

KIDDERMINSTER FOREIGN PARISH COUNCIL

Minutes of the Parish Council Meeting

held in Trimpley Village Hall on Monday 17th April 2023 at 7.30pm

Present Councillor Mr. J. Gammond
Councillor Mr. C. Holford
Councillor Mrs C Gammond
County Councillor I. Hardiman
Mrs E Whitehouse (Clerk)

Councillor Mr. B. Phillips
Councillor Mrs S. Stone
Councillor Mr. C. Jordan
District Councillors Byng and Harrison
3 members of the public were present.

Gordon Yarranton – The meeting commenced with 1 mins' silence in memory of Gordon Yarranton, a former councillor who had recently passed away.

Police Report & Public Open Forum

Police Report : Police were unable to attend as none of the team were on duty at the time of the meeting. They reported, from doing a system check, that there was nothing of any severity to share in respect of the parish. They advised they will continue to do speed surveys in the area when they can, and asked us to feel free to email if anything needed passing attention. Clerk was requested to contact asking how frequently the speed surveys were done, and where in the parish.

Public Open Forum – No matters raised.

1. **Apologies For Absence**: Apologies received and approved from Cllr. C. Grainger
2. **Declarations of Interest/Dispensations**: Interests as previously minuted.
3. **Approval of the Minutes** The minutes of the Parish Council Meeting and the Annual Parish Meeting held Monday 20th March 2023 were approved and signed.

4. **County and District Councillors' Reports –**

Report from County Councillor Hardiman:

“Manhole (STW?) Habberley Lane below Low Habberley:

This subject has been referred back to me by the Parish Clerk and I have again requested inquiries and help in resolving this issue; I have not yet received a detailed update/response.

Small Wall at junction with School Lane Trimpley:

Whilst I have received acknowledgement that a Works Order has been raised, I still have yet to be informed of a date for this repair work.

Low Habberley Flooding: Opposite No. 3 Low Habberley – Collapsed gully under road.

The Highways Engineer assures me that investigation is ongoing update given.

Dead Tree Hoarstone Lane:

I am awaiting “What 3 Words” information from the Parish Council, to enable accurate identification of the appropriate tree.

Vehicle Speeds Trimpley Lane Shatterford area:

I have informed the resident who raised this, that the recent speed survey has provided justification for the Parish Council in engaging the police to carry out speed enforcement here. Police should therefore be doing more checks.

Valley Close, Valley Direction Sign Removal:

Unfortunately, despite chasing the District Council Officers, I have not received assurance of if or when they will remove the misleading signage here. I am continuing to chase on this.”

Report from District Councillors –

Cllr Byng reported that Enforcement Officers would be going to Hill Farm/Mary Moors tomorrow to check on various matters.

5. **PLANNING AND DEVELOPMENT CONTROL:**

a) New Planning applications: -

23/0179/S73: Variation of condition 2 (not 12 as advised) to substitute drawing detailing revised external materials at Highlands, Trimpley Lane, Shatterford

Comment:

"We have found it quite difficult to comment on this application, since we do not feel it has been well checked.

a) It states "variation of Condition 12". In the previous permission, there is no Condition 12. The conditions only number up to 11. So to start with, we are unsure what we are commenting about.

b) The planning documents submitted on the website refer to a "supporting letter" and on the "following sheet". These documents are nowhere to be found.

So again, we are unsure what we are commenting about.

c) Having said all that, providing the roof ridge height is not increased, we are not unhappy with the proposed materials."

23/0200/FUL: Residential Development of 120 Dwellings, Access from Habberley Road, Public Open Space and Landscaping, Surface Water Attenuation and Associated Infrastructure

Comment:

"We wish **to object most strongly to this proposed application** for the following reasons:

- 1) **Inappropriate Green Belt Development - Para.136 of NPPF** states that Green Belt Boundaries should only be altered where "exceptional circumstances are fully evidenced and justified". We would contend that there have been no exceptional circumstances to justify the removal of this site from the greenbelt. Indeed, we feel the reverse applies to this site, since the site serves as an open countryside buffer between the boundaries of the urban sprawl

of Kidderminster and the village of Low Habberley, and this would significantly reduce the gap between the two.

