

## DEERHURST PARISH COUNCIL

Minutes of the Parish Council Meeting held on Wednesday, 30 November 2022 in Apperley Village Hall

Present: Len Attard – Chairman  
Laura Bromberg  
Ben Oldham  
Jim Pollard  
Jonathan Smith (partial attendance)  
Anthony Wilkes  
Fiona Wallbank – Clerk

Parishioners: 2 (partial attendance)

**1 APOLOGIES:** Councillor Rutter, BC McLain, and CC Awford. Councillor Smith will be late

**2 MINUTES OF MEETING:** The minutes of the meeting held on the Wednesday, 26 October 2022, having been circulated with the agenda were agreed and signed by the Chairman.

**3 DECLARATION OF INTEREST: None**

**4 REPORTS FROM COUNTY COUNCILLOR AWFORD:** He had stated in an email that he was looking into the Transporters parking in the layby on the A38

**REPORT FROM BOROUGH COUNCILLOR MCLAIN: None**

**5 PUBLIC COMMENT: Comments were received regarding 22/01078/PIP**

*Councillor Smith entered*

### **6 PLANNING:**

#### **6.1 Applications:**

**22/00985/FUL** 8 Apperley Park, Apperley: Single & two-storey extension to the existing detached dwelling

Comments to Tewkesbury Borough Council:

The Parish Council notes that the adjoining properties have raised objections to this application due to the impact of loss of light to their properties. The Parish Council would like TBC to take this into account when considering this application

**22/01078/PIP** PIP for the erection of 4 dwellings: Land off School Road, Apperley

Comments to Tewkesbury Borough Council:

Following debate, we wish to register an **OBJECTION** and believe that proposal 22/01078/PIP should be rejected for the following reasons:

#### **1) Housing Land Supply**

The Planning Statement claims the Borough does not have a 5-year land supply and that, as a result, planning permission should be granted. The Borough Council has reported in August 2022 that it has a 5.9 year housing land supply. [Link here](#).

#### **2) Application of Planning Policies**

The NPPF tells us that the planning system should be genuinely plan-led. Since both the JCS and the Tewkesbury Borough Plan are adopted plans, it is reasonable to expect that: any proposal should

comply; and all planning decisions should be made in accordance with all the relevant planning policies.

#### **a. Permission in Principle**

UK Government guidance states, “The scope of permission in principle is limited to location, land use and amount of development. The Planning Statement for 22/01078/PIP claims benefits from the proposed development beyond this scope while not addressing important matters about the use of the land. They include:

##### **i. Extent of Proposed Plot**

Planning permission was granted for proposal 21/00559/OUT. The Planning Statement does not explain why this proposal (22/01078/PIP) should include the land from 21/00559/OUT. Either 21/00559/OUT should be withdrawn or the proposed plot should be the additional land only.

#### **b. Quantity \***

Proposal 22/01078/PIP for “up to 4 dwellings” includes one dwelling from proposal 21/00559/OUT. Policy SD3 of the JCS defines “10 or more dwellings” as a “major development”. Policy RES4 of the Borough Plan refers to “very small-scale residential development” as acceptable. Since “major” is a synonym for “large”, it is reasonable to assume that “medium”, small and “very small” are progressively smaller than 10 and that “very small” is 1-2 dwellings, which is less than “up to 4 dwellings”.

Therefore, the claim in the planning statement that Policy 4 iv of SD10 within the JCS is supported by the Tewkesbury Borough local plans support of “very small-scale” developments is not appropriate to this application.

#### **c. New Housing at Other Rural Settlements**

Explaining Policy SD10, paragraph 4.11.5 of the JCS states, “*Outside cities, towns, rural service centres and service villages, there are generally insufficient facilities to support development and so they are not considered sustainable locations for residential development.*”

Policy RES4 and the Housing Background Paper set a maximum cumulative growth of 5% (or 10 houses, whichever is smaller) over the plan period of 20 years for “other rural settlements”. Apperley is one of four settlements highlighted with a residential development boundary defined in the Borough Local Plan to 2011. This provides a clear basis for calculating 5% growth. With 196 houses in 2011, 5% is also 10 houses.

Houses completed since April 2011 (start of the plan period) or since given planning permission amount to 32 houses (in less than 12 years). This exceeds by 22 the maximum growth of 10 houses over 20 years.

