

LITTLE RISSINGTON PARISH COUNCIL

The next meeting of **Little Rissington Parish Council** will take place on **Monday 9th September 2024** in **Little Rissington Village Hall**. The meeting will commence at **6.30 pm**. **Members of the Council** are hereby summoned to attend for the business of considering and resolving upon the matters as set out in the agenda below. Members of the parish and press are welcome to attend.

Clerk: Maxi Freeman

Contact clerk@littlerissington.net 07736 706805

AGENDA

17. **Welcome and apologies.** Apologies received in advance from Cllr MacKenzie-Charrington and Cllr Wilks.
18. **Declaration of interests:** Councillors are reminded that they should declare either a personal or prejudicial interest if relevant. Councillors with a prejudicial interest should leave the meeting for the duration of the relevant items.
19. **Representations from the Public:** To provide members of the public/press with the opportunity to comment on items on the Agenda or raise items for consideration at a future meeting. In accordance with Standing Orders, this will not exceed 15 minutes in total and three minutes per person.
20. **Receive the County Councillor's Report**
21. **Receive the Ward Councillor's Report**
22. **Minutes:** To approve and sign the Minutes of the Parish Council meeting held on 30th May 2024.
23. **Action Point Update:** to review actions from the Parish Council meeting 30th May 2024.
24. **Noticeboard.** Councillors to decide which noticeboard to buy. The format has been agreed as two doors with one lockable. Councillors also to decide how it will be installed.
25. **Planning Applications:**
 - (a) Consider the council's response to the following new planning applications:

[24/02458/FUL](#) Erection of four dwellings and associated infrastructure (Reserved Matters application) - Variation of condition 1 (Plans) of approval 22/04292/FUL involving removal of pedestrian crossing point to west of site entrance, Orchard Cottage Little Rissington Cheltenham Gloucestershire GL54 2 ND.

- (b) Submissions between meetings. Councillors to confirm that the below submissions are an accurate representation of their views:

24/02058/FUL Church Farm, application to convert agricultural land to residential land.

Since refused

Little Rissington Parish Council objects strongly to this application for the following reasons:

1. Incorrect policies addressed

The majority of the statements in this planning application refer to policies which are not relevant, unless the application is for the development of residential or commercial buildings. If the applicant wishes to build a development of this type on the land then the application should be clear about this intended use.

The choice of policies may be due to misunderstanding some of the terms. For example, the applicant has either misunderstood the general meaning of the word 'development' in the context of planning or intends the application to relate to the development of the land for residential or commercial use and not for use as a 'garden'. The application is for the extension of the curtilage of the house. The extension of domestic curtilages into the countryside is only normally permitted where there would not be an adverse impact on the character and appearance of the countryside or the setting of a settlement.

The job of the NPPF is to: *'provide(s) a framework within which locally prepared plans can provide for sufficient housing and other development in a sustainable manner.'*

https://assets.publishing.service.gov.uk/media/669a25e9a3c2a28abb50d2b4/NPPF_December_2023.pdf The plans referred to are the plans made by local authorities, not individual householders, and the focus is on housing. The point raised in the application that the NPPF (par 11) has a *'presumption in favour of sustainable development'* also refers to plan making by local authorities. The element of sustainability has not been addressed in this application.

The applicant also seems to have misunderstood the meaning of 'landscape' and tranquillity' in this context.

CDC Policies EN1 and EN5 (not of the Cotswold NLB as stated in the application) relate to the maintenance and enhancement of the natural landscape. This does not include gardens which are, by their nature, artificial and often highly unsustainable. A site which is *'a wasteland'*, as stated in the application, is not one covered by policy EN5. However brown field sites such as this may have a very high level of biodiversity which CDC may wish to conserve.

Further misunderstandings seem to have occurred in the statement, including a 'social' objective cited in 7 (c). The 'social' objective mentioned relates to making the AONB a resource for all residents, visitors and people who work in the area, and does not relate to the social function of a private space.

In addition, the interpretation of *'tranquillity'* is incorrect. The Cotswold NLB in EN4 intends tranquillity to mean the enjoyment of peace and quiet by everyone who lives, works or visits the Cotswolds, not the personal enjoyment of a private garden.

