

KELVEDON PARISH COUNCIL

MINUTES OF THE PLANNING COMMITTEE Held 19 February 2018

- Present:** Cllr Jayatillake (Chair), Cllr Lancashire (Vice-Chair)
Cllrs Anderson, Astley, Goode, Martin, Minns, Pilbeam & Tremain
- 12 members of public
- 3 Representatives from Parker Strategic Land Limited
- Mrs P Potter, Parish Clerk
- P107/17-18 Apologies for Absence**
In accordance with the LGA 1972 (S85), apologies were received and accepted from Cllr Hooper & Cllr Ormond.
- P108/17-18 Temporary Co-option**
All Councillors in attendance were temporarily co-opted onto the Planning Committee (if they were not already a member) for this meeting only.
- P109/17-18 Declarations of Interest**
None declared.
- P110/17-18 Confirmation of Minutes**
It was agreed to defer the signing of the January minutes to the March meeting.
- P111/17-18 Introduction – Chair**
Land adjacent to Watering Farm, Coggeshall Road
The Chair introduced the next item, as being a briefing to the Parish Council regarding the planning application which has been submitted to BDC and which was to be considered by the Parish Council under agenda item P117/17-18. It was explained that this briefing was in line with the Localism Act 2011, which includes a duty on developers to consult with local communities during the application process, and as such, it is proper for Parish Councillors to play an active part in these discussions.
- The purpose of the briefing was for the Parish Council to learn more about the development proposal and was given without prejudice to the Parish Council's response to the formal consultation.
- P112/17-18 Presentation by Andrew Hiorns (Parker Strategic Land Limited)**
Proposed Development Land adjacent to Watering Farm, Coggeshall Road
Andrew Hiorns gave a presentation in respect of outline planning application 17/02271/OUT. Details of the access, highways issues, types and number of dwellings proposed were outlined, although these will not be finalised unless a full application is submitted.

P113/17-18 Parish Council Questions

Parish Councillors asked questions of Parker Strategic Land regarding the following:

- Was a species specific survey carried out?
 - No, as this has not been requested by BDC. However there are small groups of reptiles on the margins of the site and bask in the short grass. The habitat will either be mitigated or the reptiles will be moved to a different location owned by the landowners.
- Mix of housing?
 - Details of the mix are not finalised. Proposals are that the dwellings will be no more than 2 floors high, with some being 2½ floors – the ½ using the roof space.
- A re-design of the orientation of the housing was queried, so that the houses on the edge of the development are looking outwards rather than inwards and whether the wall feature could be changed?
 - These ideas can be looked at with the final design. The wall was felt to be a feature of both Kelvedon and Feering, which is why it has been incorporated into the illustrative designs.
- Could the current location of the playground be moved, as it seems to be within the flood plain?
 - This play area is designed to be a natural outdoor space with equipment which blends in with the surroundings and is robust enough to survive those times when it is flooded.
- Who would be responsible for the ongoing upkeep of the play areas/equipment?
 - A trust is set up to maintain these areas – the Parish Council are not expected to adopt it.
- As this site was rejected by BDC during the Local Plan process, why do they think that it is now suitable for development?
 - It was stated that it is judgement on their part that this is a sustainable location for housing and open space. It also becomes a question of BDC fulfilling their five-year land supply numbers, which cannot currently be demonstrated. The site was rejected by BDC during the Local Plan process because of their concern about the effect upon the approach to the Village, however, villages change their boundaries over time, expand and grow, and as this is an area which is already changing, it will fit in, with good design, in an attractive way.
- Increase in traffic is a major concern for the Village, especially around this location. What has been done to look at this?
 - Transportation modelling has been undertaken, along with surveys, to ascertain the impact, showing 450 two-way movements in one hour.

P114/17-18 Questions from the Public

Members of the public were then invited to ask questions, which can be summarised as follows:

- Roads, pavements and traffic concerns: If approval was given, a S106 agreement would be drawn up which would include payments to the relevant authorities for work on roads and pavements etc. The Monks Farm development has an agreement under which a payment would be made towards highway improvements along this road, including widening of the pavements. These measures would be in place by the time this scheme was being built, so concerns around pavement width and other highway infrastructure issues should have been solved.

- Pedestrian safety crossing the road: With regard to crossing points and traffic islands/refuges for pedestrians, these would all be subject to safety audits, however the highway improvements and refuges would need to be undertaken by Essex County Council (ECC), not the developer.

P115/17-18 Matters for Report

None.

P116/17-18 To note decisions taken under delegated powers

17/01979/OUT	Land Lane	Cranes	Outline planning permission for up to 125 dwellings and up to 2000 m ² of employment floorspace (Class B1) – additional information
---------------------	----------------------	---------------	--

The Parish Council feel that the further information submitted, titled 'Acoustic Report', does very little to improve the case for this site being approved with outline planning permission.

The reports show that there is a significant need to consider acoustic levels, which are being shown as very high and of very great concern regarding the building of residential properties. Mitigation of the issue is not specified, even though the applicant states that detail does not need to be put forward at this stage of the process, it seems that this is such a significant issue for this site and as such, should be fully investigated before any decision is made.

Putting forward the views that noise levels can be recorded with closed windows, to ensure that the dwellings 'pass the test' is not going to create a sustainable dwelling for the eventual occupants, who are not going to want to live in a house where they can't open certain windows due to outside noise levels.

With the possibility of further road building/widening in this area, the noise levels, along with the railway line, will only increase over time, making any tests that are undertaken now be superseded by events in the not too distant future.

