

KINGS CAPLE PARISH COUNCIL

Regular Meeting of the Parish Council held at The Old School
at 7.30pm on Thursday 28th November 2024

Present:

Parish Cllrs: Adrian Harvey (Chair), Pam Apperley (PA), Mark Barry (MB), Janice Gardiner (JG), Tim Over (TO)

Also in attendance: Ward Cllr Barry Durkin, Harry Waymouth (Highways), 13 members of the public and Mrs Chris Bucknell (Parish Clerk)

1. **To Receive Apologies for Absence** – Cllr Russell Nunn and Cllr Jim Petter
2. **Declarations of Interest**
 - a. **To Receive Declarations of Interest** - None
 - b. **To Approve any Written Requests for Dispensations**
There were no requests for dispensations.
3. **To Accept Minutes of the Regular Meeting of the Parish Council held on 26th September 2024**
Resolved: The minutes were confirmed as a true record and signed by the Chair.

4. **To Receive Brief Verbal Reports**

a. **Ward Cllr Barry Durkin**

The November Ward Report had been circulated to all Cllrs in advance of the meeting. Cllr Durkin gave the following summary, asking that Ward Reports be put on the Parish Website:

Following the recent flooding as well as the incident in October, Herefordshire Council were carrying out a review of flooding to ascertain where actions by Herefordshire Council could make a difference. A flood summit had been carried out, attended by all Ward Cllrs who discussed issues in their ward. Information and leaflets were available on Herefordshire Council website [Flooding – Herefordshire Council](#).

The library, which was currently in the Town Hall, would move to the Shirehall once the current work was completed and the Museum and Art Gallery in Broad Street was to be turned into a world class exhibition centre, following extensive renovation. Herefordshire Council were currently carrying out a number of meeting and information sessions asking local people what they wanted to see, and residents were encouraged to put their views forward. [Help shape the future of Hereford Museum & Art Gallery – Herefordshire Council](#)

Herefordshire Council has welcomed the news that city businesses have voted for Hereford Business Improvement District (Hereford BID) to run for a third term, securing investment in the city centre over the next five years.

A Parish Council Summit, which had been attended by the Chair and Clerk, had outlined how Herefordshire Council planned to interact and support Parish Councils. Topics included an update on Children's Services, and the 382 children in the care of the authority. While there had been issues over the years the Service was now deemed to be meeting the various criteria demanded of it.

Cllr Durkin said there was obviously a need to prioritise the many issues that came up at the Parish Summit but it was planned that many would be taken forward in the best way possible.

Cllr Durkin had reported to Cabinet that Herefordshire Council had heavily invested in the county's roads with nearly £12 million being committed to fulfilling 94% of the identified work on A, B, C and U roads. Residents were encouraged to report potholes online.

Cllr Harvey queried whether this included work on unclassified roads and Cllr Durkin said that it did with around 30 projects on unclassified roads due to be completed by the end of the financial year. Cllr Durkin felt that when communication went out regarding work that would be done on the roads it should contain more information on the detail of what was being addressed so that residents were better informed.

5. Communication with Parishioners

a. Plaques to Remember those Villagers Killed in the 2 Great Wars

Sellack Parish Council currently had a project to put brass plaques on footpath gates, commemorating those who were lost in the wars. The plaques were sponsored by villagers and the Parish Council. Cllr Apperley wondered if this was something Kings Caple would like to do. This item would be discussed further at the January meeting.

6. Open Time – To Note Matters Raised by Local Residents Relevant to the Parish

There were no items raised

7. To Consider Planning Matters

a. To Consider New Planning Applications and Agree Comments

Reference Number	Application
242388	Upper Ruxton Farm, Kings Caple – installation of 2 non-illuminated free-standing signs

Resolved: To Support the Application

Reference Number	Application
242441	Land Adjacent to Lightfields, Kings Caple – application for approval of reserved matters following outline approval 202070.

