

CLERK: Kate Sales, 5 Okus Road, Charlton Kings Cheltenham. GL53 8DU
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MINUTES: of a Parish Council meeting held in Brimpsfield Village Hall on Tuesday 11th July 2017 at 7.30pm.

PRESENT: Parish Councillors: Roger Lock, Andrew Ward, Emma Ryan, Tom Overbury and Heather Eaton.

IN ATTENDANCE: Kate Sales, Clerk

Ten parishioners were present.

Members of the public were welcomed to the meeting and invited to address the council at item 5 on the agenda.

- 1) **To receive apologies for absence.** Apologies received and accepted from Cllr Parsons.
- 2) **To receive Declarations of Interest on items on the Agenda. (Localism Act 2011).** Cllr Overbury declared an interest on the planning appeal for Shepherds Barn. Cllr Eaton and Cllr Overbury also declared an interest in the Enforcement item relating to Hermits Corner.
- 3) **To approve the minutes of the Annual Parish Council Meeting held on Tuesday 16th May 2017 at Brimpsfield Village Hall.** The minutes were approved and signed as a true record.
- 4) **Matters arising from Minutes.**
 - Cllr Lock investigated the obstruction of Bridleway 11 by the erection of two gates. An update was circulated. (This was discussed further at item 8 on the agenda)
 - *Correction of spelling to Murock (Item 18 para 2)*
 - Annual Return submitted to Grant Thornton and all documents published on Parish Council website.
 - Insurance renewed with Came & Company.
- 5) **To hear representations from the public regarding items on the agenda.** The only item raised was concerns over the planning appeal for Shepherds Barn. The Chair agreed to move this item forward so people could speak. (Therefore item 7 became item 6 and this is reflected in the minutes below.)
- 6) **To consider and note planning applications and agree responses:**
For consideration
Appeal for planning application, Barn Syde Park Farm Caudle Green (16/03870/FUL) -
Change of use of barn to dwelling, single storey lean-to extension, access track and associated site works.

Mr R Mullings (from the floor) read the following statement out to the meeting:

"Shepherd's Barn is a small former agricultural building in an isolated location in the middle of, arguably one of the most isolated and sensitive parts of the Cotswolds AONB.

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Shepherd's Barn has been the subject of a number of planning applications in recent years. It is also the case that the Applicant has carried out a lot of work to the property over the last few years, without planning consent.

The Planning Officer who dealt with a similar application for Shepherd's Barn in April 2016 recommended refusal on a number of grounds. It is very curious that the same Planning Officer then recommended consent in 2016 despite the fact that almost all of the reasons given for the earlier refusal, applied with equal force to the subsequent application.

Great weight is placed on the suggestion that Shepherd's Barn is a "Heritage Asset" despite the fact that the recent work carried out to Shepherd's Barn has significantly damaged the Barn as a Heritage Asset. Much is also made of the proposal to reinstate a "Sheep Fold", despite the fact that in reality it is little more than a small field bounded by stone walls which, of course, is a common feature in the Cotswolds. The Sheep Fold would inevitably become part of the garden of the new house and would then lose any character which it might have gained as a Sheep Fold.

It would be easy to characterise objectors "Nimbys". However, the majority of the residents in Caudle Green (together with a number at Syde) object to the Application because they live in the local area and look directly across the valley to the location of the Barn. They are therefore more aware than others of the character of this part of the AONB and are seeking to preserve the AONB for the benefit of the public at large and especially for the benefit of those who use the footpath in the valley below the Barn.

It has been suggested that the proposed Application would "enhance" the AONB. Given that the existing character of the area within which the Barn is located, it is impossible to imagine how the AONB in this area can be enhanced! It is acknowledged that consideration of "enhancement" is, to some extent, subjective and it is therefore relevant to note that at the meeting of the Planning Committee in December 2016 the most relevant Application was rejected on a vote of 10:2.

Finally, the Cotswolds Conservation Board objected to the most recent Application on the grounds that the building is unsuitable for conversion given the need for an extension, the location is unsustainable, the development will impact on the dark night skies of the AONB and result in a negative impact on the character and special qualities of this undeveloped part of the AONB."

The Chair thanked Mr Mullings for his presentation.

A member of the parish spoke to endorse Mr Mullings statement and took the opportunity to emphasise the importance of the footpath that walkers and bird-watchers used and enjoyed. She was concerned that the development would detract from that enjoyment as users may feel overlooked.

She also believed that the occupiers who were going to live there would be a family of four. The development was for a two-bedroomed dwelling and she foresaw that if the application was granted a following application for an extension would soon follow.

