Birlingham Parish Council

Minutes of meeting held on Wednesday 15 November 2023

In Birlingham Village Hall

Councillors:

Councillors Aston, Byrne, Glover, Parsons, Porter and Yates.

In attendance:

District Councillor Paul Middlebrough, Clerk June Hiden, Tree Warden Rupert Day and parishioner.

Welcome – The Chairman thanked everyone for attending.

1. Apologies for absence

County Councillor Hardman was attending Defford Parish Council's meeting. Apologies were tendered by Footpath Warden Bruce Hayward and Lengthsman Carl Brassington.

2. Minutes of the previous meeting

The Minutes of the meeting held on 20 September 2023, a copy of which has been circulated to all Councillors, was agreed as a true record and duly signed by the Chairman.

3. Declaration of Interest

a) Register of Interests: Councillors are reminded of the need to update their register of interests.
b) To declare any Disclosable Pecuniary Interests in items on the agenda and their nature.
c) To declare any Other Disclosable Interests in items on the agenda and their nature.
d) Written requests for the Council to grant a dispensation (S33 of the Localism Act 2011) are to be with the Clerk at least four clear days prior to a meeting.

Councillors who have declared a Disclosable Pecuniary Interest, or Other Disclosable Interest which falls within the terms of paragraph 12(4) of the Code of Conduct, must leave the room for the relevant items. Failure to register or declare a Disclosable Pecuniary Interest may be a criminal offence.

Interests were declared by Councillor Aston in relation to Planning.

Democratic Opening

The meeting was adjourned for public question time.

Questions were raised by a resident wanting members to be aware of:

- The positioning of Airband equipment (connection box, black discs) on the telegraph pole outside their cottage. The resident showed photographs to show the impact. They have spoken to the team on site who would not confirm if the equipment could be repositioned on aesthetic grounds.

The Chairman has been in contact with Airband to get some answers on the siting of apparatus. An information leaflet on the installation of telecommunications Infrastructure had been forwarded to the resident. The Chairman advised that unfortunately legislation means that apparatus does not require planning permission or a highway license. Wychavon District Council's involvement as the Local Planning Authority is very limited as permission is granted in advance by the Government under their permitted development legislation and therefore the Council have little influence.

- Seeking confirmation that 999 services would be able to give the code for the defibrillator, if requested.

The Chairman and members thought it right to question whether the code for the defibrillator would be available via 999 particularly as residents had experienced that this was not always the case. See answers in section 11 below.

4. Progress Reports

a) Footpath Warden:

i. Footpath 508 (path to Defford from Gravelly Hill) boardwalk bridge is scheduled for repair but bad weather has meant the work has been postponed.
The Public Rights of Way Improvement Officer updated Bruce Hayward as follows:
"We are waiting for a block of around 4 days of decent weather for the contractor to get onto site. It is the intention to carry out the work by the end of the month (Nov 2023)."

b) Tree Warden:

i. There are three trees of immediate concern that need attention:

- The lime tree at the corner of Upper End on the inside of the bend (near entrance to Brockham).
- The sycamore on the corner of the Avenue and Church Lane; branches across the highway. The trunk of the tree appears hollow in places.
- A yew tree halfway up the Avenue; branches overhanging the highway.

Also, along Church Lane there are a number of dead trees between the cricket ground and the road and on the side of the road where Church Lane turns back towards the village green. The Tree warden and Clerk will be contacting landowners about these.

Councillor Porter will progress the tree concerns near the cricket ground with the owner and tenant.

ii. Tree Warden Scheme – Worcestershire County Council has worked with the Tree Council to support Parish Tree Wardens and are looking to reinvigorate this in Worcestershire. The Tree Wardens contact details have been given to the County Council and he will attend a Zoom meeting entitled; 'Would you like to enhance your Parish for wildlife?' This is a scheme to support habitat improvements and offers grants and advice to projects. Rupert Day is interested in finding support in the village, maybe for the Jubilee Wood.

c) Lengthsman – see *Appendix 1*

The Lengthsman has reported that there was a lot of mud from tractors on Broadway Road. Clerk will contact the farm about getting this cleaned up.

d) District Councillor. The following report had been received:-

"*A new council leader has been appointed at Wychavon following Bradley Thomas standing down after being appointed the Prospective Conservative Parliamentary Candidate for Bromsgrove. The new leader is Chris Day the District Councillor for Ombersley, who has been on the board for four years. I have been appointed the Executive Board as member for Town and Rural Vitality. My responsibilities are for: Smart growth working with developers and the public realm, support and initiate projects in Droitwich Spa, Evesham and Pershore, support cross border development opportunities, support and initiate projects to strengthen rural communities. This new role means I have stood down as a member of the Planning Committee. However, I can still speak at planning committee meetings on local applications. Over the last few weeks, you may have read about local authorities becoming bankrupt, described as a Section 114 notice. The latest announcements culminated in*