#### **d. Land Use**

Until part of the plot for 21/00559/OUT was used as residential garden by “The Newtons”, all of the proposed plot for 22/01078/PIP was agricultural land, originally orchard and later used for grazing. Being close to Grade 1 agricultural land and above a deposit of sand and gravel, it is reasonable to assume the proposed plot is Grade 3a (or better) and thus “best and most versatile” farmland. Development should be resisted, in accordance with the NPPF [paragraph 174 b) and footnote 58; July 2021 version].

Two proposals to change agricultural land to residential garden (20/00644/FUL and 20/00869/FUL) were rejected, applying Policy RES11 for land outside the residential development boundary. We suggest that this be applied consistently to this application, and we note that this should also have applied to proposal 21/00559/OUT.

The part of the proposed plot outside the residential development boundary is rated “high

sensitivity” in Landscape and Visual Sensitivity Assessments carried out for the Borough Council (2014) and Parish Council (2020). JCS Policy SD6 and Borough Plan Policy LAN2 require that account be taken of these assessments.

Policy LND3 of the Borough Local Plan defined the “landscape protection zone” including Deerhurst Parish, to protect “the river valley including the floodplain, tributaries lined with trees, adjacent hills and areas of visual and ecological importance”. Landscape character area SV11G (Apperley Hill) is an “adjacent hill”.

#### **e. Surface Water Flooding**

In Apperley, recent (including 2007) flooding of many dwellings has been caused by run-off from higher ground onto roads or gardens. Constructing more dwellings, access roads, paving and off-road parking has made this worse. No access road is defined in proposal 22/01078/PIP but 21/00559/OUT includes a 6-metre-wide road. Dwellings and an access road on the proposed plot would be on higher ground than several neighbouring dwellings and School Road.

#### **f. Sustainability**

Apperley is in part of the rural area referred to by Policy SD10 of the JCS as having “*insufficient facilities to support development*” and so “*not considered sustainable locations for residential development*”.

Contrary to the planning statement, public transport links are poor with a bus service to either Tewkesbury to the north or Gloucester to the south once every 2 hours. There are no services to Cheltenham from the village. This will result in additional car journeys as there is no alternative access to services or employment in the parish.

“Apperley Hill” becomes a peninsula when the River Severn floods. When local roads are closed, access to all the settlements in the Parish is only from the A38 (to the east).

National Planning Policy Guidelines provide climate change allowances for “glacial isostatic adjustment” (causing land to sink) and rise in “mean sea level”. Predicted maximum flow rate and rainfall were experienced in 2007.

From these allowances, it is clear that Flood Zones 2 and 3 will expand and that the sea level in the Severn Estuary will have greater influence. Without measures being taken to prevent or mitigate flooding, in less than a century, access by road to Apperley and other settlements in the Parish will not be possible for several days each month. This will affect both residents and service providers. Recent river levels confirm the increasing influence of the sea.

It is not sustainable to allow the growth of rural settlements surrounded by land expected to be more susceptible to flooding.

In summary then, our objections suggest that the planning statement does not account for any local knowledge of the site or the application of the latest planning guidance offered by either the County or Borough. We do of course welcome a site visit and would be happy to discuss directly with the planning team.

Finally, we would appreciate some clarification on the quantity section where vagaries such as “large” or “small” are not defined. We’re looking to ensure the guidelines are applied consistently as we move forwards with the local plan as well as the Parish plan which will be released in the near future.

**22/01147/FUL** Land Adjacent to Apperley House, School Road, Apperley: Variation of condition 2 of 21/00318/FUL and removal of condition 3

Comments to Tewkesbury Borough Council:

The Parish Council **strongly objects** to this application for the following reasons:

Variation of condition 2:

1. The reduction in visual mitigation - 4 metres to 1 metre boundary planting - will have an adverse impact on neighbouring properties. This concern was raised in our objection to the original application.
2. Changing the orientation of the property adjoining Pink Cottage resulting in an extra window overlooking Pink Cottage
3. The adverse impact on neighbouring properties resulting from the increase in scale and height of the proposed properties

**Removal of condition 3:**

The materials will not have been approved

The Parish Council would like it noted that the “storm water rising main” shown on the “soakaway basin plan” is not consistent with the details given in the “Apperley storm drainage” report. We recommend that the report is reviewed by the Borough Council.

**6.2 TBC Decisions:** None

**6.3 Appeals/Appeal Decisions:** None

**6.4 Neighbourhood Plan:** Councillor Bromberg reported the final draft is with Councillor Pollard and two other Apperley residents for checking. A meeting will be held on 21 January 2023 for parishioners to attend when the NP will be presented. Following that meeting the plan will be sent to TBC.

