

**KELVEDON PARISH COUNCIL**

**PLANNING COMMITTEE**

**Minutes of the meeting held on Monday 19 April 2017 at 7.30 p.m. in the Council Chamber**

**Present:** Chairperson: Cllr Humpington  
**Councillors:** Lancashire Minns Pilbeam

**P125/16-17 Apologies for Absence**

In accordance with the LGA 1972 (S85), apologies were received and accepted from Cllrs Anderson, Astley, Jayatillake & Tremain.

**P126/16-17 Declarations of Interest**

None.

**P127/16-17 Confirmation of Minutes**

The minutes of the meeting held on 20 March 2017 were agreed and signed as a true record (proposed by Cllr Lancashire & seconded by Cllr Minns).

**P128/16-17 Public Discussion**

No public present.

**P129/16-17 Matters for Report**

**129.1 Application no: 16/02139/FUL  
Former Barclays Bank, 63 High Street  
Change of use to allow a flexible use between Class A1, A2  
or B1 on the ground floor with one, 2 bedroom apartment  
on the first floor with a first floor rear extension &  
associated external works  
(Revised Plans)**

No comment, no objection (dealt with at March Full Council) –  
Noted by Planning Committee members.

**P130/16-17 To note decisions taken under delegated powers**

**17/00108/TPOCON 3 Millers Gardens** Application to carry out  
work on trees affected by  
the Conservation Area

The Council's Tree warden met with the householder at his home address on two occasions on the 5<sup>th</sup> and 6<sup>th</sup> of April.

On the first visit the tree was identified as a Common Juniper (*Juniperus communis*) but did not appear to be a correct identification for a number of reasons eg :- too high, wrong bark type and leaf colour. The householder was advised that the Tree Warden wanted to try and identify the tree and would therefore visit the next day. It is noted that whoever completed the application form was also confused as to the trees type/specimen. Having checked with a number of reference books and on-line descriptions provided by the RHS and The Tree Council the Tree Warden revisited the following day.

The tree sits in the corner of the garden that is in a secluded cul de sac off Church Street and does form part of that or any roads "street scene". The tree has previously been topped out at the crown but is still in excess of 10mtrs tall with a spread in excess of 7mtrs. The tree, in my view is of an indeterminate type of conifer that may be of the fast-growing specimens used by property developers of the 70's and 80's when the house was



The trees are visible from the road and form part of the street scene. In the Tree Warden's view the requested remedial works would not impact on that street scene. He has spoken to the owner of the trees and he is instructing his preferred tree surgeon to carry out the works required should permission be granted.

The Parish Council's recommendation is **NO OBJECTION** providing the works are carried out by a suitably qualified tree surgeon.  
(proposed by Cllr Humpington & seconded by Cllr Minns).

|                     |   |   |
|---------------------|---|---|
| <b>17/00076/FUL</b> | <b>Kelvedon Hse,<br/>86 High Street</b> | Proposed conversion of existing building into 6 no. flats and erection of 3 no. dwellings: including access, parking, amenity space and the demolition of an existing outbuilding (revised plans) |
|---------------------|---|---|

The Parish Council have noted the revised plans but, as the access issues have still not been addressed, it wishes to re-iterate the comments previously made as follows:

The Parish Council have noted the consultation responses received on this application, in particular the objection raised by Essex Highways, with regard to the access being of insufficient width and depth into the site, to enable vehicles to pass unopposed.

The Council has the same concerns and concurs with this view, in being that the access is too narrow for vehicles to be able to access and egress the site safely, especially to and from the High Street. This is further complicated with the presence of on-street parking along this stretch of the road, up to the dropped kerb on both sides.

The principle of development on this site as proposed, is unopposed, however, because the access issue is considered unsafe, the Parish Council **OBJECTS** to the application.

