feel this forms as factual evidence that the claims for the use of land are speculative. This contravenes the statements in the planning document associated with this application. The application refers to Paragraph I5 of the revised PPG7 where it emphasises that new permanent dwellings should only be allowed to support existing agricultural activities. The key word in this is ‘existing’; of which our previous objection notes there is no agricultural activities taking place on the site and this is also confirmed as fact in the application. Section (c) of Paragraph I5 of the revised PPG7 refers to an established and profitable agricultural activity and having a clear prospect of remaining so. Companies house documentation shows a dormant company for the site and therefore providing further substantial evidence that no agricultural activities are taking place on the site and therefore evidencing that the application contravenes the requirements outlined in Paragraph I5 of the revised PPG7. The aim of these guidelines and policies is to prevent the misrepresentation of terms of use for agricultural land and giving permission based on a potential use of land being portrayed contravenes the reason why this law and governance is rightly put in place.

As per the previous objection submitted the Parish Council wish to raise concerns over both animal welfare and the suitability of the land for the use in which they have stated they wish to commence. There are cows in neighbouring fields; which brings a great concern for the sighting a bull breeding farm next door; not only for the welfare of the neighbouring livestock but also for the public in the area. We also understand there is a report from a vet at DEFRA which raises several concerns with regard to the suitability of the site for livestock. The parish council are also of the understanding that a neighbouring farm, which is a long-established farm were refused to be able to house bulls due to the location of the site and the neighbouring properties. The Parish Council ask that DEFRA is conversed with to establish the requirements of the animals and if this is a suitable location.

The council would also like to ask if the scrap currently stored on the site is permitted usage.

To summarise the key points of the objection: -

- Material adverse effect on green belt

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- Contravening: -
 - Rotherham Local Plan Policies CS4 'Green Belt'
 - SP2 'Development in the Green Belt'
 - Rotherham's adopted Supplementary Planning Document 'Development in the Green Belt'
 - National Planning Policy Framework
- The application does not meet the criteria of: -
 - NPPF (at paragraph 79)
 - Policy SP3 Rural Workers Dwellings in the Green Belt
 - Paragraph 74 – development in the Green Belt
 - Paragraph 75 – demonstrating functional need for a dwelling
- Road safety concerns regarding highway infrastructure
 - Contravening: -
 - South Yorkshire Residential Design Guide and the NPPF
- Lack of information regarding site security
 - Therefore unknown if this will contravene: -
 - Green Belt guidance 1, paragraph 13
- Speculative use of the land, evidenced by: -
 - Previous planning applications not being completed / fulfilled
 - Confirmed no current use of land as agricultural
 - Companies house showing dormant company
 - No evidence of profitable business
 - Contravenes: -
 - Section (c) of Paragraph 15 of the revised PPG7

The Parish Council feel the Borough Council have a duty of care to ensure that as stated in various laws, cited above, that planning is only considered subject to each of these laws being adhered too and already in situ. The council feel the evidence of previous applications for planning and progress made on these as farming land show the speculative use of the land. Thus being misrepresentation of terms of use for agricultural land and giving permission based on a potential use of land on a further planning application substantially contravenes the reason why these laws and governance is rightly put in place. " All the objections raised still stand and this is further evidence that the requirements are aiming to abuse the concession that the planning system makes for such dwellings.

"The NPPF (at paragraph 79) makes clear that isolated new houses in the countryside require special justification for planning permission to be granted. One of the few circumstances in which isolated residential development may be justified is when accommodation is required to enable agricultural, forestry and certain other full-time rural workers to live at, or in the immediate vicinity of, their place of work (see Policy SP3 Rural Workers Dwellings in the Green Belt). The parish council acknowledges there will be some cases where the nature and demands of the work concerned make it essential for one or more people engaged in the enterprise to live at, or very close to, the site of their work. Paragraph 74 – development in the Green Belt states it is essential that all applications for planning permission for new occupational dwellings in the countryside are scrutinised thoroughly – the parish council emphasises the words "scrutinised thoroughly" with the aim of detecting attempts to abuse (e.g. through speculative proposals) the concession that the planning system makes for such dwellings."

The key points again are that planning had already been granted for farm buildings over three years ago now and the site has not been used for agricultural reasons; therefore why is this planning application any different now. As per the previous objection submitted the Parish Council wish to raise concerns over both animal welfare and the suitability of the land for the use in which they have stated they wish to commence. There are cows in neighbouring fields; which brings a great concern for the sighting a bull breeding farm next

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door; not only for the welfare of the neighbouring livestock but also for the public in the area. We also understand there is a report from a vet at DEFRA which raises several concerns with regard to the suitability of the site for livestock. The parish council are also of the understanding that a neighbouring farm, which is a long-established farm were refused to be able to house bulls due to the location of the site and the neighbouring properties. The Parish Council ask that DEFRA is conversed with to establish the requirements of the animals and if this is a suitable location.

Paragraph 74 and 75 states short-term siting of accommodation however three years cannot be classed as short term which we would envisage be around 6 months. There are also concerns re siting a mobile home on these grounds for such amenities such as waste etc and how this will be stored / removed from the site.

6302 To notify the Parish Clerk for any matters for inclusion on a future agenda

None

6303 To note dates of future committee meetings, events, and the next Parish Council

Parish Council – 6:30pm

12th Oct 2023

16th Nov 2023

Other Meetings / Events

Dalton Parish Council Community Café held on the above dates at 9.00am – 1230 at Dalton Parish Hall (October 19th Oct)

Friday 8th December - Dalton Christmas Lunch

Monday 11th December - Sunnyside Christmas Lunch

Gala 8th June 2024 – Sunnyside Top Field

Finance Meeting – 6:30pm

4th Jan 2024 – To be confirmed at the meeting

Sunnyside Charity Meeting – 6pm

12th October 2023

Sunnyside Meeting – 6:30pm

7th December 2023

The meeting was closed at 21:00pm

Chairman *K Oxley* Date 12th October 2023