

GREAT CANFIELD PARISH COUNCIL
MINUTES OF THE MEETING OF THE PARISH COUNCIL
 held in the Village Hall Monday 13th July 2015

Present: Cllr Keir Donald (Vice Chairman)
 Cllrs Chris Easter, Stuart Hepburn, Jenny Jewell, Michael Knight and the Clerk Allison Ward

District Cllr Keith Artus (leaving after item 7.3)

13 members of the public (3 remaining for the whole meeting)

Vice Chairman Cllr Donald opened the meeting and gave a special welcome to Parish Cllrs from Takeley Parish Council who were in attendance to contribute to the agenda item 7.3.

1. Cllr Michael Knight signed the Declaration of Acceptance of Office and consent to receive the Council summons and agenda electronically; this will be held on file by the Clerk.
2. APOLOGIES FOR ABSENCE were received from Cllrs Virginia Barlow and Robert Mackley and accepted by the Parish Council.
3. PUBLIC FORUM

A discussion took place on the easement and covenant the Parish Council were seeking to enter into with the owners of Canfield Nursery, (reference planning application UTT/15/1732/FUL). Cllr Donald confirmed the Parish Council had appointed a Solicitor and as part of the formal agenda, decisions will be made on the proposed terms, Cllr Donald further confirmed that the prime intention of any agreement was to prevent any further development on the land beyond the 7 dwellings proposed. Residents commented on the possibility of the Parish Council taking ownership of the land between Lime Tree Lodge and Ashcrofts and registering it as village green, Cllr Donald confirmed that this option was being considered and that if this small piece of land was in the ownership of the Parish Council it would prevent any building between the properties; residents were advised that if they had a personal interest in this land to talk directly to the landowner. A resident thanked the Parish Council for their efforts on this application and commented on the need to ensure any agreement is in place before the decision on the application is made; the Parish Council acknowledged these points. There was a suggestion that the applicant is 'buying' the Parish Councils agreement, Cllr Donald reiterated that this was not the case and the Parish Councils intention has always been to ensure there is a solution for the site that as far as possible meets a compromised solution for all concerned. A resident confirmed their support for the application, however they were concerned with the new access and its position close to the triangle junction; Cllr Donald suggested the resident includes these concerns in any response to Uttlesford. A further request was that the access road be made a one way route to avoid traffic always using the nearest exit to the main route. District Cllr Artus explained the process for one way routes and this was something that would have to be discussed with Essex Highways, he went on to confirm a request to widen the access had already been put forward. A resident asked the Parish Council if they would be objecting to the access on the grounds of Highway safety and it was commented that this would not be the case.

4. DECLARATIONS OF INTERESTS FOR THIS MEETING – Cllr Easter declared a non pecuniary interest in agenda item 7.1 Canfield Nursery, as a friend of the applicant's partner.
5. MINUTES OF THE PARISH COUNCIL MEETING 8th June 2015 and the EXTRAORDINARY PARISH COUNCIL MEETING 22nd JUNE 2015 were proposed by Cllr Easter as a true record, seconded by Cllr Knight with all in agreement; Cllr Donald signed.
6. DISTRICT AND COUNTY COUNCILLORS REPORT – Nothing further to report.

Signed
 Keir Donald (Vice Chairman Parish Council)

7. PLANNING

7.1. Applications

Application No	UTT/15/1732/FUL
Location	Canfield Nursery
Development	Demolition of existing buildings and erection of 7 no. detached dwellings with garages and associated landscaping

The Clerk read a draft response prepared by District Cllr Keith Artus outlining his support for the application; the Parish Council had no concerns with the content of Cllr Artus' response.

The Clerk confirmed the Parish Council has appointed Pellys of Dunmow as its Solicitor, the legal costs of the Parish Council are being met by the applicant. The Parish Council agreed that the important requirements of any agreement are to prevent future development on any part of the site beyond the proposed 7 dwellings and to protect the proposed open spaces. The Clerk to seek advice from the Solicitor on how best to achieve these requirements, i.e. detailed in the easement, the removal of permitted development rights as an Uttlesford condition, or another instrument. The Clerk was also asked to clarify the remedies if these conditions are breached. It was further agreed Cllr Mackley would represent the Parish Council should any negotiations be required between the parties and in finalising the easement. The Clerk will circulate all documentation for agreement by the Parish Council.

Cllr Donald proposed that the Parish Council responds in support of this application, adding that this is a one off decision specific to this site only, a site with a previous and now redundant business use. This support will only be given providing the easement and any other necessary agreements are signed by both parties prior to the Planning Committee meeting to discuss the application (currently scheduled for 25th August). In addition the Parish Council requests that should Uttlesford be minded to grant planning permission, conditions to remove permitted development rights for all 7 properties and restrict any further development should be imposed in order to protect the character of Hope End. Clerk to draft the Parish Councils response and circulate for final approval. This was seconded by Cllr Jewell, with all in favour.

