

**KIRK LANGLEY ANNUAL PARISH COUNCIL MEETING
MINUTES OF THE MEETING IN THE VILLAGE HALL
THURSDAY 2nd November 2023**

PRESENT: Cllr B Whittaker, Cllr P Wallis, Cllr T Brown, Cllr P Ryan, Cllr H Leonard. Clerk/RFO – Sian Bacon, and Cllr J Orton (AVBC).

Reference	Agenda Item		Action
85/2023-24	Apologies for Absence	Apologies were recorded from Cllr K Lymer and Cllr Taylor (AVBC & DCC)	
86/2023-24	Declaration of Members Interests	No declarations to record.	
87/2023-24	Variation of Order of Business	No variation of order of business.	
88/2023-24	Public Participation	None	
88/2023-24	Reports from Outside Bodies	<p>Cllr J Orton (AVBC) noted that there were now two AVBC Councillors after the boundary change. There will be a AVBC full council meeting in November with an expected special meeting in December, but the agenda is not clear though it is speculated that it will be the Local Plan. It is thought that a larger house burden may have been taken on by AVBC from Derby City Council.</p> <p>£26000 (s106 CIL) has been found but as yet there is no access to it. It was noted that the Parish Council putting together a plan to spend the funds would be the best way forward. Cllr Whittaker noted that she has created a floor plan regarding improving the parish sporting facilities. This needs locating and can be developed. It was noted by Cllr Leonard that the funds have been partly received by AVBC. Cllr Orton will investigate the list of substandard sporting facilities that had been circulated previously as Kirk Langley is on that list. Cllr Whittaker noted that it would be better if s106 was changed to the planning levy which comes directly to Parish Councils. It was noted that these funds need chasing so that it is not reallocated by AVBC. The Clerk will discover the process for application for the funds. Cllr Leonard will send the funds information to the Clerk.</p> <p>Cllr J Orton will also look into the playing field review to see if there are funds through that.</p> <p>The precept was raised, and it was noted that the increase in houses would lead to a lowered Council Tax burden for the residents.</p>	<p>Cllr Whittaker, Clerk and Cllr Leonard</p> <p>Cllr Orton</p> <p>Clerk</p>

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		It was reported that a resident had reported an issue with Anti-social behaviour, and it was noted that 101 or Derbyshire Alerts/ Derbyshire Talking were available and the Clerk will share the police contact information through Facebook and the website.	Clerk
89/2023-24	Minutes of the meeting 5th October 2023	RESOLVED: To accept the minutes of the meeting held on 5 th October 2023 as a true and accurate representation of the meeting. The minutes were duly signed by the Chair and they will be placed on the website	Approved Clerk
90/2023-24	Matters Arising	None	
91/2023-24	Clerk's Report	Laptop: it was RESOLVED to purchase Dropbox professional at a cost of £70 per annum. Street Names: It was noted that the new estate names are unconnected to the history of Kirk Langley. It was agreed to request the new ones be reviewed by the Parish Council and query the window of time and process for naming the streets.	Clerk Clerk
92/2023-24	Chair's Report	There is nothing to report.	
93/2023-24	Village Hall update	Cllr Ryan was unable to attend the last meeting but will be attending the next meeting and will report back. It was reported that funds are being sought by the committee for building repairs. It was noted that the Church is now open on a Wednesday. Cllr Whittaker is attending the coffee mornings and is happy to run a Parish Council surgery for residents who have issues. This can be referenced in the Newsletter.	Cllr Ryan Cllr Whittaker
94/2023-24	Moor Lane bank mowing	It was reported by Cllr Whittaker that residents had been consulted via the newsletter on what the village would like to see occur with the bank and two residents had responded with opposing views. Therefore, it has been agreed to look at a compromise between the two options and Cllr Leonard will look into what to plant for wildflowers for a 'no mow May' period and will consult with Derbyshire Wildlife Trust and the council will then look to organise cutting of the bank later in the 2024 year to avoid the bank becoming unsightly.	Clerk & Cllr Leonard

