

Lindal and Marton Parish Council

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Councillors:-
Mr A Waite (462922) Mr R Lord (464034) Mrs S Glover (462383) Mr D Howarth (463304) Mrs S Kelly (465343)

Minutes of the Meeting held on Thursday, 4th November 2010 at 7.30 pm in the Buccleuch Hall, Lindal.

Present:-

Councillors D Howarth (in the chair); R Lord; Mrs S Glover; Mrs S Kelly.

Apologies. Councillor A Waite.

Also present:- 22 members of the public.

In attendance:- Nil

121/10 Urgent business. Items normally needing to be publicised but received too late for the agenda. (Section 100B (4) (b) Local Government Act 1972)

None.

122/10 Disclosure of interests.

Councillor Lord declared an interest in Agenda item 10 in that his wife was a shareholder in Baywind, a company associated with Infinergy

Councillor Howarth declared interests in Agenda item 13 (d), in that he was a member of Lindal Cricket Club, and Agenda item 15 (c) in that he was treasurer of the Buccleuch Hall Management Committee, the organisers of the Christmas Party.

123/10 Minutes of the meeting held on Thursday, 7th October 2010.

The minutes of the meeting held on Thursday, 7th October, 2010, were taken as read, and APPROVED.

PROPOSED:- Councillor Mrs Glover

SECONDED:- Councillor Mrs Kelly. Carried unanimously.

124/10 Matters arising.

There were no matters arising from the minutes.

125/10 Attendance of Officer from Cumbria Constabulary.

There was no officer present.

126/10 Report of School Governors. Submission of minutes, if any.

There were no minutes for consideration.

127/10 Local Government Boundary Commission. Electoral Review

The Clerk confirmed that the Boundary Commission was investigating the make-up of the County Council with a view to assessing whether the county councillors all represented, roughly, the same number of electors. In the first instance, the Commission was looking for suggestions as to the size of the Council and the total number of councillors required, this information to be submitted by 22nd November 2010. However, it was NOTED that draft recommendations would be published in July 2011 at which time interested bodies would be given the opportunity to comment and it was, therefore, AGREED that no action needed to be taken on this item at the present time.

128/10 Information Points (ex-BT phone boxes) Assessment of use.

The Clerk confirmed that the information leaflets for the Parish Paths Walks (*vide minute 113/10, October 2010*) had been delivered and that a supply had been placed in each of the Information Points.

The use of the Information Points was discussed and Councillor Mrs Kelly referred to the artwork produced by the pupils of the school. Unfortunately, the pictures were laminated in an A4 format which was rather too large for the shape of the window panes.

Councillor Lord commented on the apparent increase in popularity of the “lending library”, with more books having been added.

Reference was made to the Lindal Information Point suffering from more damp than the one in Marton and Councillor Lord undertook to investigate.

It was AGREED that further consideration of the use of these facilities be deferred until February, 2011, when it was hoped that Councillor Mrs Kelly would have been able to have had further discussions with the school regarding the artwork.

Finally, congratulations were offered to the resident of Marton who was keeping the Information Point in that village in such a tidy condition.

129/10 Infinergy. Wind Farm Liaison Group.

An invitation had been received from Infinergy, the developers of the proposed wind farm at Standish Cote, Marton, (*vide minute 90/10, 5th August 2010*), to attend a meeting on Thursday, 18th November 2010, when the possibility of reviving the Liaison Group could be discussed. Reference was made to the unsatisfactory way in which this group was organised when it functioned during Infinergy’s first attempt to develop the wind farm and it was pointed out once again that the site was not within the Parish, with little or no concern being shown by local parishioners. It was AGREED, therefore, that the question as to whether any councillors should attend this next meeting be left to the discretion of the individuals concerned, and that the matter be further assessed in the light of future developments.

130/10 Managing Radioactive Waste. West Cumbria Partnership.

The Clerk explained that the Government was looking for a suitable site where radioactive waste could be stored indefinitely in underground rock formations. West Cumbria was being considered and the Government was anxious to create a dialogue with all interested parties so

that the community's opinions could be fully recognized. The West Cumbria Partnership was looking for any organisations or persons who wished to express their views to join the Partnership with a view to presenting the Government with a cross-section of opinion on this emotive subject. In addition, there was to be an Open Day in The Forum in Barrow, on Saturday, 20th November 2010.

