

# Badgeworth Parish Council

Clerk: Mrs. H. Jones | 07840073143 | badgeworthpc@outlook.com

## MINUTES

**Minutes of the meeting held on 27<sup>th</sup> November 2018 at Badgeworth Village Hall at 7.30pm.**

### **Present:**

Cllrs. Chris Haines MBE (Chairman), Nigel Cottell, David Hitchcock, Mike Howe, Jill Jones, Neil Marshall & Doug Nelson

Clerk: Mrs. H Jones

Borough & County Councillor Robert Vines

1. **Apologies** – None. All present.
2. **Declaration of Interest** – none.
3. **Minutes of the last meeting** held on 18<sup>th</sup> October 2018 were agreed and signed  
**Matters Arising**
  - Witcombe & Bentham Village Hall have agreed to a reduction in the room rate as a goodwill gesture.
  - Tree surgery on Badgeworth green – the tree surgeon has confirmed that the severing of the ivy will not affect the long-term health of the tree.
  - Bamfurlong – no response received from TBC regarding possible planning infringement
  - Co-option to Parish Council – Cllr Marshall has identified an appropriate new Councillor training course, and this was agreed (£95)
4. **Report from the County and Borough Councillor** –
  - Plans are on-going for a new secondary school on the A46 on the outskirts of Cheltenham.
  - The TBC Local Plan consultation period ends next week.
  - All are advised to try and get a flu jab if eligible
  - The Police & Crime Commissioner has launched a consultation process with a view (depending on the outcome) of making a bid to take control of the Fire & Rescue Service.
5. **Planning**
  - a) **Tewkesbury Local plan** – Cllr Howe reported back on a meeting held with Shurdington Parish Council. Councillors agreed with the joint response (see appendix) which would be sent to TBC. In addition, a response would be sent to TBC expressing concern that Brookside Stables, Cold Pool Lane, Badgeworth had been included in the local plan as a Gypsy/Traveller site. The Parish Council requests that it be removed from the plan
  - b) **JCS Issues & Options and Ashchurch Concept Masterplan Consultation** - No comments
  - c) **Delegated Comments, Planning Decisions & Appeals** –
    - 18/01005/PDAFU Proposed change of use of agricultural barn to a flexible commercial use (specifically B8 storage and distribution) Barn at Cold Pool Lane Badgeworth. ALLOWED

- 18/00797/FUL Proposed 1.5 storey side extension between garage and dwelling and raising of ridge height to provide first floor accommodation. Highfield Green Lane Witcombe. REFUSED
  - 18/00669/FUL Conversion of an existing barn/workshop to holiday let and creation of a parking area. Hunt Court Farm Sandy Pluck Lane Bentham APPROVED
  - **Appeal** at Brookside Stables, Cold Pool Lane, Badgeworth. Change of use of land to allow for permanent use as a residential Gypsy site for 7 mobile homes and 5 touring caravans and associated works. ALLOWED 4 Year temporary consent.
- d) **Appeal lodged:** 17/01190/FUL - Elm Cottage Shurdington Road Shurdington
- e) **To agree Parish Council response to planning applications:**
- i. 18/00741/FUL Planning Application Amendment 18/00741/FUL - Parcel 7 Gloucestershire Airport Staverton – It was agreed to modify the response of the Parish Council. Acknowledge that the issue of 24-hour use has been addresses, but that the design, height and relationship of the accommodation block to nearby buildings needs to be revised
  - ii. 18/00981/CLE Continued residential use of the dwelling in breach of agricultural occupancy condition (condition c of planning permission T.5349). Elm Gardens Badgeworth Road Badgeworth. NO OBJECTION
  - iii. 18/01059/FUL Erection of a two-storey residential dwelling. Badgebrook Badgeworth Lane Badgeworth. NO OBJECTION
  - iv. 18/01112/FUL Erection of a first-floor rear extension. 16 Beni Close Badgeworth Cheltenham. NO OBJECTION