The Parish Council therefore reiterates its objection to this site as being an unsuitable location for the development of residential dwellings for the reasons stated in our previous submissions and those stated above.

P117/17-18 Planning Applications

To consider the plans received.

17/02271/OUT	Land adj to Watering Farm, Coggeshall Rd	Outline application for up to 41 dwellings, open spaces and parkland with access from Coggeshall Road (access to be reserved)
---------------------	---	---

Following the presentation and questions, the Parish Council discussed their views on this application and it was Proposed Cllr Astley, Seconded Cllr Lancashire and unanimously Resolved to object to the application, as appended to these minutes.

18/00126/PLD	60 Riverside Way	Application for a proposed lawful development certificate – to convert half of the existing double garage space to extend kitchen/dining room etc
---------------------	-----------------------------	---

Noted. Comments not sought.

18/00032/TPOCON **155 High Street** Application to carry out work on trees affected by the Conservation Area

Awaiting comments from Council's Tree Warden.

18/00079/LBC **The Old School House, 1 Maldon Road** Changes to the heating system

It was Proposed Cllr Pilbeam, Seconded Cllr Lancashire and unanimously Resolved to make no comment and no objection.

18/00036/TPOCON **Aisling House, Swan Street** Application to carry out work on trees affected by the Tree Preservation Order

Awaiting comments from Council's Tree Warden.

P118/17-18 **To discuss any other planning applications received subsequent to the agenda being published and/or shown on the Braintree District Council website up until 4pm on the day of the meeting.**

18/00272/FUL **Felix Place, Hollow Road** Erection of single storey side extension.

It was Proposed Cllr Martin, Seconded Cllr Tremain and unanimously Resolved to make no comment and no objection.

18/00305/FUL **15 Church Road** Erection of first floor side extension over garage

It was Proposed Cllr Astley, Seconded Cllr Lancashire and unanimously Resolved to make no comment and no objection.

18/00292/LBC **Greys Barn, Maldon Road** Installation of Charnwood Arc 5 wood burning stove and chimney system

It was Proposed Cllr Pilbeam, Seconded Cllr Lancashire and unanimously Resolved to make no comment and no objection.

18/00107/FUL & 18/00108/LBC **The Greys, Maldon Road** Conversion of a pair of linked timber framed barns into a domestic annexe

It was Proposed Cllr Minns, Seconded Cllr Martin and unanimously Resolved to comment that a condition should be imposed to ensure that the annexe remained as such, as ancillary to the main dwelling.

ESS/36/17/BTE & **Land at Rivenhall Airfield, Coggeshall Road** Full planning application to increase stack (chimney) height from 85m above OS Datum to 108m AOD (35m above existing ground levels to 58m above existing ground levels) of the Integrated Waste Management Facility

ESS/37/17/BTE	As above	Continuation of IWMF facility permitted by ESS/34/15/BTE without compliance with conditions 2 (application details), 14 (stack design & cladding), 17 (combined Heat & Power Plant Management Plan) and 56 (maximum stack height) to amend details resulting from the increase in stack height
----------------------	-----------------	--

The additional information in respect of these applications, has been considered by the Planning Committee who wish to re-iterate their previous comments as follows:

Kelvedon Parish Council OBJECTS to the application on the basis that the design of the development as it is now, is so different from the original application that the latest variation in particular, if granted, would absolutely represent unacceptable planning creep.

Condition (56) attached to the current planning permission stating that the stack height should be no higher than 35m, was put in place by the former Secretary of State in 2010 following a review by the Planning Inspector of the full planning application process. It was noted in the inspector's report that: "A further application to ECC for an increase stack height would not meet the requirements for certainty and good planning as set out in national guidance". Approval of this application would clearly ignore Planning Inspectorate and Secretary of State decisions.

We would ask that EEC refuse this application and request that the applicant submits a completely new application for the whole development as per the design proposed now, so that it may be fully considered as a whole, following due process. Should EEC not be minded to request a new full application then we would request that EEC at least refer this application to the Planning Inspectorate and the Secretary of State for review of their original decision.

ESS/07/16/BTE/36/1	Bradwell Quarry, Church Road, Bradwell	Details pursuant to condition 36 (Biodiversity Management Delivery Plan) of ESS/07/16/BTE etc etc
---------------------------	---	---

It was Proposed Cllr Lancashire, Seconded Cllr Martin and unanimously Resolved to make no comment and no objection.

ESS/07/16/BTE/31/1	Bradwell Quarry, Church Road, Bradwell	Details pursuant to condition 31 (Woodland planting details) of ESS/07/16/BTE etc etc
---------------------------	---	---

It was Proposed Cllr Lancashire, Seconded Cllr Martin and unanimously Resolved to make no comment and no objection.

ESS/07/16/BTE/55/1	Bradwell Quarry, Church Road, Bradwell	Details pursuant to condition 55 (Aftercare scheme for agriculture and woodland) of ESS/07/16/BTE etc etc
---------------------------	---	---

It was Proposed Cllr Lancashire, Seconded Cllr Martin and unanimously Resolved to make no comment and no objection.

P119/17-18 Enforcement Issues

None.

P120/17-18 Other Correspondence

**Draft Maldon District Renewable & Low Carbon Technologies
Supplementary Planning Document Consultation 29 Jan – 9 Mar 2018**

Noted.

P121/17-18 Date of Next Meeting

19 March 2018.

Signed

Date