- 2) **Inappropriate Green Belt Development - Para.137 of NPPF** states that all brownfield sites should be fully assessed before changes are made to Green Belt Boundaries. We do not believe that this has been investigated sufficiently thoroughly, and therefore object strongly to this site being used for development. We feel that there are a considerable number of brownfield sites or sites of lesser landscape value that could be used before such an important buffer site as this should be used.

Indeed, this site has been found to provide a significant positive contribution to the Green Belt. The Amec Foster Wheeler – ‘Green Belt Review Strategic Analysis (September 2016)’ confirmed the following in their ‘Site Analysis Appendix C: Site by site analysis May 2018’ in terms of the site’s contribution to the Green Belt:

“To check the unrestricted sprawl of large built-up areas – **SIGNIFICANT CONTRIBUTION:** The site forms part of the northern edge of the built extent of Kidderminster. As such it contains the spread of the town into open countryside to the north of Habberley Road which in this location contains the contiguous built development to the south. The site, in combination with the wider Green Belt in this location, helps to form part of the context for, and separate identity of, the hamlet of Low Habberley. Development of the site would not constitute ‘rounding off’, despite the presence of development at Coningsby Drive to the northeast which creates an unbounded extension into open countryside north of Habberley Lane.

To assist in safeguarding the countryside from encroachment – **SIGNIFICANT CONTRIBUTION:** The site acts as part of the wider Green Belt to the north of Kidderminster, containing the contiguous built area of the town and preventing encroachment into open countryside. Although contained on three sides by substantial boundaries, the northern boundary comprises an insubstantial hedge.

Overall Assessment of Contribution to Green Belt Purposes – **SIGNIFICANT CONTRIBUTION:** The site forms part of the arc of Green Belt which contains the northerly extent of Kidderminster, limiting extension of the contiguous built-up area of the town into open countryside. As such, and in combination with the wider Green Belt in this locality, the site makes a significant contribution to Green Belt purposes of containing sprawl and preventing encroachment.”

This assessment does not support the release of the site from the Green Belt.

- Document ED20 Green Belt Topic Paper - Summary of Site Assessments (October 2020) of the local plan examination hearings also confirms the contribution of the site to the Green Belt as: “**Significant Contribution** – The site forms part of the arc of Green Belt which contains the northerly extent of Kidderminster, limiting extension of the contiguous built-up area of the town into open countryside. As such, and in combination with the wider Green Belt in this locality, the site makes a significant contribution to Green Belt purposes of containing sprawl and preventing encroachment”.

This assessment does not support the release of the site from the Green Belt.

Furthermore, in the recent Inspectorate Examination of the Wyre Forest Local Plan 2016-36, in document ED6, the Inspector makes the following point:

“I have not found a comprehensive, integrated and consistent level of explanation of the local-level, site-specific exceptional circumstances that, in the Council’s view, justify the release of each individual site. This explanation should summarise the purposes that each individual site serves in the Green Belt, the effect of its release on these purposes and the overall integrity of the Green Belt, and the other relevant factors in each case that, cumulatively, may amount to exceptional circumstances justifying its release.”

In light of this comment by the Inspector, we feel that this “individual site” has intrinsic value in preventing urban sprawl. The current Habberley Road is a far more effective barrier to such sprawl into Green Belt land than ever any hedgerow will be, irrespective of any improvements being made to the hedge. There have been no exception circumstance to justify its release, and so we would object to this in the strongest possible way we can.

