

## ELDERSFIELD PARISH COUNCIL

Minutes of the Meeting of Eldersfield Parish Council held on  
Thursday 8<sup>th</sup> November 2012 at Eldersfield Lawn School, commencing at 7.30 p.m.

**Present:** H.S. Davis (Chairman),  
R.S. Manwaring MBE, B.N. Parsons, Mrs C Powell-Chandler,  
C. J. Whitehead, Mrs R Wilder

**In Attendance:** District Councillor Bronwen Behan

**Members of the** 2  
**Public:**

### **1. Apologies for absence**

Apologies were accepted from: C.H. Jeffes and O D Williams and from County Councillor T Wells.

### **2. Members' interests**

None

### **3. Adoption of the Minutes of the previous meeting**

The Minutes of the meeting held on Thursday 13th September 2012 were accepted as a true record of that meeting and were signed as such by the Chairman of the meeting.

### **4. Matters arising**

**Grit:** The Clerk reported that he had been in communication with WCC to supply grit but had not yet received a definitive response; that reply was expected imminently. It was noted that there existed the possibility of a grant from WCC for such matters. After a short discussion, it was **RESOLVED** that the Clerk request a grant from WCC for the purchase of two grit bins and associated grit, and that in the event that the grant be not awarded, he be authorised to spend an amount not exceeding £300 (excluding VAT) on the purchase of two grit bins and associated grit.

**Notice Board:** Marlowe Child and Family Services Limited had undertaken to pay half of the cost of replacement of the notice board damaged by children in their care.

### **5. Public Comment**

This was dealt with under item 9.

### **6. Co-option**

It was noted that although there had been expressions of potential interest in applying for the vacant position no candidate had been forthcoming. Given that a quorum for Council meetings was three and that this minimum was always exceeded by a large margin, it was agreed that the absence of one member was not a significant impediment to the effective discharge of its duties by the Council.

## **7. Reports from District and County Councillors**

County Councillor Bronwen Behan informed the meeting that although there had been a delay in the adoption of the South Worcestershire Development Plan it was nevertheless hoped that matters would be resolved before the year end.

With respect to possible changes in refuse collection, she was as yet unable to give any news.

## **8. Funding of communications**

The Council discussed the possibility of applying for a grant to assist with the improvement of communications. It was recognised that the Council had issued with the Parish Plan in 2003 a Parish Directory; this Directory gave contact details for the principal organisations, businesses and people within the Parish and had been greatly appreciated by parishioners. It was also the case that a replacement notice board was required at the School. In the light of these two requirements, both associated with communications, the Clerk was instructed to apply for the relevant grant.

## **9. Jubilee Souvenir photos**

The Chairman reminded members that they had previously expressed an interest in issuing a photographic record of the Jubilee events which were generally recognised to have been a great success. Mrs Joseph had kindly offered to compile such a record and would be pleased to give her time free of charge. The Council accepted and expressed their thanks. It was agreed that she would present at the next meeting a draft of a booklet which could be considered for issue.

## **10. Tree Planting by the Reeves**

The Chairman reported that he had been asked by the Reeves if the parish could assist with the planting of up to 200 trees on the Regulated Pasture to celebrate the Diamond Jubilee.

The Reeves ask that anyone who is available on Saturday 1<sup>st</sup> December from 10 a.m. give a hand with the planting of these trees, which will take place at the southern end of the Regulated Pasture.

## **11. The Lawns**

The Clerk reported that as instructed by the Council he had written to Marlowe Child and Family Services Limited, the managers of The Lawns, and had subsequently been invited to a meeting with them. West Mercia police were also present.

The Police were concerned that the number of children being reported to them as missing from the Lawns was causing them significant expenditure – the 18 such reports received since May had caused the Police a cost equal to that of providing one and half men solely for The Lawns. They did not begrudge this cost, if it was justified. Marlowe believed that they had at all times taken what action was appropriate but would reconsider their procedures.

Marlowe regretted the damage caused within the parish by children in their care and undertook to pay appropriate compensation. They could not, however, say whether there were any specific measures which they could take which would ensure that such damage was reduced or eliminated in the future.

Marlowe emphasised that they were keen to re-establish a good reputation within the Parish.

## **12. Composting Unit**

The Clerk reported that the most recent meeting of the Pendock Environmental Liaison Group had taken place that evening, immediately prior to the Council's meeting. He was pleased to note that there had been a considerable reduction in the number of complaints about odour, and the Group had speculated that this was due either in whole or in part to changes in operating practice, which had been implemented in early October, a two week close down, and a generally lower volume of material being processed. The plant would close down at the end of the month for the winter. The Group had scheduled its next meeting for 7<sup>th</sup> March.