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		It was RESOLVED that the council would contract an end of year mowing from Foxes Landscaping.	Clerk
95/2023-24	Moor Lane overgrown hedge	The landowners have been notified that the hedge along Moor Lane needs clearing in the summer. A meeting is to be held with site manager for Peveril Homes, who are responsible for part of the hedge, after second week in November. This will be attended by Cllr Leonard & Cllr Whittaker. The allotment hedge is causing a problem and needs cutting by the landowner. Cllr Leonard will speak with an allotment user about the issue. The church is the landowner of the allotments.	Cllr Leonard and Cllr Whittaker Cllr Leonard
96/2023-24	Stiles/Footpath audit	IN PROGRESS: The Clerk confirmed correspondence has previously been sent regarding the repairs required to stiles, but there has been no clear response. The Clerk will report the damaged stiles and request gates instead. Cllr Whittaker will send the audit to the Clerk. The community orchard needs some work and Cllr Whittaker will discuss this with the landowner.	Clerk & Cllr Whittaker Cllr Whittaker
97/2023-24	Anti-Social behaviour at within the parish	Nothing to report.	
98/2023-24	Planting of Coronation Tree	Thanks was given to all those involved, and it was noted that a lovely picture had been taken. It was agreed that for health and safety reasons and due to recent vandalism on the field a plaque would not be erected. The information on the planting will go in the newsletter.	
99/2023-24	Winter Newsletter Items	The Moor Lane Bank solution, the Parish Council Surgery, Northern lights pictures, the coronation tree, police and DCC issue reporting information, Bee swarm and bird photos, information on the Christmas tree will go in the winter newsletter. Cllr Whittaker will consult with local groups for additional information.	Cllr Whittaker
100/2023-24	Remembrance Day	Cllr P Wallis was thanked for putting up the poppies. A list of lamppost numbers to be sent to DCC next year. The lest we forget poster will go on the Green next year. Next year the new estate will be asked to put up poppies.	
101/2023-24	First Aid Course	It was agreed to continue with St John's for the events rather than training volunteers. Only one response was received.	
102/2023-24	Playground Inspection Report	The report was noted.	

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		<p>It was RESOLVED that the basketball hoop will be replaced, and the mandatory issues raised will be dealt with and the installers, BE Evans will be asked to comment. The broken benches will be replaced with reclaimed plastic benches and the manufacturers of the log walk will be found and contacted to replace the damaged section.</p> <p>It was also noted that the council had received a report of the bin sinking into the ground and the area needs landscaping for hard surface the gates are also requiring repair work. <i>(This action suggests I am going to do the hard surface under the bin, (which I am not) I can't recall what was agreed specifically).</i></p> <p>The Clerk will contact AVBC to look into Public Space Protection Orders to stop dogs entering the children's play area.</p>	<p>Clerk & Cllr Whittaker</p> <p>Cllr Whittaker</p> <p>Clerk</p>
103/2023-24	Christmas Tree planning	It was reported that the Christmas tree has been ordered and the fairy bought. This will be erected in December.	
104/2023-24	Planning applications and decisions	<p>New:</p> <ul style="list-style-type: none"> a. AVA/2023/0689 - Howardson Works Ashbourne Road Kirk Langley Ashbourne Derbyshire DE6 4NJ - Demolition of existing industrial unit and erection of replacement building – Objection (Appendix A) this was approved as the KLPC submission, commenting on the application b. AVA/2023/0670 - Land At Flagshaw Lane Flagshaw Lane Kirk Langley Ashbourne Derbyshire - Erection of stables, hay barn and menage for private equestrian use – Cllr Leonard will draft an objection c. AVA/2023/0808 - Two storey side extension, proposed access and associated parking area. - Windy Arbour Cottage Windy Arbour Kirk Langley Ashbourne Derbyshire DE6 4N – Cllrs Whittaker & Leonard will look at this and send out a response. <p>Pending:</p> <ul style="list-style-type: none"> a. AVA/2023/0006 – Erection of 53 dwellings together with access, drainage and green infrastructure at land south of Ashbourne Road, Kirk Langley – This application has gone to committee and is expected at a AVBC meeting in February. b. AVA/2022/0688 – Development of three residential dwellings with all matters reserved (proposal is a departure to the adopted local plan and may affect the setting of a Scheduled Monument) 	<p>Cllr Leonard</p> <p>Cllrs Whittaker & Leonard</p>

