

ELMSWELL PARISH COUNCIL

Minutes of an Ordinary Meeting of full Council held on

Monday 15th October 2018 at 7.30pm

at The Blackbourne, Blackbourne Road, IP30 9UH

Present: Cllrs Burch, Edmonds, Friend, Hawes, Ms Indurain, Pallett (Chairman), Mrs Taber

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

18.10.01 **Noted:**

- 1.1 An apology for absence was noted from Cllr Barker as he had an alternative meeting
- 1.2 An apology for absence was accepted from Cllr Pratt as he was unwell
- 1.3 An apology for absence was noted from Cllr Wiley as he was away on business
- 1.4 An apology for absence was accepted from Cllr Schofield as there was sickness in the family.

18.10.02 **Resolved:**

That the Minutes of the Parish Council Meeting held on 17th September 2018, as tabled, be agreed as a true record.

18.10.03 **Noted:**

The following when any Members' Declarations of Local Non-Pecuniary Interests and/or Disclosable Pecuniary Interests were invited in subsequent agenda items and to note any additions, deletions or alterations to the Council's Register of Interests;

- 3.1 Cllrs Burch and Edmonds each declared a Local Non-Pecuniary Interest in agenda item 14, nominee appointment to the Elmswell Fox Bowls Club, as they were both members of the Club;
- 3.2 Cllr Burch declared a Local Non-Pecuniary Interest in agenda item 10.2, Planning at 10 Wetherden Road, as he was a near neighbour.

18.10.04 **Noted:**

- 4.1 A written report from District Council Ward Member Cllr Sarah Mansel
- 4.2 A written report from County Council Ward Member Cllr Jane Storey
- 4.3 A written report from District Council Ward Member Cllr John Levantis

18.10.05 **Noted:**

The following when questions or comment from Councillors were invited or the public on any District Council or County Council matter or on any matter on this agenda;

- 5.1 A member of the public spoke to detail objections as a near neighbour to the Planning application at Spinnakers, agenda item 10.5.
- 5.2 A member of the public spoke to detail objections on the part of near neighbours to the site re the Planning application at Prescott Drive, agenda item 10.4.

18.10.06 **Noted:**

The following correspondence;

- 6.1 To the Corporate Manager, Development Management, at MSDC seeking clarification of a perceived mis-match in recent Planning decisions.

(as circulated to Councillors)

6.1.1 The Clerk confirmed that he had since spoken with the new Deputy director at Mid Suffolk who had promised to pursue this matter.

18.10.07 **Noted:**
The Clerk's report as per Appendix A.

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

18.10.09 **Noted:**
Planning results as notified by Mid Suffolk District Council.

9.1 DC/18/02792 Works to trees...20 Oxer Close
APPROVED EPC supported

9.2 DC/18/03597 Listed Building Application...replace roof to garden room...
APPROVED EPC supported

18.10.10 **Noted:**
Planning Applications as referred by Mid Suffolk District Council for comment:

10.1 **DC/18/02259**

Erection of 8 new dwellings with associated road layout and amenity areas (re-submission of withdrawn application DC/17/03876) Railway Tavern, School Road

Councillors objected to this application for the following reasons:

1 School Road is an extremely busy feeder road both in and out of the village. It serves as part of the essential advisory HGV lorry one-way route which is in place because the road is too narrow to allow opposing HGV lorries pass. At the point of access to the proposal site there is considerable on-street parking pressure created by the local traffic using the hairdresser, chip shop takeaway shop and the increasingly busy Wesley community facility adjacent to the site. On-street parking is further constrained by the immediate proximity of the Elmswell Fire & Police station which requires clear access at all times across its whole frontage. To narrow School Road, as proposed by the installation of a pavement, would further restrict the free and safe flow of traffic and pose a serious hazard when, as is frequently the case, HGV passage is required. The Government advice on road width where, as here, there is frequent use of the highway by HGV's and buses, is for a minimum 6.8m kerb to kerb. For less frequent use, the figure is 6m. This proposal seeks to reduce the width to 5.5m which would pose a serious traffic hazard.