Birmingham City Council stating it had a £760 million shortfall. Changing Places Toilets additional investment for the new Changing Places Toilets (CPTs) in our existing toilet blocks in Activity Park, Broadway and Lido Park, Droitwich Spa. Path improvements in Lido Park and St Peter's Fields, Droitwich Spa Increase in the capital programme to facilitate the delivery of new and improved footpaths and replacing a bridge at Lido Park and St Peter's Field, Droitwich Spa. Milestone Ground, Broadway an archaeological survey of council owned land known as Milestone Ground, Broadway, which is subject to a sale for development. Wychavon's Budget process for 2024/2025 has already started at Wychavon. The initial planning process is proposing to increase expenditure budgets by 5% in 2024/25 with an increase in fees and charges of 3%. In addition to this further efficiency gains and removal of any excess budgets will continue. The freehold and leasehold properties which make up the Council's property portfolio are valued at £111,268,000, so Wychavon's solvency is well assured. The Parks Ground Maintenance contract with Continental Landscapes was extended. Amongst the changes are that • Hydrotreated Vegetable Oil is used in all diesel vehicles, including the ride on mowers, and Aspen Alkylate Petrol for other equipment. • For 12 month a trial of manual and mechanical weeding in all parks from 1 April 2024 is done to see if the elimination of herbicides is practical. At long last the South Worcestershire Development Plan Review has been submitted to the Secretary of State for independent examination in public. As well as the Plan, supporting evidence and other documents have been submitted, including all the comments received from the Regulation-19 consultation held last year. The Secretary of State has yet to appoint the independent inspector. It is expected/hoped Malvern Hills District, Worcester City and Wychavon District Councils will be able to adopt the Plan in late 2024, but the timing of this will be subject to the Planning Inspectorate's timetable for the examination. I am concerned that some current staff vacancies that are filled by agency staff resulting in increased costs to the Council. In my view the proliferation of Home Working exacerbates the problems and difficulties in contact and action. This is acknowledged and I will certainly be pressing for changes."

Discussion took place on planning matters. The District Councillor was thanked for his support at Committee with the Broadgrove Nurseries application. Councillor Middlebrough said he would continue to support parishes but he is now only a local member rather than on the Planning Committee. He advised that it would be an idea to talk to Pershore Town Council on the Tiddesley Wood proposal and work together.

Members asked Councillor Middlebrough about concerns over there being no up-to-date five-year housing landbank in place. Without this it becomes more difficult to refuse large scale planning applications. There was still no answer to a date to finalise the plan which would demonstrate the housing supply.

His new role would see him looking at the Riverside Centre in Evesham and its regeneration which he said would be an interesting project.

A member asked the County Councillor about Wychavon's 'real' assets; these are confirmed as the hospital, Waitrose sites.

It was noted that Avon Vale River Action Group deal with water quality and test equipment. The group aim to improve the health of the River Avon in the Vale of Evesham for wildlife and as a safe environment.

The District Councillor can be contacted on paul.middlebrough@wychavon.net

The Chairman thanked the Councillor for his time.

e) County Councillor – none.

f) Clerk - See ***Appendix 2***

5. Planning

a) Planning applications pending: -

i. W/23/01802/ W/23/01919/HP - The Grange, Berwick Lane WR10 3AD
Proposed single storey orangery with roof terrace and single storey link
Applicant - [redacted]

ii. W/23/01943/HP - Whitehall House, Whitehall Lane WR10 3AB
Proposed front and rear single storey extensions
Applicant – Mr and Mrs Dormer

Parish Council comments:

"*The Parish Council have no specific comments to make on this application and will rely on the case officer to ensure the materials and detailing are in keeping with both the existing element of the property and surrounding residential property*."

iii. W/23/01802/CU - The Bungalow, Upper End, WR10 3AA
Change of use of land to residential garden
Applicant – Mr and Mrs Haydon

Parish Council comments:

"*Birlingham Parish Council support the change of use of the site, which we understand was where the glass houses were previously prior to demolition, to that of a residential garden*."

iv. W/22/02657/HP - Hills Cottage, Upper End WR10 3AA
First floor extension over existing carport. The enclosure of carport bay at ground floor level to create entrance hall and construction of zinc standing seam roof to link house to carport. Addition of PV solar panels.
Applicant - Mr Nicholas Aston

Following on from the earlier discussion on the proposals for Orchard Farm, Defford Road (Tiddesley Wood - W/23/02112/OUT residential development of up to 300 houses). This development is outside the parish boundary but the size could impact local infrastructure such as roads, schools and GP surgeries. Worcestershire Wildlife is also very concerned about the impact on Tiddesley Wood SSSI. It was noted that there were no comments or objections to the development on the planning site from Birlingham residents.