It was further proposed by Cllr Donald that the Parish Council accepts the proposal from the applicant to gift the land to the Parish Council either side of the new access route between Ashcroft and Lime Tree Lodge, and from the Highway to the first cut-in, providing a 5 year maintenance plan is also funded, this was seconded by Cllr Jewell with all in agreement. Clerk to raise with applicant.

Application No	UTT/15/1812/FUL
Development	Proposed change of use of redundant agricultural store/office building to dwelling with the construction of a rear extension, provision of car parking spaces, private open space, landscaping and boundary treatment.
Location	Land Adjacent Barbury Cottage

Cllr Donald opened the debate and commented that recent changes in government planning policy make it possible for land owners to submit applications to convert redundant agricultural buildings. The Parish Council noted and discussed the concern that this is likely to be the first of a number of similar applications and careful consideration needs to be given to ensure a consistent view is applied. The Parish Council discussed and considered the plans for this application and noted that it is more than a conversion with additional footage being proposed. At the conclusion of the discussion, Cllr Donald proposed that the Parish Council objects to this application for the reasons listed below, this was seconded by Cllr Hepburn with all in favour.

1. The site is located outside development limits in the countryside (ULP policy S7) as defined in the Uttlesford Local Plan.
2. The extension to the existing building is felt to be inappropriate and the adjacent agricultural barn which was erected under planning permission UTT/1209/10/FUL will dwarf the proposed development.

Signed
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3. The site does not fully demonstrate sustainable development as defined in ULP GEN1 as it is situated at the bottom of a lane in village with no facilities.
4. The application suggests the office was last offered for rental in 2004, there is no evidence to confirm the applicant has fully satisfied the requirements of ULP policy H6, to 'demonstrate there is no significant demand' for the premises.
5. The application quotes the Village Design Statement (VDS) p29, however the Parish Council adds that the VDS was published in 2010 prior to current legislation on the conversion of redundant farm buildings.
6. There is no information in the application to suggest that the applicant is seeking permission to convert the building for his own or family use or whether this is purely a development opportunity.

Application No UTT/15/1840/FUL

Development Change of use of part of redundant agricultural building to holiday accommodation

Locations Ashfields Farm, Cuckoos Lane

This is an additional application for the conversion of a redundant agricultural building to holiday accommodation, Uttlesford previously granted permission for two conversions on the same site. The Parish Council remains concerned that these short term holiday lets (conditions state occupancy is permitted for 4 weeks in any 6 month period) are being advertised on line as rental properties and are unclear how Uttlesford can 'police' this condition. As such development could be viewed as a 'back door' way of converting redundant buildings to residential use.

Cllr Easter raised a concern with the sewage system which it is understood is maintained and funded by Ashfields Farm residents association (a small number of properties on the private road leading to the holiday lets) and was never designed to service the number of properties now using it.

Cllr Donald proposed that the Parish Council objects to this application on the basis it is over development of the site and surrounding area (2 existing holiday lets and 6 small residential units at the adjoining property), including concerns that these properties could be used for more than holiday lets. Should Uttlesford be mindful to grant permission the Parish Council requests that it ensures the sewage amenity for this application is adequate and will not overload the existing system further, this was seconded by Cllr Easter with all in favour.

7.2. Applications between meeting

Application No	UTT/15/1619/FUL
Development	Proposed installation of 48 Photovoltaic Solar Panels
Location	Peckers Farm

Responses to the above application was due between meetings, there were no concerns raised and no comment submitted.

7.3 Gladman Appeal - The Chairman of the meeting began by opening this agenda item to the public who contributed to the discussion.

In response to the Gladman appeal, the Parish Council has met with Takeley Parish Council and Hope End residents where it was agreed to form a Joint Committee to oppose the appeal. Financial support has been committed from both Parish Councils, £2k from Great Canfield and £5k from Takeley Parish Council. It was agreed to apply for rule 6 status and this has been granted to the Joint Group, giving them equal status with the applicant and Uttlesford throughout the process and formal inquiry, which will begin on 5 January 2016.

The first requirement is for the Joint Group to submit a Statement of Case outlining the key points which will form their defense, the deadline to submit this has been extended to 14 August. To achieve this it is necessary to appoint a Planning Consultant, both Parish Clerks have investigated a number of different possibilities and two remain as contenders. The advantages and disadvantages of both were discussed by the meeting with contributions from both Takeley Parish Council and residents. A key restriction is the availability of funds and both Parish Councils recognise this and their commitment to spend public money in the best interests of

Signed

Keir Donald (Vice Chairman Parish Council)

the communities they represent. At this stage whichever consultant is selected there is only sufficient funds to fully cover the Statement of Case work, additional funding would be required to cover the cost of the full service through to the inquiry, plus further funding is potentially needed to cover any expert witnesses and a barrister. Or if funds are not available it will be necessary to identify key needs and engage expertise where finances permit, covering other areas ourselves or leaving them uncovered. Cllr Hepburn expressed his concerns with financing the work at which point there was a commitment from Phil Roberts, a resident from Hope End to underwrite costs in return for input into the process; the meeting thanked Mr Roberts for his support which is greatly appreciated. All agreed that this is the correct course of action being taken by the Parish Councils to fully support their objection to the development. Cllr Donald proposed that Great Canfield Parish Council supports the appointment of Geoff Gardner as the Planning Consultant to complete the Statement of Case only after which further consideration is giving to funding before a decision to appoint consultants to work with the group throughout the appeal is made, this was seconded by Cllr Hepburn with all in favour; Clerk to liaise with Takeley Parish Clerk.