2 The application designates 5 staff car parking spaces together with 11 parking spaces for the public house augmented by 2 disabled bays. There will clearly be frequent occasions when customers will have to park off site. Again, as previously stated, this is impractical and dangerous. Local knowledge suggests that the Applicant's assessment of the parking requirement to service the business falls short of reality and should be discounted. SCC Highways have previously confirmed that no assessment has been carried out on the parking requirement as related to the size and scale of the business. The 4 spaces designated on the plan as general parking for use of visitors to the adjacent retail outlets will, therefore, be used by residents, by their visitors or by public house customers.

3 The frequent deliveries to the public house, often by rigid HGV, will serve to block the access road to the proposed development causing difficulties for other traffic both in and out.

4 The proposed visibility splay can only be provided if the junction with School Road is brought forward by the creation of the proposed pavement. The danger posed by the creation of the pavement has been highlighted and it should not be provided. The sight lines thus afforded from the existing interface between the car park and the highway will not allow visibility adequate to provide safe egress from the proposal site.

5 In making their objections, Councillors had regard to Structure Plan policies H3, H13, SB2, T9, T10 and NPPF paragraph 102.

10.2 **DC/18/04037**

**Retention of caravan and workshop buildings in rear garden
10 Wetherden Road**

Councillors objected to this application and made the following case in support of its objection:

1 At the time of a site inspection in 2014 related to the siting of a mobile home in the back garden of this dwelling, it was concluded that it was being legitimately used ancillary to the dwellinghouse in that it housed members of the householder's immediate family and therefore was Permitted Development under Class E of the relevant Order. However, officers informed the householder during the inspection that an adjacent wooden structure serving as an extension to the house would need retrospective Planning permission and would have to be removed if no relevant Application were made. Removal was observed to have happened at a subsequent Enforcement inspection in November 2016. Since that date the structure would seem to have been reinstated as an extension to the main house.

2 In December 2016 Enforcement officers were made aware of a second mobile home delivered into the front yard. A site visit in February 2017 led to the conclusion that this was also legitimately sited as it served as accommodation for family members and was, therefore, permitted Development.

3 In June 2017 a visit by Enforcement officers conclude that the works carried out in the rear garden as preparation for footings of a building did not constitute an engineering operation and that the nuisance complained of by neighbours caused by the works and by the fly tipping of the arisings was insufficient to require action.

4 In May 2018 the construction of a large timber building on those footings was allocated for investigation by the Planning Enforcement team. This has lead to the current application.

5 It is clear that the gradual expansion of structures claimed necessary to provide further family accommodation on this site has produced a situation which is in substantive breach of the Class E rules on Permitted Development. The total area of ground covered by the aggregated footprint of a wooden rear extension to the main house, plus 2 full sized mobile homes, one of which has a wooden extension attached, together with a substantial building ostensibly intended as a workshop, is well in excess of the 50% of the curtilage, net of the footprint of the host dwelling, which is the legal limit under the Order.

6 In consideration of the neighbours who have suffered and who continue to suffer the considerable loss of amenity resulting from the activities on this overcrowded site, not least the hazardous on-street parking required for the multiple households, Councillors urge that the ancillary living accommodation is removed by virtue of the refusal of this application.

10.3 **DC/18/04015**

**Change of use of land and siting 2 No. moveable Glamping Pods
Kiln Farm Guest House, Kiln Lane**

Councillors agreed to support this application

10.4 **DC/18/04032**

**Outline Planning Application – Erection of 1 dwelling
5 Prescott Drive**

1 The application seeks to impose on a well-established and pleasing coherent development pattern a cramped and overcrowded site at odds with the neighbouring dwellings.

2 The congested nature of the proposal site leaves no option for parking or turning once the minimal provision of 2 car parking spaces is taken up. Consequently, access and egress from the proposal site could not both be made in a forward gear, posing highway risk. The parking constraint on the host dwelling would be equally constrained, with multiple vehicles having to park in line and unable to enter and leave the site in a forward gear.

3 The proposed new access is over the turning hammerhead at the end of this single-track road. Given the barely adequate parking provision as proposed, this access will serve to cause frequent loss of the turning facility as vehicles park there. Subsequent reversing down Prescott Drive and back to the busy junction with Wetherden Road is a dangerous manoeuvre.

4 The suggestion from the Fire Service that a sprinkler system be fitted to compensate for the fact that inadequate access provision would make their attendance at the site problematic highlights the serious shortcomings in the highway approach to the proposed dwelling.