2. The intended use of the land is not clear

While stating that the purpose of the application is to create a garden, the application later states that *'given that the land is in such close proximity to Church Farm, it would not be unexpected to see the land being utilised as a garden space'* and later (pt 7) *'a reasonable expectation that it could be a garden'*, leaving the question of what else exactly the land is intended for, if a garden is only an *'expectation'*.

If, as the application states, the owners are keen to extend their garden, the current space could be landscaped and developed for that very purpose. However, it has not been cultivated in any recognisable way. The addition of further acreage (actual acres not specified in the application), would not *'allow the owners to enhance, restore and better manage the site'* ensuring that *'the space is well maintained and managed'* any more than the current land would. A larger area could have the opposite effect.

The statement goes on to say that *'the present agricultural use is severely restricting what the occupants of Church Farm are able to do with the space and as such the site is at risk of becoming overgrown and neglected'*. However as can be seen from the many local farms, the 'agricultural' land designation does not automatically mean that it will inevitably be neglected and overgrown. Agricultural land is a vital resource and is normally used intensively to produce a living and provide a degree of food security.

3. Unconnected references

The application statement refers to an appeal judgement in Milton Keynes, which is not in an AONB and therefore is of little relevance. It then goes on to discuss refusal policies, rather than the policies which are directly relevant to this application.

The previously permitted application did not extend into existing agricultural land past the current buildings and it is unclear why the previous application is being referenced. This change of use would be far more visible than the previous tranche of land converted from agricultural barns to holiday lets as (according to the application) it is *'on a hillside overlooking a valley'*.

On page 8 there is another misplaced reference, where the applicant appears to assume that CDC has already decided on the outcome of the application and that the decision is based on an incorrect assessment of the relevant regulations.

The deadline for comments is Monday 19th August and Little Rissington Parish Council is not aware of any decision having been taken but would have been notified as a statutory consultee.

Referring to the notes in the planning statement under 'National Planning Policy Framework 2023 (p.8.)', the applicant states that it needs to draw CDC's attention to NPPF policies which *'have either been overlooked, misinterpreted or not given due weight and consideration within the decision-making process'*. This statement implies that CDC has made a decision on the application. It is not clear how the applicant has come to this conclusion.

The PCs previous experience with Cotswold DC has shown that its planning function observes and implements regulations and policies, both its own and the relevant NPPF policies (which are often embedded in the CDC policies), as accurately as the context allows. Due weight is also given to the policies of the Cotswold National Landscape Board, with its specialist expertise in the local area.

The issues which the application should address include:

1. Incursion into agricultural land

The site is described as '*a wasteland*' and later, that it would '*remain untidy and vacant*' if planning permission is not granted. The condition in which the owners keep their land is not a recognised reason for conversion to residential land

Replacing agricultural land, whether worked or not, with a garden creates an even less sustainable environment as gardens require imported quantities of water, topsoil, non-native plants and (unless organic) the use of pesticides and herbicides.

The NPPF states at Par. 182 'Great weight should be given to conserving and enhancing landscape ...(in) ...Areas of Outstanding Natural Beauty... The conservation and enhancement of wildlife ... are also important considerations in these areas...'

This application would remove natural habitat near the village, which would reduce the opportunities for wildlife in the area, making it contrary to NPPF par 182. No attempts to address these issues have been included in the application.

It would have an adverse effect on the character and appearance of the countryside. This type of 'domestication' of the countryside should not be permitted.

2. Extension of village borders

The 'garden' would also extend the borders of the village well beyond those currently recognised. NPPF guidelines state that proposals should '*complement the form and character of the settlement*'. This application would, however, move the village boundary into open agricultural land outside the village, away from the main settlement and from the main Church Farm buildings.

Any change in land use must not have an adverse effect on the setting of a settlement. A garden would normally have a significant adverse impact on the character of the countryside and should not be permitted.

3. Missing Information

The size of the land in question is not included in the application, although it seems to be at least 2/3 the size of the existing plot. The application states at 7(b) that Church Farm would '*benefit from a residential garden of an appropriate size to the dwelling*'. While there is no official measure of what is appropriate or not, but this would appear to be very disproportionately large. In general, a garden of 1 acre would be appropriate for a 6-bedroom house but this application would create a garden of appx 2 acres.