Councillor Bryne will draft a comment for submission.

b) Applications granted: -

i. W23/00042/FUL - Broadgrove Nursery Farm Shop, Eckington Road WR10 3DA
Commercial redevelopment of nursery site with 7no. units
Applicant - Mr T Mence

Committee 12 October ***Appendix 3***

c) Enforcement: -

- Birlingham Nurseries, Upper End - reference MGX-883972
  Clerk has chased the Planning Department and a retrospective application has been submitted for the various buildings that have been erected.
- Rose Cottages, Church Street:
  Clerk will ask for an update as it was reported that the officer did not attend the correct site.

6. Financial Matters

a) The Accounts for 2023/2024

i) Bank balances - current is £12,256.41 as at 23 October 2023 and Business saving balance is £8,349.13 as at 9 October 2023.

ii) Receipts

i. £3,312.00 – Wychavon District Council (£3,223.00 Precept 2 and £89.00 grant)
ii. £236.25 – Worcestershire County Council
iii. £210.00 – Worcestershire County Council

iii) Payments agreed: –

i. £20.00 – Birlingham Village Hall – March 2023 PC meeting (708)
ii. £245.00 – Lengthsman June 2023 (710)
iii. £236.25 – Lengthsman July 2023 (711)
iv. £210.00 – Lengthsman August 2023 (712)
v. £20.00 – Birlingham Village Hall - September 2023 PC meeting (713)

b) Future payments for consideration

i. £20. 00 – Birlingham Village Hall – November 2023 PC meeting
ii. £105.00 – Lengthsman September 2023
iii. £140.00 - Lengthsman October 2023
iv. £100.00 – Election charges
v. £650.00 - Clerk's Pay – July, August, September
ix. £104.28 – Clerk's Expenses – July, August, September
x. £162.40 – PAYE – October, November, December

c) Budget setting: A pre-meeting was held to discuss the precept for 2024/5. The precept has to be submitted in January. Consideration was given to the following:

- The level of balances it is appropriate for the Council to hold.
- Clerks pay, PAYE and expenses – quarterly payments as per financial year and in line with RTI
- Car allowance – 40 pence per mile (Adoption of Local Authorities (Members' Allowances) (England) Regulations 2003)
- Charities – the poppy wreaths were discussed and it was agreed to still provide two; one for Eckington and one for the parish
- Insurance which is due in May
- CALC's fees and any increase in subscriptions
- Village Hall charges
- Training for councillors
- Litter Bins - annual charges for emptying
- Millennium Bench – annual charge for maintenance
- Any potential village projects
- Allocation of funds to provisions
- Lengthsman - Worcestershire County Council set target hours for the year
- Footpath Warden – budget comes from Worcestershire County Council

The Financial Officer circulated the Precept calculations. It is hoped that, when finalised, charges can be kept at the same level as 2023/24 or even reduced a little. The budgeted figure was approved as £6,815.00 but is subject to final review before submission.

7. Full Fibre Broadband (Fibre to the Premise – FTTP)

Residents will have noticed lots of activity in Birlingham and the surrounding area as fibre infrastructure is installed. The Parish Council has received an update from Airband that Pershore, Wick, the Combertons and Eckington are now completed. Defford will be completed by Christmas and Birlingham by the end of February (estimated) at which point testing and connections can take place. There have been some delays due to Airband having to apply for a road closure at Upper End to install six poles to bring the cable into the village from the A4104 to near Hills Cottage. Councillor Michael Porter met with the Project Manager of Airband today (15 November 2023) to discuss the poles and asked as an alternative that they bury the cable either in ducts where they currently exist or in the verge adjacent to land owned by him and his brother. This would be a much-preferred solution and is being considered. The manager seemed sympathetic to the discussion during the site visit. The Chairman would communicate with his contact also regarding the roadside changes. Airband is hopeful that there will be minimal impact on residents. It is expected that the majority of the village will be covered by the new fibre service but residents can check individual properties via the link on the website https://www.airband.co.uk/broadband-coverage-checker/ and then also register their interest if they haven't already done so.

