

GREAT CANFIELD PARISH COUNCIL
MINUTES OF THE MEETING OF THE PARISH COUNCIL
 held in the Village Hall Monday 14th March 2016

Present: Cllrs Ginny Barlow, Chris Easter, Stuart Hepburn, Jenny Jewell, Michael Knight, Robert Mackley (Chairman), Declan Tiernan and the Clerk Allison Ward

5 residents (leaving after agenda item Canfield Nursery)

1. APOLOGIES FOR ABSENCE -None

2. PARISH COUNCIL VACANCY

The Notice of Vacancy to fill the Parish Council vacancy expired on 17th February, there was no request for an election. One expression of interest was received. Cllr Mackley proposed that Declan Tiernan be co-opted as a Parish Cllr, this was seconded by Cllr Jewell with all in favour. Cllr Tiernan signed the Declaration of Office, Clerk to notify Uttlesford and forward the register of interests for completion.

3. DECLARATION OF INTERESTS FOR THIS MEETING

Cllr Easter and Cllr Knight declared non pecuniary interests in item 11.1 planning application for Lake View Farm as joint business partners who farm the land associated with the application.

4. PUBLIC FORUM

A resident asked for clarity on the Uttlesford Local Plan call for sites process in particular in relation to the sites at Hope End which had been deemed suitable for development in the assessment. The Clerk confirmed that Uttlesford Cabinet has decided the current assessment of sites suitability is only open for Parish councils to advise of any 'technical errors' in the statements made, there is no public consultation at this stage. A resident asked if the Parish Council intended to challenge this. Clerk to seek advice on the process from District Cllrs.

A resident raised concerns with the proximity of the fence to the Highway at Hellmans Cottage. The Clerk confirmed the Parish Council had reported this to Uttlesford when it was first put up as it was not part of the planning application for the development of the site. Uttlesford Enforcement responded and confirmed the file would be closed and no action taken; although planning permission had not been correctly sort it was deemed it would be if a retrospective application was submitted. The Parish Council then requested an enquiry be submitted to Essex Highways with concerns over road safety, a response to this is pending.

Cllr Mackley proposed that item 9, Essex County Council Joint Waste Local Plan Consultation, be brought forward on the agenda; there were no objections.

9. ESSEX COUNTY COUNCIL JOINT WASTE LOCAL PLAN CONSULTATION

Cllr Mackley opened this item by thanking Tricia Clifton, John Creecy and Henry Green who are the Advisory Committee to the Parish Council for their continuing commitment to all things relating to Minerals and Waste Plans. Essex County Council is consulting on The Replacement Waste Local Plan – Re Submission Draft document which provides the opportunity to consider the soundness and legal compliance of the Plan ahead of the submission for independent examination by a Planning Inspector. Tricia and Henry attended a briefing meeting on behalf of the Parish Council on 1st March in advance of the publication and raised a number of questions. A report from this meeting was circulated to the Parish Council in advance of the meeting

The committee further updated the meeting and confirmed they are preparing a response to the consultation as there are a number of areas they believe the soundness and legality can be challenged in relation to the sites in Great Canfield. Points to consider include,

Signed

Robert Mackley (Chairman Parish Council)

- Minerals Local Plan includes a condition that mineral extraction from sites A22 and A23 could not start until the main Crumps site had been restored. This does not equate with the Waste Plan proposals
- Site A23 has planned mineral extraction to a depth of 2ft which is not very deep for the planned hazardous waste.
- Site A23 proximity to residential housing, potentially less than the 250m limit.

It was noted all responses to this consultation are to be sent direct to the Planning Inspector. The committee asked for the Parish Councils support in arranging a meeting with County Cllr Susan Barker and indicated there may be a requirement to seek professional clarity on the distance between the site A23 and residential properties. Cllr Jewell proposed that the committee continues with the full support of this Council to prepare its response to the consultation. The deadline for submission of responses is 14th April and this will allow the Parish Council to review and ratify the response at its April meeting. This was seconded by Cllr Knight with all in agreement.

Cllr Mackley proposed that item 10 Canfield Nursery be brought forward on the agenda, there were no objections.

10. CANFIELD NURSERY

The Parish Council has received an email from the Agent acting for the new owners of Canfield Nursery. In summary the email states that the permission given by Uttlesford for 7 dwellings has been reviewed by the new owners, this has led to a view that the site is under-developed and a revised application for 14+ dwellings is now being considered for submission. No application has yet been submitted to Uttlesford. The email continues with a direct request to the Parish Council to reconsider the terms of the agreed Easement which allows a new (and second) access to the site and included a letter from a Solicitor engaged by the applicant who suggests the Easement does not limit the development of the site to only 7 dwellings.