The applicant, Ben Garbett was in attendance at the meeting and gave a brief overview of the application, saying the current proposal was for 8 bungalows, the first application being for a much higher density development. Ben Garbett said the local survey showed that residents wanted a much lower density development which would help with biodiversity whilst providing affordable housing for the village and this is what was reflected in the current application. He noted that there had been a clerical error resulting in the Drainage Report not being submitted in the first instance, and he thanked Herefordshire Council for allowing more time for people to review and comment on the application.

The Parish Council Planning Subgroup (consisting of Cllr Harvey, Cllr Barry and Cllr Over) had met and gone through the application in great detail. The application was lodged on 30th September and validated the same day, but the Drainage Report was missing and was not received by

Herefordshire Council until 29th October when a copy was circulated to all Councillors. Cllr Harvey said that reserve matters were Scale, Appearance, Layout and Landscaping but the omission of the Drainage Report meant that there was not enough time to consider the application in full and the application had now been re-posted giving a new 21-day consultation period.

Councillor Harvey gave a detailed verbal report of the discussions held by the Planning Working Group and their recommendations to the Parish Council.

In relation to the four reserved matters, their views were as follows:

The application was adequate in matters of scale, both in terms of the size of the development as a whole and the size and ground area of individual dwellings. Appearance was satisfactory, though uniform and unimaginative given the significance of the site at the entrance of a village in a national landscape area.

The layout of the plot proposed was judged wholly unacceptable. It arranged the dwellings in an inward facing suburban layout that would remove any sense of connexion with the adjoining part of the village. This layout ignored the suggestions in the Landscape Sensitivity and Capacity Assessment Report that helped identify the site for allocation in the NDP. It also ran counter to the repeated advice of expert delegate reports, received in response to applications 202070 and 221102. The surface identified for the central access drive appears inadequate for vehicles servicing the site and is likely rapidly to deteriorate.

The Landscaping proposals are also wholly inadequate. Despite the somewhat evasive comments supplied with the updated landscape proposals, the actions taken on site have not followed the original landscaping strategy, very largely destroyed much of the vegetation surrounding the site and screening its visibility. Where this has involved intermediate hedgerow vegetation under trees this will be difficult to re-establish under an existing canopy. On the south side of the site removal of vegetation has been carried out on a hedgerow not indicated by the land registry as within the ownership of the site landowner, thus prompting a boundary dispute. Removal of trees on the south side of the dividing strip between properties to the west has led to a tendency for waterlogging on the swale that is proposed to provide the site of the foul water drainage soakaway.

The planning working group has taken advice from a number of persons with practical and/or technical knowledge of drainage issues. The judgments suggest that the proposed arrangements are inadequate. A mound treatment plant is unlikely to be suitable in a situation like this with substantial run-off from higher land to the east. All three land owners with land adjoining the site, two of them residential, have raised well-informed objections.

There is also concern about pedestrian access to the centre of the village along the very busy U71005 which has very narrow verges. An attempt to identify an access to footpath KC 13 has been abandoned presumably because it would involve passing along the line of the proposed soakaway.

There appears to be inadequate parking space given the village's car dependency.

The Planning Working Group advised that the Parish Council should object to the application given that it clearly breached a number of both Core Strategy and NDP policies.

Cllr Harvey then asked Councillors if they had any additional views they wanted to highlight.

Cllr Nunn, although not at the meeting, had submitted his comments, most of which had been covered in the previous discussions, but Cllr Nunn also mentioned that the current scheme failed to support PROW access via KC13 as the new proposed soakaway went across that portion of land and could make the PROW impassible.

Cllr Apperley said she had grave concerns about the drainage situation, particularly if the system did not operate correctly, which would pose a danger for road users. She also noted that she agreed with Jake Keogh's representation regarding biodiversity and the environment.

Cllr Barry said that for both the outline submission and the previous reserve matters application the Parish Council had encouraged the applicant to enter into genuine consultation with local residents. He felt that whilst there had been some gesture made to carrying out a consultation, the questions in the questionnaire were, in his view, closed and he felt it disappointing that an alternative consultation had not been considered, as there were genuine concerns which could have been addressed earlier on.

