

ELMSWELL PARISH COUNCIL

Minutes of an Ordinary Meeting of full Council held on

Monday 16th March 2020 at 7.30pm

at The Blackbourne, Blackbourne Road IP30 9UH

- Present: Cllrs Barker, Burch, Edmonds, Friend, Hawes, Mansel, Pallett (Chairman), Roots, Shaw
- Attending: County Council Ward Member Mrs Jane Storey (part)
District Council Ward Member Helen Geake (part)
Parish Clerk Peter Dow
1 member of the public
- 20.03.10 **Noted:**
10.1 An apology for absence was noted from Cllr Osborne who had another commitment
10.2 An apology for absence was accepted from Cllr Schofield who was unwell
- 20.03.11 **Resolved:**
That the draft Minutes of the Parish Council Meeting held on 17th February, as tabled, be agreed as a true record
- 20.03.12 **Resolved:**
That the draft Minutes of the Extraordinary Parish Council Meeting held on 2nd March, as tabled, be agreed as a true record
- 20.03.13 **Noted:**
That there were no Members' Declarations of Local Non-Pecuniary Interests and/or Disclosable Pecuniary Interests in subsequent agenda items and no additions, deletions or alterations to the Council's Register of Interests to be noted.
- 20.03.14 14.1 A written report from SCC Ward Member Cllr Jane Storey
14.2 A written report from MSDC Ward Members Cllrs Geake & Mansel
14.3 A written report from the BWMA
14.4 The Clerk confirmed that he had not yet had a response to his letter of 3rd March to Cllr Storey re the shortcomings of SCC Highways when consulted on Planning applications. Cllr Storey later confirmed that she was pursuing the matter.
14.5 Cllr Mansel confirmed that Mid Suffolk had met with SCC Adult & Community Services towards the end of February to take forward proposals for bringing back into commission the Manns Court bungalows blighted by heating oil contamination and that she would pursue the outcome. Meanwhile, the Clerk was asked to add EPC's concerns to the process in the hope that this might help towards a resolution of this very long standing problem.
14.6 The Chairman confirmed that the BMSDC's CIFCO Capital borrow-to-invest venture shows, in the latest published accounts, a loss of some £4.03m and that a telephone call with the MD, Emily Atak is scheduled for 30th March in the hope of clarifying issues and addressing concerns received by EPC.
14.7 It was confirmed that the MSDC partnership with the Bury St Edmunds based ICENI housing development & management business is intended help the council fulfil a role in building and administering affordable homes for which it is not otherwise equipped.
- 20.03.15 **Noted:**
That there was no correspondence to this meeting unrelated to any Agenda items.
- 20.03.16 **Noted:**
The Clerk's report as per Appendix A.
16.1 It was confirmed that the Tenant of the Railway Tavern, now owned by EPC, is liable for any Council Tax which accrues.