## 6. Community

- a) **Badgeworth Village Hall** – Cllr Cottell outlined works/items identified at Badgeworth Village Hall to be funded by the remaining s.106 funds. It was agreed that a Working Group comprising Cllrs Cottell, Howe & Hitchcock plus Clerk would work through projects and quotes and bring back to the Parish Council for authorisation by March 2019. It was further agreed that the Clerk would submit invoices to TBC relating to the emergency repairs to the windows and mullions for reimbursement.
- b) **Allotments**
- Councillors spent several hours removing rubbish from the allotments and 2 trailer loads of rubbish were taken to the tip. Tenants are to be reminded of their responsibility to deal with non-compostable waste.
  - Cllr Jones proposed, and Cllr Cottell seconded a proposal that that the deposit for keys would be increased to £30. This was agreed.
- c) **Asset checks** – Councillors agreed to look at the maintenance requirements as identified in the recent asset checks and agree a budget and schedule for 2019/20. A warning sign would be put on the Millennium bench in Badgeworth, and quotes would be sought for repairs.
- d) **Grass Cutting** – Councillors were happy at the service provided this year. It was agreed that the contract would continue to cut the 3 areas of grass 12 times during the growing season, plus 6 cuts of the visibility splay to the Badgeworth Village Hall car park.
- e) **Gloucestershire Airport Consultative Committee** –Cllr Nelson had attended a meeting early in November. There had been many complaints about helicopter flights in August. An offer was made to come and speak to the Parish Council directly if necessary. This was noted.

- f) **Boundary Review** – the recent correspondence from Up Hatherley Parish Council to Tewkesbury Borough Council seeking a boundary review affecting Badgeworth & Shurdington PC’s was noted.

7. **Finance**

- a) **Budget & Precept 2019/20** -it was noted that budget and precept will be set at January meeting. Councillors would get suggestions to Clerk by 31/12/18.
- b) **Payment was authorised and cheques issued:**
- £100 Holy Trinity PCC (as agreed at October meeting)
  - £150. Grass cutting 29/10/18
  - £192 (£160 +£32 VAT) work on trees at Badgeworth and Little Witcombe greens
  - £50 - Ermin Street Guard. Reimbursement for mileage & use of trailer for removal of rubbish from Bentham Allotments (2 trips)
  - £29.12 - Clerk’s expenses. November
- c) **Clerk’s salary** – payment was authorised & cheques issued for November.

8. **Ward Reports.**

- Cllr Hitchcock reported that blocked footpaths in Bentham were being looked at by Gloucestershire County Council’s Public Rights of Way team.
- The handrail on the green at Little Witcombe has not been repaired despite numerous requests. The matter is considered urgent and will be pursued as a health and safety issue.

9. **Items for the next agenda and the date of the next meeting**

The next meeting would be held on January 17<sup>th</sup>, 2019 at Witcombe & Bentham Village Hall at 7.30pm

The meeting closed at 9.00pm

**Signed**..... **Dated**.....

**Comments made by Shurdington and Badgeworth Parish Councils**  
**Preferred Options Tewkesbury Borough Plan**  
**(Badgeworth/Shurdington residential allocations)**

**Background**

This joint submission contains comments made by Shurdington and Badgeworth Councils relating to the Preferred Options Tewkesbury Borough Plan.

Historically, both Parish Councils have recognised the need to consult and work jointly in responding to the Joint Core Strategy and now the draft Borough Local Plan. The boundaries of the two Parishes, particularly to the west and south of Shurdington, adjoin each other. The unique position of Shurdington which is surrounded entirely by the Green Belt and AONB has meant that the release of any land bordering Badgeworth Parish to the west and south of the Shurdington Settlement Area would affect the administrative area and residents of Badgeworth Parish.

Both Parish Councils have worked together and jointly participated, over the last 4 plus years, in the Service Village Forum and have also met on several occasions with the Borough Planning Officers to discuss and agree

- i. the Shurdington Settlement Area
- ii. the formula for calculating the number of houses required for each Service Village
- iii. the possible development sites necessary to meet the future housing needs of Shurdington.

**Discussions in May 2018**

In May 2018, representatives of both Parish Councils met informally with the Borough's Planning Policy Manager to discuss the possible site options within the Shurdington Settlement Area. It was at this meeting that it was confirmed that, although the number of homes to be distributed across the 12 Service Villages remained at 880, most of these had already been identified, built or firm commitments agreed. It was also stated, as mentioned in the draft Plan, that there was now an over-provision of homes to meet the 880 target and that the pressure on Shurdington to meet its housing requirement had been greatly reduced. In fact, it was indicated that if Shurdington Parish Council came forward with the suggestion that it did not wish to meet the housing provision suggested through the Service Village formula then this would be favourably considered.

