

ELMSWELL PARISH COUNCIL

Minutes of an Ordinary Meeting of full Council held on Monday 20th December 2021 at 7.30pm at The Blackbourne, Elmswell IP30 9UH

Present: Cllr. Barker, Brown, Burch, Hancock, Pallett (Chairman), Roots, Shaw

Attending: County Council Ward Member Andy Mellen
District Council Ward Member Helen Geake
Parish Clerk Peter Dow
2 members of the public

21.12.01 **Noted:**

- 1.1 An apology for absence was accepted from Cllr Schofield due to his long term illness
- 1.2 An apology for absence was noted from Cllr Edmonds who was on holiday
- 1.3 An apology for absence was accepted from Cllr Mansel as she was self-isolating
- 1.4 An apology for absence was accepted from Cllr Hawes as he was Covid high risk

21.12.02 **Resolved:**

That the draft Minutes of the Ordinary Parish Council Meeting held on the 15th November 2021, as tabled, be agreed as a true record.

21.12.03 **Noted:**

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

- 3.1 Cllr Burch declared a Local Non-Pecuniary Interest in Agenda item 15 as he was a member of the Bowls Club
- 3.2 Cllr Burch declared a Disclosable Pecuniary Interest in Agenda item 17 the allotment tenancies as he was a plot holder
- 3.3 Cllr Hancock declared a Disclosable Pecuniary Interest in Agenda item 17 the allotment tenancies as he was a plot holder

21.12.04 **Noted:**

- 4.1 A written Report, as tabled and circulated, from MSDC Ward Members Cllrs Sarah Mansel & Helen Geake
- 4.2 A written Report, as tabled and circulated, from County Council Ward Member Cllr Andy Mellen
- 4.3 A member of the public spoke to draw attention to a petition urging rejection of the Planning application for a petrol filling station and catering facilities at the A14 A1088 junction which had been signed by more than 600 individuals from Elmswell and neighbouring villages.
- 4.4 A member of the public spoke to identify some of the issues which justified objection to the filling station scheme centering on the highway dangers at the roundabout.

21.12.05 **Noted:**

The following further correspondence unrelated to an Agenda item;

- 5.1 From SCC re extension to 19.12.2023 of the Closure Order at Elmswell Footpath 12 over the ungated pedestrian crossing at Hawk End Lane which is linked to the build-out of the development on the Bacon Factory site adjacent.

21.12.06 **Noted:**

The Clerk's report as per Appendix A.

- 21.12.07 **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 that the date of the next Complaints Committee meeting was not known.
- 21.12.08 **Noted:**
Planning results as notified by Mid Suffolk District Council and to take action as appropriate.
- | | | | |
|-----|--|----------|----------------------------|
| 8.1 | <u>DC/21/05504</u> Erection of rear extension to form 2 holiday apartments...
Kiln Farm Guest House | GRANTED | EPC did not comment |
| 8.2 | <u>DC/19/04317</u> Application for non-material Amendment...
Holly Lodge, Cross Street | APPROVED | EPC not invited to comment |
| 8.3 | <u>DC/21/05840</u> Erection of single-storey rear/side extension
5, Lyle Close | GRANTED | EPC supported |
| 8.4 | <u>DC/21/05727</u> Approval of reserved matters 6no dwellings...
Land South of Field View | APPROVED | EPC objected |
| 8.5 | <u>DC/21/05842</u> Erection of first floor side extension...
7 Mill Gardens | GRANTED | EPC supported |
- 21.12.09 To discuss the following Planning applications as notified by Mid Suffolk District Council;
- 9.1 **DC/21/06333**
Development of a petrol station, a drive-thru restaurant and coffee shop, together with various infrastructure and landscaping works
Land off A14
Councillors objected to this application for the following reasons:
- 1 SCC objections on the basis of highway safety included measures to reduce the likelihood of right turns into the site from the A1088. These have been removed from the current proposal. However, whilst the previous pre-application advice does not mention this issue, it does not state that the concern is no longer relevant. It should be agreed and reinstated as there is a risk of this manoeuvre being attempted or carried out due to the contrived route from the westbound A14 and non-standard access arrangements of the proposal.
 - 2 The previous application was refused for reasons which included an unacceptable highway egress arrangement. Previous pre-application advice (DC/19/05865) states: *According to DMRB Vol 6 Section 2, figure 4.14, 'Weaving length diagram for Urban Roads' gives an absolute minimum measurement of 100m for 50km (30mph). at present, there is approximately only 40m which includes a merge lane'*. Therefore, evidence would be required to allow the acceptance of lower standards with regard to the merging between the exit point of the site and the roundabout.
DMRB TD 22/06 has been withdrawn but there are also requirements in CD 122 relating to this and any departure from standard from that will need to be fully justified in order for the Highway Authority to change their position. It is noted that Currently CD 122 is also currently withdrawn.
 - 3 The Transport Assessment does not address the shortcomings in the weaving length. The Summary & Conclusions on pages 30 & 31 contain an unacceptable level of conjecture, with references such as "modelling suggests" instead of clear, unequivocal statements.
 - 4 The potential for vehicles queueing on the A14 at the eastbound and westbound diverge slip roads has been ignored. This is a very real possibility at peak times.
 - 5 NPPF paragraph 112 states that applications for development should:
 - (a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas;
 - (b) facilitate access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