- 3) **Environmental Impact** - The development will offer no additional or compensatory improvements to the environmental quality and accessibility of the remaining/adjoining Green Belt land, as outlined in **Para.138 of NPPF**. Indeed, we feel that the local environmental quality of the area will be particularly damaged by this development in that it will destroy undeveloped wildlife corridors leading to the bordering Natural Reserve of Habberley Valley. We believe that the development of this site is particularly harmful to wildlife in this respect. Habberley Valley Nature Reserve has direct connectivity to this open field site, and provides suitable and endangered habitat for a range of protected species, including badgers, bats, birds, invertebrates, amphibians and reptiles. Habberley Valley Nature Reserve is already under considerable pressure from human disturbance, and this development, directly on its border, and with planned new public access routes from this development directly into the reserve, will only exacerbate the problem, and accelerate the decline of these species, seriously disrupting the wildlife corridors used by such species to access the reserve.

We are also of the opinion that **dispersal of surface water** has not been adequately addressed. This field, historically, even as agricultural bare earth, has caused surface run-off flooding, and we do not believe that the small pond shown would take the extra run-off from roofs, driveways and hard surfaced roads and pavements. We would like to see porous surfaces incorporated as mandatory into any plans, along with soakaways, and environmentally friendly ways of dealing with such water.

Also in respect of any drainage plans, we are aware of adjoining **sewerage systems**, but we have no knowledge of any assessment having been made of these, and whether they can take the additional load that these houses would put through that system. It will not have an infinite capacity, and little regard has been given to this aspect in respect of sewage disposal and possible capacity problems.

4) **Highway Matters**

Of particular importance, and high on the list of objections from residents from the whole of Kidderminster Foreign parish, is the unprecedented amount of extra traffic this will cause to an already stretched highway. Anyone who lives in this area or commutes through it will bear testament to this. The submitted Transport Assessment has already shown Habberley Road to be a dangerous local highway, and therefore this development conflicts with

Para.109 of NPPF.

The developer has stated that it has undertaken traffic assessments and counts, but this was some years ago, before the new Habberley Trail was opened. The Trail had not really opened, and then the Covid lockdown happened and the traffic count would have been much lower than we are expecting in coming times. This Trail, on the site of the former Low Habberley Golf Club, is now expected to generate considerably more traffic in coming months, traffic which will be wishing to turn into Habberley Lane from the roundabout at the junction with Habberley Road. We therefore contend that any reports submitted into the weight and type of traffic using this roundabout junction are now out of date, and inaccurate.

Wherever highway access to this proposed development site may be designed (at the moment from the plans it is at two points on the Habberley Road) it will cause terrific problems for the inadequate roundabout between Habberley Road and Habberley Lane.

Currently, the preponderance of traffic at this point is along the Habberley Road, from Bewdley – Franche, and vice versa. This is particularly noticeable at rush hours, when tailbacks occur on the Habberley Lane junctions – ie. from Low Habberley across towards the Blakebrook area, where road users struggle to get access onto the roundabout. However, we now also have the addition of traffic wishing to go to the Habberley Trail, which has opened since traffic assessments were done by the developer.

We would also point out that the weight of traffic using the B4190 Habberley Road is likely to become far heavier. The Local Plan has identified development (Policy SA.B4) to take place on Land South of Habberley Road (adjacent to the current Mercure Hotel) on the outskirts of Bewdley. This is a development of a further 41 dwellings, and site access will be onto the B4190. This will add considerably to the traffic using the B4190 to access Kidderminster, and also further afield to the West Midlands conurbation.

A further development on this side of Bewdley (Policy SA.B3 – a further 81 houses) very close to (SA.B4) may also add to traffic after accessing the B4190 from the Catchems End junction.

Looking at tailbacks at rush hours on Habberley Lane (from Low Habberley), due to the heavier flow of traffic – Bewdley-Kidderminster-Bewdley – making it difficult to actually pull out onto the roundabout, it is already causing some road users to take “cut throughs”. This is particularly noticeable via the roads on the Ferndale estate, which will be made worse, and this will endanger the inhabitants and their families, destroying the residential quality of this estate.

