

MINUTES OF BIBURY PARISH COUNCIL MEETING HELD IN THE
VILLAGE HALL,
ON TUESDAY 12th March 2024 AT 7PM

Present: Cllr Craig Chapman (Chairman)
Cllr Ann Haigh
Cllr Michelle Holt
Cllr John Phillips
Cllr Mike Pini
Cllr Brian Skarda

Also Present: District Cllr David Fowles
Ross Sharpe (Director at Yiangou Architects) & David Keyte (Planning Consultant)
16 Members of the Public for the Presentation and Public Time.
4 Members of the Public remained for the meeting.

Presentation: On proposals for the land North & South of Cemetery Lane by Ross Sharpe (Director of Yiangou Architects) and David Keyte (Planning Consultants)

There were some illustrations on show for the those present.

David Keyte provided a brief outline for the three sites; no planning application has yet been submitted. Their ideas include low cost/affordable housing, areas for car parking, a possible area to be given to the school, some cottages and an area set aside for open spaces.

Ross Sharpe presented the preliminary plans for both North & South of Cemetery Lane. They reiterated that they want to ensure that it provides benefits and any development is sensitive to the Conservation Area. They have not yet engaged in pre-application conversations with the District Council or Highways.

A summary of some of the feedback following the presentation:

- Questions on car parking spaces and to whom they are allocated.
- Questions on the proposed open spaces.
- Concerns raised by direct neighbours about the noise from cars and privacy.
- Concern regards developing in the Conservation Area.
- Questions on what is the justification for developing in the Conservation Area., which will result in the loss of two green spaces in the centre of the village.
- Concerns regards that any development will be second homes.
- Concerns regards that the prices will be too expensive, and will not provide actual affordable housing.
- How are the proposals going to enhance the Conservation Area.
- It was stated that this area should be designated as green space.
- Suggestions that the legal ownership of the land could be disputed.
- Who would hold the title to the green space areas.
- The Parish Plan survey consultation is open until the end of April.
- There is a need for additional parking, but this may not be the solution.
- There is no land being set aside for cemetery expansion.
- Questions on whether there is a need in the village for affordable housing.

- Development in this area would cause harm to the Conservation Area, but this could be offset by benefits, which could include affordable housing, additional car parking and open green space for the school.

Public Time

Bibury Trout Farm

- There are lots of objections on the Planning Portal to the proposals.
- Concerns regarding the displacement of the wildlife, for example otters and water voles.
- Apologies were expressed by The Council and The Clerk, that an extension was not sought to respond the Bibury Café, which has now been given approval.
- Concerns that the vegetation is being destroyed on the valley floor at the Bibury Trout Farm. District Cllr David Fowles to raise these issues with the Planning Department. **DF**
- Concerns that once the Hatchery is lost, (which cannot just be relocated), it will no longer be a functioning Trout Farm.

Land at Cemetery Lane

- Cllr David Fowles was asked to investigate the reasoning behind the decisions regarding Tree Applications. **DF**
- Enquiry as to whether the Council wants to designate the areas north and south of Cemetery Lane as an Open Green Space. This will be considered in Agenda Item 26/24c.

19/24. Apologies for absence.

Apologies were received from Cllr Simon Brownless & County Cllr Lisa Spivey

20/24. Declaration of Interest (Members are requested to declare any interest they may have in the business set out on the agenda to which the approved Code of Practice appears.)

There were none.

21/24. Approval of the Minutes from the Parish Council meeting held on Tuesday 13th February 2024.

The minutes of the Parish Council meeting held on Tuesday 13th February 2024, were approved, and signed as true record.

<https://www.biburyparishcouncil.gov.uk/uploads/february-2024-minutes.pdf?v=1710246202>

22/24 To receive reports from the District and County Councillors.

