

# NORTH NIBLEY PARISH COUNCIL 2019

THE ORDINARY MEETING OF NORTH NIBLEY PARISH COUNCIL WAS HELD ON MONDAY 8<sup>th</sup> APRIL 2019, AT THE VILLAGE HALL, NORTH NIBLEY, AFTER THE ANNUAL PARISH MEETING

**Present:** Mr Ken Brown (chair), Mrs J Burton, Mr K Larkin, Mr D Palmer, Mr D Purnell, Mr D Roberts, Mr R Symons.

Two members of the public attended the meeting.

**District Councillors:**

**County Councillor:**

**The Clerk:** Mrs E Oakley

**The Chairman opened** the Parish Council Meeting.

1. **The Chairman invited apologies.** Apologies had been received from District Cllr K Tucker.
2. **Declaration of Interests.** There were no declarations of interest.
3. **The Council approved and signed the Minutes of the Ordinary Council Meeting held on 4<sup>th</sup> March 2019 as a true record.** The Minutes of the March Ordinary Meeting of the Council had previously been distributed to all members and displayed on the public notice boards and the website. **All members agreed the Minutes should be signed, as a true and accurate record.** The Minutes were duly signed by the Chairman.
4. **The Council noted matters arising from the Minutes, not covered by agenda items.**
  - **Village Clean-up day.** This became a two day event this year with children as well as adults carrying out work on Friday 22<sup>nd</sup> March. There was very good support for the Saturday 23<sup>rd</sup> event and a considerable amount of rubbish collected. The circular rings for bags as requested last year were delivered this year.
  - **Trees at Wood Lane.** The clerk had received payment to NNPC by BACS transfer as agreed.
  - **Tree survey works.** This has been commissioned with major work starting towards the end of April and the two tree felling work to be carried out in mid-May.
  - **Defibrillator.** The chair and David Owen met after the March council meeting and installed the new cover. Louise Cooper at the south west ambulance trust was informed the defib set (device and cover) are now fully operational.
  - **Licencing.** Councillors and parishioners attended the hearing at SDC on the 11<sup>th</sup> March and a decision notice was received later the same day.
  - **Noticeboard near the shop.** The door has been repaired and the invoice due. The clerk agreed to look at options for the inside of the noticeboard so that pinning items became easier to manage.
  - **New councillor procedures.** The clerk sent the DPI form for completion to the new councillor.
  - **Knoll Trust.** The clerk received the cheque for the new negotiated sum for the Knoll and this has been banked.
  - **New adult equipment for recreation field.** The clerk had received order confirmation and arranged delivery of the three new adult exercise items towards the end of April.
  - **Planning gain sums application process.** The clerk had sent a final draft for comment. This was approved as overall good, with appropriate information and an initial good first response to the overall project viability was received.
  - **First aid and community responder.** In response to a notice in OTE, one parishioner has requested her name be added to the list.
  - **Tipping.** The clerk had received notification of two mattresses and a desk discarded at Church Lane. Councillors had reported this for collection.
  - **Hawkins.** The clerk confirmed to the contractor the quotes for this year were agreed by council.
  - **External audit.** Initial contact has been made by the auditors and further instructions are due.
5. **The Chairman closed the Meeting for Public Discussion and Questions.**

**The Chairman re-opened** the Meeting without further discussion.

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## 6. The Council considered and commented upon the following Planning Applications:

**Application Number: S.19/0354/HHOLD** Location: The Annexe, Cedar Lodge, Pitt Court, North Nibley. Application Type: Householder Application Description: Proposed first floor extension to the annexe.

The council agreed to make no comment.

**Application Number: S.19/0358/VAR** Location: Five Acres, Millend Lane, North Nibley, Dursley. Application Type: Variation of Condition Description: Removal of Condition A on permission S.7115 (5/10/1966) to allow occupation by a person not employed in agriculture.

The council objected stating the removal of the condition would be premature at this stage as the property has only been for sale for a short period since August. Insufficient time has elapsed to fully and properly test the market especially in current circumstances where it is generally recognised market conditions are unfavourable due to a number of factors including Brexit. The applicant still has land for sale in this locality which could give rise for the need of prospective purchasers of this land to live in the locality to manage and farm such land. If the condition is removed at this stage this could well lead to pressure to build a further dwelling in the locality outside the settlement boundary contrary to Policy.3.

**Application Number: S.19/0372/FUL** Location: Land North Of Actrees Solar Farm, Heathfield, Alkington, Gloucestershire. Application Type: Full Planning Application Description: Installation of an energy storage facility with up to 25 containers, sub-station, access, security fencing and associated landscaping works.

The parish council expressed views in line with those submitted by Alkington Parish Council to the district authority planning portal by the clerk from, Lower Wick Cottage, Lower Wick, GL11 6DD.

**Application Number: S.19/0608/FUL** Location: Land Opposite New Inn, Waterley Bottom, North Nibley, Gloucestershire. Application Type: Full Planning Application Description: Erection of agricultural/equestrian building. Change of use of land to mixed use of agriculture/equestrian use.

