

ELMSWELL PARISH COUNCIL

Minutes of an Ordinary Meeting of full Council held on Monday 16th October 2023 beginning 7.30pm at The Blackbourne, Elmswell IP30 9UH

- Present: Cllr Barker, Brown, Burch, Edmonds, Hancock, Hawes, Pallett (Chairman), Roots, Shaw
- Attending: District Council Ward Member Cllr Jen Overett
County Council Ward Member Cllr Andy Mellen
Parish Clerk Peter Dow
2 members of the public
- 23.10.01 **Noted:**
1.1 An apology for absence was accepted from Cllr Mansel who had a meeting booked prior to election
1.2 An apology for absence was accepted from Cllr Schofield who was unwell
- 23.10.02 **Resolved:**
That the draft Minutes of the Ordinary Parish Council Meeting held on the 18th September 2023, as tabled, be agreed as a true record.
- 23.10.03 **Noted:**
The following when any Members' Declarations of Local Non-Pecuniary Interests and/or Disclosable Pecuniary Interests in subsequent agenda items were invited and any additions, deletions or alterations to the Council's Register of Interests noted;
3.1 Cllrs Burch and Hancock each declared a Local Non-Pecuniary Interest in agenda item 12 as they were allotment tenants
- 23.10.04 **Noted:**
4.1 A written report from BMSDC Ward Members Cllrs Mansel and Overett
4.1.1 Cllr Overett undertook to confirm the revised End of Financial Year recently posted by CIFCO
4.2 A written report from SCC Ward Member Cllr Mellen
4.2.1 Cllr Mellen spoke to confirm CIFCO arrangements received by MSDC in a recent Business report including a Forward Business Plan, although nothing had yet been filed by way of end-of-year accounts
4.3 A resident spoke to make detailed objection to the Application at Agenda item 9.1, ref . DC/23/02238 and the Chairman assured them that their comments were noted towards later discussion.
- 23.10.05 **Noted:**
That there was no correspondence unrelated to an Agenda item.
- 23.10.06 **Noted:**
The Clerk's report as per Appendix A.
6.1 The Clerk spoke to confirm that he was in communication with the MSDC Chief Executive towards resolving the dispute regarding charges for recent elections.
- 23.10.07 **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.
- 23.10.08 **Noted:**
The Planning results as notified by Mid Suffolk District Council;
8.1 **DC/23/03628**
Erection of single storey...
20 Oxe Close GRANTED EPC supported

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|-----|--|----------|----------------------------------|
| 8.2 | <u>DC/23/03278</u> Use of former housing plot as car park Land adjacent to The Wesley | GRANTED | EPC not consulted (as applicant) |
| 8.3 | <u>DC/23/03508</u> Conversion of garage/store... Orchard House, Ashfield Road | GRANTED | EPC supported (with conditions) |
| 8.4 | <u>DC/23/03714</u> Discharge of Condition 4(roof tiles)... Linden Cottage, Hawk End Lane | APPROVED | EPC no comment |
| 8.5 | <u>DC/23/04470</u> Discharge of Condition 9 (Acoustic insulation)... Land to the North / West School Road | APPROVED | EPC no comment |
| 8.6 | <u>DC/23/04059</u> Discharge of Condition 5 (Biodiversity Enhancement Strategy) Elmswell Hall, Parnell Lane | APPROVED | EPC no comment |
| 8.7 | <u>DC/23/03839</u> Removal or variation of condition 1... Oakdene, Ashfield Road | APPROVED | EPC supported |
| 8.8 | <u>DC/23/03597</u> Erection of 5 dwellings... White House Barns, Ashfield Road | APPROVED | EPC objected |

23.10.09

Noted:

Planning applications as notified by Mid Suffolk District Council:

- 9.1 **DC/23/02238**
Erection of barn-style dwelling (following removal of barn approved for conversion under Planning Permission DC/22/02641); and erection of detached garage/annex building Ten Ten, Kiln Lane
Councillors objected to this application for the following reasons:
It represents an example of, 'development-creep', whereby this application relies upon previous applications which have gradually prepared the way for a full-blooded and blatant case for a large house and residential annexe in the countryside.
In 2017 (ref DC/17/02404) Permission was refused for a Class Q Approval for change of use of the existing agricultural building to a dwelling. This decision was reasonable and sensibly based on the very insubstantial nature of that building which in no way could have been, 'converted', without major structural remediations and additions.
A subsequent full application for conversion was, however, granted in 2019 (ref DC/19/01596) against objections that the building, with a corrugated tin roof, visible slippage suggesting inadequate or compromised foundations, internal collapse of floor structure and damaging incursion over many years of trees and vegetation, could not be the core of a rebuilding process. At this juncture, the Planning Authority lacked the pre-requisite of a 5 year housing supply and this lent support through the broad-brush NPPF policies for overriding such practical objections in favour of blindly increasing housing supply.
With the precedent thus established, an application for a conversion plus 2 further dwellings in 2021 (ref DC/21/05406) was withdrawn in the face of impending rejection and then softened to a subsequent application for conversion only in 2022 (ref DC/22/02641).
The current application completes the process whereby a rickety old timber grain store has eventually provided a route to suggesting that a 3 bedroom family house with separate residential annexe in the countryside is acceptable. As EPC pointed out when the application for conversion was made, the original building was in no reasonable state for conversion. This factor is now presented as reason for entirely new build of greater mass, higher roof line and no reference to the vernacular of the putative host building. Elmswell Parish Council urges a fresh look at this proposal and repeats its previous arguments for refusing development on this site, citing:
1 Mid Suffolk District Council has a 9.5 year housing supply and therefore does not need to look beyond existing policies and settled development boundaries to fulfil Government targets in this regard.
2 This site is in the countryside clearly outside of the Development Envelope of Elmswell, as reinforced by the emerging Neighbourhood Development Plan. To permit further encroachment of development into Kiln Lane would run counter to Local Plan Policy SB1 and there is no mitigating factor presented to support intrusion which is, clearly, against the overriding principal of protecting the countryside for its own sake.