**7 FINANCIAL MATTERS:**

**7.1 Accounts for payment and receipts:**

	Item	Expenditure	Income	Comment
1	Clerk’s salary – November Less Tax	380.99 <u>18.60</u> 362.39		Paid
2	Inland Revenue	18.60		Paid
3	Countrywide carrying out cuts 12 & 26 Oct	150.00 <u>VAT 30.00</u> 180.00		Paid
4	AVH Hire of Hall – October meeting	15.00		Paid
5	Gordon Playground Inspections: Carrying out annual inspection	150.00 <u>VAT 30.00</u> 180.00		Paid
6	Wa+erplus – 10 October – 10 November	23.18		Paid
7	Clerk’s expenses: Room hire period 1.7.22-31.6.23 ½ cost of Office 365 renewal ½ cost to getting books for internal audit	200.00 39.99 <u>9.00</u> <u>248.99</u>		Paid
	<b>Total</b>	<b>£1028.16</b>	<b>£0.00</b>	

**7.2 Financial Statement:** Circulated with the agenda - the Chairman signed this.

**7.3 Budget for the financial year 2023/24:** It was agreed that there would be no increase in the precept for 2023/24 and would remain at £9,100. **Clerk to notify TBC.**

**7.4 Clerk’s Salary:** Prior to the meeting Councillor Oldham had liaised with the Chairman as NALC had finally agreed the proposed pay increase with the unions. This to be backdated to 1 April 2022. Regarding spinal points the Clerk was put on point 19 in 2020 and has stayed on that until now. **It was agreed that she should have moved up to spinal point 20 in 2021 and should be spinal point 21 for 2022 and backpay to be paid with the December salary.**

**8 MATTERS ARISING**

**8.1 Councillor Oldham reported as follows:**

**Apperley Village Hall:** The VH are in the process of purchasing a new oven for the kitchen at a cost of £1310 plus VAT and in the not-too-distant future a new front door at a cost of around £10k. He asked if the PC could reclaim the VAT on these items. **It was agreed that the Clerk would seek advice from GAPTC.** The VH will not be pursuing the Warm Spaces grant offered by TBC. They are looking at building an extension on the side of the hall to create an indoor multi games court.

**Allotment:** Allotment Path: Has been shut due to ground conditions

**Play area:** The ROSPA inspection went well. He and Brian Leeke have prioritised the list and will be moving on with that. Anything above "Very Low" is being addressed shortly by the DofE volunteers except for the groundworks needed to resolve the footings for which they are going out to quotes and will then decide what the DPPFA will need to get in terms of grant money to resolve. Wicksteed have carried out the repairs to the see saw.

**Playing Field:** Nothing to report

## **8.2 Highways:**

**Junction of Sawpit Lane with B4213:** Letter from a concerned resident had been circulated to the Councillors for their information. It was agreed to forward this to CC Awford for him to take up with Glos Highways.

**Ash Dieback:** Comments have been received that works carried out along the B4213 have not been sympathetically done and not only Ash trees have been removed.

Due to the road closure when the works were carried out the bus service was cancelled. A resident from the New Inn was not informed of the proposed closure which resulted in him running out of food.

**Culvert Wall – Deerhurst Walton:** Councillor Smith asked when Highways would be carrying out the necessary repairs to the wall? **Councillor Pollard to contact Highways.**

**8.3 Public Rights of Way:** Councillor Pollard said he had reported several problems with footpaths on or near Deerhurst Village to Hilary Grace and was awaiting a response.

**8.4 Community Speed Watch Group:** Councillor Pollard reported there have been 7 sessions to date with the speed gun and numbers of speeders are reducing. A Zoom meeting had been scheduled for today by Robert Vestey, Traffic Unit Manager, Criminal Justice Department, Gloucestershire Constabulary to clear up the confusion regarding Community Speed Cameras, however this had to be cancelled at the last minute. Awaiting a new date for the meeting.

## **9 CORRESPONDENCE: None**

## **10 MATTERS RAISED FOR NOTIFICATION:**

**TBC Warm Spaces Grant:** The Chairman reported that he had applied for the Warm Spaces grant (£500 for Open Spaces and £500 for food). The plan is to open the Cricket Club 3 days a week for 3 hours for a period of 15 weeks

**Carpark:** Signs have been put up stating all dogs must be kept on leads in the carpark

**11 DATE FOR NEXT MEETING:** Wednesday, 11 January at 7.15pm

**Close of meeting 21.03 pm**