

## BARTESTREE WITH LUGWARDINE GROUP PARISH COUNCIL

### MINUTES OF THE EXTRAORDINARY PARISH COUNCIL MEETING HELD ON WEDNESDAY 29<sup>th</sup> OF OCTOBER 2013 AT 7.00 PM IN BARTESTREE VILLAGE HALL

#### **Present:**

Councillors: Mrs W Soilleux (Chair); G Davies (Vice-Chair); J Colley; Mrs J Karayiannis; N Shore; P Wargent; R Williams and M Wilson.

#### **Also In Attendance:**

M Hopkins (Parish Clerk)  
Members of the public: 34

1. **To Accept Apologies for Absence (2969)**  
Cllr's D Greenow; Mrs L Hoppé and M Postians

2. **To Receive Declarations of Interests and Applications for Dispensations (2970)**  
**Resolved:** Cllr N Shore declared that as a member of the Village Action Group he could not consider item 3 with an open mind and would therefore withdraw from voting as a Parish Councillor for that item. Cllr M Wilson declared a non disclosable pecuniary interest for item 3 as his step son owns the land.

*At this stage the Councillors considering this item declared that they came with an open mind.*

3. **To Consider the following Planning Application: (2971)**  
132536F Land on Ledbury Road (West of Williams Mead), Bartestree, Hereford  
Residential development of 50 new dwellings of which 18 will be affordable homes  
The Parish Council discussed this application in depth and the comments from the members of the public were also taken into consideration.

**Resolved:** Comments: The Parish Council did not support this application for the following reasons.

#### **Overlooking/Loss of Privacy**

A number of residents in the adjacent Williams Mead claim that the proposed plans indicate that they will be overlooked by a number of the houses to be built. This would lead to a loss of light and overshadowing for some houses in Williams Mead.

#### **Highway Safety**

David Wilson Homes (DWH) claim that there are adequate footpaths in the vicinity for adults and children which, as indicated in recent Parish Plan questionnaires, is complete nonsense.

Paths, sometimes narrow, exist on only one side of the busy A438 in many places. In particular, pedestrians walking from Bartestree to the local secondary school in Lugwardine are forced to cross the busy road in two different places - beside Llamas Lodge and again by the Church. Crossing the road might also require pedestrians to weave their way between stationary vehicles waiting in a traffic queue. This is a very dangerous prospect for school children and will result in most parents having to drive their children to school. Children walking to the local Lugwardine Primary Academy will

also be inches away from the wing mirrors of passing lorries and vans many of which are exceeding the statutory speed limit. There are no barriers preventing children from stepping off the narrow footpaths. In wet weather large puddles always form on that stretch of road and pedestrians are soaked by spray from passing vehicles.

### **Traffic**

Vehicles leaving the site will be close to the brow of the hill and traffic travelling from Hereford will likely meet the tail end of a queue of traffic as they round the bend. Right turns on to the main road from existing properties along the south of the A438 are already extremely difficult at peak times – this will exacerbate the problem.

DWH have played down the extra vehicular traffic that will be created around peak times. Their proposal to appoint a coordinator to promote car-sharing is a ludicrous suggestion and shows no understanding of human nature and the impracticality of this proposal. They have given no indication of the time period and funding they are prepared to commit to this naïve proposal.

DWH state in their analysis that there is no problem with the traffic speeds basically because no remedial action has so far been taken - a peculiar moral position. In reality the West Mercia Safer Road Partnership designated the A438 in this area as 'a road for concern' and operate speed camera measures. The police have, on occasions, also mounted hand-held camera campaigns. Data from the SIDS, provided by Herefordshire Council, indicate that more than half of all vehicles exceed the speed limit, and many travel in excess of 40 and 50 mph.

### **Services and Amenities**

Welsh Water has advised DWH that they may pump foul sewage up from the site and into one of the sewer mains on the Ledbury Road (A438). It is considered that Welsh Water have not taken into account the expansion of the village by over 100% (more than doubled!) since this particular sewer was first laid in 1975. The current sewer is 150mm diameter and Welsh Water have advised residents that a sewer pipe of 225mm diameter (CSA = 398 cm<sup>2</sup>) 'should be able to serve' a population size of 800 and 900 homes according to 'Sewers for Adoption' Edition 7 - see appendix 1 (chart as supplied by the Parish Action Group). This statement serves to illustrate the risk factor that is inherent in their approval of the scheme

Whilst Welsh Water may have committed themselves to supporting the DWH proposal it is believed that they are taking a risk by stretching the capacity of the sewer even further than it is now and should be challenged. Their support of the DWH proposal has not been validated by their response to forensic questioning from local residents.

The surface water from the proposed development will not be drained by the main sewer, but will be taken, via a holding area (to limit maximum outflows) to the existing pond at the bottom of the field below. From there it will flow out in the stream which passes through local properties and gardens before eventually joining the River Lugg.