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Mr Beal also a resident from the parish commented that the proposed dwelling would be a prominent feature on the landscape and would therefore damage the AONB. He believed that it was important to preserve ANOB areas and stressed that it stood for natural beauty. He therefore highlighted that changing an existing building into a domestic dwelling, along with a lengthy access road that would scar the skyline, would fundamentally impact on the 'Natural' beauty of the area.

He further pointed out that it was mainly Caudle Green residents who would be affected and 23 residents, which was most of that community, had objected, and six residents from Syde who were a neighbouring village. Only two letters of support had been registered, and these were both from Brimpsfield residents who would not be affected in anyway by the light and noise of the development.

Finally taking on board the strength of the District Council's planning committee who objected to the original application by 10:2, and the local community's concern and high levels of opposition to the application, he believed that the Parish Council ought to support its parishioners and object to this Appeal.

A member of the public, Gay Chamberlin, from Syde commented on the fact that in their parish a similar barn had been converted and she was concerned that once applications like these were approved it would set a precedent and allow others to be developed.

The Clerk read out the following statement from Cllr Parsons who was unable to attend the meeting.

"During the recent application for planning permission to convert Shepherds Barn to a dwelling, which was refused, Brimpsfield Parish Council did not send a comment.

- *Development of an isolated barn would be detrimental to the AONB.*
- *Domestication of the barn takes away the intrinsic agricultural character of the building and landscape.*
- *Access would need major engineering work as there can be areas of Fuller's earth in the terrain. Vehicles driving to the barn would cause light and noise pollution to Caudle Green especially during winter months.*
- *The 21 Century erection of a lean-to, to the north-east wall of the building, is an extension to the heritage barn and therefore not allowed.*
- *Within the Planning Officer's report, and recent refusal of the planning application, it was erroneously stated that the barn site was not visible from public highways. It is clearly visible from public vantage points on roads.*

I would like the Appeal to be dismissed."

Cllr Eaton said she had carefully considered this application and could see both sides of the argument. However, after careful consideration and taking into account the special nature of the AONB and the fact that dwelling would be visible, she believed that the application was not right for the area and therefore wanted the Appeal to be dismissed.

Cllr Ward spoke and said after taking in the level of local opposition he agreed that the Appeal should be dismissed.

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Cllr Ryan said that looking at the application unemotionally she felt the development would not have a detrimental effect the area. However, after hearing the level of local opposition she believed this needed to be taken into consideration. Due to this she agreed that the Appeal should be dismissed.

Cllr Lock said he supported the application. He felt personal attitudes towards the applicant should not influence decisions. Regarding the Sheep Fold to say it would be used as a garden in the future was irrelevant to the Appeal as no one can predict what will happen. The claim that there could be an extension to the property in the future was similarly irrelevant to the Appeal.

He considered the phrase used by a member of the public opposing the Appeal that “the plan was “quite ruthless” should be minuted as it spoke more about the opponents of the Appeal than the applicant.

He felt that if the applicant was unsuccessful the building would decline further and would become a greater eye sore. Walkers could still enjoy the use of the footpaths, he felt that this would not change with a single dwelling nearby.

Taking this all into consideration he therefore supported the Applicant and the Appeal.

Cllr Eaton disagreed with Cllr Lock’s point on the use of the footpath. She felt that if the footpath was close to the property walkers may feel like they were intruding if they walked past someone’s house.

Following discussion with the members of the public however It became clear that the footpath is quite some distance from the property.

Cllr Ryan asked what would happen to the building if the Appeal was dismissed? Mr Mullings reported that the applicant had suggested in their report that they would be willing to use a Class R Notification that would allow them to convert an existing agricultural building to other uses.

The Chair thanked everyone for their contributions. The Council then took a vote, the Chair abstained as he had declared an interest. The result was 3:1 in favour of the appeal to be dismissed.

Action: The Clerk to inform the Planning Inspectorate of their decision.

The meeting was paused for five minutes to allow members of the public to leave.

Keepers Lodge Climperwell Road Brimpsfield (17/02410/FUL) - Two storey extension to the north-east elevation.

The Parish Council had no objection to this application.

Yew Tree Cottage Caudle Green (17/01630/FUL) - Change of use of highways verge to parking, demolition and re-building of wall.

After consideration, the Parish Council agreed with the Conservation Officer's report, and on this basis objected to the application.

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For noting

Climperwell Cottage Climperwell Road Brimpsfield (17/01120/FUL) - Erection of first floor extension and replacement garage with ancillary accommodation.
Application Permitted by Cotswold District Council.

