

MINUTES OF WHITBOURNE PARISH COUNCIL MEETING
held on Thursday, 7th July 2016 in Whitbourne Village Hall.

In Attendance

Chairman Mr R James

Vice-Chairman Mrs M Williams

Councillors Mrs A Evans; Mr C White; Mrs J Bromley; Mr N Knight

Ward Councillor Cllr. N Shaw

Clerk Mr K Butler

Public None

PCSO Annette briefly attended with a colleague to report local matters before returning to her duties.

42/16 Apologies: Mr J Cummins, Mr G Cupper, Mr P Wood

43/16 Declarations of Interest: None

44/16 Minutes of May Parish Council Meeting:

Cllr White recorded that his apologies for non-attendance had not been recorded and wished them to be added to the minutes.

A number of grammatical, typing and spelling errors were noted in particular name of Cllr Wood had been recorded as Cllr. Woods and should be amended throughout the minutes.

On item 31/16 remove "Cllr. James, Pollution and Environment" and insert "Cllr James, Public Transport"

In item 39/16 Upper Ellesmore should be Upper Elmore

Cllr. White noted that in some published editions of backdated minutes on the Parish Council website, reference to the word "draft" needs to be removed, as they cannot be published while still only draft minutes. It is noted that only approved minutes may be published

The above amendments were proposed by Cllr Knight and seconded by Cllr Evans and approved.

The minutes were proposed by Cllr White and seconded by Cllr Williams and approved for signing by the Chairman

45/16 Matters Arising from Minutes of May Meeting

Cllr Knight noted that a statement he had made in the 3rd March 2016 meeting under item 25/16 which he wished to be included, had not been recorded as an amendment in the minutes of the 11th May 2016 meeting, which he believed had been agreed to be included by the Council. However the 3rd March 2016 minutes had been signed off as a true record of that meeting.

While accepting it was now too late to amend the 3rd March 2016 meeting minutes, he asked that the following statement be placed on the record, referring back to the minutes of the 11th May 2016 meeting where it should have been recorded as an amendment/addition to the 3rd March 2016 meeting minutes item 26/16 following the second paragraph.

His statement follows ...

"Cllr Knight expressed concern and disappointment that Councillors having been circulated with all Regulation 14 comments were not, in the interests of transparency and openness, able to consider those comments in an open meeting."

The meeting unanimously agreed to the statements inclusion in the minutes of this meeting to clarify any misunderstanding.

46/16 Finance

a) Insurance - Clerk instructed to clarify insurance with Came & Company, ensuring it included the War Memorial, and report to Chairman who, due to urgency as the Council is currently not insured, is delegated to approve renewal if he deems it reasonable and report his actions to the next meeting.

Proposed by Cllr Williams and seconded by Cllr White and unanimously approved

b) Village Hall loan - noted - payed by Direct Debit

c) Grass Cutting - A number of payments had been missed due to changes in personnel. Clerk asked to send a cheque for the outstanding sum of £256-00 with a letter of apology for the delay to the contractor.

Proposed by Cllr White and seconded by Cllr Evans and unanimously approved

d) SLCC Advertising - for a new Clerk. Clerk instructed to pay account of £144-00

Proposed by Cllr Williams and seconded by Cllr Knight and unanimously approved

47/16 Planning

a) W heatsheaf Inn outline planning application

All Councillors had extended input in a detailed discussion on this application. The Clerk was requested to make the following written representation to Herefordshire County Council and the attending Cllr. N Shaw was asked to take on board the wider points within the discussions.

There are two applications numbers, 161690 for change of use and residential development at The W heatsheaf Inn to convert W heatsheaf Inn into 2 dwellings and erection of further three dwellings and 161691 on land opposite The W heatsheaf Inn for residential development of three dwellings, which were discussed as one item.

Prior to discussing the merits of the applications on planning grounds, the Parish Council members noted that in the applicants statement(s) there are many mistakes of fact, but in particular refers in detail to the NDP (The Neighbourhood Development Plan) - but the Council is at pains to point out that this is a draft plan thus making a number of the assumptions in the statement(s) incorrect.

The Parish Council cannot support this application for the following reasons

1) For both applications, The Council noted that The W heatsheaf Inn remains a licensed premises and requires a change of use. But, in the opinion of members, it has not been proved that it is not still a viable business as a Public House.