County Cllr Lisa Spivey sent in the following written report:

<https://www.biburyparishcouncil.gov.uk/uploads/county-cllr-lisa-spivey-march-24-report.pdf?v=1710149426>

District Cllr David Fowles sent in the following written report:

<https://www.biburyparishcouncil.gov.uk/uploads/cotswold-district-councillor-report-march-2024.pdf?v=1710236948>

District Cllr David Fowles highlighted:

- Car Parking charges and the introduction of charges on a Sunday.
- How the District Council is funded.
- The Local Plan is going through Public Consultation.
- Change to the Planning Protocol.
- Has requested for the Ablington Manor planning application to be considered by the Planning Control Committee.
- Police and Crime Commissioner Elections on the 2nd May 2024.
- No 11 Arlington Row – response from the Enforcement Officer.

23/24 To receive the Highways Report from Cllr Craig Chapman.

Cllr Craig Chapman presented the Members with the following written report:

<https://www.biburyparishcouncil.gov.uk/uploads/bibury-pc-highways-report-mar24.pdf?v=1710236653>

Cllr Craig Chapman highlighted:

- The infringements recorded with regard to the weight limit on the Swan Bridge.
- Ablington Manor, a Working Group has been formed and have held an initial meeting and plan to meet along with the developers, in March. Gloucestershire Highways will carry out appropriate surveys of the local roads and lanes.
- Trout Farm. The Farm are working on creating a footpath and crossing to the village from the overload carpark.

24/24 To receive the Clerks report.

The Clerk sent the Members a written report prior to the meeting.

<https://www.biburyparishcouncil.gov.uk/uploads/clerk-report-march-2024.pdf?v=1709991117>

25/24 Finance:

a. To agree payments in accordance with the budget.

The Clerk sent the Members the March RFO reports prior to the meeting.

<https://www.biburyparishcouncil.gov.uk/uploads/rfo-report-march-24.pdf?v=1709987823>

The Council approved the payments.

b. To receive an Internal Financial Check Report.

Cllr Simon Brownless written report has been sent to the Members prior to the meeting.

26/24. Planning:

a. To consider any new Planning, Licenses applications or Enforcement issues.

i) 23/04050/FUL | Installation of 6no. glamping pods and associated decked paths. Minor landscaping of the site, planting of native species of shrubbery and wildflower | **Bibury Trout Farm**

The Council agreed to strongly object to this application:

The Council expressed their disappointment that there has been a lack of public engagement in regard to the plans for the Trout Farm, despite there being an opportunity to present these during the September and October 2023 Parish Council meetings.

The Council have serious concerns that the Planning system is being manipulated and that the working Trout Farm is effectively being changed to a Tourist Theme Park. For example the Parish Council were in support of Planning Application 23/00886/FUL 'The erection of an agricultural building, to include a fishing room and store', as this building was intended to assist the day to day functioning of the Trout Farm. Having gained the planning approval for the erection of this new building, the Trout Farm no longer wished to use it for the continued viability of the running a Trout Farm but change its use to a café and gift shop. The Parish Council would not have supported the erection of a new building for this purpose.

The Council is also extremely concerned that the Trout Farm have already caused extreme damage to some of the valley floor around the river bank, by purposely destroying the vegetation. Photos can be provided. The Council can only assume that they have done this, so when ecological surveys are carried out, they will show a much reduced conclusion as they have already decimated the habitat for the normal wildlife like otters and water voles.

The application for the installation of 6 glamping pods is not a relatable function for a working Trout Farm. Currently, the tourism noise from the Trout Farm ceases when the farm closes no later than 6pm in the evenings in the summer, but the noise caused from the Glamping will be a constant., disturbing the peace and causing harm in this rural setting. The noise created by Glamping could also have serious consequences for the local habitat, where there is plenty of evidence online to show that this could result in severe harm to their breeding, communication, foraging and navigational behaviours.

There is already plenty of choice for different types of holiday accommodation within the Bibury area, including over 30 Airbnbs, a Hotel, Guest Houses and a 10 pitch campsite. Therefore, there is no public benefit from these proposals.

The proposed location for the pods is in an undeveloped part of the farm, which will then cause serious harm to the rural character of this area and undermine the preservation of the Conservation Area.

The Council feels these proposals are **contrary to Policy EC10**, as there is no relatable function, there is no identified opportunity not already met by existing facilities and that the proposals do not make use of the existing buildings.