The Clerk has been in discussion with the Parish Council Solicitors who advised and drew up the Easement on behalf of the Parish Council; a summary of the conversation had been circulated to the Parish Council. Cllr Barlow opened the discussion by confirming that the Parish Council Solicitors had suggested negligence in their drafting and that a decision was required on whether to take action against them, Cllr Barlow suggested at this stage a letter be sent to Pellys stating the Parish Council is considering its position.

Whilst all the advice received suggests the new access is limited to 7 dwellings only, there is conflicting views on whether Easement limits development on the site. Cllr Barlow suggested we obtain advice from a property advisor on the Easement and if necessary what the options are in limiting development to 7 dwellings. Cllr Hepburn added that if the Easement is sound the Parish Council could prevent any further development via an injunction, however if the Easement does not prevent further development, the Parish Council may want to negotiate further in order to obtain the best result possible both in terms of location of properties and financial contributions for the community. The Agent has suggested an application will be progressed without the new access if the support of the Parish Council is not obtained.

Cllr Barlow proposed that the Parish Council seeks the advice of a property advisor at a cost not exceeding £2k, on the status of the easement and options and that no further decisions are made by the Parish Council concerning Canfield Nursery or Pellys until this advice is known. This was seconded by Cllr Jewell and the vote was 5 in favour and 1 against.

Cllr Barlow leaves the meeting

5. MINUTES OF THE PARISH COUNCIL MEETING 8th February 2016, Cllr Hepburn proposed that the minutes be accepted as a true and correct record, this was seconded by Cllr Easter with all in favour; the Vice Chairman signed the minutes.
6. DISTRICT AND COUNTY COUNCILLORS REPORT – None.

Signed
Robert Mackley (Chairman Parish Council)

7. PROGRESS UPDATE

- 7.1. There is no further news on the Gladman appeal for costs. Final documents were submitted by all parties on 12th February and it is now for the Planning Inspector to make a decision on whether to award costs to the Rule 6 Parties against Gladman for the appeal itself and secondly whether to award costs applied for by Gladman against the Rule 6 Parties for the cost appeal only. There is no date for a decision.
- 7.2. A village litter pick took place on Saturday 5th March and was well supported with approximately 20 bags of rubbish collected, the Parish Council wish to record their thanks to the residents who assisted on the day and those who regularly collect litter around the village. Cllr Mackley asked the Clerk whether any assistance (either practical or financial) is provided by the companies whose rubbish is regularly picked up from the verges. The Clerk raised this with Essex County Council who responded and agreed to raise it with the corporate companies when they meet in April to discuss the annual anti-litter campaign.

8. CORRESPONDENCE TO NOTE

- 8.1. UK Power Networks has asked Parish Councils to assist in getting vulnerable residents to sign up to its Priority Services Register (PSR), which is a list of those people who may need extra help during a power cut. The Clerk was asked to pass information to the Happy Circle, further information is available from the Clerk.
- 8.2. The Parish Council noted and were disappointed with the decision taken by Essex County Council following its review of local bus services, to withdrawn the weekly bus from Great Canfield to Bishops Stortford from 10th April, as it exceeds the target of '*£5 cost per passenger journey.*'
- 8.3. The light in the phone box requires replacing, Cllr Easter to action.
- 8.4. The Parish Council has been notified by Uttlesford of the consultation on the Dunmow Neighbourhood Plan, deadline 12th April, prior to it being submitted to the Planning Inspector. Information can be viewed on the website <http://www.uttlesford.gov.uk/dunmownp>.

9. ESSEX COUNTY COUNCIL JOINT WASTE LOCAL PLAN CONSULTATION - Brought forward in the meeting.

10. CANFIELD NURSERY – Brought forward in the meeting.

11. PLANNING

11.1 Applications

Application No	UTT/15/3726/HHF
Development	Proposed single storey side and front extension
Location	Park View, Canfield Road

Cllr Mackley proposed that the Parish Council makes no comment on this application, this was seconded by Cllr Knight with all in favour

Application No	UTT/16/0629/FUL
Development	Static residential unit for stockman
Location	Lake View Farm, Fitzjohns Lane

Cllr Hepburn proposed the Parish Council has no specific comments on the application, however notes that in the past there has only been livestock at this site for a period of 2-3 months and currently no stock is held there. This was seconded by Cllr Mackley with all 3 in favour and 2 abstain.

Signed
Robert Mackley (Chairman Parish Council)

11.2 Decisions

Application No	UTT/15/3687/FUL
Development	Proposed change of use of existing garage building to annex
Location	Haydens End, Green Street
Decision	Conditional Approval

The Parish Council queried the omission of a condition to ensure the annex shall not be occupied other than for purposes ancillary to the residential dwelling, siting identical permissions where the condition had been included. Uttlesford responded *'we have in the past added conditions restricting the use of the annex to be just an annex. This condition is actually not necessary. Planning permission would be required for this annex to be changed to a separate dwelling, and as such it is not necessary to add a condition to reconfirm.'*

The Clerk was asked to chase of an update on the query submitted to Uttlesford re the stable building at this site.

