

WEOBLEY PARISH COUNCIL

Minutes of the Weobley Parish Council Meeting held at the Hopelands Village Hall, Weobley HR4 8SN on Tuesday 27th February 2018 commencing at 7:30pm.

MEMBERS PRESENT: Councillors L Anderson (Chair), M Ware (Vice-Chair), P Lloyd, V Mackie, H Quinlan, C Saunders, J Simons and M West

ALSO PRESENT: 2 members of the public.

OFFICER PRESENT: Clerk to the Council.

PUBLIC OPEN SESSION

Two members of the public were in attendance and expressed a range of concerns regarding planning application P180279. Concerns included the sensitive and historical setting of the plot and the archaeology. It was confirmed that there had been two previous applications submitted in 1989 and 2009 which had been refused. Council then considered the application (Minute 104/17 (a)).

97/17 APOLOGIES FOR ABSENCE

Apologies were received and accepted from Cllrs C Breen (unwell) and B Havard (weather conditions).

98/17 DECLARATION OF INTEREST

There were no Declarations of Interest made.

99/17 MINUTES

Council **RESOLVED** that the minutes of the Council Meeting held on 23rd January 2018 be agreed and signed as a correct record.

100/17 MATTERS ARISING

The update report presented was noted. The following items were considered:

- The Victorian lamppost was awaiting connection;
- The LEADER Funding Expression of Interest would be forwarded to all members for information;
- The works to the trees in Bearcroft would be undertaken as soon as practicable.

101/17 POLICE REPORT

Thanks were expressed to Cllr Lloyd for arranging the retirement gift from the Parish to PCSO Allford. No one was available to attend from the Police.

102/17 WARD COUNCILLOR REPORT

Cllr Cooper had submitted a Ward Councillor report which was noted. He was currently dealing with the issues raised regarding the poor light spread of the new LED street lighting. A number of complaints had also been received regarding the light in the "Chicken Run".

103/17 FINANCES & POLICY

(a) **Accounts Outstanding and Financial Statement** – Council **RESOLVED** to approve the payment of accounts for February 2018 amounting to £2,522.45 inclusive of VAT, as listed below:

PAYEE	SERVICE	CHEQUE	TOTAL
Upperbridge Enterprises	Website	1407	£313.93

M Ware	Expenses	1408	£15.38
Mark Hurds Butchers	Electricity	1409	£55.00
R Metcalfe	Electricity	1410	£50.00
P Russell	Salary Feb 18	1411	£252.99
HMRC Cumbernauld	TAX/NHI	1411	£63.20
P Russell	Clerk's Expenses Feb 17	1411	£38.98
Microshade VSM	IT provision & support	1412	£358.80
HALC	Subscription 2018-19	1413	£721.57
Leominster Country TG	Subscription 2018-19	1414	£25.00
Richard Mills	P3 Works	1415	£627.60
			£2,522.45

In addition Council **RESOLVED** to pay Expenses for Cllr Lloyd amounting to £xx and to Data Orchard for work undertaken on the Neighbourhood Development Plan amounting to £xx inclusive of VAT

- (b) **Weobley Library** – The following matters were raised:
- It was reported that one of the wall heaters was not working. Cllr Ware agreed to look at it and arrange for repair;
 - The outside light was not working. Cllr Ware agreed to look at it and arrange for repair;
 - Sentinel Alarms had undertaken a visit;
 - An electrical test needed to be undertaken.
- (c) **Cleaning of War Memorial** – Council **RESOLVED** to provide a grant of £100 to the Royal British Legion – Weobley Branch to help towards the cost of cleaning the War Memorial. A cheque was raised.

104/17 PLANNING MATTERS

- (a) **Planning** – It was agreed to submit the following comments to Herefordshire Council regarding the following planning applications:

APPLICATION: P180406
SITE : 9 Chapel Orchard, Weobley HR4 8SP
DESCRIPTION: Proposed works to Lleylandi (T1-T6) – remove due to shading, excessive height and to recover garden space. After removal the addition of trellis and climbers to fence to retain privacy from surrounding properties.

COMMENT: No objection.

APPLICATION: P180279
SITE : Land adjacent to Red Lion, Church Street, Weobley HR4
DESCRIPTION: Proposed two dwellings.
COMMENT: Recommend refusal. (Please see Appendix One)

APPLICATION: P180499
SITE : The Throne, Hereford Road, Weobley HR4 8SW
DESCRIPTION: Conservation Area: Proposed works to T1 Corsican Pine.
COMMENT: No objection.