Although the developer has suggested some minor improvements at the roundabout, these will not solve this problem. Dropped pavements, and pedestrian slopes to the highway will not help or address any of the problems highlighted here. We would also comment that the access points for the site do not show any appropriate visibility splays.

We would therefore object to this housing development taking place, as it would cause major highway problems, which are currently not addressed in any proposals we have seen, and we would ask that the County Highways Engineers dealing with this application are made aware of these comments. Indeed, the roundabout already causes problems, and this development, added to the proposed housing at SA.B4, and SA.B3, and the Habberley Trail will just exacerbate these.

A study and report on Transport problems at this site (albeit in connection with a previous application and appeal) has been undertaken by THaT Consultancy, and this can be viewed [here](#). We would endorse the findings of this report in voicing strong opposition to this planning application – 23/0200 - on the grounds of the traffic problems it would cause.

5) Other Matters

Loss of Agricultural Land – This development will take productive agricultural land from our countryside, which is becoming less and less in the UK, and this will be irreversible.

The Parish Council ask, via this comment, for Wyre Forest District Council demonstrate that every brownfield site proposed in the District has been fully utilised BEFORE building on this valuable agricultural land.

The **mix of housing** has also not been addressed, and we note there is no commitment to the requirements of Para.61 of the NPPF – i.e. we would like to see provision of more smaller starter homes, bungalows, and self-build plots, and reduced larger family homes, to cater for different groups in the community.

Archaeological Assessment – we do not believe that a thorough archaeological study of the site has taken place. We would like to see LIDAR reports of the proposed site as well as test digs – based on any information found from Lidar reports - to ensure that no important remains are being destroyed forever. The lack of such assessment is contrary to Para.189 of the NPPF.

- 6) **In summary**, the Parish Council wish to confirm their **unanimous opposition to this development** for all the valid reasons given above. We feel that the development addresses very few needs of the people of the District, and almost none for the people who live local to this site. For identified District housing needs, and to meet government requirements, we feel there are far more appropriate sites which should be used to address these. We would also ask that the Parish Council comments in opposition to this development submitted 17th December 2018 and linked [here](#) - form part of this council's opposition to this planning application. “

Clerk also advised that a further application had appeared when she checked the weekly list – but no consultation had been sent to the parish:

23/0262/CR – Land formerly Park Attwood, Trimpey – Discharge of Condition 6 of permission

On querying this with Planning, she was told that it should not have appeared on the Weekly Planning list, and Condition 6 related to drainage, and consultation was only required with Kirsten Huizer, and not the Parish Council. Clerk did a little research to find Condition 6, but was unsuccessful since, on checking, there appeared to be over 44 Discharges of Conditions in relation to this site.

b) **Update on Previous applications**

22/0942/HOU - Single storey side/rear extension at 13 Habberley Lane, Low Habberley – **Pending Decision**
23/0101 TPO Cherry – Fell and replace – Park Attwood Site - **Approved**. It was pointed out that the address details were incorrect, as the application stated Park Attwood Farm, and not the former site of Park Attwood House.

22/0927/FUL Change of Use to Form Holiday Let. Location: Old Pumping Station, Trimpley Lane, Shatterford – **Pending Decision**

23/0177/HOU - Single storey side extensions: Paynes Cottage, Eymore Wood Lane, Trimple -, **Pending Decision**

c) **Compliance Issues/Appeals** –

Appeal Reference APP/R1845/W/20/3263496 - Conversion of former stable building to dwelling (Use Class C3), together with new vehicular access and closure of existing vehicular access (to pedestrian access only) Application Reference 20/0405/FUL. – **No decision yet received re appeal.**

Appeal Reference APP/R1845/W/21/3281433 - Northwood Farm , Northwood Lane, - Change of use - Agricultural to Dog Breeding Kennels(21/0029) - Clerk had submitted the same comments to the appeal Inspector as were submitted to application 21/0029.- **No decision yet received re appeal.**