Application No	UTT/15/3688/LB
Development	Proposed change of use of existing garage building to annex
Location	Haydens End, Green Street
Decision	Withdrawn

Application	UTT/15/3657/FUL
Development	Proposed 2 no. agricultural buildings
Location	Lake View Farm, Fitzjohns Lane
Decision	Conditional Approval

Application No	UTT/16/0082/HHF
Development	Proposed ground floor extension and alterations to rear utility room and rear first floor dormer window
Location	Keepers Cottage 3 Ashfields Farm
Decision	Conditional Approval

The Clerk was asked to email Planning to notify them that Hellmans Cottage, (planning application UTT/16/0111/OP) is for sale; the application includes the statement that the additional dwelling is intended as a 'granny annex'.

- 11.3 The Parish Council has been notified of an appeal by Little Bullocks Farm against Uttlesford's decision to refuse planning permission for the single storey side extension. The appeal is under the Householders Appeal Service and there is no further opportunity for comments.

Uttlesford has issued a report on the suitability of sites put forward as part of the Local Plan, call for sites; this included five sites in Great Canfield, all located in Hope End. The report concludes three of the sites (land to the north of Lavenhams, 9 new homes, Land south of Canfield Park Cottage, 7 new homes and Sandhurst, 5 new homes) are *'available and development is achievable. The site could be considered suitable for small scale development.'* A further site at Tandans already has planning permission. The fifth site is the land which was part of the Gladman Appeal and the report concludes, *'The site is available. Achievability of development is dependent upon highway improvements. The site is not considered suitable as development of the site would not lead to a sustainable pattern of development.'* The Clerk to review the accuracy and submit any amendments on behalf of the Parish Council

- 11.4 Uttlesford is consulting on an update to the Statement of Community Involvement, the Parish Council agreed not to make any response.

Signed
Robert Mackley (Chairman Parish Council)

12. GRANT APPLICATIONS

Cllr Hepburn declared a disclosable pecuniary interest as Chairman of Great Canfield Cricket Club and took no part in the decision on the grant for the cricket club.

Cllr Easter proposed that a grant of £230 is made to Great Canfield Cricket Club towards the cost to repair the damage caused when a tree fell onto the cricket field. This was seconded by Cllr Knight with 5 Cllrs in favour.

Cllr Jewell proposed that a grant of £150 is made to Great Canfield Parochial Church Council towards the funding of the village newsletter. This was seconded by Cllr Knight with all (6 Cllrs) in favour.

13. REPRESENTATIVES REPORTS

- 13.1 Footpaths, Byways, Bridleways and Greens - County Cllr Barker forwarded a response to the question on the byway restricted closure trials, to confirm that the trial concludes on 31st March after which an assessment will be completed.
- 13.2 Highways/Road Safety
- 13.2.1 Clerk to chase for updates on outstanding Highways issues.
- 13.2.2 Clerk to mark on map of Green Street where standing water is not clearing and contact Uttlesford Highway Rangers to ask if grips can be cut into the verges.
- 13.3 Crime Prevention/Neighbourhood Watch – Nothing to report
- 13.4 Tree Warden
- 13.4.1 Essex County Council (ECC) has confirmed they will issue a section 154 notice on the landowners responsible for the dead oak tree at Hellmans; the Parish Council raised concerns that this is becoming more urgent as parts are breaking at the top. The Clerk has asked County Cllr Barker for a definitive on ECC Highways responsibilities re trees on verges following a number of issues with damaged tree responsibilities in the parish.
- 13.4.2 Following the resignation of Cllr Donald, Cllr Mackley proposed that Cllr Knight is appointed the tree warden this was seconded by Cllr Easter with all in favour.

14 FINANCE

14.1 Cheques for Approval

<i>PAYMENT TO</i>	<i>VALUE</i>
Allison Ward - Parish Clerk February 2016	£166.91
Website – Domain name (inc VAT)	£9.58
Great Canfield Cricket Club	£230.00
Great Canfield Parochial Church Council – Newsletter	£150.00
Great Canfield Community Trust – Hall hire Jan-March 16	£81.00

15 ITEMS FOR THE NEXT AGENDA – Year end accounts

16 DATE OF NEXT MEETING Monday 11th April 2016 at 8pm in the village hall.

TIME AND CLOSE OF MEETING 9.53pm

Allison Ward
Parish Clerk 01245 231798

Signed
Robert Mackley (Chairman Parish Council)