

# **ELMSWELL PARISH COUNCIL**

## **Minutes of an Ordinary Meeting of full Council held on Monday 17<sup>th</sup> July 2023 at The Blackbourne, Elmswell**

- Present: Cllrs Burch, Edmonds, Hancock, Hawes, Mansel, Pallett (Chairman), Roots, Schofield, Shaw
- Attending: County Council Ward Member Andy Mellen  
District Council Ward member Jen Overett  
Parish Clerk Peter Dow  
1 member of the public
- 23.07.01 **Noted:**  
An apology for absence was accepted from Cllr Barker who was on holiday booked prior to election.
- 23.07.02 **Resolved:**  
**That the draft Minutes of the Parish Council Meeting held on the 19<sup>th</sup> June 2023, as tabled, be agreed as a true record.**
- 23.07.03 **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 Cllr Hancock declared a Local Non-Pecuniary Interest in Agenda item 6 as he was an allotment holder.  
3.2 Cllr Burch declared a Local Non-Pecuniary Interest in Agenda item 6 as he was an allotment holder.
- 23.07.04 **Noted:**  
The following when reports and papers including from external bodies were invited together with questions from Councillors or the public on anything presented and on any matter on this agenda;  
4.1 A written report from District Cllr Ward Members Cllrs Sarah Mansel and Jen Overett.  
4.1.1 Cllr Mansel confirmed that Locality Budget funding applications will soon be invited following a District Councillor training session.  
4.1.2 Cllr Mansel confirmed that she has accepted the post of Chair of the MSDC Planning Committee and a position on the Police and Crime Panel.  
4.1.3 Cllr Mansel undertook to investigate the situation where just 2 of the recently refurbished bungalows at Thedwastre Close are currently occupied.  
4.1.4 Cllr Mansell undertook to liaise with Cllr Burch regarding recent specific instances of Antisocial Behaviour in the village.  
4.2 A written report from County Council Ward Member Cllr Andy Mellen.  
4.2.1 Cllr Mellen reported that a Motion to bring in speed limit reduction measures in the County had been procedurally quashed without debate at the recent meeting of full Council but that he hoped it would return.  
4.2.2 Cllr Mellen confirmed that the MSDC proposal for 50 houses on their land at School Road adjacent to Pightle Close would be reconsidered at the August Cabinet meeting, having been called in by the Council's Overview & Scrutiny Committee.
- 23.07.05 **Noted:**  
That there was no correspondence unrelated to an Agenda item.
- 23.07.06 **Noted:**  
The Clerk's report as per Appendix A.  
6.1 The Clerk sought the feeling of the Meeting towards the possibility of obtaining competitive quotations for a pest control contract at the Council's allotments, as outlined in paragraph 6 of his Report. Following discussion, Cllr Hancock undertook to conduct a straw poll of Tenants on the basis of a possible arrangement whereby costs would be shared equally between them and to present his findings for consideration prior to any a formal Proposal to be put to a later meeting.

23.07.07

**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.

23.07.08

**Noted:**

The following Planning results as notified by Mid Suffolk District Council;

- |     |  |          |               |
|-----|--|----------|---------------|
| 8.1 | <b><u>DC/23/01076</u></b><br>Variation of Condition 9 (glazing to dwellings) ref DC/18/02146...<br>Land to the North and West of School Road | APPROVED | PC no comment |
| 8.2 | <b><u>DC/18/02146</u></b><br>Discharge of Condition 19 (part 3 archaeological works)...<br>Land to the North and West of School Road         | APPROVED | PC no comment |
| 8.3 | <b><u>DC/23/02343</u></b><br>Erection of front pitched gable roof dormer...<br>The Links, Church Road  | GRANTED  | PC supported  |

23.07.09

**Noted:**

The following Planning applications as notified by Mid Suffolk District Council, and together with EPC's response:

- 9.1 **DC/23/02847**  
Erection of separate garages for Plots 1 and 2 (alternative scheme to that approved under DC/20/05052)  
Hedgerows, Grove Lane  
Councillors objected to this application for the following reasons;  
It represents an example of, 'development-creep' which confirms the original objections raised by Elmswell Parish Council's to the development of this site.  
The urbanisation which it was feared would result from permitting the new dwellings would be exacerbated by bringing the proposed new building nearer to Grove Lane which is a single-track road with passing places and which sits in a rural setting. The new building line already created between Half Acre and Hedgerows would be substantially breached creating a street scene at odds with the current pleasant backdrop of those dwellings.  
Furthermore, the creation of yet mor impermeable surface poses the threat of water run-off to the detriment of the neighbouring dwelling at Half Acre
- 9.2 **DC/23/02899**  
Application under S73a for the Variation of Conditions following grant of Outline Planning Permission ref: DC/20/05053 dated 29/01/2021 – Erection of up to 9no. dwellings (Access to be considered). Town and Country Planning Act 1990 (as amended)  
To vary Conditions: **4** (Archaeology Evaluation); **5** (Archaeology Written Investigation) **6.** (Archaeology Results Archived); **8.** (Biodiversity Enhancement strategy); **9.** (Wildlife lighting); **10.** (Fire Hydrants); **11.** (Oak Lane & Ashfield road Junction Improvements); **12.** (Road Improvements); **13.** (Manoeuvring & Parking); **14.** (Refuse/Recycling bins); and **15.** (Construction Management Plan) as per covering letter.  
Land to east of Oak Lane  
Councillors agreed to make no comment on this application
- 9.3 **DC/23/02901**  
Application under S73a for the Variation of a Condition following grant of Full Planning Permission ref: DC/21/05976 dated 06/01/2022 – erection of 3No single storey dwellings, garages, and new vehicular access. Town and Country Planning Act 1990 (as amended) to vary **Condition 2** - Approved plans and documents in relation to Plot 5 only.  
Hedgerows, Grove Lane  
Councillors objected to this application for the following reasons;  
This is a retrospective application. The new structure is already in place. The higher ridge height and the presence of solar panels facing on to the neighbouring dwelling at Hedgerows is intrusive and detrimental to the amenity of that dwelling.  
The new building has rooflights which are not shown on the plans provided. Coupled with the increase in height, there must be serious reservations regarding the possibility that this becomes a 2 storey structure open to uses which would affect the enjoyment of the adjacent dwellings.

- 9.4 **DC/23/02699**  
Application for Outline Planning Permission (Access Points to be considered, Appearance, Layout, Landscaping and Scale to be reserved) Town and Country Planning Act 1990 (as amended) – Erection of 1No dwelling  
Land Adjacent to the Stables, Station Road  
Councillors objected to this application for the following reasons;  
The vehicular access serving the existing 2 dwellings is already hazardous. Traffic approaching over the railway crossing around the blind bend has little notice of traffic emerging from the driveway currently serving both The Stables and Sunnyside. Similarly, traffic edging out of the driveway is blind towards the crossing and there is no possibility of improving the visibility to the extent necessary for safety without removing all of the vegetation fronting Sunnyside.  
This is a dangerous junction where the Co-op car park emerges on to Station Road / The Street immediately opposite the busy School Road through-route to and from A14. The adjacent pedestrian crossing often stops the free flow of traffic and the periodic backing-up of vehicles as the crossing gates are down makes this immediate vicinity the focus of the Parish Council's current Road Safety Initiative in conjunction with SCC Highways officers. It is the most hazardous point for traffic in the village. Furthermore, the proposal plot currently serves as parking space for The Stables. With only 2 spaces offered in the application there is a parking deficit which will tend to create on-street parking at this very dangerous point.
- 9.5 **DC/23/03118**  
Application for works to Trees subject to Tree Preservation Order WS47/A1 crown-lift 1 No Lime (T1) to 3.5m above ground level. Crown-lift 1 No Lime (T2) to 3.5m above ground level and cut back branches overhanging drive. Crown-lift 1 No tree (T3) to 3.5m above ground level and cut back branches overhanging drive.  
Newlands, Church Road.  
Councillors agreed to make no comment on this application
- 9.6 **DC/23/03131**  
Application for works to trees subject to Tree Preservation Order WS47/A1 – Fell 2No. Lime (T1 and T2) and stump to prevent regrowth  
St Nicholas, Church Road  
Councillors objected to this application for the following reasons;  
The line of mature lime trees along the southern edge of Church Road extends from the entrance at Lukeswood to Spong Lane creating a unique setting for the 11 dwellings they front. These dwellings are well set-back from the trees which have stood for more than 90 years to create a pleasant and distinctive ambiance, extremely effective in reducing the impositions of the busiest traffic through-route in the village. This application seeks to address what is professionally assessed to be slight cracking damage in the host dwelling. It confirms that a high level of evidence would be needed to justify the loss of the protected lime trees on the site. It identifies other causes for some of the cracking, including normal thermal movement. The report of the arboricultural practice confirms that the 'influencing distance' is a key factor in assessing potential root damage. In this case, the distance of some 12 metres goes well beyond the normally accepted effect zone for root incursion.  
If the lime trees were the cause of the damage, their removal would inevitably allow the re-hydration of the soil presenting further damaging pressures, or, 'heave'. There is no defensible case made for the trees as the source of the damage, but, if they are deemed to be instrumental, their removal could well exacerbate the problem. However, the assessed, 'moderate shrinkability' of the soil on site would, again, suggest that the trees are not damaging the dwelling.  
No evidence of monitoring of the cracking was presented. This tends to confirm the possibility that a dramatic proposal with serious implications for this very valuable environmental asset is proposed with no conclusive case being made.  
There are other mitigating measures which can be taken if vegetation is confirmed as a decisive damaging factor. There is no justification for removing these trees and the application to do so should be refused.