The Chairman is waiting further confirmation.

8. Swan's Neck

On Monday 6 November 2023, the Parish Council had a discussion with Revills about their plans for tree planting at Swan's Neck. Concerns were raised over the loss of access to part of the grassed area at Birlingham Quay due to planned new fencing. It was agreed that the farm would open up the common access area at the quay which had become overgrown and inaccessible. Work started the same day with the disconnection and removal of the old pump house followed by clearance in preparation for planting. In order to keep residents informed a report by Manager, John Sansome will be published in a special edition of Birlingham News with details and a map.

The Parish Council expressed their disappointment that there was no time or notice given regarding the works to the site that the farm have taken.

9. Lower End – water leak

Despite considerable work being carried out to address the issue of the water leak at Lower End earlier in the year, and over the previous nine years, water continues to pour across the road. This could become a hazard when it freezes. The Clerk has attempted to resolve the problem with Severn Trent Water. The Parish Council believe that Severn Trent Water has a statutory responsibility to investigate this further in the Manor Paddock and the Moors to see if there is a break in the 'village pipe'. The Clerk will escalate it working with Councillor Byrne. The Clerk will also contact Worcestershire County Council Highways to see what works they can do. County Councillor Hardman will be copied in on the communications.

10. Remembrance

There was a good village turnout (45 plus) for the remembrance service by the war memorial on Saturday 11 November2023 given by Rev Stansbie. Councillor Porter read out the names and Councillor Yates laid the wreath. There were refreshments afterwards in St James'. The Eckington service was held on Sunday 12 November 2023 and veteran Ian Moore from Lilac Cottage kindly agreed to lay the wreath on behalf of the Parish. Mr Moore said he had been honoured to represent Birlingham.

The cheque for £70.00 will be sent to the Royal British Legion as previously agreed.

11. Councillors' reports and items for next agenda

Defibrillator Code

As discussed at the Democratic opening regarding the concern for access to the defibrillator code in an emergency. Reassurance was needed that on dialling 999 the code would be available via the emergency service. Contact was made with the British Heart Foundation who re-confirmed that the defibrillator is registered and that the code should be available via 999. Residents have previously been issued with fridge magnets showing the code. An article will be written for Birlingham News reminding residents of the information (C1234). A discussion will also be held with the Birlingham Village Hall Committee regarding whether the defibrillator should be left unlocked in future.

12. Closure and date of next ordinary meeting - with nothing further to discuss the meeting closed at 9.30pm and the Chairman thanked everyone for their attendance.

The next Parish Council Meeting is scheduled for Wednesday 17 January 2024 at 7.00pm.

The meeting will be held in Birlingham Village Hall. Clerk to book hall.

Signed: ..... Councillor Ian Yates, Chairman

Date: ……..……..……

Appendix 1 – Lengthsman's Report

Reports to Worcestershire County Council

DRAINAGE

UPPER END

Parsons Pleck: Reference 32435 – What3words 'reputable.moderated.sway 25 September 2023

Maryworth Barn: down past Hills Cottage and towards the Court House.

Current update: The gulley and adjacent drain outside Maryworth barn is blocked and water pools in heavy rain. Gullies from Hill's Cottage to Parson's Pleck are continually filling with debris.

Court House: The road is sinking outside the Court House though it's not too bad at the moment but if you hit the bump on a motorcycle or bike it is quite severe.

VILLAGE CENTRE

Road crazing is increasing in front of the village hall with damage to the surface.

LOWER END

Field work is causing much debris to be left lying on the carriageway in Broadway Road.

The hedges need cutting back at the Manor House as growth is forcing traffic to the offside of the bend on an already dangerous corner. Water running down the carriageway from the entrance to the Manor garages.

Appendix 2 – Clerk's Report

i. Highway Issues

ROAD CLOSURE – Notification received 9 November 2023 – Refence 1490132 as placed in the Birlingham News. It is proposed to close part of the B4080 from its junction with A4104 Bakers Hill to its junction with Monkhall Hill (private). The anticipated duration is 3 days between 4 December and 22 December 2023. No dates have been given.

DRAINAGE

9 November 2023 – A resident has reported that the gully/drain was blocked just to the village side of the Old Dairy (adjacent to the entrance to Porter's field) on 20 October 2023. Nothing appears to have happened so the resident has cleaned out the little relief ditch up from Parson's Pleck and reported this again to Worcestershire County Council (reference number 34589). They will monitor the situation.

This has been acknowledged by the Clerk and Lengthsman has been made aware. Resident will keep Clerk update.