(proposed by Cllr Minns & seconded by Cllr Lancashire).

|                     |  |                            |
|---------------------|--|----------------------------|
| <b>17/00042/FUL</b> | <b>15 Newtown,<br/>Coggeshall Road</b> | Erection of porch to front |
|---------------------|--|----------------------------|

No comment, no objection.

(proposed by Cllr Minns & seconded by Cllr Pilbeam).

|                     |                        |                                       |
|---------------------|------------------------|---------------------------------------|
| <b>17/00207/FUL</b> | <b>4 Fullers Close</b> | Erection of two storey side extension |
|---------------------|------------------------|---------------------------------------|

No comment, no objection.

(proposed by Cllr Minns & seconded by Cllr Lancashire).

**P132/16-17**

**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**

|                     |   |  |
|---------------------|---|--|
| <b>17/00667/FUL</b> | <b>Former Barclays<br/>Bank,<br/>63 High Street</b> | Change of use to allow a flexible use between Class A1, A2 or B1 office use for the building with a first floor rear extension and associated external works |
|---------------------|---|--|

No comment, no objection.

(proposed by Cllr Minns & seconded by Cllr Lancashire).

- P133/16-17**      **To note the decisions made by: Braintree District Council.**  
Noted.
- P134/16-17**      **Enforcement Issues**  
**134.1**      **Barn, 65m North West of Church Hall Farmhouse, off London Road**  
Councillors requested the current poor state of the listed barn and its roof be referred to BDC enforcement.
- P135/16-17**      **Other Correspondence**  
**135.1**      **Maldon District Local Development Plan Consultation**  
No comments.  
(proposed by Cllr Pilbeam & seconded by Cllr Lancashire).
- P136/16-17**      **Date of Next Meeting**  
To be agreed.

**Signed** .....

**Date** .....

## APPENDIX 1

**Application No:** 17/00418/OUT  
**Location:** Land West of Kelvedon Station, Station Road, Kelvedon  
**Description:** Application for outline planning permission with some matters reserved – proposal for up to 250 new dwellings with all matters reserved except the means of access from the public highway which is proposed via an improved access off Coggeshall Road, including the demolition of two properties to facilitate the access.

The site lies outside the adopted and proposed village envelope of Kelvedon. As such, it is contrary to both the adopted and emerging Development Plans. The proposal is also premature to the outcome of the BDC Local Plan process, which is at an advanced stage. In accordance with paragraph 216 of the NPPF, weight should be attributed to the emerging Local Plan in

decision taking on planning applications. This site has been rejected at the Proposed Submission stage (Regulation 19 of the Development Plan Regulations) of the emerging Local Plan, as decided at the BDC Local Plan Sub-Committee on 12 April 2017.

Notwithstanding the position of the Development Plan and any subsequent challenge to BDC's ability to demonstrate a five-year supply of deliverable housing sites, the proposal would result in significant and severe harm, as set out below:

### Highways

- Development in this location would severely exacerbate the existing severe traffic congestion experienced at the junction of Station Road and the High Street. This is particularly prevalent at peak times but congestion is experienced at this junction outside of these times.

There is existing severe congestion at this junction, which will be made worse by the development proposals, which could see the existing road structure reach or exceed its capacity. At present, there are no viable or deliverable mitigation measures to alleviate this impact.

- Kelvedon High Street experiences severe congestion, due to the existing A12 junction arrangements to the north and south of the village, which do not allow full north and south bound graded separation. Traffic from the Tiptree and Coggeshall are forced to use Kelvedon High Street to gain access to the A12. This represents a significant pinch point in the local highway network.
- Other vehicular issues surrounding this junction include parking along one side of the carriageway, which effectively reduces capacity to one carriageway. This brings its own congestion problems and delays along an already congested route.
- Station Road, the High Street and this junction also serve two bus stops and a shopping parade, where buses and delivery lorries stop at all times of the day. Transporter lorries also use Station Road to service the car dealership here, which can arrive and depart at any time of the day. Further traffic to and from the proposed development would only serve to increase the delays and congestion which builds up due to these factors.
- The location of the site will not encourage residents to walk children to the village primary school. From this distance it is far more likely that children will be driven, further adding to the congestion at peak times, even if pedestrian routes were made safer.