Cllr Harvey agreed that there was need for closer communication with the neighbours which had not happened and, on this basis, he did not feel that anything other than opposition to the application could be recommended.

Cllr Harvey noted that the main issue that came out of the detailed opinion gathering when developing the NDP in 2014 was that 95% of consultees cited that their key issue to development was the preservation of the AONB landscape and it was not felt this had been done in this case.

Ben Garbett responded that it was his intention to plant many more trees and reinstate the environment that was there before. He had spoken to the issuer of the Drainage Report and had been told that effluent did not need to flow into the adjacent field, which would help with new planting as there would be freshwater to support the green corridor with more planting and safeguarding of the environment.

Cllr Apperley said that these proposals were encouraging but she had concerns about who was going to sustain them and ensure that the trees and hedgerows did not get chopped down again. The sewage treatment plant had been renounced for going wrong, but it was not clear whose responsibility it would be to maintain that and protect the neighbouring land. Ben Garbett replied saying it was the intention to set up a new company, consisting of the freeholders, whose combined responsibility it would be to ensure the solutions planned were maintained.

Cllr Barry said it was not just about what had happened with the existing vegetation, quoting paragraphs from the Landscape Officer's report on the original application which talked about developing and supporting biodiversity, the trees and the landscape.

Cllr Harvey then invited comments from the public, some of whom had already submitted their thoughts to the Parish Council in advance of the meeting.

The owner of Lightfields said that another drainage consultant had looked at the report and was concerned that not enough was known about the proposed management team and had voiced strong concern about how the drainage would be in a few years' time.

The owner of agricultural land to the west of the site also expressed concern about drainage.

Following discussion Cllr Harvey put forward a proposal that, based on the information currently given, the Parish Council should object to the application.

This was proposed by Cllr Apperley and seconded by Cllr Barry. All were in favour.

On this basis Cllr Harvey would prepare the Parish Council's submission which would object to the application, citing the reasons discussed at the meeting.

b. To Note any Decisions/Notifications Received

Reference Number	Application	Decision
233175	Land at School Field – application for approval of reserved matters for the erection of up to 7 dwellings with associated works (outline application 202913).	Awaiting Decision
241293	10 Caple Avenue Kings Caple - Proposed side extension on first floor above garage, rear extension on ground floor and porch	Approved with Conditions
241203	Land Adjacent to Seven Acres, Kings Caple - Proposed change of use of existing agricultural access to form a new residential vehicular access with significantly improved visibility splays and an unadopted shared private drive to supplement the existing residential access which is shared with a Public Right of Way.	Awaiting Decision
241951	Pennoxstone Court, Ruxton Lane, Kings Caple - Application for removal of conditions 1, 4, 6 and 7 of planning permission 100966 (Application (part retrospective) to erect, take down and re-erect polytunnels, rotated around fields as required by the crops under cultivation (soft fruit)	Withdrawn

c. To Consider Any Other Planning Issues and Updates

There were no other issues.

8. Environmental Work Group**a. Report from the Working Group Meeting and Updates on Community Events**

The group had last met on Wednesday 20th November and the minutes of the meeting had been circulated to all Councillors in advance of the Parish Council meeting. Cllr Gardiner reported that she had recently attended the Wyescapes online meeting which outlined proposals for the River Wye, particularly looking at a change in use of land immediately adjacent to the river and how it was managed. Plans were currently at a development stage where the group was talking to everyone and participating farmers and land managers were working to identify actions and changes they could make to restore the river corridor, including reduced nutrient use, reverting high risk fields from arable cropping to grassland, creating new wetlands, floodplain meadows and woodlands. Proposals would be put back to DEFRA for implementation by 2026.

It was felt this was a positive move and residents should be made aware of the proposals.

This would be looked into further and brought back to the February meeting.

b. To Consider and Approve any Proposed Actions and Expenditure

There were no proposed actions or expenditure.