Hunters Rest Climperwell Road, Brimpsfield (17/01977/FUL) - Proposed detached garage with ancillary accommodation. **Application Permitted by Cotswold District Council.**

Foxwood House Climperwell Road Brimpsfield (17/00475/FUL) - Conversion of existing storage space above garage to new bedroom. **Application Permitted by Cotswold District Council.**

1 Newcombe Climperwell Road Brimpsfield (17/01302/FUL) - Demolition of existing porch, utility room and conservatory, and erection of porch, utility room, single-storey rear extension and carport.
Application Permitted by Cotswold District Council.

Cern House Climperwell Road (17/01827/FUL) - Conversion and extension of garage to provide ancillary accommodation in the roof space.
Application Permitted by Cotswold District Council.

Brimpsfield Village Hall Climperwell Road Brimpsfield (17/01948/FUL) - Construction of a replacement village hall.
Application Permitted by Cotswold District Council.

Badger House Brimpsfield Gloucester (16/05304/FUL) - Erection of side extension to create 'granny' ancillary accommodation. **Application Permitted by Cotswold District Council.**

Old Malt House, The Knapp Brimpsfield (17/00744/FUL) - Erection of a dwelling.
Application refused by Cotswold District Council

Enforcement

Breach of planning conditions on Hermits Corner. Cllr Lock explained to the meeting what the legal term 'sole occupancy' meant, and the council therefore decided that in this instance a breach of the planning conditions had not occurred. It was confirmed that this item no longer needed looking into.

7) To gather comments and queries that will be raised at the A417 Missing Link Engagement Event which Cllr Lock will attend on the 12th July.

Points raised for the meeting included looking at access ranging for existing footpaths and bridleways that may be affected; existing access for farmers into their fields and the effect the new link would have on existing bus routes. Cllr Lock agreed councillors could email him further comments before the meeting the next night if any arose.

8) Highways & Road Safety Updates

Road Safety update – Community Hub

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The Clerk informed the meeting she had been in contact with the Road Safety Partnership scheme and they asked the council look through the Community Toolkit Pack, which the Council were already doing. Points agreed on were that:

- Data would continue to be gathered from the Speedwatch Group, but evidence from this so far suggested that no speeding was occurring through the actual restricted speed limit of the village.
- A new 'Be aware - children' sign had been erected by Cllr Lock in the village to continue with raising the issues of road safety.
- Cllr Eaton informed the meeting that the children's bike that had been out on side of the road again to highlight the fact that children might be playing nearby had gone missing/been removed. This had been action undertaken as it had been highlighted in the Community Toolkit.
- Cllr Lock told the meeting he had heard that a 30mph sign on the stretch of road to Murock had been hit by a high-sided lorry and accidentally rotated. When this happened, residents reported that speed of the traffic reduced and continued to keep to the 30mph limit way passed the actual end of the speed restriction limit. (He noted that it was only what he had heard but felt it was worth mentioning.)

Amey carried out repair works on the following items in June:

- Mud banks on the road from the Brimpsfield War Memorial to the Nettleton Roundabout.
- Four substantial pot holes located on the mud banks (just past the passing place), to be filled.
- Same road as above and further down by the metal gate on the left, there is another large pot hole on the left. On the opposite side to this there is also a need to fill in the bank, where the road falls away.
- Road from Brimpsfield (signposted to Cranham) - there are a large no. of potholes all the way down the road.

Cllr Lock had investigated the obstruction of Bridleway 11 by the erection of two gates and received the following reply from Michael Barton the officer at Cotswold District Council. *The surface of a public right of way (bridleway) is the responsibility of the Highway Authority. Gates and stiles on those rights of way are the responsibility of the landowner but in order to install a gate or stile there has to either be a historic gate shown on the 1925 Ordnance Survey map or an authorisation under Sn 147 Highways Act. They can only install a gate or stile for the purposes of stock control. I would need to carry out some more research into this one but unfortunately as there are only 5 of us to cover 3,500 miles of rights of way in Gloucestershire we have to prioritise our work. I cover the whole of the Cotswolds in the County so unless the gate is unopenable I would need to put the research on the back burner for now. I do know the estate owners and can make contact with them in due course if necessary.*

It was agreed that gate should remain open as there was no stock in the fields, until the relevant planning consent had been obtained.

Action: Cllr Lock would continue to monitor the situation until Michael Barton had had a chance to contact the owners and discuss the situation.

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The overgrown condition of the Bridleway from Leveretts to Black Laines was discussed. Cllr Overbury believed it was not up to the landowner to cut back/maintain unless crop had been grown over it.

ACTION: Cllr Overbury agreed to check to ensure this was correct.