In addition, no details have been provided to show the landscaping which the owners propose, such as the stone walling and hedges discussed in the application. Planning policies demand that boundaries must use appropriate materials and styles. Without this information it is difficult for the effects of the change of use to be assessed fairly against any policies.

4. Biodiversity Net Gain

The application does not include any commitment to Biodiversity Net Gain and the Biodiversity Form states that the mitigation is 'not significant'. However, the Ecology Report states that *'Since the baseline biodiversity value of the site is measured as 2.17 habitat units, and the post development value of the site is measured as 1.05 habitat units, a biodiversity offset of 1.34 habitat units would be required to achieve a 10% net gain.'*

It then goes on to list 7 recommendations for improving the land to meet the required Biodiversity Net Gain targets. None of the recommendations are included in the application, although the Ecology report states that the applicant has agreed to measures which will meet the 10% target. They include several opportunities for grassland biodiversity gains:

- *'Enhancement of 0.48ha of other neutral grassland currently in poor condition to moderate condition; or Replacement of 0.29ha of modified grassland in poor condition with other neutral grassland in moderate condition.*
- *neutral grassland in poor condition and 0.5ha of modified grassland in poor condition, portions of which could be enhanced in structural and species diversity, through sowing native wildflower seeds, especially of yellow rattle (*Rhinanthus minor*) to parasitise the vigorous grasses and entering traditional hay-cut management.'*
- *Additionally, the assessment identified a baseline hedgerow unit value of 1.06 units and a post development value of 1.01 hedgerow units, therefore, requiring 0.15 hedgerow units to achieve a 10% net gain.*
- *The proposed habitat enhancement, establishment and management for BNG will be subject to a Section 106 Agreement or Conservation Covenant with Cotswold District Council and will be managed/monitored over a minimum of 30 years in line with the Biodiversity Gain Plan (BGP) and Habitat Maintenance and Monitoring Plan (HMMP), secured post-planning consent.*

Little Rissington Parish Council believes that these items are the minimum needed to deliver biodiversity net gain and that any permission granted for this site must be conditional on carrying out this work and achieving 10% BNG.

5. Purpose of the application

If the application is for an extended garden then it must clarify the meaning of the term development in the document. The application refers frequently to NPPF regulations which apply primarily to residential or commercial developments. While planning decisions cannot be made regarding future applications, the current application is unclear as to the future purpose of the site. This must be clarified before the application can be properly assessed.

24/01694/PIP Glebe Farmhouse, Development of up to 5 houses at Glebe Farmyard – Planning in Principle – Since permitted

Little Rissington Councillors recognise that the PLP application is only concerned with location, land use and the amount of development. The Parish Council has a number of comments and concerns regarding this application and requests that CDC addresses these concerns as part of its decision making process regarding this planning application.

Concerns focus on whether or not the development meets the requirements of items (a) to (d) of Local Plan Policy DS3. The policy states that:

'in Non-Principal Settlements, small scale residential development will be permitted provided it:

a) demonstrably supports or enhances the vitality of the local community and the continued availability of services and facilities locally;

b) is of a proportionate scale and maintains and enhances sustainable patterns of development;

c) complements the form and character of the settlement; and

d) does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the Local Plan period.'

a) demonstrably supports or enhances the vitality of the local community and the continued availability of services and facilities locally;

- **Threat to the vitality of the community**

This development could threaten the vitality of the local community. Many Cotswold villages have a high proportion of 2nd homes and homes used for AirBnB. Because the owners are rarely in the village, the village loses its cohesion and community spirit, to the detriment of local residents. Little Rissington Parish Council recommends that any new legislation to regulate short term lets is implemented for this development.

The Cotswolds also suffer from an acute shortage of affordable housing and housing for local people. While this proposed development is below the threshold for mandatory affordable housing, Councillors believe that this is an opportunity to help provide homes for local people working in traditional, land-based industries including farming and equestrian workers. The current residents are local farmers and employ local people. While these industries are at the core of the vitality of local villages, they do not pay the salaries needed to buy or rent a home in the Cotswolds in the 21st century.