9. Financial Matters**a. To Receive a Report from the RFO - Current Account £23,304.54**

There had been no income since the September meeting

b. To Approve Payments made since September Meeting

Payment	Expenditure	Amount
	Bank Charges – 2 months	£16.00
BACS	Kings Cagle Old School Invoice 150. Hire charges 9 hours @ £7	£63.00

Resolved: All payments noted and approved

c. To Approve Payment of Outstanding Invoices

There were no outstanding invoices

d. To Consider 2025/26 Budget and Agree 2025/26 Precept

The 2024/25 budget with mid-year actuals and end of year predictions had been forwarded to all Cllrs on 20/11/24. The Clerk noted that some grants were paid in the year following the expenditure and some (such as the Drainage Grant) were still to be finalised, so there may be some changes. The cost of internet provision at The Old School was still not known and needed to be taken into account.

Based on the precept remaining the same (£8,000) the draft budget, as it currently stood, suggested a deficit of £1,580, although there were significant reserves that could cover that if appropriate.

The precept for 2025/26 needed to be submitted to Herefordshire Council by end of December 2024 and the Clerk recommended that the precept be raised.

Following discussion Councillors proposed and agreed a £400 raise to the precept, bringing it to £8,400 for 2025/26. Proposed by Cllr Barry, Seconded by Cllr Over. All were in favour.

e. To Consider Internet Provision at The Old School

Cllr Nunn was not at the meeting and there was no update. This would be brought to the February meeting.

10. Highway and Public Rights of Way**a. Update on Review of Roads in the Parish**

Harry Waymouth said there were issues with the condition of the road from the crossroads to Clusters but nothing to suggest that a potholer would come out. The road from Innesbury to Pennault had a number of potholes and the road from the crossroads to Sellack Boat was also bad. A pothole report had been submitted.

There were 4 other locations where culverts were collapsing underground, one by Willow Cottage and these could be covered by the Drainage Grant once confirmation had been received. The culvert under the road by Sellack Bridge was collapsing and this had been included in the grant application.

There were also water issues by Poulstone Farm as the road goes past the entrance to the open yard, these were due to breakage further down.

Cllr Harvey said that a recent survey showed that on the road from the crossroads to the Clusters 2/3 of the traffic turned right and went up Poulstone Lane to Brockhampton. There was a sunken access trench and the unclassified road badly needed resurfacing.

There were also issues with silt coming from the fields and Harry would talk to the landowner.

Paving to the Post Box and Telephone Box

This would be discussed at the February meeting. The Clerk confirmed that this would probably have to be funded by the Parish Council.

Report on Drainage Work

Drainage Grant – confirmation had been received that the application for Ditching Work (£2,000) and Drainage Asset Survey (£500) had been approved but a decision was still awaited from Ed Bradford (Herefordshire Council) on the Minor Drainage Schemes. This is being followed up.

Lengthsman Maintenance Work – there was no further update

Neighbourhood Watch – this would be discussed at the February Meeting

b. To Receive a Report on Footpath Maintenance

Cllr Apperley gave a brief update saying that the Council had recently been down to the footbridge to check the cables.

c. To Note any Defects to be reported to BBLP and any other updates

There were no issues to report

11. Liaison with Agricultural Holdings

Cllr Harvey reported that as far as the new tenants of S&A were concerned activity was very quiet with current activity not being on the same scale as S&A. Cllr Over noted that the ground that was not deemed to be profitable had been handed back and the growing of asparagus cut back accordingly.

12. To Note the Information Sheet (November 2024) and any other updates

Resolved: The Information Sheet was noted. There were no further updates

13. To Raise Items for the Regular Meeting of the Parish Council (no discussion)

Riverside Meadows, Paving to Post Box and Telephone Box, Internet Access for The Old School, Footpath plaques

14. To Note Date and Time of the Regular Meeting of the Parish Council

The next Regular Meeting of the Parish Council would take place on Thursday 23rd January 2025 at 7.30pm in The Old School.

The Meeting closed at 9.30 pm



Signed

Chairman of Kings Capse Parish Council

Date 23rd January 2025