Given all of the above highway issues, the Parish Council would expect that improvements to the road infrastructure at these points will precede development. The scale and extent of the

traffic congestion has been acknowledged by both BDC and ECC Highways, therefore a scheme to mitigate these issues needs to be agreed and put in place prior to any development beginning.

It is noted that at the time we are writing, there is no response from ECC Highways or any other highway authority on the planning website, to enable the Parish Council to comment on, with regard to this application. Therefore it is not possible for a constructive representation to be made, in this regard, which is not an acceptable situation.

### Access

- The proposed access to the site does not provide safe entry and egress arrangements. This is due to the horizontal alignment of Coggeshall Road, which represents a difficult and dangerous road with blind bends.

### Pedestrian Connectivity

- The site is poorly served for pedestrians. The existing pavements along Station Road/Coggeshall Road are narrow and do not comply with relevant standard width requirements and are without any deliverable opportunities to widen the footpaths. The narrow width of the paths does not, in places, allow for two people to pass, without one of them having to walk in the road. This is particularly problematic for those walking with children, as they can only walk in single file, making it difficult to hold their hands. A single buggy can just about navigate the paths at these points but a double buggy cannot access them at all. Mobility scooters and wheelchairs experience similar barriers accessing the paths along this road.
- The site is not readily accessible for future occupiers to walk and cycle to Kelvedon Primary School, due to the substandard footpaths. The railway line represents a significant barrier to future pedestrian links, which severs the development from the essential services and facilities in the village.
- The application references that the site is within walking distance to the primary school. However, to avoid the issues outlined above, parents will in fact drive their children to schools and to Early Years provision, especially if they have more than one child and/or large buggies or prams, thereby increasing the existing congestion at peak, as set out above.
- The lack of official pedestrian crossing points along the High Street and Station/Coggeshall Road is also a concern to the Parish Council and residents. Historically, this issue has been looked at and the conclusion drawn was that there are no viable points on these roads to site a further crossing, therefore, this problem is unlikely to be able to be mitigated.

### Flooding

- The potential flood risk to the neighbouring properties at the bottom of the slope of the site and the road, is a very real and grave concern of nearby residents, especially with regard to a large flooding event, even with the mitigation measures being proposed in the application.

Other Issues

- The site represents a departure to the traditionally linear development pattern of the village and could open up 'development creep' into the surrounding land.
- Ecological issues: There is concern relating to the mitigation of the impact to protected wildlife on the site, which would be severely threatened by its development and occupation, even if the habitat itself was retained.
- Sewerage Facilities: Residents feel that the current system is working at capacity and report that it frequently breaks down and leaks at the local pumping station. This issue will need to be addressed and improved if development on the site is approved.
- Overlooking: It was felt that new dwellings, built on the higher land on this site in relation to existing properties, would result in properties overlooking them.
- Local services: Currently, the health services in the immediate area is reported to be working at or above capacity. Development on the scale proposed would put even further pressure on those services and cause further delays regarding access to GPs and other health services.

The Parish Council held a public meeting on 5 April 2017, which was extremely well attended, to gain the views of the residents of Kelvedon regarding this application. This, together with subsequent correspondence from residents, evidences the clear view that this site is not locally supported, for the reasons set out in this letter.

At the Local Plan Sub-Committee on 12 April 2017, Members expressed their concerns around the traffic congestion and potential exacerbation of this, if this site is approved and agreed with the Parish Council's views that it would pose many issues, particularly in this regard.

This, plus the fact that they took the Parish Council's views as best representing the issues at a local level, led to Members voting against including this site in the Proposed Submission stage of the Local Plan process and this should be taken into account, as outlined in the first two paragraphs, above.

**Therefore, the Parish Council objects to this application and asks that it is refused by Braintree District Council.**