OVERGROWN TREES AND SHRUBS

Lower End

It is noted the landowner at The Moors has taken action on trees overhanging the public highway.

Village Green

21 February 2023 - W/23/00206/TPOA - Tree Preservation Order request to undertake tree work as detailed on application number W/23/00206/TPOA was refused.

9 November 2023 - The Clerk reported to Worcestershire County Council (reference 32028) the overhanging branches on the highway. The County Council replied:

> "*We have investigated this issue and the tree appears to be healthy with no visible signs of ill health. We have referred the location to our Green Team to assess whether works are required to lift some of the branches."*

ii. Public Rights of Way – Causeway/footbridge

Part of Footpath 508(B) (Gravelly Hill to Defford) goes over the brook and the causeway/footbridge needs repair. See email exchanges:

20 October 2023 - Bob Bemand at Defford – copied to Clerk

> *"I think this long outstanding issue will carry more weight if it is taken up with Cllr Hardman for urgent action by the Parish Councils involved. Please keep me informed of developments."*

23 October - Adrian Hardman to Defford Parish Council

> *"The work has had to be reprofiled and was due to be done this week but we need a dry spell."*

31 October 2023 – Will Sanders, Worcestershire County Council

> *"Good afternoon, all. Apologies for the delayed response, I've been on annual leave and so am only just catching up on my emails. The works have been awarded to a contractor, with the potential start date being the end of October. However due to the recent weather this will potentially be delayed."*

Footpath Warden aware.

iii. Planning Communities Together Event for Parish and Town Councils – 23 November 2023

Taking place at the Civic Centre, Wychavon District Council. The event includes an update from the Leader of the Council with some of the latest news and an introduction to the three Communities Officers finding out how they can help support the community. Information about a range of different sources of funding to support community projects and explain what Section 106 developer contributions and the Community Infrastructure Levy (CIL) are and what each can be used for. Also, to unveil the new Wychavon Community Stars award scheme, update on the local development plan process and outline how Councillors can help Wychavon to understand local rural housing needs.

Councillor Katie Parsons will attend.

Appendix 3 – Committee statements and approval

Parish Council's statement to Committee given by Steven Byrne:

"The Parish Council have several fundamental concerns which need to be addressed, prior to this application gaining support from either the Parish Council or the immediate residential community, a representative of which, you will hear from in a moment.

Issues and concerns:

Site Entrance:

The highway authority appears to have taken the erroneous view, that there would be no intensification of use by the proposal, compared with the existing; but without any numeric survey collaboration. The site, which has been semi derelict for several years, even at its operational peak, had only a few vehicle movements per day. The proposal would represent a considerable intensification.

The proximity to a blind, unlit bend, with cars arriving upon the entrance at speed and with little reaction time.

At peak morning times considerable pressure would be placed on the site's entrance, with cars possibly needing to queue on the public highway to await their turn to progress into the site.

Refuse bins:

We feel they are still too close to adjoining residential property, representing both health and noise issues if the commercial refuse is collected at unsocial hours.

Trading hours:
Considerable concern has been expressed about potentially long trading hours. We would expect to see limitation on trading hours, SAY Monday to Friday, c 8.00 am, to 5.30pm, and no out of hours deliveries.

Design and Ecology:

We are concerned that the overall development amounts to an overlarge injection of buildings and hard landscaping.

We acknowledge the attempt to soften the visual impact, but question whether this is sufficient to counteract dark grey roofing and steel roller shutter doors – the overall look is still one of light industry/commercial premises, out of keeping with the adjoining residential accommodation.

We feel the proposed development, will be generating an untoward level of light pollution for both local residents and wildlife and change the nature of the locality.

Birlingham Village Design Statement:

The Parish Council would like to draw your attention to the Birlingham Village Design Statement which recommends that residential development should be on a small scale (1-3 houses) and reflective of existing buildings in the Parish. Whilst this proposal is commercial in nature, it equates in bulk to seven large identical houses in two straight rows, so is not at all in keeping with the design ethos or uses for the parish.

Birlingham PC do not feel that the objections and concerns we previously originally raised on behalf of residents within the Parish have been adequately address by the proposed modifications, or written report to the committee.

If, you ultimately decide to grant the consent, we would ask you to consider a condition restricting the use to a very narrow definition. As currently set out in the planning application A general Use

Class E permission would allow the site use to change to any of the myriad of uses listed within class E, some of which would be significantly more harmful in this location and impact greatly on its neighbours and indeed to village."