Appeal Reference APP/R1845/W/22/3309021 - Land At Os 381000 277300, Habberley Lane, Low Habberley, Kidderminster. Description of Development Outline planning application (with all matters reserved except for means of access) for erection of up to 124 dwellinghouses, including public open space and landscaping surface water attenuation and associated infrastructure Application Reference 21/0421/OUT – **No decision yet received.**

Hill Farm / Mary Moors matters – Clerk had received an email stating “*Mary Moors Farm – On going monitoring regarding building works. Visit to be conducted soon to check on caravans*” Also refer to report from Cllr Byng.

d) Changes in Notification from Planning Dept. – It appears that automatic notification of planning decisions are no longer seem to be sent to the parish. Clerk has to request these for each application.

6. **Habberley Trail Update**

Cllr. Stone reported that there were large visitor numbers (approx. 300 cars + 3 coaches) at the Trail (Not on the same day) over the Easter period. Assurances had initially been given that booking was to be only on line (to regulate numbers) but the number of visitors now seemed to be many more than predicted. Also there appeared to be more new equipment being installed on site, and several “sheds”. Also there were several new signs which had appeared. Clerk to ask the Enforcement Officer to check the site for contraventions to permissions.

7. **Progress Reports and other Outstanding Items**

Highway Matters

- **Broken Manhole, below Low Habberley:** - (See Cllr. Hardiman;s report). Investigations with the tenant farmer were to be made in respect of whether this may be to do with the field irrigation.
- **Valley Close signage to Habberley Valley** – (as reported by Cllr. Hardiman) - this was being attended to, but was not yet done.
- **Noticeboards – Crundalls Lane and locks on boards at Low Habberley** - Chris Bunn had advised that he had taken down the noticeboard at Crundalls Lane, and put in the two concrete posts ready to take the other board which he hoped to move early this week.
- **Speed of Vehicles on Local Roads** – Still awaiting positioning of wires on Trimpley Lane.
- **Roadside Wall at junction of School Lane, Trimpley** – Clerk had reported this (ref 16513) and received an email from the County Council hub stating that “the Parish Gang will be attending the site soon to rebuild the wall”.
- **Dead Tree – Hoarstone Lane** – (as reported by Cllr. Hardiman) – awaiting “what three words” identification.
- **Blocked Drains – Low Habberley** –Drains have been jetted. However, it was yet to be proved that this would have solved the problem beneath the road surface where it was suspected that the drain had collapsed.
- **Newsletter** – Clerk had provided a draft copy to all councillors for approval. This was now to be issued.
- **Lightmarsh Lane** – Following a report and inspection by Cllr. C. Grainger and the new Lengthsman, Clerk had reported the very poor surface condition of this lane – Hub Reference : 19650

8. **Election Information and successful nominations** - Clerk advised that with Cllr. Mrs. C. Gammond retiring from office, only 6 valid nominations had been received by the deadline of 4th April. This meant that there would be no election for the parish, the council had one vacancy, and this could be filled by co-option. The co-option process could commence, although Mrs. Gammond would remain in her capacity as Parish Councillor until 9th May. Clerk had prepared notices and documentation for councillors information, in respect of the vacancy. If applications were received by the deadline set of 19th May, then further steps in respect of the vacancy e.g. possible interview requirements, would need to be arranged.

9. **Lengthsman / Litter Collection and Footpath Clearance Matters**

a) Lengthsman – 2023/2024 work arrangements and contract – Clerk had terminated all contracts with Messrs. Archer in writing. She had now also received from the County Council the contract for 2023/24, which had increased in value this year by 5% to £2,488.09 and she had signed this and would return to the County this week, quoting Mr. C. Bunn as the new lengthsman.