It was AGREED that no action be taken on this subject at the present time.

131 Planning applications relating to the Parish.

a) B12/2010/1376 Resubmission of plans for a chicken farm, Maidenlands Farm, Marton.

It was pointed out that this was a re-submission of the application first considered by the Parish Council in June 2010, when the Council declined to support the application on the grounds that it would be “detrimental to the health and well-being of the local residents.....” (*vide minute 77/10(a) 3rd June 2010*). The application had then been discussed by Barrow Borough Council's planning committee, the planning officer recommending refusal, but it had been withdrawn by the applicant before the committee had made a formal decision.

The latest application was an attempt to address the objections as identified by the planning officer, the main ones being the siting of the 90m-long shed in open countryside, and the inclusion of Poaka Beck within the free-range area. Instead, the shed would now be sited immediately to the rear of the applicant's farm-house and it had also been reduced in size. The boundary line had also been re-drawn so that Poaka Beck would now be completely outside the free-range area.

In a wide-ranging discussion, *involving the floor*, many issues were highlighted, with all concerned remaining adamant in their objections to this application. It was, therefore, PROPOSED by Councillor Howarth and SECONDED by Councillor Lord that the Council formally object to the application, for the reasons as set out in its resolution in June 2010, and also as discussed by all those present during the current meeting, both lots of points being summarised as follows:-

- Whilst the change of site for the shed ensured that the open countryside would not be despoiled, it would mean that it would be closer to the residential properties on Tarn Flat, immediately adjacent to the applicant's farm house, thus moving the potential for nuisance nearer to such residents. The reduction in size, of less than 10%, was insignificant in this regard.
- The boundary of the free-range area, whilst it would now exclude Poaka Beck and its wooded environs, was still close enough for the potential for contaminated water run-off into the beck in times of heavy rain.
- There were no details as to the practical requirements of the chickens whilst on the free-range area in terms of feeding and watering mechanisms and whether these would so substantial as to cause further visual intrusion on the landscape.
- There were no details regarding the fencing requirements for this large 8 ha. site. No indications were given as to height, materials to be used, depth to be inserted into the ground etc. The danger of a major visual intrusion for the surrounding countryside was considerable.
- No reference was made to the potential for attracting vermin to the area, with the potential for frustrated foxes, rats etc, if they were unable to actually gain access to the free-range area, looking for alternative food sources within the local residential areas.
- Concern was expressed at the number of chickens (16,000) to be housed in the building, with no reduction in numbers to reflect the reduction in the size of the

building. It was suggested that the planning officers would need to clarify the legal requirements regarding bird density for such developments.

- Questions were asked as to the future use of the building if the commercial use as a chicken farm (if approved) was eventually found to be unviable.
- Notwithstanding the optimistic report produced for the applicant in respect of Odour Impact, doubts remained regarding the potential for offensive smells from the proposed development, particularly in the light of this being an all-year-round operation as opposed to many other farming activities being seasonal. (ie., “muck-spreading”) This problem would be exacerbated by the prevailing wind pattern being south-westerly, with any contaminants thus being blown towards the residential areas.
- In a similar vein, it was suggested that manure dust off the free-range area could, during dry conditions, be blown towards residential areas.
- Whilst the applicant was confident that he would be able to control flies etc by the appropriate use of insecticides, it was feared that this could not be 100% successful, particularly as far as the outdoor areas were concerned, and that infestation of local properties was, perhaps, inevitable.
- Doubts still remained regarding the health implications from concentrated ammonia which, it was suggested, could arise out of the accumulated manure with this being a particular problem for asthmatics.
- There was no information as to whether the land would need to be “rested” from year-round occupation by chickens and whether this would require additional land outside the 8 ha already identified (with the consequential need for further planning approval) or whether there were alternative solutions.
- The question of the removal of manure was not satisfactorily dealt with by the applicant in that he indicates that “a management plan will be submitted in due course to Environmental Health”. This was considered to be of such importance that any planning consent should be conditional upon a satisfactory plan being submitted and approved in advance.
- Whilst the applicant’s report on noise pollution was noted as giving a positive assessment, with no annoyance predicted for local residents, it was assumed that the planning officers would subject such report to appropriate, expert, scrutiny.

