

ELMSWELL PARISH COUNCIL

Minutes of an Ordinary Meeting of full Council held on

Monday 17th July 2017 at 7.30pm

at The Blackbourne, Blackbourne Road, IP30 9UH

Present: Cllrs Barker, Burch, Edmonds, Friend, Ms Indurain, Pallett (Chairman), Pratt, Mrs Taber, Wiley

Attending: County Council Ward Member Mrs Jane Storey
District Council Ward Member Mrs Sarah Mansel
District Council Ward Member Mr John Levantis
Parish Clerk Mr Peter Dow
9 members of the public

- 17.07.01 **Noted:**
- 1.1 An apology for absence was accepted from Cllr Schofield who had a commitment prior to election.
 - 1.2 An apology for absence was noted from Cllr Hawes who was otherwise committed.
- 17.07.02 **Resolved:**
That the Minutes of the Parish Council Meeting held on 19th June 2017, as tabled, be agreed as a true record.
- 17.07.03 **Noted:**
The following when any Members' Declarations of Local Non-Pecuniary Interests and/or Disclosable Pecuniary Interests in subsequent agenda items were invited and to note any additions, deletions or alterations to the Council's Register of Interests;
- 3.1 Cllrs Burch, Friend and Ms Indurain declared a Local Non-Pecuniary Interest in agenda item 21 as they were either allotment tenants or related to an allotment tenant.
 - 3.2 Cllr Ms Indurain declared a Local Non-Pecuniary Interest in agenda item 11.1 as she was a member of ElmsWild.
 - 3.3 Cllrs Friend and Wiley declared a Local Non-Pecuniary Interest in Agenda item 19 as they were organisers of Elms Fest.
 - 3.5 Cllr Barker declared a Local Non-Pecuniary Interest in Agenda items 14 and 19 as he was an employee of Burnett Barker.
- 17.07.04 **Noted:**
The following when reports to the Meeting were invited:
- 4.1 A written report from SCC Ward Member Mrs Jane Storey;
 - 4.2 A written report from Cllr Mike Friend re the SALC Regional Meeting held on 22.07.17;
 - 4.3 A written report from the BMA;
 - 4.4 A written report from District Council Ward Member Mrs Sarah Mansel;
 - 4.5 An oral report from District Council Ward Member Cllr John Levantis re housing targets.
- 17.07.05 **Noted:**
The following when questions or comment was invited, from Councillors on any matter reported under Agenda item 4;
- 5.1 There was discussion, from which no action was determined, around the perceived injustice on the part of some Elmswell residents regarding the s106 and other contributions required of developers in Thurston for educational provision which benefits did not seem to be accruing for Elmswell.

17.07.06

Noted:

The following when questions or comment was invited from the public on any matter on the agenda;

6.1 There was a commendation for the case presented recently by the Clerk and by Cllr Mansel against the recent Planning proposals for 240 houses at Wetherden Road when the application came before a Mid Suffolk Planning Committee and for the stance proposed at agenda item 14.

6.2 Cllr. Levantis was questioned on his support for recent Planning proposals for 240 houses at Wetherden Road. Cllr Levantis cited the constraints of NPPF which he considered left him with no reasons to oppose the application.

6.3 It was suggested that the Application at agenda item 11.3 for a petrol station cannot be justifiably supported and that it represented madness.

17.07.07

Noted:

The following correspondence to the Meeting;

7.1 From Elmswell Art Club expressing their gratitude and appreciation regarding the Council's purchase of Wesley;

7.2 To Watch Commander Brian Hawes QFSM with congratulations on his recent award;

7.3 With MSDC re Haughley Park Position Statement.

17.07.08

Noted:

An oral report from the Clerk confirming that a second Letter Before Action had gone from the Council's solicitor regarding fly tipping at Clay Field.

17.07.09

Noted:

That when any Complaints Committee business for information, to be noted or for inclusion on a future agenda was invited, none was forthcoming and the date of the next Complaints Committee meeting was not known.

17.07.10

Noted:

Planning results as notified by Mid Suffolk District Council.

10.1	1593/17	Fell 1 no. Ash Tree 21 Oxer Close	Granted	EPC no comment
10.2	1725/17	Change of use of existing log cabin from residential...to nail bar 26 Eastern Way	Granted	EPC supported

17.07.11

To note Planning Applications as referred by Mid Suffolk District Council for comment:

11.1 **DC/17/02771**

Application for consent to carry out works to trees protected by a tree preservation order

St Johns House, Church Road

Councillors objected to this application for the following reasons:

- i) Other than the convenience of the applicant, no good reason is given for the removal of the trees. There is no suggestion that they are dead, dying, diseased or dangerous.
- ii) Removal of the trees would have a detrimental effect on the visual amenity of the area, both as backdrop to St. John's house when viewed from Church Road, and as a screen for the house when viewed from Lukeswood, which is a community woodland wild space with the benefit of permissive open public access, to the south of the site. The trees are significant features in the landscape and are part of a group TPO – felling them would be detrimental to the character and appearance of the surrounding area. They are all mature trees; any new planting would take decades to attain the same effect.
- iii) Removal of the trees would degrade the biodiversity of the local environment, in which the large rear gardens, including that of St. John's House, form an important peripheral enhancement to Lukeswood, which is being developed as a wild life reserve.