2) For application 162691, concern was expressed regarding visibility for vehicles emerging from the C1066 onto the A44 regarding the application for the 3 houses to be built on what is currently an open view across the car park. The development will clearly impede sight of traffic travelling from the Worcester direction. Although the Highways Department has not designated it as such, the Parish Council has for some years regarded this as a dangerous junction onto a national speed limit road (60mph) often regarded as one of the most dangerous in Europe, approached from a bend in the Bromyard direction, with limited sightlines from a bend to the said junction.

The development will further impede the sightlines of traffic travelling from the Worcester direction

3) For both applications, concern was also expressed about the number of vehicle movements generated by this development within a very short piece of highway of the C1066 (less than 50 yards) where the C1066 emerges onto the A44 on one side and difficult narrow bridge on the other. This piece of road is not only a well used bus route (including School busses) but also the main access to the busy main village of Whitbourne, where there are other developments taking place and traffic generation is rapidly growing beyond the capacity of the road.

In addition, within the same area, note should be taken of traffic turning into the C1066 from the A44 where traffic turning right from Worcester direction (including busses and lorry's) have to make a very speedy manoeuvre, as traffic often appears around the nearby bend from the Bromyard direction at the national speed limit (60mph) and danger will be caused if the road is further blocked by vehicles turning into the developments.

The Parish Council noted that the development of application 162690 does not include the tarmaced area in front of the Wheatsheaf Inn but that Highways should give consideration to this small area which has become an essential turning space for large vehicles, including busses, school busses and lorries coming from the Bromyard direction. Though it is thought that this is land belonging to the Wheatsheaf Inn this is not established and title deeds need to be checked. It is by tradition a part of the highway which at present makes such manoeuvres possible but such manoeuvres will not be possible if that space is lost, without swinging onto the wrong side of the A44. Any consent to planning **must** retain that area as a part of the Highway.

4) For both applications, there is also a bus stop located right on this junction and there is no alternative safe location for the bus stop within the vicinity.

5) For application 162691, concern has been expressed regarding amenity. It is generally accepted that by grace and favour the licensee has made the car park available during time of emergency, particularly flooding. While Council accepts this is not a planning reason, it does lend itself to the concerns expressed above in 47/16/1; that the whole premises is an important village amenity and to the general unease about this application.

6) With specific regard to application 162690 for the houses proposed for the garden, this area is liable to flooding from Sapey Brook (mistakenly described at one point as the River Teme by the applicant in the accompanying statement!). It is therefore inappropriate for such a development.

7) Further, with specific regard to application 162690 for the houses proposed for the garden; any development in the garden area would appear contrary to Policy LU4 - Housing Strategy of the NDP. "Housing or development proposals should - (clause v) Not result in inappropriate development in residential gardens."

8) For both applications, the applications are to develop new build housing outside the settlement boundary both on current policy and in the proposed Neighbourhood Plan

9) For both applications, Council expressed concern with regard to the disposal of foul sewerage from both developments so close to Sapey Brook.

10) For application 162691 Council were also concerned for the aged Yew tree in the corner of the car park which may be subject of a TPO.

Proposed by Cllr Knight and seconded by Cllr Evans and unanimously approved

b) There were no late applications

c) Reports on previous applications

Notice was given that application 153349; The Fodder Store, Church Road WR6 5RS; which had been refused, was the subject of an Appeal. Representations must be submitted by 5th August.

The Council resolved to make representations to the Planning Inspector as set out below:

We object strongly to this Appeal. Our grounds of objection are as follows:

1. The planning history overwhelmingly supports the importance of conditions to protect the privacy and amenity of those living on and adjacent to the site. They should not be relaxed and the previous decisions of Herefordshire Council in this respect should be upheld. In particular, reliance on conditions imposed in relation to Hooch Hall is misplaced. A condition was put in place (which has never been removed) to the effect that Hooch Hall could not be sold or let separately from the Old Rectory.

2. Policy SD1 requires that proposals should “**safeguard**” the amenity of existing and proposed residents. The appellants case accepts that obscuring the windows would result in a loss of light and outlook and therefore plainly fails to protect the existing amenity and comply with Policy SD1.

3. The proposal would also not safeguard residential amenity in respect of the living conditions for proposed residents of the Fodder Store. Not only would obscuring the glazing in the main living room and bedroom windows affect the amenity of these living areas, in order for privacy to third parties be maintained, these windows would have to be permanently locked thus adversely affecting important means of ventilation and means of escape.

4. Even if the proposal to allow obscure glazing to the front elevation windows is upheld and implemented, the consequent change of use to allow the property to be used as a full time residential property would fail to safeguard residential amenity for those living at the Old Rectory and the adjacent properties.