3 Kiln Lane is a single-track country lane with no footpath along its entire length. It is already at capacity as the village expands and traffic seeks ways around the increasingly busy main through routes. In proposing another vehicular access on to Kiln Lane and imposing the traffic generated by a 3 bedroomed dwelling which must rely almost entirely on car use to access facilities, the Proposal, runs counter to Local Plan policy T10 which requires that existing roads giving access to a proposed development should be suitable in terms of the safe and free flow of traffic and pedestrian safety. Recent permissions for residential development along Kiln Lane have enjoyed the unfettered laissez faire of NPPF guidance. This application must, in contrast, be viewed against the reasoned and considered Local Plan regulation, against which it signally fails. The PD rights and curtilage benefits which would accrue should permission be granted pose further serious threats in terms of amenity.

4 The Application goes against NPPF policies of sustainability. In its strictures on promoting sustainable transport it argues for an awareness of potential impacts on transport networks [para 102(a)], focussing on locations which can be made sustainable through limiting the need to travel [para 103] and for attention to the impacts from a proposal on the transport network [para 108(c)]. This is a proposal for, effectively, two dwellings along a narrow country road situated almost a mile from the village facilities. In NPPF terms it is unsustainable.

- 23.10.10 **Resolved:**
That the Clerk makes known the Council's comments on the Planning Application on this Agenda to the Chief Planning Officer at Mid Suffolk District Council.
- 23.10.11 **Noted:**
The following other Planning business;
- 11.1 Notice of Appeal by written representations beginning 04.10.2023 re development of petrol filling station on land off A14
11.1.1 The Clerk was asked to reiterate and reinforce EPC's original basis for objection to this application by letter to the Planning Inspectorate.
- 11.2 To note MSDC permission for the felling of dead horse chestnut tree at Woodlands, Church Road, which is subject to TPO, without recourse to a Planning application and that EPC Tree warden confirms that this is appropriate.
- 11.3 To note the withdrawal of Planning application ref DC/23/01390 for 2 storey rear extension at 16, Cooks Road (EPC supported ref 23.09.09.2)
- 11.4 To note the decision re Appeal on land adjacent to 10 Crown Mill.
- 11.5 To note the date of the Elmswell Neighbourhood Development Plan Referendum as Tuesday 21st November.
- 23.10.12 **Resolved:**
That the Council's Tenancy Agreement for an Allotment be revised at condition 5 to read; "*The allotment be kept in a clean, decent and good condition with the whole of its area properly cultivated to the satisfaction of the Council other than minimal areas for access pathways and storage/composting areas and to include regular cutting of grass frontage.*"
- 23.10.13 **Proposal: Cllr Barker;**
That £150.00 be granted to each of the following charities: Royal British Legion Poppy Appeal, Suffolk Accident Rescue Service, EACH, Our Special Friends
Seconded Cllr Edmonds
Proposal carried
- 23.10.14 **Noted:**
The Internal Control Report 2023 as per Appendix F.
- 23.10.15 **Resolved:**
That Dave Crimmin of Newton, Sudbury, be contracted to carry out an Internal Audit to review the adequacy of the systems of control undertaken by the Council for the financial year 2023 / 2024.
- 23.10.16 **Noted:**
The authorised payments made and income received as per Appendices B and C.

- 23.10.17 **Resolved:**
That proposed payments, scheduled as Appendix D, be authorised.
- 23.10.18 **Noted:**
The Balances as per Appendix E and the Chairman's confirmation that the relevant bank statements and computer report verify the published figures.
- 23.10.19 **Noted:**
The following when public comment or questions on matters relevant to Council business were invited;
19.1 Councillors were thanked for their thorough process in assessing the Planning application at Kiln Lane.
- 23.10.20 **Noted:**
The following other Council business from Councillors or the Clerk for information, to be noted, or for inclusion on a future agenda;
20.1 The Clerk agreed to put something in the Newsletter outlining the history of and current position regarding the proposed community affordable houses on the Greene King site at School Road. It was noted that the recent failure of the Planning Appeal against refusal of permission for development of the Council's land at Crown Mill represented a setback for the scheme.
- 23.10.21 **Noted:**
That the next Meeting of Council was scheduled for Monday 20th November 2023 beginning at 7.30 p.m. at Blackbourne.
- 23.10.22 **Noted:**
That the meeting closed at 8.34pm