- iv) A footnote, at the bottom of the plan states: "Tree to be removed to accommodate development". DCLG guidance (Protected Trees: a guide to preservation procedures 06.04.12) requires that, "You can only cut down or cut back protected trees if they are directly in the way of development which is about to start and for which detailed planning permission has been granted". Intention to develop is not sufficient reason to fell the trees. Planning permission for development may not be granted, in which case the trees would have been felled for no good reason. The TPO trees should be considered as part of the application for development, not prior to it, so that proper consideration can be taken of their protection.
- v) Given the proximity to the Lukeswood wildlife site, Councillors would expect an ecological assessment to be carried out before any work on the trees would be allowed. Wildlife moves freely to and from Lukeswood to the gardens and there may be detrimental effects on birds and bats in particular.

In assessing this Application, Councillors had reference to, and cited in support of their case for rejection, NPPF paragraph 109 & 117 and Local Plan Policies CL6, CL8 and Core Strategy Policy CS5

11.2 **DC/17/02758**

Erection of shed

Woodlees, Ashfield Road

Councillors agreed to support this application

11.3 **DC/17/02349**

Proposed development of 1 no. petrol filling station and 2 no. drive through restaurants, together with various infrastructure and landscaping works Land off the A14

Councillors objected to this application for the following reasons:

- 1 The number of fuel dispensing pumps on this very constrained site is comparable to that found on large supermarket sites in the area. The traffic generated and seeking access to the 14 units, 4 of which are proposed to be dedicated to HGV users, will exceed the safe capacity of the site, given that access is also required for the proposed fast food facilities.
- 2 The access for both westbound and eastbound A14 traffic requires that, to use the site, a circuit of the adjacent roundabout to the north is required. Consequently, every A14-generated customer, be it for fuel sales or for the fast food outlets, must traverse this roundabout once. Similarly, all vehicles seeking access from Woolpit, Elmswell or the A1088 must use the roundabout. Given the extra throughput, including the disproportionate increase in use by HGV traffic, the roundabout will not, safely, be able to cope. The Applicant's own figures, as yet untested against an impartial assessment, suggest peak hourly trip rates of between 275 and 302 cars / LGV's and 12 HGV's. The suggestion that these vehicles are, largely, already on the highway network clearly avoids the point that this proposal, if successful, would concentrate up to an extra 334 vehicles per hour around this very busy roundabout posing an unacceptable risk to highway safety. The history of 5 accidents in recent years indicates that the current traffic load is already posing a problem. The VOSA access and egress strategy was formulated in light of a dramatically lower trip rate and vastly smaller traffic flows than are anticipated here. Similarly, the Applicant's reference to the figures generated in support of the former Grampian Country Foods site fail to take account of 5 years of growth and recent Permissions in Elmswell for some 500 dwellings, a figure reflected or exceeded in the villages of Thurston and Woolpit which will also generate much increased traffic on this roundabout.
- 3 The A14 access slips lack the length to allow the safe filtering of the considerable increased traffic load that this proposal seeks to generate.

- 4 The visual intrusion, the light pollution and the brutal design features which are threatened by this development are an unacceptably urban imposition in this rural context. The effects on the rural scene of the inevitable litter generation, together with the threat to the existing local outlets at Woolpit, Norton and Thurston, would be very much to the detriment of the local host communities.

In assessing this Application, Councillors had reference to, and cited in support of their case for rejection:

NPPF paragraphs;

- 32...requires that...safe and suitable access to the site can be achieved for all people
- 56...good design...should contribute positively to making places better for people
- 58...developments should be... visually attractive as a result of good architecture

Local Plan Policies;

- GP1...poor design and layout will normally be refused
- CL3...installations for utilities...should be carefully sited to ensure minimal intrusion in the landscape
- E12...traffic generated by the development should not prejudice the efficiency of the local highway system
- T10...the provision of safe access to and egress from the site...the suitability of existing roads giving access to the development in terms of the safe and free flow of traffic...whether the amount and type of traffic generated by the proposal will be acceptable in relation to the capacity of the road network in the locality of the site.

11.4 **DC/17/2220 & 2221**

Erection of 2 No. outbuildings for use as home office and gymnasium

[Applications for both Planning Permission and Listed Building Consent]

Old Bank House, Station Road

Councillors agreed to support this application

17.07.12

Resolved:

That the Clerk makes known the Council's comments on the above Planning applications to the Professional Lead for Growth & Sustainable Planning at Mid Suffolk District Council.

17.07.13

Noted:

The following when any other Planning business was invited:

13.1 The Clerk drew the Meeting's attention to an Appeal by written representations against Mid Suffolk's Refusal of the application ref 4767/16 for a dwelling at Kiln Lane, which proposal Elmswell Parish Council had opposed.