The council objected as the proposed building is excessively large for the size of the field and cannot be justified for such a small area of land. The size of building is not essential for the maintenance of enhancement of a sustainable farming enterprise and is therefore contrary to Local Plan Policy CP15. The size and industrialised nature of the building will adversely affect the landscape and visual character of Waterley Bottom and the surrounding Area of Outstanding Natural Beauty. The location, materials and scale of the building would not be sympathetic to or complement the landscape character and would conflict with Local Plan Policy ES 7. The proposed building is sited very close to the country lane and would be visually dominant. The siting which would involve further earth works would adversely impact on an important mature oak tree and hedgerow and would be contrary to Local Plan Policy ES 8. The proposed building would create a precedent for similar buildings in the adjoining area as land is being sold off in small parcels which would accumulatively and dramatically adversely change the character and landscape of this area of quality landscape within the AONB. A large cattle building although smaller than the proposed building on nearby land was found to be unacceptable by the planning authority in 2014. Ref S.14/2320/FUL. Agricultural and equestrian buildings are not a ubiquitous feature of the valley as stated by the applicant. The valley is characterised much more by open fields with hedges, scattered dwellings and occasional barns normally associated with historic and established farmyards. These are normally set back from the road. Large individual barns within fields are not a normal characteristic of this part of the AONB. A building of this size is likely to result in additional traffic along the narrow and dangerous local roads to the detriment of road safety. Insufficient information has been submitted on proposals to deal with foul sewerage, surface water, waste disposal including muck and waste associated with the equestrian use which could adversely affect the amenities of nearby residential properties.

**Application Number: S.19/0596/FUL** Location: Agricultural Building, Ashen Plains, Waterley Bottom, North Nibley. Application Type: Full Planning Application Description: Erection of open fronted agricultural building (retrospective).

The council noted the application is for the retrospective approval of an agricultural building erected without planning permission. It expressed concern that development has taken place without due regard to the correct planning process. In this regard it is aware that there are a number of other

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unauthorised buildings and structures on the site including an unauthorised mobile home being used for residential purposes. The Parish Council is firmly of the view these unauthorised works should be dealt with on a comprehensive basis rather than an ad-hoc basis. The site owners should be required to submit an application for all unauthorised buildings/structures and make a proper planning case for their retention forthwith before dealing with this current application in isolation. The owners disregard for the proper planning process should not be allowed to continue. Local Plan Policy CP 15 requires any building outside settlement development limits to be essential to the maintenance or enhancement of a sustainable farming enterprise. The need for this barn and other buildings and structures on the site for agricultural purposes has not been fully justified as the holding is only 8.9 hectares in size (as stated in the applicants letter dated 18th March) and where some of these structures are related to non-agricultural uses.

**Application Number: S.19/0447/COU** Location: Agricultural Building, Waterley Bottom, North Nibley, Gloucestershire. Application Type: Change of Use Description: Change of use of land and barn from agricultural use to a mixed use of agriculture and event space.

The council objected to the application:

1. Based on experience to date the proposed event use for up to 499 people will give rise to unacceptable noise and disturbance and create a public nuisance to local residents in Waterley Bottom, Whiteway Hill and adjoining areas. This is accentuated by the sites elevated and exposed position on the escarpment which is part of the Cotswold AONB which means noise travels further and over a wider area not only to properties below and adjoining the hill but also across the valley to the south at Waterley Bottom and beyond.

2. Vehicular access to the site is extremely poor and dangerous along very narrow lanes used by walkers, cyclists and horse riders with dangerous junctions onto the adjoining highways at Whiteway Hill and Stinchcombe Hill. The proposed use and large numbers of people associated with it will lead to a significant increase in traffic along these narrow lanes to the detriment of road safety and create an unacceptable risk to public safety.

3. The site is within the Cotswold AONB and the proposed use with its associated noise, traffic and volumes of people will have an unacceptable detrimental impact on the character, landscape and amenity of this environmentally sensitive area. This would be contrary to Local Plan policies CP14 (in particular paras 2,3,7,8 and 14) and CP 15 paras 1 and 2. It would also have adverse impact on wildlife and important adjoining woodland.

4 Whilst the applicant seeks to apply the "28 day use of land rule" to justify the application this is not in itself a reason to grant planning permission where there are overriding planning objections to the use. Based on experience to date there is no guarantee this will be abided by and it is extremely difficult to enforce. In addition the owners have adjoining land not within the application on which they could seek to claim a further 28 days permitted development rights creating the opportunity for at least 56 days use. This would exasperate the objections on public nuisance, public safety and adverse impact on the AONB as outlined in points 1-3 above.

The Parish Council note there is still additional information awaited including the precise application site boundary and therefore reserves the right to comment further once this information is made available.

## 7. The Council noted the following Planning Application decisions by Stroud DC Planning:

**Application Number: Application Number: S.19/0146/HHOLD.** Location: Knoyle House Wotton Road, North Nibley Gloucestershire GL11 6DS. Application Type: Rear two storey extension. **Permission.**

8. **The Council received a written District Council Report.** The Council received a written report from District Cllr Ken Tucker. The chairman thanked Cllr K Tucker for his report.
9. **The Council received a written County Council Report.** The council received a combined written report from County Councillor Dr J Cordwell for both the annual parish meeting and the monthly council meeting. The chairman thanked Cllr J Cordwell for his report.