Apart from all the wildlife which depends on the stream along its length, it is known there will be several specific possible victims of the additional pollution - fish in a pond in a private property, numerous grass snakes and frogs frequently seen on the bank of the stream, sheep which drink from the stream and fish and other river creatures in the Lugg. These creatures may be poisoned either directly from the poor water quality or be otherwise harmed through the affect of the water on the micro-organisms or plants in their food chain

This drainage scheme might be acceptable if it were fresh clean rainwater which the DWH application assumes. However, it is obvious that the surface drainage from a modern housing estate of 50 houses is not going to be clean unpolluted water. Every chemical which is used for path cleaning, weed killing, car washes etc will inevitably be washed down with it, plus the effluent from cars (exhaust particles, oil, rubber...) and the remains of dog soiling and urine. DWH state that the water will be filtered - but will filtration system remove all such soluble pollutants? They have also given no indication as to how the maintenance of the filters will be organised or funded in perpetuity. Is it to become a burden on the local parish precept funded by general rates or will they or their successors continue to be responsible?

Local residents already complain that the mains water pressure drops to an unacceptable level on a regular basis. The proposed connection of a further 50 family homes to the mains will make this position worse. As there are a number of other proposed developments in the parish the cumulative effect of these must be considered.

It is also considered that the local amenities are fully stretched. In particular the local primary school is already nearing its capacity for the catchment area children with very little room for expansion. A sudden influx of 50 families will have a negative impact on the efficient running of the school and its relationship with the local community. Parking near the school is a constant critical issue and a cause of conflict with local residents – the police have been involved several times. The additional influx would only exacerbate the problem.

### **Design, Appearance and Materials**

The development does not offer a mix of properties i.e. no bungalows or similar for elderly people. There is nothing the support the concept of sustainability or areas for home-working– these will be executive homes for commuters. The designs do not offer energy saving measures or microgeneration (solar panels).

The development clearly allows (and DWH have admitted in open meeting) for further expansion into the fields behind the current proposal. At the very least the proposals should be redrawn to prevent this from happening

The design of many of the properties does not allow sufficient space for freezers and gardening and domestic equipment. The design of all the properties does not incorporate space for secure storage of wheelie bins. As a result these items will be stored in the garages of the properties consequently leaving cars parked on the street. There is

nothing in the proposal to prevent parked cars from partially blocking the access to the proposed development or even being dangerously parked on the A438.

### **Government & Local Policy**

The number of homes planned (50) far exceeds the average build rate necessary to satisfy an annualised rate (7per year) needed to supply the total of 118 homes needed under the proposed 'Herefordshire Local Plan - Core Strategy 2013 - 2031'.

### **Nature Conservation**

The site forms part of a scenic view from the North West of Bartestree, where local people walk and enjoy the countryside. This view will be spoiled for ever once the homes are built.

On the plans the footpath LU6 is not shown but it does cross the corner of the field and should therefore be protected.

It was considered that the attenuation pond would be better located to the east of and adjacent to the existing pond than its proposed location.

### **Saved Policies from the UDP pertinent to this application:**

H5 – Bartestree is a main village in which no land was allocated within the UDP for development.

H7 – Policy seeks to restrict housing in the open countryside, outside of defined settlement boundaries.

HBA4 – New build should not adversely affect listed buildings and their settings (proximity of site to Prospect Cottage, a listed building)

**If saved policies have no bearing on current planning applications, then what is their function?**

### **Other Comments Included:**

It is immoral that the absence of a "5-year housing supply" should be sufficient grounds to allow building on a green field site which is located outside the previous settlement boundary established through the previous local development plan.

There is an established Neighbourhood Development Plan Steering Group presently working on a detailed consideration of all SHLAAs and about to launch a consultation of local residents. It is considered premature to allow any such large housing estate to proceed before the NDP conclusions are known.

There is already another Planning Application, for 30 houses on Quarry Field in the Parish. Five other lots of land have been sold by auction as 'parcels of land and building' two months ago and housing plans are likely to be submitted for those. We understand that pre-application consultation has also taken place regarding yet another site of potentially 30 properties. We believe that these various sites should not be considered each in isolation, but that the cumulative effect on the Parish must be taken

into account. If all were permitted, the 20-year Core Strategy target of 118 houses could already be exceeded within the next two or three years.

### **Localism Act 2011**

The Localism Act 2011 is expressly designed to give residents a powerful voice in the on-going development of their communities.

The developers have no consideration for the views of local people. As reported in DWH's own Community Update, 68% of those who responded rejected the proposal and only 7% of local people supported the proposal.

A recent petition of local people echoed this view when 825 residents living in the Parish signed their agreement to the following statements.

- 1) I accept that the Herefordshire Council Core Strategy guideline of 18% expansion (about 118 houses) up to 2031 is reasonable.
- 2) I accept that sites should be chosen taking into account the recommendations of the Neighbourhood Development Plan now being developed by local residents and to be voted on in a Parish Referendum.
- 3) But I am strongly opposed to any housing development schemes being permitted in Bartestree and Lugwardine until the above planning framework is in place.

### **Demand for housing**

There is little demand for this number of homes here and now. The people who might purchase them will not be employed locally but in Hereford, the local market towns or beyond.