9) Finances

- **To receive an update on the History Account and to transfer remaining funds to current account as agreed.** This was agreed and a cheque transferring the amount of £300 from the History Account to the current account was signed.
- **To receive current state of accounts and bank reconciliation.**

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A statement of accounts was accepted and approved. A bank reconciliation was also approved

BPC EXP vs BUDGET 2017-18			BRIMPSFIELD PARISH COUNCIL				
			Actual	Antic.	Total	Spend vs	
			Income /	Income /	Income /	Budget	
		Budget	Spend to	Spend from	Spend to	to	
		2017/18	30.06.17	01.07.17	31.3.18	31.3.18	Comment
Precept	5110.00	3833.00	1277.00	5110.00			
Council Tax Support Grant	0	0.00	0.00	0.00			
Sale of History books - n/a	0.00	0.00	0.00	0.00			
Bank interest	1.00	0.26	0.30	0.56			
VAT refund	10.00	0.00	10.00	10.00			
Other		0.00	0.00	0.00			
Electricity wayleave	30.00	0.00	30.00	30.00			
	5151.00	3833.26	1317.30	5150.56			
Hire of Village Hall	200.00	0.00	200.00	200.00	0.00		
Insurance	300.00	282.80	0.00	282.80	17.20		
Specialist Advice	300.00	0.00	300.00	300.00	0.00		
Grants /Donations	200.00	0.00	200.00	200.00	0.00		
Maintenance & repairs	300.00	0.00	300.00	300.00	0.00		
Audit Costs	80.00	0.00	80.00	80.00	0.00		
Elections	0.00	0.00	0.00	0.00	0.00		
Grass Cutting - Brimpsfield	360.00	0.00	360.00	360.00	0.00		
Grass Cutting - Caudle Green	840.00	0.00	840.00	840.00	0.00		
GAPTC / Subscription	140.00	75.15	64.85	140.00	0.00		
Clerk's Salary (incl PAYE)	2200.00	654.42	1680.00	2334.42	-134.42		
Clerk's Expenses	225.00	56.74	168.26	225.00	0.00		
Payroll Management	110.00	22.50	87.50	110.00	0.00		
Training	200.00	0.00	200.00	200.00	0.00		
Village Hall Grant	300.00	300.00	0.00	300.00	0.00		
Section 137	25.00	0.00	25.00	25.00	0.00		
Un-budgeted expenditure	0.00	27.50	0.00	27.50	-27.50		
VAT Paid	10.00	0.00	0.00	0.00	10.00		
Website	100.00	0.00	100.00	100.00	0.00		
Equip & Assets	0.00	0.00		0.00	0.00		
TOTALS	5890.00	1419.11	4505.61	5924.72	-134.72		
Reserves at 01.04.17				6215.61			
Expected income during year				5150.56			
Antic. expenditure during year				5924.72			
Antic. reserves at year end				5441.45			

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- **To approve payments**

The following were noted and approved.

Payments made between meetings				
		No payments made		
The following payments to be approved				
Chq no	Payee	Purpose	Auth	Cheque value
415	K Sales	Clerk's Expenses – Jun-Jul 17	LG(FP) 1963 s.5	35.34
416	K Sales	Clerk's salary – July	LGA 1972 s.112	241.54
417	K Sales	Clerk's salary – August	LGA 1972 s.112	218.14
415	GAPTC	Internal Audit	LGA 1972 s.111	80.00

10) To receive correspondence

- **Leaflets advertising Frampton Fair** – Cllr Lock to leave at the bar in the hall for people to read.
- **Thank you letter from the Village Hall regarding the donation the Parish Council had made** – no action required.
- **New Parish Councillor request/enquiry** – The clerk had contacted the resident to thank her for her interest and had supplied information on how to stand at the next 2018 elections. It was agreed that the clerk would re-contact and ask if she would be willing to attend the October meeting to discuss co-option.

11) Items for information only

NOTE: no decisions can be made on items raised in this section. Discussions can lead to items being included on the Agenda for the next meeting only.

Cllr Eaton raised the concern over the overgrown footpath across the Common and whether the owners were required to keep it open and maintained. Cllr Overbury said it was an owner's duty to keep it free from obstruction and re-instate if it got ploughed over. However, he agreed to investigate for the next meeting.

Cllr Lock requested that an update to discuss the asset clarification of the Village Hall be an item for the next meeting. This was agreed.

The Chair informed the meeting that the clerk would circulate an agenda reminder to councillors ten days before a meeting asking for agenda items.

The Chairman concluded the meeting at 9.20pm and thanked everyone for their attendance. The next Parish Council meeting will be held on Tuesday 17th October 2017 at 7.30pm in the Village Hall.

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Chairman

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Date