It was further agreed Cllr Barlow and Cllr Jewell will represent Great Canfield Parish Council at Joint Parish Council meetings with Cllr Mackley attending if he is available. This group will be supported by residents from Hope End led by Phil Roberts. All costs will be split on the % of funds put in by the various parties.

A meeting is pending with Uttlesford District Council representatives to understand their case for objection and to ensure where necessary these points of objection are strengthened by the Joint Parish Councils and not duplicated and that any gaps are being covered

(Both Parish Councils submitted individual additional responses to the Planning Inspectorate.)

7.4 Decisions

APPL No	UTT/15/0795/HHF
DEVELOPMENT	Demolish outbuilding and erect two storey side and single storey rear extension, new detached double garage and driveway
LOCATION	Pheasant Cottage Bacon End Road
DECISION	Conditional Approval

To note an appeal has been submitted against Uttlesford decision to refuse planning application reference UTT/14/3766/HHF for a 'Proposed two storey side and single storey rear extension. New detached double garage and driveway' at Pheasant Cottage. This is written representation under the householder policy which means there is no further opportunity for comment.

7.5 Update on Newland Farm agricultural buildings is outstanding.

7.6 Quarterly update from Crumps/Minerals Committee – nothing of any significance to report.

8. PROGRESS UPDATE

8.1. Cllr Donald confirmed the village sign is due to be cleaned this week.

8.2. Cllr Easter confirmed the new notice board has been installed at Hope End and the previous Hope End notice board transferred to Church End.

9. CORRESPONDENCE TO NOTE

9.1. The Parish Council agreed to take part in the Essex County Council Winter Salt Scheme, however there are sufficient stocks of salt left from last year and no further deliveries are required, Clerk to respond.

9.2. Essex Fire and Rescue service are consulting on standards and principles. This will be followed later in the year by a second consultation on the range of ways they can provide services. The Parish Council agreed to make no comment on this first consultation.

Signed
Keir Donald (Vice Chairman Parish Council)

10. REPRESENTATIVES REPORTS:-

- 10.1. Footpaths, Byways, Bridleways and Greens – Cllr Easter reported on the overgrown vegetation on footpath 12 from Terriers through to Aldbury's. Cllr Easter and Cllr Knight agreed to clear.
- 10.2. Highways/Road Safety
- 10.2.1. Clerk continues to chase Highways for an update on progress with the speed limit reduction at Bacon End.
- 10.2.2. Clerk is chasing Highways for a response to the missing weight limit signs at High Cross Lane.
- 10.2.3. Any 'obstructions' placed on the verge must be 1m back from the highway. Concerns continue with the work building works at Hellmans Cottage where the obstructions are preventing commercial and high vehicles from passing without mounting the opposite verge. Further obstructions have been reported at Hope End. The Clerk was asked to include the Essex Highways guidelines in the next newsletter as a reminder to residents, including responsibility for over hanging branches. The Parish Council to agenda for further discussion on specific issues at the September meeting.
- 10.3. Crime Prevention/Neighbourhood Watch – Nothing to report.
- 10.4. Tree Warden – Clerk to progress responsibility for the dead tree at Hellmans Cross.

11. FINANCE

- 11.1. Cheques for Approval

<i>PAYMENT TO</i>	<i>VALUE</i>
Allison Ward - Parish Clerk June 2015	£168.47
Information Commissioners Office – Annual Data Protection	£35.00
Rural Community Council of Essex – Annual Subscription	£48.00
Aldbury's Farm Contracting – Grounds Maintenance	£450.00

- 11.2 The VAT claim of £431.60 has been received.
- 11.3 The quarterly accounts for April to June 2015 were presented by the Clerk and accepted by the Parish Council.

The Bank Reconciliation showing a cash book balance of £8,896.83 was presented by the Clerk, signed by Cllr Donald and accepted by the Parish Council. It was proposed by Cllr Easter that the unspent balance of the historical New Homes Bonus, £89 is written back to general funds, this was seconded by Cllr Donald with all in agreement.

- 12 ITEMS FOR THE NEXT AGENDA – Nothing in addition.
- 13 DATE OF NEXT MEETING Monday 14th September 2015 in the village hall.

TIME AND CLOSE OF MEETING 10.20pm

Allison Ward
Parish Clerk 01245 231798

Signed
 Keir Donald (Vice Chairman Parish Council)