## **13. Planning Matters**

### **PLANNING APPLICATIONS**

#### **SECTION A**

#### **SUMMARY OF PLANNING DECISIONS SINCE LAST MEETING**

##### **12/000025/CM**

Change of use to an end of life recycling yard

- Land at the Old Timber Yard, Link End Road, Corse Lawn, GL19 4NN
- Mr R Wilks

WCC application

##### *Council's Comments*

#### **1. Description**

The application site lies within a compound in quiet, remote countryside. The Applicant states that several mobile homes use the site for residential purposes, a use permitted by the Certificate of Lawful Use. Access to the main road network from the site – the B4211 - is via a track ('Log Lane') for 0.2 km to Link End Road, and thence via a 0.8 km long narrow country lane that passes through the hamlet of Poolhay, before joining the B4211 opposite Eldersfield Lawn Primary School.

We note that that Log Lane has been used for many years as a public footpath and that an application has been lodged with WCC (and is currently under consideration) for it so to be officially recognised.

The site was last used as a timber yard when a sawmill operated on it more than 20 years ago. Since then there has been no obvious use made of it as a timber yard or for forestry. Enforcement action to cease its unlawful use as a vehicle haulage depot is in progress. Local residents report that apart from its unlawful use as a haulage depot only negligible traffic has used the site for at least 20 years.

We understand<sup>1</sup> that the site would be open to the public except on Sundays.

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<sup>1</sup> Applicant's letter to WCC, dated 2<sup>nd</sup> August 2012

## **2. Policy**

The Worcestershire Waste Core Strategy Background Document ‘Identifying Areas of Search’ places<sup>2</sup> ELV facilities in Category 1, viz. operations which are akin to industrial activities.

Table 2<sup>3</sup> of that document states that redundant agricultural or forestry buildings or their curtilage are not considered suitable for Category 1 uses.

The policy is unambiguous. The document very clearly states<sup>4</sup> that

*‘the industrial nature of category 1 facilities would not be suited to a rural location redundant agricultural or forestry buildings or land.’*

In the light of the above we believe that granting permission would constitute a breach of the policy.

## **3. Proximity**

Policy WCS1 of the Worcestershire Waste Core Strategy requires that facilities be located as close as possible to arisings.

Demand for ELVs is centred on urban areas. The proposed site, being at the southern tip of the county – some 20 miles distant from Worcester - is manifestly remote from such areas and will require a larger number of car and lorry trips than would otherwise be the case.

This is contrary to the Policy.

## **4. Access**

Policy WCS 6 requires that the site be ‘well connected to the strategic network’. Access to the strategic network, being along Log Lane and Link End Road, does not, in our view, constitute being ‘well connected’.

We contrast this application with an application for a development at Mitre Farm, supported by the Council, where the site had immediate access to the B4211.

## **5. Sustainability**

We are concerned that this development may not be sustainable.

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<sup>2</sup> Table 1, page 13

<sup>3</sup> Page 14

<sup>4</sup> Page 16

5.a A survey by WCC reports that:

- the number of car breakers in Worcestershire has reduced<sup>5</sup>;
- the market for used spare car parts is changing: cheaper new cars means that fewer people seek to repair their old cars;
- a significant number of ELV operators in Worcestershire state that they have enough space, or have space to expand but do not intend to do so.
- the cost of complying with regulations is seen as a growing threat for smaller ELVs.

The view of WCC is expressed in the Worcestershire Waste Core Strategy Background Document, Metal Recycling, which reaches the conclusion<sup>6</sup> that

*‘there is no evidence ... of any shortfall in ELV capacity in Worcestershire’.*

We do not believe that, in face of the evidence that there is an adequate supply of ELVs, there can be an argument that this application is either strongly justified or justified.

5.b The market is a tough one and the proposed site is close to the southern border of the County. There are established ELV sites across that border at Twigworth, Gloucester and Bishop’s Cleeve, all of which are better placed to take arisings from the major sources. The Applicant has estimated an annual throughput of 1,000 cars but he does not explain how this has been derived; it may be no more than the average for the County (which is expressed in the Worcestershire Waste Core Strategy Background Documents). Given the remote location of the site and the existence of established, and better located, competitors that estimate may reasonably be questioned.

Accordingly, we are not convinced that the proposed ELV is sustainable.

## **6. Noise**

The vehicle crushing technique proposed is rudimentary – a 25 tonne digger. This will create sharp peaks of noise which are capable of constituting a nuisance for local residents.

The Applicant gives few details of the volume of such noise or how, or if, it would be abated. Indeed, we are concerned that his sole reference<sup>7</sup> to noise is that the site would not result in any increased noise compared with the sawmills which were in use 25 years ago and which, he says, ‘resulted in significant noise levels’. Given that in the intervening period techniques have advanced and environmental standards tightened, we find no comfort in this assurance.

## **7. Impact**

If a change of use were to be permitted and an ELV facility created, there would be an adverse impact on the locality. Given the above, it is our view that such an impact would be unacceptable.