- 20.03.17 **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.
- 20.03.18 **Noted:**
The following Planning results as notified by Mid Suffolk District Council.
18.1 **DC/20/00540** Discharge of Conditions re 4911/16 (materials)
Land adjacent to Wetherden Road Condition discharged EPC made no comment
- 20.03.19 **Noted:**
The following Planning applications as notified by Mid Suffolk District Council, and to make comment as appropriate.
- 19.1 **DC/20/00901**
Erection of single-storey rear extension and addition of cladding to rear elevation; insertion of 1 No. window to side elevation and installation of roof lantern to rear extension; insertion of windows and door to front elevation in lieu of existing.
32 Miller Close
Councillors agreed to support this application
- 19.2 **DC/20/00931**
Erection of single-storey rear extension
5 Gardeners Walk
Councillors agreed to support this application
- 19.3 **DC/19/05878**
Outline with access considered and all other matters reserved re erection of 1 No dwelling (following demolition of buildings) [Re-consultation with revised Planning Statement]
Land north of Dagwood Farm, Ashfield Road
Councillors objected to this application for the following reasons:
The Settlement Boundary, as defined in the Local Plan, now has behind it the empowering factor of an accepted 5 year housing land supply. The site is in the countryside outside of the Settlement Boundary within which new development will properly take place. Further, the site is not identified in the emerging joint Local Plan as suitable for development.
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. The current burden of development with extant Permission amounts to a 37% uplift in housing stock imposed on a community already suffering from poor infrastructure provision, in particular regarding education and highways. There is no need for the extra dwelling proposed.
Furthermore, the emerging Joint Local Plan has it, at LP24, that development should 'Respond and safeguard the existing character and context', and that, 'Development that fails to improve the quality and character of the area will not be supported.' This ad hoc, opportunistic off-Plan proposal clearly fails on both of these counts. If granted, it would breach the current building line boundary presented by the existing farm track and represents an incursion into an adjacent holding which would make further creep of development difficult to resist
In reaching these conclusions, Councillors had reference to Local Plan policies SB1 & H7, Core Strategy Policies CS1 & CS2, National Planning Policy Framework para.55 and to the emerging BMSDC Joint Local Plan.
- 19.4 **DC/20/00717**
Erection of 2 No first floor and single storey side extensions; replacement of cladding
22 Pightle Close
Councillors agreed to support this application

19.5 **DC/20/00779**

**User of land for the storage and distribution of containers including lighting, hard surfacing and Landscaping
Goldstar Transport, Elmswell Road, Woolpit**

Councillors objected to this application for the following reasons:

- 1 The noise nuisance suffered by Woolpit residents from the existing operations on this site extends, to a lesser but significant extent, to Elmswell. It is clearly the case that the proposal for a 25% uplift in capacity would commensurately increase this nuisance to the further detriment of the peaceful enjoyment of households in both villages.
- 2 A significant factor in the Inspector's Refusal decision at Appeal in 2013 was the constant and inevitable noise nuisance. Nothing in this Application mitigates the factors which led to that decision.
- 3 Suggestions as to specific orientation and arrangement of containers so as to create a notional barrier against noise from the operations on the site point up the Applicant's awareness of the obvious and overriding problem of consequential nuisance. Any such operational constraints would be difficult to monitor and impossible to enforce effectively.
- 4 The level of noise per operation will not vary. What this Proposal portends is a 25% increase in the frequency of these operations with no control determining timing or frequency other than the market demands of Felixstowe Container Port et al. The nuisance is beyond the control of the applicant.
- 5 The Permissions granted since this scheme was first promulgated mean that some 300 new households and a primary school are included in the noise catchment. This, clearly, compounds the historic nuisance and puts beyond reasonable doubt the acceptability of this proposal.
- 6 There has to be a 25% increase in traffic to service the extra capacity sought here. These extra vehicles must all access the roundabout adjacent to A14 and inevitably worsen the hazard at this extremely busy junction.

In reaching these conclusions, Councillors had reference to Local Plan Policies E9, E10, E12, T10, Core Strategy Focussed Review para FC1, to NPPF areas 130, 170e, 180a & to emerging JLP Policy LP16 (2).

20.03.20

Noted:

The following other Planning business;

20.1.1 The Meeting noted a copy letter (*circulated*) from residents at Oak Lane to MSDC Chief Planning Officer ref DC/19/02909, Permission granted for up to 9 bungalows on land to the east of Oak Lane, and regarding a disputed site boundary.

20.1.2 The Clerk confirmed that the substance of the letter did not relate to a material Planning consideration and that legal advice should be sought by the writers if the matter were to be pursued.

20.1.3 The Meeting agreed that, in the event of there being no extension to the deadline for response to Application Ref. DC/20/01096 for the erection of 1 dwelling and associated parking on the Crest Nicholson site at Wetherden Road, no Extraordinary Meeting was justified.