There is likely to be a significant increase in domestic noise, vehicular and pedestrian traffic and overlooking from both the unauthorized amenity area and rear window. The Planning Inspector confirmed that “**Permanent residential use of the appeal site would be far more intensive and would have the potential to result in the use of the unit 365 days a year**”.

Further the supporting statement to Policy LU3 of the NDP states:

“In order to preserve the character of the Conservation Area and its immediate environs, proposals should also seek to safeguard the beauty and tranquillity of the Conservation Area and its setting. Proposals which will lead to an increase in traffic movements, noise and/or the loss of adjacent countryside should be avoided. “

5. Even if it was appropriate to obscure these windows, simply applying a plastic film is not a permanent solution. It could be very easily removed, and while enforcement action could follow, the administrative burden upon the enforcement team is such that the proposal to apply a plastic film is likely to be unworkable. The appellants have a long history of enforcement actions having to be taken against them.

6. Although the application for listed building consent (to obscure the windows) was accepted by HCC it was an integral part of the application which is the subject of this appeal. The application for LBC should also therefore be revisited – as the appellants accept.

Policies LD1 and LD4 emphasise the importance of conserving and enhancing important buildings in conservation areas and require proposals to protect and enhance heritage buildings. The use of obscure glazing on main elevations in an important medieval listed building is not appropriate. This is a well accepted conservation principle and one that has been publically accepted and relied upon (in the last Planning Appeal) by HCC specifically in relation to the property in question. The Council must be consistent in its application of conservation policies.

Policy LU3 of the NDP also states that proposals should: “Protect, conserve and where possible enhance heritage assets and their setting.”

7. The application is contrary to paragraph 55 of the NPPF and Policy RA3 which prohibit development in the open countryside. This is further supported by Policy LU1 of the NDP.

8. We also rely upon our previous objections to the applications in question

Proposed by Cllr. Williams and seconded by Cllr White and unanimously approved

Councillor Nigel Shaw reported that he had a change of responsibility at the County Council and was now the cabinet support member for Economy, Community and Corporate Services with a particular responsibility for the implementation of the FASTERSHIRE project for Broadband connection in Herefordshire.

49/16 Village Hall Committee Report

There was no report.

50/16 Playing Fields Committee Report

Money (around £6,000) has become available to the committee and consideration is being given to how it should be spent. Consideration is being given to Gym Equipment, improvements to the football pitch and a rounders field, as well as the erection of a Kick Wall.

A ROSPA inspection has been undertaken

There is to be a fundraising auction on 1st October

51/16 Appointment of new Clerk - Chairman's report

One application has been received to date and interviews are scheduled for 14th July

52/16 Neighbourhood Plan

Cllr. Williams reported on the progress of the Neighbourhood plan. Nigel McGurk has now been appointed as the independent examiner for the Plan.

53/16 Correspondence

A letter had been received from Mr M Tobin regarding the village school buildings. Its contents were noted but it was stated that the Parish Council do not have the funds to purchase or develop the site.

A letter had been received and circulated from Mr Freeman requesting funding for the maintenance of the churchyard and the Church Building, maintenance of the church bells and the clock. Resolved that the request will be considered at the budget meeting for 2017/18

54/16 Public Questions

Meeting was opened to the public.

PCSO Annette introduced her colleague Susan (Sue) Berrett and gave a report on arson to a hedge where 4 young males have been spoken to, a short report on general vandalism, a broken window which has been resolved by a community resolution and police activity at the Wheatsheaf Inn.

55/16 Matters arising from public questions

None

56/16 Parish Matters, Days for future meetings & Future Agenda Items

It was agreed to place a permanent sign on the Parish Council notice boards giving the Parish Council website details

A pothole is to be reported by the Clerk to HCC Highways at Rosemore Corner, WR6 5RZ

Concern was expressed that two gully's / drains in Stocking Lane (officially titled Tedstone from Redhill Farm Road to the C1066) require cleaning out.

Major concern was expressed about the Oak Tree stump near the junction with the C1066 which in the opinion of the whole Council (with their local knowledge) is in a dangerous condition and should be removed. Clerk will report to HCC Highways.

Council wished to express thanks to voluntary litter pickers within the Village.

Next Parish Council meeting is 14th July to interview prospective Clerk(s) but is **not** open to the public.

The date for the following Parish Council meeting, due in September will be set by agreement with the new Clerk