- (c) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- (d) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

The application signally fails to satisfy all of these requirements.

- 6 The Transport Assessment relies upon the ‘understanding’ that this application will benefit from the ‘proposed’ Elmswell-Woolpit footway/cycle link (Community Path). This aspirational scheme is un-costed and remains as an extremely problematic project meaning it would, if progressed, be something to be delivered many years hence. It has no relevance in mitigating the harm that this application proposes.
- 7 The Applicant’s own Assessment is for 224 extra vehicles per hour at the roundabout during peak periods and accepts that the traffic load would exceed capacity on the west-bound slip junction. Given the failure to take into account the local developments since the TA was commissioned including the new HGV-based businesses at Lawn Farm Business Park (Bacton Transport / Precon Products), the substantial and growing number of houses at both Woolpit and Elmswell and the outline Planning permission for a new primary school serving both Woolpit and Elmswell, the Assessment in no way serves to reflect the true position with regard to highway safety.
- 8 Included in the developments which have secured Planning permission in the interim is the requirement for 2 roundabouts. One at Woolpit immediately off A14 to serve the large housing estate and primary school and one at Church Hill, Elmswell to mitigate the problems attending access to the new development at School Road. Both of these impediments to traffic flows need to be taken into account when assessing this proposal and this is, clearly, not the case.
- 9 It is impractical to suggest that, merely by not signing the facility for HGV use, this will mean that large lorries will not pull in for refreshment and comfort breaks. The difficulties in leaving the site, as already highlighted, will be compounded to a hazardous degree when the site becomes accepted as a truck-stop facility.

9.2 **DC/21/06240**

Erection of single storey rear extension

20 Rowan Green

Councillors agreed to support this application

9.3 **DC/21/06379**

Erection of 19 No. dwellings (including 6 No. affordable) and construction of new vehicular accesses.

Land East of Ashfield Road

Councillors objected to this application for the following reasons:

The site is in the countryside outside of the Settlement Boundary within which new development will properly take place.

With regard to the strong policy imperatives aimed at protecting the existing character and appearance of the countryside, this proposal offers no justification for exceptional treatment and does not present a case for special consideration under categories identified and defined in the Local Plan, the Core Strategy or the National Planning Policy Framework.

Councillors make this statement with reference to the following factors:

- 1 MSDC has achieved a Housing Land Supply of more than 5 years. The Draft 5YHLS position statement November 2021 indicates that there is a 9.5 year housing land supply, almost double what government requires. In line with NPPF objectives in paras 78 and 83, Planning permission has been granted for substantial housing growth within or adjoining the Elmswell settlement boundary, and delivery of these developments is well advanced. On this basis, there should be no overriding

presumption in favour of development that does not meet local policies. While some previously adopted policies are “out of date” and to be replaced in the new draft Local Plan, many are still aligned with objectives of the NPPF.

2 Most relevant here are FC1 and FC1.1 regarding Sustainable Development, CS5 relating to natural landscape and Mid Suffolk’s environment, which aligns with NPPF 127 and 170. The conflicts with these policies and guidance are material considerations. The proposal is an extension into the countryside, with no exceptional justification, and is harmful to the open rural character and landscape of the area.

3 This proposal does not constitute sustainable development using the NPPF overarching economic, social and environmental objectives. The economic benefit of construction employment is short term, and the contribution to the local economy from occupiers would be very modest. The social benefit is questionable, given the distance and difficulty in reaching village facilities and activities on foot. There would be no environmental benefit, rather the incursion of buildings into the countryside would diminish the natural landscape, habitat and biodiversity.

4 This is not an ‘exception’ site providing affordable housing, and would not make any significant contribution to the vitality of the village.