Clerk asked all councillors to note the Lengthsman’s phone numbers (landline and mobile) and the email

address had already been shared with councillors. Although currently (during April) the agreed contract rate of £15 per hour to the new lengthsman would be applied, he had requested that this be increased from May to £15.75 per hour. This was unanimously agreed. Clerk would arrange the contract paperwork between Lengthsman and Parish, and also ask Mr. Bunn to supply her with a copy of his insurance cover for checking. Cllr. Phillips confirmed that he would continue in his role liaising with the Lengthsman, having all contact details and phone numbers, and it was requested that he reported to Mr. Bunn that vegetation near to the speed limit sign in Eymore Lane, and also graffiti on signs at Low Habberley be attended to during his duties.

b) **Notification to Wyre Forest DC re Litter contract** - Clerk had requested Wyre Forest to remove the litter bins in the parish and after reminding them of the one at Eymore Lane junction, and also the one in the layby on the A442, she believed that this had now been done. She had also notified Arley Estate that the bins from the Eymore Wood Car Park were no longer in situ.

c) **Rights of Way Contract** - This was being worked on by the ROW Warden and the Clerk, based on last year's seasonal clearance. Clerk had noted that this was all to be completed earlier this year. Discussion would need to be held with Mr. C. Bunn about this clearance, as he was concerned about the accessibility of some of the paths. There would also perhaps be additional work to the seasonal clearance, and a bid would be put in to cover this. Based on this request, the County Council would then offer a grant. Clerk to liaise with Richard Roberts ROWW, and Mr. Bunn.

10. **Financial Reports –**

a) **Ratification of payments to be made** – No payments were tabled

Clerk advised that a late invoice had been received from the lengthsman for **£560.25** to finish the contract, and that, as agreed at the last meeting this had been set up and ratified by the Clerk and Chair. Clerk had also cancelled the standing order payment which was made monthly to Messrs. Archer for the Litter collection.

b) **End of Year Accounts** Clerk had supplied balanced account sheets to all councillors, and it was resolved to approve these, along with the Bank Reconciliation, in readiness for Audit. Cllr. Holford commented that during the year only £70 had been spent on training, and questioned if the subscription to CALC paid was value for money. Clerk advised that the subscription also included an amount for the NALC affiliation fee, and that in the coming year more use would probably be made of training offered due to the possibility of a new councillor. Cllr. J. Gammond also stated that CALC also offered support and guidance (particularly to the Clerk) on procedural matters, and were also there to offer legal advice and services. Cllr. Holford suggested that CALC should perhaps make their training more engaging to encourage a better take-up.

c) **Audit** – Clerk advised that she had received the audit (AGAR) documentation, and had completed this ready for the internal audit check. She had contacted Trevor Stanley, who was prepared to undertake this again this year. It was resolved to approve the Certificate of Exemption, and this was signed by the Clerk and Chairman and the Clerk would submit this to PKF Littlejohn, the appointed external auditors. Clerk had also produced a revised Asset List, reducing the number of noticeboards to 4 and this too was approved and signed.

At the May meeting, further papers will be tabled, including the Internal Audit Report, the AGAR documentation for approval, and the Clerk would also prepare the notices to post to advertise the period for the public right to exercise their right to inspect the audited accounts.

11. **Worcestershire CALC Reports & County and District & other Correspondence –**

None tabled.

12. **Road Accident Record -** None.

13. **Other Matters**

Blount Charity – The unfilled vacancy of a representative for the Parish on the board of this Charity was discussed. Cllr. Jordan had done some investigation work, and had made contact with the newly appointed Clerk to the Charity, who was aware of some of the management shortcomings, although new to post, but who was very upbeat about the finances held by the Charity. Cllr. Jordan confirmed that he was happy to attend the next meeting as the Parish Council Representative (which was 1st June) and also confirmed that there would be no conflict of interest in his involvement with his family based charity – The Emily Jordan Foundation Trust.

Next meeting: confirmed as **Monday 15th May 2023 – being the Annual Meeting of the Parish Council, when declarations of office were to be signed.**

The meeting closed at 8.55 pm

Chairman :