17.07.14

Proposal: Cllr Schofield;

That Elmswell Parish Council applauds the decision of Thurston Parish Council to request the Secretary of State for Communities to call in the aggregated planning applications for housing development in the Thurston area; further, it mandates the Parish Clerk to pursue the same course of action for all current applications within the Elmswell area, whatever stage they have reached in the planning process; further, it mandates the Parish Clerk to approach both Thurston and Woolpit Parish Councils (plus any other affected local parish councils) with a view to coordinating and pursuing joint action; further, it notes that a meeting has been arranged for 14th September by MSDC with affected local councils and agrees Elmswell councillors, to be selected, should attend and if possible an earlier meeting date arranged.

Seconded Cllr Friend

Both Proposer and Seconder accepted an amendment to add the words:

Further, that this Council is prepared in principle to commit funds to co-funding the defence of any Planning appeals against MSDC in relation to appropriate large off-plan housing development schemes and that the Clerk, on behalf of Elmswell Parish Council, approaches his counterparts at both Thurston and Woolpit Parish Councils to ascertain the likely levels of support for joint funding to resist any potential future appeal against Refusal of large scale housing applications by MSDC within the 'A14 Corridor' communities.

Substantive proposal carried.

- 17.07.15 **Resolved:**
That Council renews for a further year the arrangement whereby Mid Suffolk Citizens Advice provides outreach facilities at the Blackbourne
- 17.07.16 **Resolved:**
That Elmswell Parish Council makes no objection to the proposed Stopping Up of Elmswell Public Footpaths Nos 1(part), 11(part) and 12(part) and Creation of Alternative Routes as per drawing no. 20819/TFC/01.
- 17.07.17 **Resolved:**
That the Council allows delegated powers to the Clerk and Chairman for the provision of internal CCTV facilities at Blackbourne as advised by Suffolk Police and Messrs Steve Gage Computer services within a budget of £2,000.
- 17.07.18 **Resolved:**
That Councillors Pallett and the Clerk, together with BWMA members Terry Garner, John Welford and Linda Abbott, form a Task and Finish Panel to advise Council before the end of 2017 as to preferred options for the refurbishment / development of the Wesley facilities.
- 17.07.19 **Resolved:**
That Elmswell Parish Council supports the ElmsFest family day event at Blackbourne on 3rd September with a grant of £300.00.
- 17.07.20 **Resolved:**
That Messrs Poole and Pattle Architects be asked to work up to Planning Application standard their existing drawings for the proposed extension of the Council office at Blackbourne together with enhanced storage facilities adjacent to the Chamberlayne Hall and the conversion of changing room space into a gent's urinal facility for a sum not to exceed £450.00 net of VAT.
- 17.07.21 **Proposal: Cllr Ms Indurain;**
That the rule requiring no dogs to be brought into the Council's allotments be amended to say that, 'Dogs can be brought to allotments providing that the allotment holder is present and that they do not cause annoyance to other allotment holders due to unruly behaviour'.

Seconded Cllr Pratt

This Proposal stood adjourned from the June Ordinary Meeting pending consultation with allotment holders.

Proposal fell by Chairman's casting vote

- 17.07.22 **Noted:**
That a second advertisement should be placed in the Elmswell Newsletter for the vacancy of Village Warden unless a likely candidate comes forward in the interim.
- 17.07.23 **Noted:**
Authorised payments made and income received as per Appendices B and C, and indicative financial overview as at 30.06.17.
- 17.07.24 **Resolved:**
That proposed payments, scheduled as Appendix D, be authorised.
- 17.07.25 **Noted:**
The Balance as per Appendix E and the Chairman's confirmation that the relevant bank statements and computer report verify the published figure of £114,629.19.
- 17.07.26 **Noted:**
The following when public comment or questions on matters relevant to Council business were invited and to consider any other Council business from Councillors or the Clerk for information, to be noted, or for inclusion on a future agenda.
26.1 Cllr Wiley tabled a schedule of priorities resulting from the T&FP consideration of possible street light improvements and undertook to investigate the costs involved.
26.2 There was further support for Council's initiatives to combat the threats from an uncoordinated approach to large off-plan Planning applications together with the objections at 11.3 to the petrol station proposal.
26.3 The Chairman confirmed that the appointment of a Village Warden would help address the untidy aspect presented on entering the village up Church Hill.
26.4 A member of the public expressed surprise at the appointment of a Task and Finish Panel to advise on options for Wesley and it was confirmed that their report would come to Council before the end of the year.
26.5 It was confirmed that Cllr Friend had made approaches, as the local Station Adopter, regarding the untidy site at the railway crossing and that, should this fail to produce the desired result, the Chairman would be in touch with the CEO of the Greater Anglia Group.
- 17.07.27 **Noted:**
That the next meeting of Council is scheduled for Monday 18th September beginning at 7.30 p.m. at the Blackbourne.
- 17.07.28 **Noted:**
That the meeting closed at 9.45pm.