Both Parish Councils, on reading the Preferred Options Tewkesbury Plan, now feel let down by the fact that a very different situation emerges regarding sites/number of houses to that previously discussed with the Borough Planning Officers. The commitment by the Borough Council to keep Parish Councils involved and informed on such matters appears to have failed on this occasion. The number of houses now proposed for the Shurdington Settlement Area has increased beyond that previously calculated and the size of the Settlement Area has been expanded to allow for this increase. There is no justification in our view for these changes.

### **Service Villages - Formula**

Both Parish Councils have always taken the opportunity to stress that the formula used for calculating the distribution of 880 homes was a mathematical one and not based on the specific housing needs for each of the Service Villages. The proposed number of new homes for Shurdington has risen and fallen over the last 4 years due to changes in the services provided in some Service Villages and the actual number of Service Villages covered by the formula. (There were originally 15 Service Villages).

The supporting documents of the Preferred Options Borough Plan state that 141 new homes are required in Shurdington. This is the highest figure calculated over the last 4 years - at one stage it was well below 100. What is of real concern is the fact that the draft Plan now puts forward 4 development sites totalling approximately 200 homes (allowing for a nominal 20 homes for Site C).

### **Statistical Effect of Including Site D (110 Homes)**

It is clear that by now adding in the fourth site, Site D, with 110 homes (Land to the south of Badgeworth Lane) will result in the following outcomes: -

- a) 42% more homes than that calculated using the Service Village housing distribution formula
- b) 38% increase in Shurdington's population (using 2.4 per household and the SV pop. of 1246)
- c) 26% increase in homes within Shurdington
- d) the need for 74 more Primary School places based on the revised formula to be used in 2019.

(The local school's expansion was finished in September this year to accommodate children from the existing new housing developments in the area).

The percentage increases shown above go well beyond Shurdington's expected allocation of the total 880 homes and that necessary to maintain the future viability/sustainability of this Village.

### **General Effect of Including Site D**

In addition to the statistical information mentioned above, both Parish Councils are very concerned about the bolt-on of Site D (110 homes). This Green Belt site does not feel part of the Shurdington Settlement Area. It is remote and detached from Shurdington Village itself and building 110 homes on the outskirts of the Village will do nothing to ensure and achieve social and community cohesion. Standing in the centre of Site D, which looks up to the Cotswold AONB escarpment, there is a feeling of complete detachment from the centre of Shurdington. Over recent years there has never been any intention by the

Borough Council of including Site D within the Settlement Area or putting it forward for development.

We do not think the area known as Site D meets the test of 'very special circumstances' and 'appropriate development' in the Green Belt. When Site A was originally put forward as part of the JCS submission, it was confirmed by the then Planning Policy Officer that this was done as it created, through changes in the Settlement Area, '*long term logical defensible boundaries using natural or man-made features*'. This is not the case in respect of Site D. The reason for the inclusion of the latter is that, according to the current

Planning Officer, "*it provides an opportunity for future development*". This shows that it has not been based on assessed housing need or justified within the terms of national and local planning policies.

The combined sites of Sites A & D, with a total of 160 homes, cannot be regarded as natural and sensible infill, something which is supported through the NPPF and policies adopted by the Borough when considering additional housing in rural areas and Villages.

Both Councils understand the 'appropriate development' arguments already made for including Site A within the Settlement Area and its removal from the Green Belt. However, the addition of Site D, will undoubtedly create significant problems with regards to access and exit. A combined development of 160 homes, on a junction with the very busy A46 and the narrow, busy Badgeworth Lane, together with its siting opposite the Primary School is a major concern. The development would be a step too far as the effect on the local environment, traffic flow and general movement of people, would be totally unacceptable.

### **Waste Recycling and Transfer Operation**

Site D is situated approximately 200 metres from a waste recycling centre. The centre recycles 40,000 tonnes a year of inert waste and 5,000 tonnes of non-inert waste for landfilling. The

operation includes crushing and screening of waste materials. A planning condition allows 616 movements per week of commercial vehicles, including skip lorries and HGVs. Many of these vehicles pass very close by the proposed development Site D and also make use of Badgeworth Lane.