APPLICATION: P180616
SITE : The Gables Guest House, Broad Street, Weobley HR4 8SA

DESCRIPTION: Conservation Area: Works to various trees.
COMMENT: No objection.

APPLICATION: P180615
SITE : Little Croft, Broad Street, Weobley HR4 8SA
DESCRIPTION: Conservation Area: Works to various trees.
COMMENT: No objection.

APPLICATION: P171730
SITE : Meadow Street, Weobley HR4
DESCRIPTION: Erection of three detached dwellings with associated shared private drive access from Meadow Street.
COMMENT: It was agreed to reiterate previous objections to this amended planning application.

APPLICATION: P180462
SITE : The Glebe House, Church Road, Weobley HR4 8SD
DESCRIPTION: Willow T1 re-pollard.
COMMENT: No objection.

APPLICATION: P174660
SITE : Plot 5, Land adjacent to Chapel Orchard, Hereford Road HR4 8SW
DESCRIPTION: Proposed alterations to approved house (plot 5) and to create hobby room above double garage, with 2 conservation roof lights and timber staircase to side.
COMMENT: It was agreed to query this application as there were no details or information regarding the proposed garage. (The Council did not object to the previous application).

- (b) **Gadbridge Road (P163963)** – The recent correspondence regarding the hedge was noted. Work was about to commence on the site and some initial issues had been experienced with regard to rubbish and mud on the highway. The Chair and Members would be meeting the Site Manager on Friday 2nd March 2018 to discuss this and other issues further. It was agreed to request them to keep the road clean.
- (c) **Land off Burtonwood, Weobley** – The public consultation had been held and no further feedback had been received. Concern was expressed regarding issues with the storm water from the site and where it would be pumped to. It was agreed to consider all the issues relating to this site prior to the submission of an application.
- (d) **Neighbourhood Development Plan Update** – Council noted that the Plan was in its final stages prior to be submitted under Regulation 14. The Plan was currently three short of its 83 dwelling target but the Steering Group were confident of finding suitable sites within the current settlement boundary. The funding received, which was required to be spend by the end of February, had now been mostly used. An additional Council meeting would be called to consider and adopt the NDP first draft policy.

105/17 PARISH MATTERS

- (a) **Defibrillator** – Cllr Lloyd agreed to organise the refurbishment of the telephone kiosk. The paint was being stored and a volunteer had been identified. The grant application for a second defibrillator was being finalised.
- (b) **Post Office** – Council noted the latest update regarding the future of the Weobley Post Office Service. Following discussion it was agreed to continue to monitor the issue.

- (c) **CCTV** – The new cameras had now been installed and operational. An invoice was awaited.
- (d) **Play Area/Skate Park** – Council noted that a response was awaited from Sport England regarding the initial grant submission of interest. It was agreed that a good level of community engagement should be encouraged when developing the project.
- (e) **Replacement Bench, Play Area** – Following consideration it was **RESOLVED** to replace the bench damaged by arson at a cost of £472.80 including VAT and delivery.
- (f) **Replacement of Vandalised Items** – Following consideration it was **RESOLVED** to replace the damaged litter bin on the Hereford Road/Chicken Run entrance and replace the safety gate in Folly Lane. It was agreed to obtain costs for the litter bin and replacement safety gate.
- (g) **Litter Pick** – Following consideration it was **RESOLVED** to agree to the request received from the volunteers to provide some additional litter picking equipment. A sum of up to £300 for additional litter pickers was agreed.
- (h) **Parish Council Representative on the Village Hall Committee** – Following consideration it was **RESOLVED** to nominate Cllr V Mackie as Council Representative to sit on this Committee for 2018/19.