20.03.21

Noted:

That progress on the Wesley development was as outlined in the Clerk's Report confirming that work continues without serious impediment other than the discovery of a second underground void, assumed to be a well, in the area of the rear car park. This will not create any serious on-cost and the contract remains in budget. Meanwhile, suggestions regarding improving the external surfacing to avoid the use of gravel are being costed for consideration. The final floor screed is down throughout, which triggers the fitting-out of the kitchen and other areas and should allow access for Councillors and BWMA members to be arranged towards assessing various practical factors related to use of the facility. At the next site meeting a firm Programme to Complete will be sought and suggestions are invited towards an appropriate event to mark the opening.

20.03.22

Noted:

That the position regarding the purchase of the Greene King site at School Road was as outlined in the Clerk's Report confirming that Contracts for the purchase of the Greene King site on School Road were exchanged on 3rd March with Completion enacted on 13th. As previously noted, the transaction is for the business as a going concern, by virtue of which, given that Council is now Registered for VAT and undertook to make an Option to Tax, VAT was not levied on the sale or on the

Stamp Duty Land Tax. The saving this represents is some £220,000. The VAT registration in no way alters the way VAT is dealt with in the normal course of Council activity and will currently only be relevant to the business activity of renting the pub premises to the tenant. The Chairman and I have met with the tenant to confirm no interruption is proposed or is likely to the day-to-day running of his business and that there is no change to his current Agreement other than the name of the landlord. He has agreed to a suggestion that the remediation of the larger site by way of removing the scrub overgrowth and accumulated rubbish, together with the killing off and eventual removal of the ivy which has taken over the front of the premises, would be beneficial. These works might stand Council in good stead towards assessing next appropriate steps given that the boundaries would be more clearly defined, some extra parking afforded to serve both the pub and Wesley, and the building would not be at further risk from the potentially damaging ivy growth.

- 20.03.23 **Noted:**
That the position regarding the proposed extension and improvement works at the Blackbourne was as outlined in the Clerk's Report confirming that Council's appointed architect has received 3 quotations for the works to extend the Chamberlayne Hall at Blackbourne affording more storage, office space, and a dedicated room for a village archive. A meeting is to be sought with the preferred contractor to confirm a final figure and ancillary detail for presentation to Council towards approval for the works.
- 20.03.24 **Noted:**
That the position regarding the establishment of the Elmswell Community Land Trust was as outlined in the Clerk's Report, being that the agreement of Ann Richards, Ben Whatling and Linda Waspe from the village has been secured to join the Clerk and Cllrs, Mansell, Pallett & Shaw as the necessary steering group towards the establishment of the Elmswell Community Land Trust. This now allows a move to the next phase which is to encourage and establish wide community membership as agreed at 20.02.14.
- 20.03.25 **Noted:**
The authorised payments made and income received as per Appendices B and C, and indicative financial overview as at 29.02.20.
- 20.03.26 **Resolved:**
That proposed payments, scheduled as Appendix D, be authorised.
- 20.03.27 **Noted:**
The Balance as per Appendix E and the Chairman's confirmation that the relevant bank statements and computer report verify the published figure.
- 20.03.28 **Noted:**
That when any public comment or questions were invited on matters relevant to Council business none were forthcoming.
- 20.03.29 **Noted:**
The following when other Council business from Councillors or the Clerk for information, to be noted, or for inclusion on a future agenda was invited:
29.1 The Clerk confirmed that the 4 street lights scheduled for upgrading are registered with SCC but that the lead time for such works is a minimum of 3 months.
29.2 The Clerk agreed to pursue the matter of the railings removed from the pond adjacent to Wetherden Road outside of the village during redevelopment with a view to their reinstatement on grounds of highway safety.
29.3 The Meeting noted the possibility of CIL funding towards EV charging points at both Wesley and Blackbourne.
- 20.03.30 **Noted:**
That the next meeting of Council was scheduled for Monday 20th April 2020 beginning at 7.30 p.m. at the Blackbourne.
- 20.03.31 **Noted:**
That the meeting closed at 8.44pm.