The Council feels that these proposals are **contrary to Policy EN1**, in that they do not promote the protection, conservation and enhancement of the historic and natural environment and will in fact cause substantial harm. The design of the pods and their location will endanger the current habitat and therefore, these proposals will cause further ecological harm contrary to the Council's policy of addressing climate change.

The Council feels that these proposals are **contrary to Policy EN11**, in which development would only be permitted where the proposals enhance or preserve the special character and appearance of the Conservation Area. The location of these pods in an undeveloped part of the farm would not enhance or preserve the special character and appearance of the Conservation Area, but will erode the open green landscape, rural nature of this important setting, causing significant harm and where there is no public benefit to outweigh the harm.

The Council endorses The Conservation Officers report, in which identifies that these proposals are **also contrary to Policies EN2, EN4 & EN10** of the Local Plan.

The Council would like this application, in conjunction with Planning Applications 24/00359/FUL (Erection of roof cover to be used as a visitor arts, activities and education area) and 23/03970/FUL (Re-modelling of existing fish raceways to form a new lake with central island) to be considered by the Planning Control Committee. Along with the recently approved application for the café (which was originally approved as a Fishing Tackle Store), will demonstrate that the working Trout Farm is now being changed to a Tourist Theme Park, which will cause **significant harm, contrary to Policies EN1, EN2, EN4, EN10, EN11 and EC10 of the Local Plan.**

ii) 24/00359/FUL | Erection of roof cover to be used as a visitor arts, activities and education area | **Bibury Trout Farm** Arlington

The Council agreed to strongly object; it will be a significant structure and it will result in the loss of the hatchery and undermine the working function of the Trout Farm. The Council are extremely concerned that this is a change of use and is being developed as a theme park and will harm the landscape and be detrimental to the heritage character of the area. It will also be detrimental to the ecology and significant wildlife. The lights proposed will cause significant harm to the dark skies policy.

Please also refer to the Councils submission for Planning Applications 23/04050/FUL (Installation of 6no. glamping pods and associated decked paths. Minor landscaping of the site, planting of native species of shrubbery and wildflowers) & 23/03970/FUL (Re-modelling of existing fish raceways to form a new lake with central island). It is requested that these applications should be considered together by the Planning Control Committee. That these plans will cause **significant harm, contrary to Policies EN1, EN2, EN4, EN10, EN11 and EC10 of the Local Plan.**

iii) 23/03970/FUL | Re-modelling of existing fish raceways to form a new lake with central island | **Bibury Trout Farm** Arlington

The Council agreed to strongly object; as these plans would undermine the functioning of a working Trout Farm. The proposals will do significant ecological damage.

Please also refer to the Councils submission for Planning Applications 23/04050/FUL (Installation of 6no. glamping pods and associated decked paths. Minor landscaping of the site, planting of native species of shrubbery and wildflowers) & 24/00359/FUL (Erection of roof cover to be used as a visitor arts, activities and education area). It is requested that these applications should be considered together by the Planning Control Committee. That these plans will cause **significant harm, contrary to Policies EN1, EN2, EN4, EN10, EN11 and EC10 of the Local Plan.**

iv) 24/00613/TCONR | T1 Ash (on island by bridge) Remove, leaving habitat pole at approximately 4-5m. T2 Ash (opposite shop) Remove, leaving habitat pole at approximately 4-5m. T3-Willow: Re-pollard and remove laterals over lake. T4- Dead Ivy clad (by play area): Remove to ground level. T5- Large Willow: Re-pollard. T6- Willow (dead - by pump house): Remove to ground level. T7- Ash (by new inlet): Remove, leaving habitat pole at approximately 4-5m. T8- Fallen Conifer (over lake): Remove | **Bibury Trout Farm** Arlington

The Council agreed that they have concerns with regards this application. As the proposals for the trees do not match the plan submitted and could result in the wrong trees be felled. The Council also have significant concerns that the trees might not have Ash Tree Dieback and are therefore being felled without good reason. Therefore the Council objects to this application, but please also refer to Planning Application 24/00531/TCONR, which is very similar but submitted by a different

contractor. As these trees are in a prominent position and their loss would cause an adverse effect on the Conservation Area, therefore the Council would like suitable mature trees to be replanted to replace any trees that have to be felled.