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<sup>5</sup> Waste Core Strategy, Background Document, Waste Sites in Worcestershire, p57, et seq

<sup>6</sup> Page 24

<sup>7</sup> Applicant’s letter to WCC, dated 12<sup>th</sup> April 2012, last page (i.e. page 6)

## 8. Consultation

The plan submitted with the application indicates that the permission being sought includes Log Lane, the lane leading from the Old Timber Yard entrance to Link End Road. This land is not registered as being in the ownership of the applicant.

The owners of the land bordering Log Lane may have riparian or other interests in it and they, together with other landowners for whom the lane is a means of access to their property, should have been consulted on this application. We are not aware that they have been.

## 9. Conclusion

In the light of the above, we are of the view that the application is not justified and we recommend that permission be refused.

*Refused on Appeal*

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**12/00756/CLE** Application for a Lawful Development Certificate for an Existing Use for the continued use of building as residential

- Hooze Farm, Eldersfield, Worcestershire, GL19 4PJ
- Mr Stuart Carter

### *Council's Comments*

We note the supporting evidence and have no knowledge to the contrary.

*Approval (Existing Lawful Use/Dev)*

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**12/00893/FUL** Conversion of redundant barns into holiday accommodation (two units)

**12/00894/LBC**

- Hardwick Court Farm, Eldersfield, Worcestershire, GL19 4PJ
- Mr and Mrs C Jeffes

### *Council's Comments*

We are delighted to support the restoration of these two redundant farm building in conjunction with listed building control officers to provide holiday accommodation.

*Approval (Full planning)*

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**12/00950/FUL**

### **Proposed agricultural building**

- Marsh Court, Bridge End, Eldersfield, Worcestershire GL19 4PN
- Marsh Court Farm Limited

### *Council's Comments*

This proposed agricultural building will sit sympathetically alongside existing buildings

We support the application

*Approved*

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## SECTION B

### SUMMARY OF PLANNING APPLICATIONS AWAITING DECISION

12/01292/FUL

#### **New Grain Store**

- The Hawthorns, Corse, Gloucester, GL19 3NY
- R N Padfield & Sons Ltd

#### *Council's Comments:*

Under consideration

*Pending*

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(The Chairman noted that in respect to the last item above an irregularity had been identified within the application which required rectification within the next week if the application was to remain valid. )

#### **14. Audit**

It was noted that Clement Keys, the Auditors, having completed their audit, had issued a report without qualification (i.e. had no adverse comments to make) and it was **RESOLVED** that the Council pay their fees of £144.00.

#### **15. Finance Committee**

The Vice-Chairman, as a member of the Finance Committee, reported that good progress had been made in the matter of the lease.

#### **16. Application for financial Support**

The Chairman reminded the meeting that it was the long established practice of the Council to assist parish events where these were held in the School Hall by paying the costs of the caretaker. Mrs Mitchell had organised six flower arranging sessions for 15 ladies and had requested support from the Council by way of a subsidy of £60.24. It was **RESOLVED** that a subsidy of £60.24 be paid to Mrs Mitchell.

#### **17. Application for Rural Rate relief**

It was noted that a request for Rural Rate relief had been received from James Winter and Elizabeth Winter in respect of The Butcher's Arms, Eldersfield. The Council was asked by WCC to decide whether the business was 'of benefit to the local community'; if it was, then either a 50% relief would be awarded (with the Council contributing £222.25) or a 25% Relief could be awarded but without a contribution from the Council. Alternatively, if the Council considered that it was not of benefit to the Community then no relief would be awarded.

After a short discussion a vote was taken and it was **RESOLVED** that Council considered The Butcher's Arms as a business of benefit to the Community but not one which it would be reasonable for the Council to support financially.

Councillors were concerned that the commitment of the business to supporting local events and activities within the Parish, very evident in the past, was not now obvious.

### **18. Financial Estimates and Budget 2013-14**

The Clerk reported that since tabling this item he had received advice that for legal reasons a precept should not be set until January. The Council accepted this advice and the item will be tabled in the agenda of the next meeting.

### **19. Future Meetings**

It was resolved that future meetings of the Council take place at Eldersfield Lawn School at 7.30 pm on the following Thursdays in 2013: 10th January, 14th March, 9th May, 11th July, 12th September, 7th November

### **20. Authorisation of Disbursements**

It was **RESOLVED** that the following disbursements be made:

£222.54	J L Gabbott
£54.53	HMRC
£144.00	Clement Keys
£60.24	Mrs Mitchell

### **21. Correspondence**

The following correspondence was noted:

#### **Received:**

- CALC: Training Bulletin
- CALC: Updates
- HMRC: EPC to send PAYE returns by computer from 2013

#### **Sent:**

- Charity for Recreation and Allotments (sent 14<sup>th</sup> November 2011; no reply received)

### **22. Other business**

None.

There being no other business, the meeting closed at 9.20 p.m.