106/17 HIGHWAY MATTERS

- (a) **Highways Open Meeting** – It was agreed that this meeting would form part of the Annual Parish Meeting which would be held on Thursday 26th April 2018 at 7.30pm in the Village Hall.
- (b) **Footpath update** – Council noted the report from Cllr Ware on work carried out to date on the footpath network, which included litter picking and grass cutting.
- (c) **Village Signage/LEADER Funding** – Council noted that the Working Group had met and had begun to develop a set of requirements. An initial quotation was being sought and a further two would be obtained. It was possible that this initiative may be funded under the LEADER fund.
- (d) **Signs Outside the Old School Shop** – Following consideration it was **RESOLVED** to give formal approval for signs to be erected at this location to request a vehicle waiting time limit of 20 minutes outside the shop to discourage long stay parking and allow access for deliveries.
- (e) **Lengthsman/P3** – The Annual Maintenance Plan was agreed and a copy would be sent to all Members. The following issues were raised and would be reported to the Locality Steward.
 - It appeared that contractors had damaged the gate down the lane behind Burton Gardens. This would be reported to Stonewater as it was their responsibility;
 - It was agreed to request the site developers of the land at Garbutts Orchard to keep the road clean via the Locality Steward;
 - Blocked gulleys had been identified along Hereford Road and opposite Chapel Orchard.
 - The drain was blocked on the corner of Corn Mills on the junction;
 - The Weobley sign had become detached from its support along the Hereford Road

- The 30mph sign by the schools had also been damaged during the recent removal of the roadside hedge.

107/17 CORRESPONDENCE

Council noted the following correspondence received:

- Community First E-Bulletin – January 2018;
- Rural Hub Newsletter – February 2018;
- HARC Information Corner – February 2018;
- River Lugg revised Byelaws;
- PAWG Minutes.

108/17 DATE OF NEXT MEETING

Council noted that the next meeting of the Council would be held on Tuesday 27th March 2018 at 7.30pm in the Hopelands Village Hall, Weobley HR4 8SN.

Council **RESOLVED** to confirm that the Annual Parish Meeting would be held on Thursday 26th April 2018 commencing at 7.30pm. The meeting would be held at Hopelands Village Hall, Weobley HR4 8SN.

There being no other business the Chair closed the meeting at 10:05pm.

CHAIR:

DATE:

APPLICATION: P180279

SITE : Land adjacent to Red Lion, Church Street, Weobley HR4

DESCRIPTION: Proposed two dwellings.

COMMENT: Council **RESOLVED** to object to this planning application on the following grounds:

1. The location of the site is in a sensitive area which has the Grade I Listed St Peter and St Paul's Church to the north and the Grade II* Listed Red Lion to the south of the site. Any development on this site would have a detrimental effect on the area as a whole and would detract from the existing environment. In particular, any development would significantly detract from the setting of the Listed Buildings.
2. The site has been identified as a very important space within the Weobley Conservation Area and any residential or commercial building development of the site would result in its loss. Conservation Areas should be preserved or enhanced. Any development of the site would undermine that aspiration.
3. There have been two earlier refusals of application for residential development which would indicate recognition of the site's importance and need for its preservation.
4. Considerable community objection to any development on the site was received following notice of its sale in Autumn 2016 and also via the Parish's Neighbourhood Development Plan public consultations which have led to designation of the site as local Green Space within the emerging draft policy document.
5. The archaeological assessment of the site which has been submitted as part of the planning application, has assessed the overall potential of the site in archaeological terms as High.
6. The site is adjacent to a Special Wildlife Site and a site supporting a statutorily protected species. The ecological report (referred to as 'Extended Phase 1 Survey' and under 'recommendations and mitigation') acknowledges 'The proposed development has the potential to negatively impact upon reptiles and birds' and makes recommendations that do not appear to be very onerous and do not contain any suitable mitigation against future potential damage to or loss of habitat.
7. Section 12 of the National Planning Policy Framework (NPPF) (paragraphs 126 to 141) relates to conserving and enhancing the historic environment. The section of the NPPF has been included in Appendix One of this response. These aims and objectives are part of the adopted Herefordshire Core Strategy and all those relevant policies to protect the historical environment should be taken into consideration when making a decision about the development of this site.
8. Of particular relevance to this site are the following paragraphs within the NPPF:

- Paragraph 126;
- Paragraph 128;
- Paragraph 130;
- Paragraph 131;
- Paragraph 132;
- Paragraph 133.

NPPF SECTION 12**CONSERVING AND ENHANCING THE HISTORIC ENVIRONMENT***Paragraph 126*

Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- the desirability of new development making a positive contribution to local character and distinctiveness; and
- opportunities to draw on the contribution made by the historic environment to the character of a place.

Paragraph 127

When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

Paragraph 128

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 129

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 130

Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.

Paragraph 131

In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 133

Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 134

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 135

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced

judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 136

Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

Paragraph 137

Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Paragraph 138

Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

Paragraph 139

Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.

Paragraph 140

Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

Paragraph 141

Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.³⁰ However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.