5 The proximity of the proposed new driveway to the SW corner and to the South elevation of No five Prescott Drive reduces the amenity of the existing dwelling to an unacceptable extent. Further, the reduction in rear garden allocated to No 5 under this proposal is unacceptably detrimental to the enjoyment of the host dwelling.

In reaching these conclusions, Councillors had reference to Policies GP1, H13, H15, H16, SB2, T9, T10 and to NPP para.127.

10.5 **DC/18/04113**

**Erection of 1 No dwelling
Spinnakers, Ashfield Road**

Councillors urged rejection of this application for the following reasons:

The proposal is in the countryside outside of the settlement boundary of the village where development is not normally permitted. Councillors consider that there are no factors which mitigate in favour of allowing this as an extraordinary case. It is inappropriate back-land development which will seriously affect the amenity of the two houses fronting Ashfield Road, Hedgehogs and Treeview, contrary to Local Plan Policies H7 and H16. It also runs counter to Policy ENV6 of the Suffolk County Structure Plan 2001 and to Policy SB1 of the Local Plan. The Government's Planning Policy Statement 7 urges the concentration of new development in or near local service centres in the interests of sustainability. This proposal runs counter to this important principle. In addition, there would be an unacceptable hazard posed by an extra 6 dwellings accessed from the busy Ashfield Road close to its junction with Grove Lane which carries considerable volumes of HGV traffic and where the lack of footpath makes a pedestrian / traffic conflict inevitable.

10.6 **DC/18/04301**

**Erection of single-storey rear extension
Houghton House, Ashfield Road**

Councillors agreed to support this application

10.7 **DC/18/04267**

**Application for Approval of Reserved Matters – scale, appearance, landscaping and layout for 60 No. dwellings - granted under Permission ref 3469/16
Land to the East of Borley Crescent**

Councillors objected to this application of the following reason:

The consultations prior to the Outline Permission being granted found considerable favour in light of the overall pattern of house types which sought to accommodate the needs of a neglected demographic in the community by including 16 bungalows. Despite other reservations, the Parish Council and the community at large were supportive of this element of the proposal.

It was profoundly shocking to many residents when, in consultation on the Reserved Matters application, the allocation of plots for bungalows had been reduced to just 2.

In discussion with the Parish Council there was a grudging concession that the number of bungalows be increased to 4.

This submission has reverted, once again, to just 2 bungalows.

Apart from the clearly identified need for bungalow accommodation in the community, it was always considered that the strain on the highways infrastructure, given an access which spurs off from an existing large housing estate, would be reduced by the pattern of occupancy that the prevalence of bungalows would present.

Resiling on this clear promise to the host community is an unacceptable and arguably disingenuous tactic.

For these reasons, Elmswell Parish Council urges rejection of the application for approval of Reserved Matters unless and until this glaring mis-match is addressed.

10.8 **DC/18/04331**

**Erection of two-storey rear extension and additional single storey rear extension
24 Little Green**

Councillors agreed to support this application.

10.9 **DC/18/04399**

**Conversion of and extension to garage to provide additional living accommodation including front and rear dormer extension
The Millstones, Station Road**

Councillors agreed to support this application

10.10 **DC/18/04437**

Application for Planning Permission without compliance of Condition(s)

Land adjacent to South View, Spong Lane

Councillors agreed to support this application

10.11 **DC/18/04264**

Outline Planning Application (access to be considered) – Erection of up to 6 No. dwellings with garages and construction of new vehicular access