Residents statement :

"Today, I am representing the local community [Several of them are here today]. We are not against development of this site but want the realities of existing infrastructure and impact on the existing residential community considered.

We feel small scale residential development on this site is in keeping with the Birlingham Village Development Statement.

We assume the Committee have made a site visit and so you will have seen for yourselves how this proposal interfaces with the community.

- *Our comments are borne of 15-20 years of first-hand experience of living there. 8 of the 10 households in the vicinity of the site responded to the initial planning application: all raised road safety issues*
- *We believe the Highways Authority assessment is based on out-of-date data and takes no account of real experiences.*
- *Provision for 30+ parking spaces plus daily logistics traffic is a hugely significant increase from the historical minimal traffic (maybe a dozen cars per day?). Very limited public transport services mean vehicles are normal to reach the site.*
- *The bend in Eckington Road at Dairy Cottage has a history of cars in the hedges. The residents there state that at least 4 vehicles have left the carriageway at that bend in the past years. Police have attended at least twice.*
- *Speeding cars can make exiting Shaun Cottage or Northcroft tricky– yet both drives are further from the bend than the Broadgrove site. Backed up traffic from the nearby junction can be a problem, and an incident on the M5 turns Eckington Road into a relief road.*
- *Large vehicles entering and leaving the site will be slow moving or halted at a point 75m away from a blind bend; fifty percent must cross the carriageway to enter the site. Size and position of the site entrance/exit is not suitable for the expected traffic.*

COMMUNITY DISRUPTION

- *Broadgrove Nursery was a friendly business using organic methods giving positive environment impact, with minimal traffic. The proposal with, perhaps 20 or 30 times more traffic, is more suited to a trading estate in Pershore.*
- *Seven industrial units yet* ***Employment and Hours of Opening,*** *are stated as "not relevant" suggesting contempt and making it difficult for residents to accept the proposal. If it were clear that the site would* ***only*** *be active during normal weekday working hours, remaining unlit with no deliveries outside of working hours, then it may be more palatable.*
- *The South Worcestershire Development Plan wants "****to ensure that the scale and type of new development does not compromise landscape character****" also talking about "****maintaining the identity and integrity of individual settlements****". This proposal respects neither of these aspirations*
- *Yes, we have traffic noise but no more than that. The proposal adds considerable levels of light and noise pollution in what is a rural, residential area. We trust that the Planning Committee will take full account of the weight of community concern."*

APPROVED subject to conditions at Committee

APPROVAL NOTIFICATION – dated 26 October

Part I – PARTICULARS OF APPLICATION

Statutory Start Date: 2 March 2023

Location: Broadgrove Nursery Farm Shop, Eckington Road, Birlingham, Pershore, WR10 3DA
Proposal: Commercial redevelopment of nursery site with 7no. units

Part II - PARTICULARS OF DECISION
Wychavon District Council hereby give notice that in pursuance of the provisions of the Town and Country Planning Act 1990 that PERMISSION HAS BEEN GRANTED for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions (if any):-

CONDITIONS AND REASONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Unless where required or allowed by other conditions attached to this permission/consent, the development hereby approved shall be carried out in accordance with the information (including details on the proposed materials) provided on the application form and the following plans/drawings/documents –
Dr nos:-
L062 001 (A) Location Plan
005 (A) Existing site Plan
025 (C) Proposed Units 1 to 3
026 (C) Proposed Units 4 to 7
027 (B) Proposed Site Sections
002 (F) Proposed site plan with drainage details
Reason: To define the permission.
3. The premises shall be used for purposes within Class E (C) (i, ii and iii) and (g) (i, ii and iii) of the Town and Country Planning (Use Classes) Order 1987 as amended and shall be used for no other purpose, including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
Reason: To define the permission and to ensure that the uses are suitable in the context of the surrounding environment in accordance with polices SWDP21 and SWDP31 of the adopted South Worcestershire Development Plan.
4. The development hereby permitted shall not be open to customers or deliveries to and collections from, the development outside the following hours of :- 08:00 and 18:00. Monday to Fridays, and 08:00 to 13:00 on Saturdays. The development hereby permitted shall not be operated on Sundays or on Bank Holidays.
Reason: To ensure the proposal preserves residential amenity and to prevent unacceptable noise pollution to the detriment of neighbours contrary to policy SWDP31 of the South Worcestershire Development Plan.
5. Prior to the first use/occupation of the development hereby permitted, the details set out in the submitted Energy Management Statement shall be fully implemented and remain thereafter.
Reason: To ensure that an appropriate sustainable energy system is provided to serve the development in accordance with policy SWDP27 of the South Worcestershire Development Plan 2016.
6. Prior to the first use/occupation of the development hereby permitted, the details set out in the submitted Water Management Statement shall be fully implemented and remain thereafter.
Reason: To ensure that an appropriate sustainable drainage system is provided to serve the development in accordance with policy SWDP29 of the South Worcestershire Development Plan 2016.