- **Availability of local facilities and services.**

Little Rissington does not have any facilities other than the Church, nor does it have any services such as doctors or shops. To use the facilities in the nearest Principal Settlements,

residents rely on private transport. Traffic levels are already experienced as being higher than the small roads can handle and the village was one of the first in the area to implement a 20 mph speed limit due to the nature of the roads and amount of traffic. Six footpaths converge on the village, making it necessary to cross the main road, frequently at blind bends, in the face of speeding HGVs, tourist coaches and delivery vehicles.

CDC declared a climate emergency in 2019 and it plans to reduce emissions to net zero by 2050, in line with UK targets. The largest source of emissions in the District is transport – 44% of it on the roads. Building new housing where the lack of local facilities encourages increased car travel would seem to be contrary to these policies. Even if, at the Technical stage, electric car charging points were a condition, it is not possible to ensure that drivers only use electric vehicles.

b) is of a proportionate scale and maintains and enhances sustainable patterns of development; and c) complements the form and character of the settlement;

- **Proportionate scale**

The development of five houses may increase the density of building in the village overall, although this will become evident at the technical stage. While the area of the village around the site is generally residential it is still a farm yard, with an accompanying farmhouse. The setting of the farmhouse will inevitably be affected by the development. The technical stage should ensure that there is adequate space allocated to the potentially considerable number of cars on site as there is very little space for parking in the village itself.

- **Sustainable development**

The lack of transport clearly undermines the sustainability of the development.

There are also concerns that the farming activities will be curtailed as a result of the proposed development. If the farmyard no longer serves the farming activities, where will those activities be carried out? The Cotswold District Council Climate Emergency Strategy refers extensively to the importance of farm land as a carbon sink. If farming is reduced, this will reduce the land's capacity to contribute to net zero.

In line with Biodiversity Net Gain requirements, councillors expect the existing boundary hedges and trees to be retained. This should be part of the 10% biodiversity net gain which will be included at the Technical stage, with guarantees and mechanisms in place to ensure they are retained for the next 30 years, as specified in the BNG regulations.

d) does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the Local Plan period.'

There is a growing trend for agricultural land to be reclassified as residential, changing the character of the settlement. Church Farm previously redeveloped agricultural buildings as residential units which are now used as AirBnB holiday accommodation. The same place has recently applied to change further agricultural land to residential for a development.

26. Finance:

(a) **Receive bank balances:** Treasurers A/C £17,549.15 on 28/08/24 and Instant Access A/C £22,468.38 on 28/08/24.

(b) **Review and authorise the following payments:**

PAYEE	DETAILS	INVOICE NO.	INVOICE TOTAL
Little Rissington Village Hall	Hall hire for September 24 meeting		£24.00
Maxi Freeman	Clerk Administration May (part)/June/July 2024	See PATA payslips	£568.36
Nick Cole	Expenses for website and emails	3247358218 17/08	14.39
		32197154316 01/08	14.39
		3204711019 23/07	101.94
		313954133 14/06	2.45
		3111653518 01/06	14.39
		Total	147.56
t.b.d.	Noticeboard		t.b.a.

27. Village Hall Governance:

(a) Receive update on Village Hall Management (CEH). At the May meeting Councillors agreed to obtain a second quote for the repair works. Councillors to decide whether to accept one of these quotes or take other action.

28. Highways:

(a) Highways report (MMC). Engineering survey and associated road closure.

(b) Traffic management (GE/NC) update, to include school buses and tourist coaches. Councillors to decide whether to establish a working party to progress action on these issues between Council meetings.

(c) Bus Shelter Repair (GE) Councillor to decide on further action to restore the shelter.

29. Website:

(a) Website report (NC)

30. Allotments:

(a) Allotment report (KW). Councillors to decide on any further action.

31. Ford Fountain Renovation:

(a) Progress report (GE). Councillors to decide on any further action.

32. Flora & Fauna:

(a) Flora and fauna report (GE). Councillors to decide on any further action.

33. Chairman's matters**Notice of Forthcoming Meeting Dates**

Monday, 9th December 2024

Monday, 10th March 2024

May 2024 Date t.b.a.