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105/2023-24	Correspondence	None. At this point it was RESOLVED to extend the meeting by 15 minutes as per standing order 3F.																																	
106/2023-24	<p>Finance Matters a) Invoices due for payment and income received</p> <p>b) Any other finance Matters</p> <p>Cashback Charge</p> <p>DALC Audit and governance review</p> <p>Updating accounting arrangements</p>	<p>RESOLVED: to approve the below the payments will now be added to Unity Trust Bank and will be authorized by Cllr Leonard.</p> <table border="1" data-bbox="622 584 1720 943"> <thead> <tr> <th colspan="3">Payments for November 2023</th> <th></th> </tr> <tr> <th>Supplier</th> <th>Description</th> <th></th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Bacs Fox Landscaping</td> <td>Recreation Mowing</td> <td></td> <td>£420.00</td> </tr> <tr> <td>Bacs H Leonard</td> <td>Poppies and ties</td> <td></td> <td>£136.90</td> </tr> <tr> <td>Bacs H Leonard</td> <td>Coronation Tree</td> <td></td> <td>£ 74.55</td> </tr> <tr> <td>Bacs H Leonard</td> <td>Gifts for Clerk and volunteers</td> <td></td> <td>£ 37.00</td> </tr> <tr> <td>Bacs Kirk Langley Village Hall</td> <td>Hall Hire</td> <td></td> <td>£ 66.00</td> </tr> <tr> <td></td> <td></td> <td></td> <td>£734.45</td> </tr> </tbody> </table> <p>It was RESOLVED to put an invoice into GBB for the cashback charge.</p> <p>It was RESOLVED to move forward with a retrospective 2022/23 internal audit, a governance review and the 2023/34 internal audit with DALC.</p> <p>It was RESOLVED to authorise 15 additional hours for the Clerk to complete the work on the audit and governance review.</p> <p>It was agreed that the Clerk will update the finance sheet to one she has used before.</p>	Payments for November 2023				Supplier	Description		Total	Bacs Fox Landscaping	Recreation Mowing		£420.00	Bacs H Leonard	Poppies and ties		£136.90	Bacs H Leonard	Coronation Tree		£ 74.55	Bacs H Leonard	Gifts for Clerk and volunteers		£ 37.00	Bacs Kirk Langley Village Hall	Hall Hire		£ 66.00				£734.45	<p>Clerk & Cllr Leonard</p> <p>Clerk</p> <p>Clerk</p> <p>Clerk</p> <p>Clerk</p>
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107/2023-24	Items for next agenda	To be sent to The Clerk ahead of the next meeting.	All
108/2023-24	Date and time of next meeting	The next full meeting will be held on Thursday 7 th December 2023 at 7pm at Kirk Langley Village Hall.	

The Chairman thanked everyone for attending and the meeting closed at 9.14pm

Signed _____ Chairman/Vice Chairman

Appendix A

Objections relating to planning application for Howardson Works AVA/2023/0689

The replacement of old buildings with a more-energy efficient structure and the development and expansion of an existing business is welcomed in general terms. However there are significant issues with the Howardson works which are currently affecting nearby properties and this raises objections about loss of amenity. In addition, the applicant has not demonstrated that the increased height of the building will not have an impact on key sight points and views from the nearby Conservation Area (CA). Located on a ridge to the west of the CA, this is a particularly sensitive area where business development has already degraded the western aspect from Church Lane and surrounding footpaths.

1. Loss of Amenity

In the Parish Councils comments relating to the development of the Howardson works as described in application AVA/2021/0953, one of the key objections related to the impact on nearby properties. These same comments also apply to the new application, but with additional weight because the fears expressed in 2021 by residents concerning increased noise levels from the site would seem to have come to fruition. Residents report continued breach of planning conditions about the site operation. An increase in manufacturing capacity, without stringent controls and/or countermeasures, will further degrade the residents right to peaceful enjoyment of their properties.

The saved parts of the 2006 Local Plan contain useful references to loss of amenity and industrial expansion:

Para 2.27: There is a need to facilitate the expansion of firms within their existing site, or where suitable, adjoining land, to ensure that they can continue to grow and contribute to the development of the local economy. There is a need to ensure however that any proposals do not have an adverse impact on the environment.

Policy ER5

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Planning permission will be granted for the redevelopment or extension of existing business, industrial or storage and distribution uses (B1, B2 and B8) premises or their expansion onto immediately adjacent land, outside of existing business and industrial areas or mixed-use development areas, provided that:-

a) there is no significant increase in traffic movements within residential areas

b) there is no significant adverse impact on the residential amenity or visual character of the surrounding area

This application contains no information about any increase in traffic movements. This should be examined further by the planning authority. In addition, the application contains no information about the noise levels likely to be generated.