7. No building hereby permitted shall be occupied until the sustainable drainage/surface water drainage scheme and foul water drainage scheme for the site has been completed in accordance with the details shown on the approved plans/documents. The drainage schemes shall be managed and maintained as approved thereafter.
Reason: To ensure development would not result in unacceptable risk of pollution or harm to the environment and to ensure the proposed development does not exacerbate flood risk and deals with surface water run-off from the site in a sustainable manner, in accordance with policies SWDP28, SWDP29 and SWDP 30 of the South Worcestershire Development Plan.
8. Before the commencement of construction works on the development hereby permitted OR Before the first use/occupation of the development hereby permitted a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:-
(i) a plan(s) showing details of all existing trees and hedges on the application site. The plan should include, for each tree/hedge, the accurate position, canopy spread and species, together with an indication of any proposals for felling/pruning and any proposed changes in ground level, or other works to be carried out, within the canopy spread.
(ii) a plan(s) showing the layout of proposed tree, hedge and shrub planting and grass areas.
(iii) a schedule of proposed planting - indicating species, sizes at time of planting and numbers/densities of plants.
(iv) a written specification outlining cultivation and other operations associated with plant and grass establishment.
(v) a schedule of maintenance, including watering and the control of competitive weed growth, for a minimum period of five years from first planting.
All planting and seeding/turfing shall be carried out in accordance with the approved details in the first planting and seeding/turfing seasons following the completion or first occupation/use of the development, whichever is the sooner. The planting shall be maintained in accordance with the approved schedule of maintenance. Any trees or plants which, within a period of five years from the completion of the planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
Reason - To ensure the proposed development does not have an adverse effect on the character and appearance of the area in accordance with policies SWDP21 and SWDP25 of South Worcestershire Development Plan.
9. The materials to be used in the construction of the external surfaces of the small business units hereby permitted shall be as shown on the approved plans and application forms.
Reason - To ensure that the new materials are recessive and represent quality design in accordance with policy SWDP21 of the South Worcestershire Development Plan.
10. Full details of the construction and surface density of the acoustic fence shall be first submitted to and approved in writing by the local planning authority prior to the erection acoustic fence as shown on the approved plans. This detail shall show how the fence would be constructed, with measurable details on its acoustic efficiency. The fence shall be constructed in accordance with these approved details prior to the first use of the development commencing and shall remain in perpetuity thereafter as approved.
Reason: In the interests of the amenities of the neighbouring properties in accordance with policy SWDP31 of the adopted South Worcestershire Development Plan.
11. The Development hereby approved shall not be brought into use until sheltered and secure cycle parking to comply with the Council's adopted cycle parking standards has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.
REASON: To comply with the Council's parking standards.
12. The Development hereby approved shall not be brought into use until electric vehicle charging facilities have been provided in accordance with a specification which shall be first submitted to and approved in writing by the Local Planning Authority. The approved charging facilities shall remain as approved and operational thereafter.
REASON: To encourage sustainable travel and healthy communities.
Off-site Highway Improvements
13. The development hereby approved shall not be brought into use until the highway improvements works identified for Eckington Road, comprising:-
• Vehicle access widening
• Traffic sign relocation have been completed to the satisfaction of the Local Planning Authority and approved in writing (in discussion with the Local Highway Authority). The vehicle access widening

shall be carried out at least up to base surface level, prior to the demolition of the existing buildings and construction works commencing.
Reason: To ensure the safe and free flow of traffic onto the highway in accordance with policy SWDP21 of the South Worcestershire Development Plan.
14. The development hereby permitted shall be carried out in strict accordance with the recommendations set out in the Primary Ecological Assessment report dated 30/11/22 and submitted with this application. In particular:
- in relation to the enhancements requirements in the conclusion of the report.
Reason: To ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area in accordance with policy SWDP22 of the South Worcestershire Development Plan.
15. Before the development hereby permitted is first occupied/used, details of any external lighting to be provided in association with the development shall be submitted to and approved in writing by the Local Planning Authority. Only external lighting in accordance with approved details shall be provided on the application site.
Reason: To ensure the development contributes to the wider general amenity and conservation and enhancement of biodiversity within the site and the wider area in accordance with policies SWDP21 and SWDP22 of the South Worcestershire Development Plan.
16. Notwithstanding the details submitted details of refuse storage facilities to serve the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse storage facilities shall be implemented prior to the first occupation of the associated development and retained thereafter.
Reason: To ensure adequate refuse storage facilities are incorporated in the development and ensure high quality design in accordance with policies SWDP21 and SWDP33 of the South Worcestershire Development Plan.
NOTES TO APPLICANT
1. Positive and Proactive Statement. In dealing with this application, the Council has worked with the applicant in the following ways:- providing pre-application advice;
- seeking further information following receipt of the application;
- seeking amendments to the proposed development following receipt of the application;
- considering the imposition of conditions and or the completion of a s.106 legal agreement. In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.
2. No work on the site should commence until engineering details of the improvements to the public highway have been approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into.