- 9.7 **DC/23/03170**  
Full Planning Application – Severance of garden and erection of 1 No two storey detached dwelling with associated parking (amended scheme under refusal notice reference DC/22/02447)  
Folly Cottage, 2 Rose Lane  
Councillors objected to this application for the following reasons;
- 1 The proposed dwelling on Plot 1 has a ridge height at 9150 some 2m above that of any neighbouring property. It offers more than 4,000 sq. ft. of floorspace. The mass that this presents on an infill site is entirely disproportionate to the neighbouring dwellings at Warren Lane and at Warren Gate. It threatens an intrusive, alien and overbearing result detrimental to these well-established neighbouring properties which currently enjoy a cohesion of size, design and style.
  - 2 Similarly, the scale of the 2-storey cart lodge exacerbates the effect of overdevelopment of the site and clearly offers the opportunity for the creation of further living accommodation which is not appropriate given the constraints on vehicular access on to Cross Street.
  - 3 The Outline nature of the permission sought for Plot 2 leaves open the possibility of the imposition of another inappropriately large proposal when details are presented. This whole site should be subject to a requirement for a cohesive master plan in detail so that the end result is known. A rolling programme of increasingly inappropriate proposals for individual plots is unacceptable.
  - 4 Councillors' original reservations regarding the access from this multi-plot site remain. There is the likelihood of dwellings totalling some 15 bedrooms seeking to use Cross Street just a very few metres from the dangerous staggered crossroads with Warren Lane / New Road / Church Road.

- 9.8 **DC/23/03167**  
Application under S73 for Removal or Variation of a Condition following grant of Planning Permission DC/22/03998 dated 07/11/2022. Town and Country Planning Act 1990 (as amended) submission of details (Reserved Matters) Application under Outline Planning Permission DC/20/05053 for the Appearance, Scale, layout and Landscaping of the site for the erection of 9no. dwellings – To vary **Condition number 2** (Approved Plans and Documents) in order to make design changes, and modifications to the planning scheme.

Lands to the East of Oak Lane

Councillors agreed to support this application

- 9.9 **DC/23/03169**  
Application under Section 73 of Town and Country Planning Act 1990 – Variation of **Condition 2** (Approved Plans and Documents) of Planning Permission DC/22/04216 dated 18/10/22 – Erection of Hot Food Takeaway with Office above (revised application following permission DC/22/00144)

Land at Stag Café, Old A45

Councillors objected to this application for the following reasons;

This 3<sup>rd</sup> iteration of the development of this site exacerbates an already unsatisfactory situation where parking is reduced by the increased footprint and the larger business anticipated by the changes generates more traffic accessing the already stressed highway network, particularly to and from Elmswell / A14 via Warren Lane.

There remains the strong likelihood that the extensive accommodation on the first floor will be used for domestic occupancy and this should be specifically addressed by removing Permitted Development Rights which might allow this to happen, potentially setting a dangerous precedent for similar inappropriate use.

23.07.10

**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.**

- 23.07.11 **Noted:**  
The following any other Planning business;  
The Meeting received Appendix F being the Clerk's report on a recent Pre-App meeting re land at School Road and a suggestion that it might be developed as a retirement home complex.
- 23.07.12 **Resolved:**  
**That Council grant aids the ElmsFest community event on 2<sup>nd</sup> September in the sum of £350.00, being the cost of the venue hire.**
- 23.07.13 **Noted:**  
A Report from Mr David Brown re a recent '20's Plenty' webinar and an update on how this dovetails into EPC's own initiative for a 20mph restriction through the village centre.
- 23.07.14 **Resolved:**  
**That, towards implementing the Council's Internal Control mechanism for the current financial year, Cllrs Pallett and Schofield be asked to conduct an examination of the Council's finances, practices and procedures as per a pro-forma schedule of matters to be scrutinised, which document to be previously agreed by Council.**
- 23.07.15 **Resolved:**  
**That a budget of £500 be allowed towards implementing the planting of shelter-belt hedging at the new Blackbourne land on National Tree Day, 25<sup>th</sup> November.**
- 23.07.16 **Noted:**  
Authorised payments made and income received as per Appendices B and C.
- 23.07.17 **Resolved:**  
**That proposed payments, scheduled as Appendix D, be authorised.**
- 23.07.18 **Noted:**  
The Balances as per Appendix E and the Chairman's confirmation that the relevant bank statements and computer report verify the published figures.
- 23.07.19 **Noted:**  
That when any public comment or questions on matters relevant to Council business were invited none were forthcoming.
- 23.07.20 **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 Chairman confirmed that the viability of any scheme to provide affordable homes on the Council's designated site at School Road can only be properly assessed when MSDC have made a final decision on their proposal for 50 such dwellings at School Road, as earlier referred to by Cllr Mellen.  
20.2 The Clerk confirmed awareness of the daily occupation of the bench adjacent to the railway crossing on Crown Mill by a character perceived as threatening by some residents and who seems to be the worse for drink. He undertook to liaise with the PCSO if the behaviour persists.
- 23.07.21 **Noted:**  
That the next Meeting of Council was scheduled for Monday 18<sup>th</sup> September 2023 beginning at 7.30 p.m. at Blackbourne.
- 23.07.22 **Noted:**  
That the meeting closed at 9.12pm.