The Kirk Langley Neighbourhood Plan (KLNP) contains key objectives and relevant policies, which are set out below:

“Key Objectives *To promote the economic vitality of the Parish of Kirk Langley by ensuring that:*

- *existing businesses have the flexibility to expand*
- *the scale and nature of the proposal is in keeping with the rural setting*
- *the proposal would not have unacceptable impacts on the local road network.*
- *the proposal would not cause significantly harmful impacts on the amenities of neighbouring residents and other users.*
- *the proposal would not damage the environment*
- *the proposal mitigates the emission of greenhouse gases*

BUS2 *Managing the environmental impact of business development*

Further development of existing businesses on land already in commercial or agricultural use and proposals for new business development will be supported where it can be shown that the scale, design and form of the proposal is in keeping with rural setting and would not adversely impact on the tranquillity of the area. It should not harm landscape character or residential amenity, nor have a detrimental effect on the operation and safety of the country lanes and local road network.

- *Businesses which utilise both public and non-motorised transport in order to mitigate traffic levels will be supported.*
- *To be supported new business developments, and significant extensions to business premises, must provide infrastructure for electric vehicle charging unless it is demonstrated that it is not practicable.*
- *Development proposals that include small decentralised renewable energy systems, including building mounted solar energy, biomass, and ground and air source heating systems will be supported”.*

Taken together, the Local Plan policy and the KLNP policy, place the onus squarely on the proposer to show that the development would not have any of the adverse impacts identified.

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In order to demonstrate that the proposal is an acceptable development in planning terms, a noise assessment is essential. This should allow for noise mitigation measures to protect residents and users of nearby public footpaths from a new noise source. Any planning conditions restricting operation to limit noise levels must be strictly observed and noise mitigation built into the development.

Paragraph 4.4 of the Design and Access Statement refers to the fact that the existing workshop area (used by Impala) will be used for “general maintenance assembly and testing of ground care equipment”. Hence this is an expansion of the manufacturing area. Noise levels must be assessed in detail and conditions strengthened in order to protect residents.

General appearance

The design and access statement makes no detailed reference to the impact of the new building, which will be bigger, but most importantly, higher than the existing unit. It is described as being 1.2m higher. Will this height increase be visible from footpaths (of which there are many) and will it be visible from the ridge to the South East which also shares a number of footpaths and which is located within the Conservation area?

There has been no assessment of this potential impact; simply an assertion at 5.11 under the heading “Heritage and Archaeology” that the issues is “not considered significant to the development”. This is not satisfactory. The site is sensitive because it sits in an elevated position relative to the conservation area. It is visible not only from Church Lane but also public footpaths running from The Green to Langley Common and from Church Lane to Langley House. It is clearly within the setting of the Conservation Area. The current development detracts from the open rural feel and significance of the conservation area. The additional building, when added to the existing and the large non-traditional farm buildings nearby, may add to the developing industrial scene which has adversely impacted the heritage of this area. This depends on whether the increased elevation is visible.

Neighbourhood plan policies and the NPPF

“ENV2

To be supported development proposals must demonstrate how they recognise, protect and enhance the historic landscape and local character. The open rural “feel” and those vistas identified on Figure 33, and described in Appendix 8, must be protected. These include the views from footpaths and roads, and from the designated open spaces and recreation facilities identified in Policy ENV1.

In order to evaluate the potential impact of development proposals, an applicant shall submit a landscape strategy demonstrating the extent and effectiveness of the proposed hard and soft landscaping at 10 years maturity in near and distant views of the proposed development from the principal public vantage points.

NPPF: 130 Planning policies and decisions should ensure that developments:

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

HER2 Protecting the Conservation Area, listed buildings and other heritage assets *POLICY (part):*

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a) To be supported development proposals must demonstrate regard for the significance of the Conservation Area, and any heritage asset identified in Appendix 4 and Appendix 6 (as updated throughout the plan period) where they, or their setting may be affected by the proposal. Development will be required to be designed appropriately, taking account of local styles, materials and detail. Account must be taken of the distinctive character areas, as described in Appendix 7.