5 Considering these points, together with the NPPF as a whole and policies FC1 and FC1.1, the proposal cannot be judged to be a sustainable development.

6 There is no pavement on Grove Lane or part of Ashfield Road and footpaths across the fields to the village are only recreational, not level, unlit, and virtually unusable in/after bad weather. The lack of close, convenient and safe access to facilities by walking or cycling means greater reliance on car journeys. Grove Lane is not wide enough to safely accommodate passing vehicles and pedestrians and cyclists. The lane is heavily used by a variety of commercial traffic, much of which gives little consideration to the residents. There is considerable use by extremely large vehicles, which are unable pass each other without driving on to the verge. Grove Lane cannot be regarded as inherently safe for children, the elderly or those with animals. It cannot be considered a sustainable location for additional dwellings

7 The site is an uncultivated grassed field surrounded by hedges, making a high-profile positive contributions to the appearance of the local landscape and potential for biodiversity and wildlife habitat. The proposal seeks to disrupt the existing pattern of development and the village’s transition into open countryside. Regardless of design, any type of built form would harm the open countryside, with no appreciable public or local benefit to outweigh that harm. This is contrary to policies GP1, FC1.1, CS5 and CL8, which require developments to conserve and enhance the local character and respect the local distinctiveness of Mid Suffolk, including its natural landscape and protection of biodiversity. As these policies are broadly aligned with objectives in paragraphs 127 and 170 of the NPPF, this conflict must be given significant weight.

8 The proposal seeks to create an enclave whose residents would be dependent on car use to reach village facilities and amenities. In effect, it seeks to create a large satellite population with no sustainable means of connection to the village. The Transport Statement quotes NPPF paras 108-110 on highway objectives: "That it is safe for all users" and "That it promotes sustainable, high-quality alternatives to the private car and to achieve developments accessible to all vehicles and people". The proposal flies in the face of both of these strictures and goes further to suggest that the lack of a pavement from Grove Lane as far as Oak Lane is not a problem as pedestrians can use the grass verge as a walking route to and from the village. Local residents have long complained about the lack of a proper pavement on this part of Ashfield Road and have warned of near misses with the large volume of cars and HGVs that use it. The verge is uneven, muddy, subject to erosion by large vehicles and encroachment by hedges, dangerous to walk along in bad weather and in the dark, and impossible for anyone pushing a buggy, holding onto small children or carrying shopping. It is completely impassable for anyone who has reduced mobility. There is no verge at all on the other side of the road, forcing pedestrians going towards Grove Lane

from the village to walk with their backs to the traffic, contrary to Highway Code rules. This is especially dangerous if an obstruction forces pedestrians to step into the carriageway. This verge is neither safe nor high-quality, and to suggest that it constitutes a safe walking route to village amenities betrays a cynical disregard for pedestrian safety on the part of the applicant.

9 Suffolk County Council Highways Officers highlight exactly these concerns in their formal Objection which confirms that the proposal presents, in terms of NPPF paragraph 111, 'an unacceptable impact on highway safety.'

9.4 **DC/21/06401**

**Application for Outline Planning Permission (access to be considered, all other matters reserved) Town and Country Planning Act 1990 – Severance of garden and erection of 1 No. detached dwelling
Beech Glade, Bennett Avenue**

Councillors objected to this application for the following reasons;

- 1 Bennett Avenue was developed in a considered and balanced manner with high density houses, including some 'quarter homes', at its eastern extremity and with substantial dwellings in their own spacious plots towards its junction with Cooks Road.
- 2 The application site is one of the distinctive and individual dwellings which define the character of the immediate neighbourhood. The spacious layout, substantial plots and individual character of these houses were, significantly, taken up by the adjacent and subsequent development at Grange Meadows thus reinforcing the special nature of the street scene.
- 3 This proposal seeks to increase the housing density one of these key sites and destroy the cohesive pattern which defines the area. It would set a precedent for cramped over-development and urbanisation harmful to the amenity and appearance of the surrounding dwellings and is out of keeping with the character of the locality and the prevailing street scene at this end of Bennett Avenue. It is inappropriate to its setting and would be to the significant detriment of the existing residential amenity
- 4 The addition of traffic at this site, which is close to a blind bend off which a T junction serves the Oxer Close development and Elmswell Community Primary School, would exacerbate an already hazardous highways situation destined to worsen in light of the recent permission to expand the school.