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## 10. To receive and discuss Reports of Committees and Meetings attended by Parish Councillors and the Clerk.

**Cllr J Burton** reported she and Cllr D Roberts had attended the village hall AGM. Cllr J Burton confirmed an awning to the front of the hall as well as the hall's small meeting room were to be renamed after Ruth Kirkup. The district council had contacted the village hall committee with respect to arrangements for the May elections.

**Cllr K Brown** reported from the meeting concerning the ivy on the churchyard wall and anticipated a positive outcome. A price was needed from George Harper. A recent treatment meant the condition was much improved over three years ago and overall the condition was under control. Fred Cole also attended the meeting and will remove the ivy on the neighbour's side of the wall.

**Cllr K Brown** reported on a meeting with the Cotswold Warden Service to discuss possible grant funding for The Knoll.

**Cllr K Symons** had attended useful meetings with Highways on behalf of the speed sub group to discuss traffic calming. (*Clerk's note, reference presentation at the annual parish meeting which is minuted separately*).

**Cllr D Palmer** had attended the Road Safety Partnership Group meetings. Discussed as an option were that whilst TROs are normally priced at £15,000, an order for multi-site TRO's would mean a drop in price if the council decided to take part. Additionally there are options for two mobile VAS systems if the parish council contributed £250.00 to the overall fund as these were then available for loan.

## 11. Parish Council Finances:

### 1/The council approved the Invoices and drew up cheques for items on the enclosed Payments Schedule.

**GAPTC** annual subscription 2019/20 **£221.97**

**Defib at the village hall.** It was agreed the specification for a possible new outer box be an item for the May agenda.

**Water.** The clerk reported Waterplus account for the cemetery water supply was in credit by £4.58 for the quarter to 20<sup>th</sup> December 2018. This would be offset against the bill for the ensuing quarter.

### 2/ To consider quotes for scheduled work

The council approved quotation from Garden Supplies to cut the hedge on the right hand side of the cemetery from the top by the road to the bottom by the adjoining field. Council requested work be carried out according to seasonal considerations to include with respect to wildlife.

**£138.00**

**3/ To approve clerks quarterly pay and expenses.** Quarter four wages £1,402.54, mileage £24.30, broadband/home office £100, and expenses £24.27, were approved.

## 12. To receive and approve Cemetery and Closed Churchyard Reports.

The interment of Mr Kenneth Brown took place on 2nd of April. A cheque was received for the purchase of two graves (to include K Brown) and the cost of one interment. A cheque has been received and banked for the additional

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inscription to Tarry family memorial stone. The burial clerk gave a relative permission to attend to the Barber family grave. This new memorial has been placed and new turf applied to the grave area. The kerb stones have been replaced which will make grass cutting easier.

As a parishioner was concerned the grave digger was depositing soil away from a new grave, the burial clerk and Cllr Palmer spoke to the grave digger. He will ensure excess soil is taken away in future. Additionally, the clerk had sent a message to the funeral directors reminding them of cemetery regulations for soil removal. The memorial bench has been attended to by Mr Birch and is now back in its usual place. Volunteers will resume tending to some graves that have become over grown when the better weather arrives.

The cemetery grass was cut by contractors on the 26/03/2019. A small dead holly tree has been removed. The clerk will inform the burial clerk when the contractors plan to start tree maintenance and tree felling so as to avoid any funeral arrangement planned. General collecting of dead branches throughout the cemetery and weeding of the new memorial garden performed.

In the churchyard the small fallen tree has been removed. The ivy on the wall in the churchyard adjoining the old vicarage is dying off since the last spraying, and some ivy from the top of the wall has been removed by workmen. The main job now is to cut through the large stems to encourage the die-back. The churchyard gates and fences have been repainted with the exception of the fence by the old vicarage. A large pile of dead branches on the south side has been burned.

**13.To consider and approve a memorial and inscription application.** The council approved applications for a new memorial for Frances May Warren, a new inscription for Felicity Leigh Marchant, and a retrospective application for a memorial for Dagmar Salome Barber.

**14.To receive updated risk assessment statement.** The clerk had circulated the new risk management statement written by the Recreation Field Trust. The clerk advised this would help clarify the areas of risk that need be addressed in the council's own risk management policy in relation to areas covered by the Recreation Field. The clerk undertook to seek advice from the Recreation Field committee whether they had formally approved the new document.

**15. To receive for information details of Correspondence received.** The clerk had circulated details of a new adult care services provider, People Plus from 1<sup>st</sup> April. This was available to provide information, advice and guidance and training to carers.

**16. Other items.** The council agreed the clerk send a thank you letter to Jean Palmer, Burial Clerk, on council headed paper enclosing an honorarium payment of £150.00 in recognition of her work.

**There being no further business the chairman closed the meeting at 9.50 pm.**

**The next Meeting of the Parish Council will be held in the Village Hall on Monday 13<sup>th</sup> May 2019**