Land south of Field View, Ashfield Road

Councillors objected to this application for the following reasons

- 1 The site is significantly beyond the Settlement Boundary of Elmswell which is set to restrict unnecessary encroachment into the surrounding countryside.
- 2 As such it fails to meet any of the exceptions criteria as defined in the Local Plan and which relate to the needs of the countryside.
- 3 It similarly fails to fulfil any of the 3 main objectives for sustainable development as defined in the NPPF, being:
 - 3.1 Economic - recently granted Permissions promise some 458 new dwellings in Elmswell which will not only satisfy the economic viability of existing facilities and services but may well stretch them unreasonably;
 - 3.2 Social – similarly, with 450+ new family homes at various advanced stages of the Planning process or being built-out, there is no imperative to invite further growth as sustainability is ensured;
 - 3.3 Environmental – the proposal seeks to obliterate a key green buffer between the main body of the village and the very separate and clearly defined small clusters of development to the North along Ashfield Road.
- 4 This application is for strip development along a rural road into Elmswell. On both sides there are trees, mature hedges, fields and, to the East, grazing animals. It clearly cannot make a claim that it does not extend into the open countryside, neither is it within an existing settlement pattern. It is out of place in a rural context which has great value for Elmswell 'as-is' and Elmswell as it is set to become under current development pressures. It represents an unwelcome and brutal incursion on an attractive street scene in the open countryside.
- 5 In summary, Councillors consider this to be a most unwelcome and unnecessary intrusion into the countryside with no redeeming features which might make it sustainable in Planning terms. In doing so, they had reference to the following Policies:
FC01, HO3, H13, H15, H16, CS02, CS05, SB02, NPPF

18.10.11

Resolved:

That the Clerk makes known the Council's comments on the above Planning applications to the Corporate Manager, Growth & Sustainable Planning, at Mid Suffolk District Council.

18.10.12

Noted:

The following further Planning matters;

- 12.1 Appeal Ref. APP/W3520/W/18/3204163 against refusal of Permission for 2 bedroom bungalow at The Gables, Ashfield Road, written representations only.
- 12.2 The latest position re. MSDC 5 year housing land supply as per the Clerk's Report.
- 12.3 That the Meeting agreed that the Clerk need not attend the MSDC Development Committee A Planning meeting on 24th October when the Reserved Matters relating to Application Ref. 4911/16 for up to 240 dwellings on land adjacent to Wetherden Road was scheduled for discussion given the scrutiny already afforded and the likelihood that matters discussed in 2 previous meetings had dealt with all salient issues.

- 18.10.13 **Proposal: Cllr Pallet;**
That £100.00 by way of grant aid be paid to each of: The British Legion Poppy Appeal, East Anglian Children’s Hospices, Headway Suffolk, Suffolk Accident Rescue Service, Suffolk Age UK, Mid Suffolk Citizens’ Advice.
Seconded Cllr Edmonds
Proposal carried
- 18.10.14 **Proposal: Cllr Friend;**
That the Council’s nominee to the Committee of Management of the Elmswell Fox Bowls Club be, until further notice, the Parish Clerk.
Seconded Cllr Pallett
Proposal carried
- 18.10.15 **Resolved:**
That Council commissions a hand-drawn digitised map of the village from Messrs Imagesbyhand for use as a public display map, street map leaflet and footpath map for the sum of £500.00 to include 3 years’ updates.
- 18.10.16 **Resolved:**
That Council commissions a topographical survey of the Wesley site at School Road from Messrs Survey Solutions (South East), as per their letter ref. SE-TF-0920 dated 26.09.2018, for the sum of £625.00 net of VAT.
- 18.10.17 **Noted:**
The Authorised payments made and income received as per Appendices B and C, and indicative financial overview as at 30.09.18.
- 18.10.18 **Resolved:**
That proposed payments, scheduled as Appendix D, be authorised.
- 18.10.19 **Noted:**
The Balance as per Appendix E and the Chairman’s confirmation that the relevant bank statements and computer report verify the published figure.
- 18.10.20 **Noted:**
The following when public comment or questions were invited on matters relevant to Council business;
20.1 The Chairman confirmed that he continued to actively pursue the reasoning behind the recent decision to reduce opening hours at the Elmswell post office with a view to making the community’s case for a reversal of the move.
- 18.10.21 **Noted:**
The following when any other Council business from Councillors or the Clerk for information, to be noted or for inclusion on a future agenda was invited;
21.1 Cllr Burch urged that representations be made at every possible juncture to SCC Highways deprecating current practice in the matter of traffic signing and control during works on the highway and, further, urging that the scheduled date for cutting grass verges in Elmswell be brought forward to the last week in June.
- 18.10.22 **Noted:**
That the next meeting of Council was scheduled for Monday 19th November 2018 beginning at 7.30 p.m. at the Blackbourne.
- 18.10.23 **Noted:**
That the meeting closed at 9.47pm.