9.5 **DC/21/06610**

**Erection of single storey garage
3 Thedwastre Close**

Councillors agreed to support this application

9.6 **DC/21/06611**

**Erection of 2 No. detached dwellings, garages and new/altered vehicular access
Land to the rear of Woodstock and Orchard House, Ashfield Road**

Councillors agreed to support this application

21.12.10

Resolved:

That the Clerk makes known the Council's comments on the Planning Applications on this Agenda to the Chief Planning Officer at Mid Suffolk District Council.

21.12.11

Noted:

The following other Planning business;

- 11.1 Enforcement matters regarding alleged unauthorised development in Wetherden Road and alleged unauthorised business use in New Road are in due process.
- 11.2 The Clerk referred the Meeting to paragraph 6 in his Report which dealt with the MSDC Development Control Committee meeting held 08.12.2021 ref DC/21/02956 re 44 dwellings at Warren Lane / Cresmedow Way.

- 21.12.12 **Resolved:**
That Elmswell Parish Council directs Mid Suffolk District Council to pay £189,555.00 (One hundred and eighty-nine thousand, five hundred and fifty five pounds) as the precept upon them as Charging Authority for the year 2022 / 2023.
- 21.12.13 There was discussion regarding the suggestion from MSDC of the possible re-location of a street sign at Bennett Avenue and the Clerk was asked to confirm that EPC sees no need for any change.
- 20.12.14 **Resolved;**
That Messrs Cladspray Solutions be contracted to carry out works to install roof lights and recoat the original steel profile roofing to the Chamberlayne Hall and ancillary space at Blackbourne as specified in their quotation ref 1499 dated 29.11.21 for a sum not to exceed £35,260.00.
- 20.12.15 **Resolved:**
That The Elmswell Fox Bowls Club be thanked for their excellent stewardship of the Station Road recycling centre for the 3 months ending 26th November and that a grant of £150.00 be made to the Club's funds.
- 20.12.16 **Noted:**
That recent problems related to MSDC tenants at Manns Court / Thedwastre Close would seem to have been adequately addressed by officers but that a watching brief is best maintained.
- 20.12.17 **Resolved:**
That the annual tenancy fees at the Church Hill / Lukeswood allotments be uplifted by 5% as from 01.01.2022 and that this same percentage increase is to be applied annually on 1st January beginning in 2023.
- 20.12.18 There was discussion regarding the possibility of pursuing a Village Road Safety Review Initiative and the Chairman agreed to co-ordinate a working party including Cllrs Barker, Brown and Hancock to formulate proposals towards liaison with SCC Highways.
- 20.12.19 **Resolved:**
That a solar powered Speed Indicator Device including Bluetooth data collection unit and showing 'Thank You' / 'Slow Down' legend be purchased from and installed at Church Hill by Messrs Westcotec of Dereham and that the existing unit there be re located by them to Wetherden Road all for a sum not to exceed £4,530.00 net of VAT.
- 20.12.20 **Resolved;**
That Dave Crimmin of Newton, Sudbury, be appointed to carry out an Audit on the adequacy of Council's systems of internal control including completion of AGAR Sec. 2 and Report to the External auditor for the year ending 31.03.2022 for a sum not to exceed £310.00 net of VAT.
- 21.12.21 **Noted:**
The authorised payments made and income received as per Appendices B and C, and indicative financial overview as at 30.11.21.
- 21.12.22 **Resolved:**
That proposed payments, scheduled as Appendix D, be authorised.

- 21.12.23 **Noted:**
The Balances as per Appendices E and the Chairman's confirmation that the relevant bank statements and computer report verify the published figures
- 21.12.24 **Noted:**
That when public comment or questions on matters relevant to Council business was invited none was forthcoming.
- 21.12.25 **Noted:**
The following other Council business from Councillors or the Clerk for information, to be noted, or for inclusion on a future agenda.
- 25.1 The Chairman confirmed that the extra 6 acres at land at Blackbourne are still subject to final arrangements between respective solicitors and that the completion of this due process will trigger moves to begin to use the land.
- 25.2 The Clerk confirmed that he had reported light No 102 at New Road as being unlit on 4 separate occasions when the same fault was identified and temporarily fixed, barring the last time in June 2021. He undertook to make another report but warned that the unit's status as a G39 pole unit required that it be attended by specialist UK Power Networks engineers which is a slow process.
- 21.11.26 **Noted:**
That the next Ordinary Meeting of Council was scheduled for Monday 17th January 2022 beginning at 7.30 p.m. at Blackbourne.
- 21.12.27 **Noted:**
That the meeting closed at 9.53pm.