Finally, in virtually all aspects, this proposal has nothing positive to offer the people of Bartestree and Lugwardine.

## **4. Neighbourhood Development Plan Steering Group (NDPSG) (2972)**

### **4.1 To Set Targets and Deadlines for the NDPSG**

The Chair, as a member of the NDPSG, considered that the group was not moving quickly enough especially in setting a vision and objectives and that policies should be set to achieve these.

**Resolved:** Following a vote of 7 for and 1 against it was agreed that at the NDPSG meeting on 28<sup>th</sup> November the Steering Group should have in place a vision and a set of objectives to achieve that vision and some draft agreed policies.

### **4.2 To Approve the Go Ahead for the Modified SHLAA Consultation if Appropriate**

**Resolved:** Deferred to another meeting,

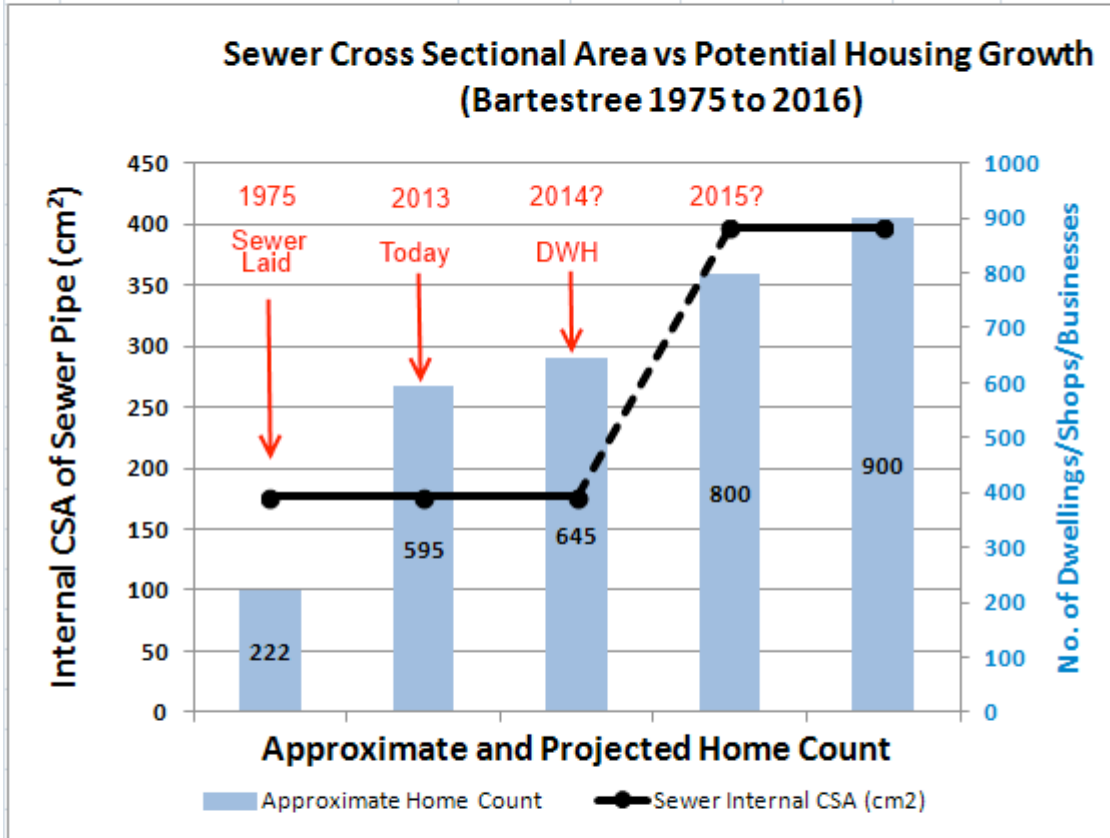
**Meeting concluded at 7.52pm**

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Signature of Chair

12<sup>th</sup> November 2013  
Date

Appendix 1 - Chart as supplied by the Parish Action Group

<b>Sewer CSA vs Estimated Population Growth (1975 to 2016)</b>					
			DWH		
Year	1975	2013	2014 ?	2015 ?	2016 ?
Approximate Home Count	222	595	645	800	900
Sewer Internal Diameter (mm)	150	150	150	225	225
Sewer Internal CSA (cm <sup>2</sup> )	177	177	177	398	398



**Notes**

- (1) The current number of dwellings in Bartestree is approximately 595 homes. This already represents an increase of 168% since the sewer was installed in 1975.
- (2) Welsh Water confirm that a sewer pipe of 225mm diameter (CSA = 398 cm<sup>2</sup>) "should be able to serve" a population size of 800 and 900 homes according to "Sewers for Adoption" Edition 7.
- (3) The approval of Planning Application 132536/F (David Wilson Homes) will lead to an increase of 190% in the home count since the sewer was laid in 1975 and represents a further burden on this sewer.
- (4) The volume of foul effluent from homes built since 1975 includes a greater output from washing machines and dishwashers and showers.