v) 24/00531/TCONR | T1 - Ash with ADB - fell T2 - Ash with ADB - fell T3 - Willow - Re-Pollard front 2 stems over the water back to previous pollard points T4 - Willow - fell T5 - Monterey Cypress - fell T6 - Willow - Re-pollard T7 - Willow - fell T8 - Ash with ADB - fell | **Bibury Trout Farm** Arlington

The Council agreed that they have significant concerns, that the trees might not have Ash Tree Dieback. These trees are in a prominent position and their loss would cause an adverse effect on the Conservation Area, so would require replacement mature trees to replace any that have to be felled.

vi) 24/00339/FORST | Consultation for felling licence application ref 018/2181/2023 | **Ablington Manor** Ablington

The Council agreed to No Comment.

vii) 24/00672/TCONR | T1 - Sycamore - reduce back to the boundary as much as possible to the fence line. This is to be completed to growth points (BS3998) without unbalancing the trees or negatively impacting the health of the trees T2 - Sycamore - reduce back to the boundary as much as possible to the fence line. This is to be completed to growth points (BS3998) without unbalancing the trees or negatively impacting the health of the trees T3 - Ash - reduce back to the boundary as much as possible to the fence line. This is to be completed to growth points (BS3998) without unbalancing the trees or negatively impacting the health of the trees T4 - Prunus - reduce back to the boundary as much as possible to the fence line. This is to be completed to growth points (BS3998) without unbalancing the trees or negatively impacting the health of the trees All trees justification is for bringing more light into the ground beneath the trees. All heights of tree currently vary between 5-20m All limbs will be reduced by 1-3m and nothing greater than 200mm will be reduced | **Glebe House** The Square Bibury

The Council agreed to support this application.

viii) 24/00454/TCONR | Lilac (T1) located at the back of the property next to the wall -prune to at least 1 metre clearance away from the apple tree; Willow (T2) located at the right hand side of the driveway, reduce by 2-3 metres to improve appearance; Apple tree Group (G2) located at the back of the property, reduce by 2-3 metres to reduce density and improve overall appearance | **1 Grove View** Ablington

The Council agreed to support this application.

ix) 24/00453/TCONR | Dismantle the large cypress and honeysuckle (T1) located at the back of the property, left hand side of stairway to provide more space as trees have outgrown area; Fruit tree group (G2) located at the back of property up stairway, reduce back to old pruning points for health and vitality of fruit trees | **Rosebank** Ablington

The Council agreed to support this application.

x) 24/00691/TCONR | 4 lime trees. Repollard as previous (or 2 feet lower to ease management) | **Land At The Square**

The Council agreed to support this application.

b. To receive an update on Planning application already considered.

The report was circulated to the Members prior to the meeting.

<https://www.biburyparishcouncil.gov.uk/uploads/planning-report-march-2024-18.pdf?v=1709980700>

c. To consider submitting a response to the Cotswold District Council Local Plan Review.

The Council agreed to request that the areas to the North and South of Cemetery Lane are designated as Green Spaces which form an important heritage characteristic value to the Parish. The Council agreed to accept Mr Malcom James kind offer of assisting with the draft of the documentation. The Clerk will submit the required documents under delegated authority.

The Council agreed that areas at The Square, The Swan Hotel Gardens, Bibury Court Gardens and part of the Trout Farm, should also be considered as designated Green Spaces.

It was also agreed that an article should be included in the next edition of the Village Life to encourage community support to comment and engage as part of the Local Plan consultation process.

27/24. Councillor Submissions (for notice of forthcoming events or reminders, not for discussion).

Cllr John Phillips commented on the need to register historic Rights of Way. The Clerk will include this as a future Agenda.

28/24. Date of the next meeting of the Parish Council –9th April 2024.

The date of the next meeting will be held on Tuesday 9th April 2024 in the Village Hall.

There being no further business the Chairman closed the meeting at 9.40 pm.