Extracts of interest All News can be found online at birlingham.news.org

Birlingham **News 313 – 27 September 2023**

4. District Councillor Report

At the Parish Council on 20th September, District Councillor Paul Middlebrough presented his report.

5. Planning Applications

The following planning application has been received by the Parish Council.

The Bungalow, Upper End: Change of use of land to residential garden (Case No. W/23/01802/CU). Awaiting decision by Wychavon District Council. (Consultation period ends on 19th December.) Full details can be viewed on the Wychavon DC website.

Birlingham **News 314 – 11 October 2023**

6. Planning Applications

The Bungalow, Upper End: Please note that the consultation period ends on **19th October**, not 19th December as stated in the last email edition of Birlingham News. (The date given in the online edition was correct.) Full details of the application can be viewed on the Wychavon DC website.

The following planning application has been received by the Parish Council:

Whitehall House, Whitehall Lane: Proposed front and rear single storey extensions (Case No. W/23/01943/HP). Awaiting decision by Wychavon District Council. (Consultation period ends on 26th October.) Full details can be viewed on the Wychavon DC website.

Birlingham **News 315 – 25 October 2023**

2. Road Closure to Eckington, Saturday 28th October – Sunday 5th November

Eckington Bridge is now open again following the recent flooding.

However, the road beyond the bridge is due to be closed from Saturday 28th October until Sunday 5th November. This is to allow for carriageway resurfacing and to provide access to the new housing development. Access to Eckington village from Birlingham will be via Great Comberton.

Birlingham **News 316 – 8 November 2023**

2. Church News

Adrianne Woodward writes:

You are reminded that our annual Birlingham Remembrance Day Service will be taking place around the War Memorial on Saturday 11th November at 10.50am. Please be in place before 10.50am. Peter Stansbie is taking the service and refreshments will be served in the church afterwards.

There will be no service in St James' on Remembrance Sunday but services will be held in Eckington and at Pershore Abbey.

3. Parish Council Meeting, Wednesday 15th November

The next meeting of Birlingham Parish Council takes place on Wednesday 15th November at 7.00pm in Birlingham Village Hall. During the meeting there is an opportunity to express your views on local issues, so please go along.

5. St James' Tower Lights

Peter Luff writes:
Following lengthy trials and consideration of the responses to the consultation over the use of the new tower floodlight, the Parochial Church Council has decided the light should be on seven days a week from dusk to 22.00hrs.

The LCD light consumes 45W so it will cost a little over a penny an hour. Its colour temperature means it doesn't interfere with bats.

The PCC and the Friends of St James' hope the village enjoys the gentle illumination this winter and for many years to come.

6. Revills Farm Update

John Sansome writes:

Here are a couple of things which are happening on the farm that may be of interest:

Swan's Neck
We have paid for Western Power to disconnect the electricity supply to the old irrigation pump house at Swan's Neck. When this is complete, we will be removing the pump and structure ahead of the tree planting this winter. The second pump house is still in use.

Hedgerow coppicing
We are undertaking a small area of hedgerow coppicing on the farm this winter. Coppicing is a method of rejuvenating overgrown hedgerows which are thin in the bottom by cutting back the main stem to just above ground level. The stem is cut on an angle to encourage the water to run off over winter. In the spring, lots of shoots will grow from the base. We will combine the coppicing with 'gapping up' – new plants will be established in the gaps of the old hedge to produce a continuous hedge that provides an improved wildlife corridor.

10. Planning Applications

The following planning application has been determined by Wychavon District Council:

Broadgrove Nursery Farm Shop, Eckington Road: Commercial redevelopment of nursery site with 7no. units (Case No. W/23/00042/FUL). **Approved**. Full details and conditions can be viewed on the Wychavon DC website.