In the opinion of both Parish Councils, it is not appropriate to approve Site D for housing development. The volume of HGVs etc., noise, pollution and dust associated with this waste recycling centre is likely to have an adverse effect on those living close by. As the owner of this recycling centre stated in 2007, the centre was *'likely to raise local concerns and may impact on neighbours and the local environment'*.

### **Proposed Sites A, B and C**

The point is made in the draft Preferred Options that only 7 homes have been built in Shurdington since 2011. Shurdington Parish Council's assessment is 14. However, one must not forget that just prior to this date there were developments in Gwinett Close and Hillview Nurseries and, just outside the Settlement Area but still within Shurdington Parish, developments at the former Allards Hotel and currently in Leckhampton Lane. Shurdington has not stood still in terms of development but understands that it needs to play its part in meeting some of the 880 Service Village houses. The proposed developments of sites A, B, C, together with the 14 homes already committed, will result in the provision of a sensible and proportionate number of new homes for Shurdington.

### **Conclusion**

**In the light of the comments made in the previous paragraphs both Shurdington and Badgeworth Parish Councils request that Site D be withdrawn from the proposed site options put forward in the Borough's draft Local Plan.**

**Shurdington Parish Council**

**Badgeworth Parish Council**

**November 2018**

## **Badgeworth Parish Council comment on Tewkesbury Local Plan (site known as Brookside Stables)**

### **November 2018**

Badgeworth Parish Council wishes to comment on the Draft Tewkesbury Local Plan regarding the inclusion of the site known as Brookside Stables located on Cold Pool lane as a permanent Gypsy /Traveller site.

The site lies in the Green Belt in an area specifically established to maintain separation between Cheltenham and Gloucester. This area of Green belt is diminishing and increasingly vulnerable.

This gypsy /traveller site has been in residential use since about 2002, initially being an unauthorised site. Planning permission was granted on appeal in 2008 for 4 gypsy/traveller pitches for a temporary period of 5 years. A subsequent temporary permission allowed the use of the site as a 6-pitch gypsy/traveller site until November 2016. At an appeal heard in November 2018, due to a lack of alternative sites being made available by Tewkesbury Borough Council, this site was granted a further 4-year temporary approval. On this occasion the approval was for a change of use of land to use as a residential gypsy site for 7 mobile homes and 5 touring caravans and associated works.

At each of the appeals the presiding Inspector noted that site was located in the Green Belt and that the use as a Gypsy/Traveller site is inappropriate development in the Green Belt, which is harmful by definition.

On each occasion the Inspector questioned whether the harm to the Green Belt was outweighed by other considerations, thus generating the very special circumstances required to justify the development. Due to a lack of alternative sites each Inspector felt there was no option but to extend the temporary approval.

When the planning application was brought forward to the TBC Planning Committee in July 2017 it was stated that the site had been included in the Draft local plan. This was prior to any consultation with the local Parish Council and local residents. The planning committee however resolved: *That the application be **Refused** on the basis that the development represents inappropriate development in the Green Belt which compromises its open character and purpose and that unauthorised extension of the site was carried out intentionally; the applicant had not demonstrated very special circumstances which clearly outweigh the harm done to the Green Belt caused by the inappropriateness of the development and other harms; the development forms a visually intrusive and discordant feature in the surrounding area that would have a detrimental effect on the rural character and appearance of the landscape; and the site was in a remote location in the open countryside, outside any recognised settlement, in a location where new residential development was strictly controlled and where there were poor pedestrian, cycle and public transport links to the nearest facilities and amenities which meant that the occupiers of the site were likely to be heavily reliant on the use of the private motor vehicle.*

Given the position taken by Planning Committee, and that the Inspector did not approve the site for permanent use, Badgeworth Parish Council consider that it is inappropriate and inconsistent to include the site and requests that it is removed from the plan.

Badgeworth Parish Council remains very concerned that the inclusion of this site in the plan would simply act as a catalyst for others to establish unauthorised sites in the belief that eventually they will become authorised.