The PROPOSAL was carried unanimously.

b) B21/2010/1495 Conservatory to front elevation, Church Cottage, Lindal.

It was PROPOSED by Councillor Lord and SECONDED by Councillor Howarth that the Council express “no comment” on this application. Carried unanimously.

Applications outside the Parish/Barrow Borough (within SLDC) but referred for consideration because of their proximity to the Parish boundary and the residents living nearby.

c) SL/2010/0796 conversion first floor of Diamond Barn into flat. Pennington Lane, Lindal.

It was PROPOSED by Councillor Lord and SECONDED by Councillor Mrs Glover that the Council express “no comment” on this application. Carried unanimously.

d) Re-development of Cricket Club pavilion, Pennington Lane, Lindal.

The Clerk reported that this application had not yet been issued for consultation although a separate application in respect of a wind-turbine associated with the development had been issued – *SL/2010/0928* - and forwarded for consultation. A plan showing the site of the turbine was then examined, indicating that the proposed site was the south-east corner of the cricket field.

Comments were invited *from the floor* and it was clear that there was much concern about the precise location of the turbine, with all those present objecting to the fact that the turbine would be plainly visible from properties on Pennington Lane. It was suggested that the objections to the application could be overcome if the turbine was re-sited to the north-east corner of the cricket field, when it would not be visible to such properties.

It was then PROPOSED by Councillor Lord and SECONDED by Councillor Mrs Kelly that South Lakeland District Council be informed that, whilst the Parish Council had no objection to the principle of a wind-turbine, it could not agree to the suggested site, in the south-eastern corner of the cricket field, and could only agree to such development if it were placed in the north-eastern corner, the reason being that erecting a wind-turbine on the site as proposed by the applicant would result in an unneighbourly development..

Carried unanimously.

132/10 Correspondence.

- a) Planning applications relating to the whole of the Borough. NOTED.
- b) A590 roadworks. It was NOTED that the pavement near to the ex-Anchor Hotel, on the A590, was scheduled to be excavated to determine the cause of some minor subsidence and that traffic lights might be needed to cope with traffic disruption. The planned start-date was Monday 8th November 2010.
- c) Barrow Council minutes, 20/07/10 to 5/10/10. NOTED.

133/10 Finance.

- a) Cash balances:- Current account £50 Reserve account:- £2030.49.
- b) The Clerk submitted requests for payments/donations to the following:-
 - The Royal British Legion in respect of the two poppy wreaths supplied for the Armistice Sunday ceremonies at the Lindal and Marton War Memorials.
 - The organising committee responsible for the Senior Citizens' Christmas Party.
 - The printers of "Aspects" who were responsible for printing the Parish Paths Walks leaflets.

It was PROPOSED by Councillor Lord and SECONDED by Councillor Mrs Glover that cheques be authorised as follows:- British Legion £33; Senior Citizens' Christmas Party £300; Leaflet printers £105. Carried unanimously.

NB The payment for the leaflets is to be re-imbursed by Cumbria County Council.

134/10 Any Other Business.

- a) The Clerk drew attention to the forthcoming Remembrance Sunday church services to be held, as usual, at the War Memorials in Lindal and Marton on Sunday, 14th November 2010. It was AGREED that the Clerk would represent the Council at the Lindal service and Councillor Mrs Glover would attend Marton.
- b) The switch-on of the Christmas tree lights on the Green was confirmed as being on Thursday , 25th November 2010 at 6.00 pm.
- c) It was AGREED that Councillors Lord, Mrs Glover and Mrs Kelly would provide appropriate Christmas decoration for one of the Church windows, as in previous years.
- d) The Clerk referred to the next meeting of the Joint Rural Committee which was scheduled for Tuesday, 14th December at the Nan Tait Centre in Barrow, at 5.00 pm. It was hoped that Councillor Waite would be able to attend, together with one other Councillor.
- e) *From the floor* it was pointed out that there were no arrangements to provide a Christmas tree in Marton, previous arrangements with the United Utilities having fallen through. Councillor Howarth indicated that he would make enquiries to see whether anything could be arranged.

135/10 Date and Time of Next Meeting.

The date and time of the next meeting was AGREED as Thursday, 2nd December, at 7.30 pm in the Buccleuch Hall, Lindal.

(All residents of the Parish are reminded that the Council meetings are open to the public and that all are welcome to attend.)