

**GREAT CANFIELD PARISH COUNCIL**  
**MINUTES OF THE EXTRAORDINARY MEETING OF THE PARISH COUNCIL**  
**held in the Village Hall Monday 22<sup>nd</sup> June at 8.00pm**

Present: Cllr Robert Mackley (Chairman)

Cllrs Ginny Barlow, Keir Donald, Chris Easter, Stuart Hepburn, Jenny Jewell and the Clerk  
 Allison Ward

District Cllr Keith Artus

22 Members of the Public

1. APOLOGIES FOR ABSENCE were received from Cllr Michael Knight and accepted by the Parish Council.
2. DECLARATIONS OF INTEREST FOR THIS MEETING – Cllr Easter declared a non pecuniary interest as a friend of the applicant’s partner.
3. OPENING STATEMENT BY PARISH COUNCIL CHAIRMAN re planning application UTT/15/1732/FUL, *‘demolition of existing buildings and erection of 7 no. detached dwellings with garages and associated landscaping’* at Canfield Nursery, Bullocks Lane.

Cllr Mackley began by introducing the application for 7 properties and commenting that this offer includes an easement across a small strip of Parish Council land to allow additional access to the site, in return a payment would be made to the community of £50,000 and conditions could be attached to the legal document. Cllr Mackley continued by outlining the recent history of the site whereby an application for two houses had been refused by Uttlesford and the recent confirmation of a certificate of lawfulness for industrial use for a small strip of land at the far side of the site.

Following a discussion earlier today the agent has confirmed a willingness to consider moving plot 7 further into the site and to create an in/out driveway which will allow traffic to use both proposed accesses.

4. STATEMENT BY PLANNING AGENT, MIKE MCGARR

A summary of the key points follows.

The application is for 7 properties which is the number required to make the site viable. The suggested easement is only for a 2.6m strip of land to allow supplementary access. In the previous planning application there was an ecology report with recommendations and adding a new wildlife refuge would come some way to meeting this. It has been suggested if we achieved planning permission for 7 properties we would go back and ask for 10 or 15, this could be eliminated by setting up a restricted covenant between Uttlesford and the property owners stating there would be no further development. If this application for 7 is refused we will appeal and if that fails the site will be sold and the community will lose the ability to input. The Agent added that the site does not own Three Trees Bungalow or the site in front of this. District Cllr Artus had suggested the additional access route and we felt this was a good idea and another way of ensuring you have some control over the development and its future, e.g. restrict access to 7 properties. Another proposal is that none of the properties will have permitted development rights, requiring them to go through a formal application.

The Agent suggested the site is under developed with 7 properties and a more expected development would be closer to 25 houses. Willing to alleviate concerns for neighbouring properties, e.g. offering easement with

Signed  
 Robert Mackley  
 Chairman Parish Council

suitable conditions. We do not need the new access as the existing access is owned by the site and wide enough for a two way access. A question was asked on whether pre-application advice was given and the Agent responded by confirming you are directed to policies which guide you on what will and will not be accepted. At the moment plot 7 is the one we can definitely get at this is infill and in line with policy, a resident added that other elements, e.g. previous use of site which is agricultural are relevant. The Agent stated the land is horticultural and not agricultural and suggested this is evidenced from historical information available from Uttlesford when the first application in 1950 was put in. The resident asked if the Agent could forward the evidence and this was agreed.

A question was asked on ownership of the grazing paddock and it was confirmed this land will be associated with plot 1. The point about infill was returned to and a comment made that the Village Design Statement states that the village does not want infill; the Agent referred to National Planning Policy Framework to suggest to residents this would be permitted. A comment was made on the proposed new road access going through the centre of this plot assuming plot 7 moves further into the site, this would further protect this area from infill.

A question was asked on the process for submitting the amended plan and whether the clock would keep ticking or whether the process would start again. The Agent confirmed the intention is to continue the process, however submitting a new plan would give an opportunity for further consultation and allow time for residents to respond. The process is set by Uttlesford.

A resident asked how the figure of £50,000 for the easement was determined, District Cllr Artus confirmed this was a figure he had supplied based on experience elsewhere and went on to add that he was trying to ensure the parish received some benefit from the development with some control.

Cllr Mackley thanked Mr McGarr for his statement and Mr McGarr left the meeting.

## 5. PUBLIC FORUM

This session began with District Cllr Artus confirming the only reason he got involved is to ensure Parish Council has some control; Uttlesford will make the decision.

A resident stated something needs to be done about the site and following the discussions today on moving plot 7 they felt 'easier' about the proposal. He continued, having spoken to a few other residents the site consists of two separate pieces of land the old greenhouses which we've never opposed, our concern is the classification as if it's for example brownfield the opportunity is for a greater volume of houses. Ensuring a covenant of some sorts would put some protection on the site and a request was made to see sight of the document. It was noted there is concern with the urgency of the timing and the need to ensure the Heads of Terms is agreed including a commitment to pay the Parish Council legal fees. The second part of the land is the agricultural land which used to be a paddock, i.e. the infill land, one suggestion is we ask for the wildlife refuge to be moved to this area which could then be enjoyed by more people, although the new proposal to relocate the new access route removes the infill option. We are aware that if we oppose the situation it could be worse and if refused a larger developer could put in an application. The view with the in/out drive way is this would disperse the traffic along Bullocks Lane. There was some concern on any covenant and how binding they would be although generally it was recognised that the efforts being made are to maintain some control over the site.

Signed  
Robert Mackley  
Chairman Parish Council

## 6. PLANNING APPLICATION

The public discussion ended and Parish Cllrs were asked for their views. In summary the proposal on the table appears to be the best offer, assuming plot 7 is moved. Given access over a small strip of Parish Council land and assuming the access is centred between the neighbouring properties, would allow the parish to influence the conditions to restrict future development and in return receive funds for the benefit of the community.

Cllr Mackley made the following proposal,

1. To support in principle the application for a maximum of seven properties, providing plot 7 is relocated north of its current position.
2. For this Parish Council to pursue terms for an easement over the Parish Council land.
3. To engage Solicitors at the agents expense for the completion of the easement.

This was voted on with 5 in favour and 1 abstain.

When the revised plan is received the Parish Council will be in a position to agree its response to Uttlesford and it is anticipated this will be decided at the Parish Council meeting on 13<sup>th</sup> July. Clerk to confirm the Agent will pay for the Solicitors fees and to prepare a draft Heads of Terms for agreement between the parties, prior to forwarding to a Solicitor.

## 7. DATE OF NEXT PARISH COUNCIL MEETING – Monday 13<sup>th</sup> July 2015

TIME AND CLOSE OF MEETING

Signed  
Robert Mackley  
Chairman Parish Council