

ELMSWELL PARISH COUNCIL

Minutes of an Ordinary Meeting of full Council held on Monday 18th November 2024 beginning 7.30pm at The Blackbourne, Elmswell IP30 9UH

Present: Cllrs Barker, Brown, Burch, Edmonds, Hawes, Hancock, Mansel, Pallett (Chairman), Schofield, Shaw

Attending: District Council Ward Member Jen Overett
Suffolk County Council Ward Member Andy Mellen
Parish Clerk Peter Dow

- 24.11.01 **Noted:**
That there were no apologies for absence to be noted or accepted from Councillors or from others.
- 24.11.02 **Resolved:**
That the Minutes of the Parish Council Meeting held on the 21st October 2024, as tabled, be agreed as a true record.
- 24.11.03 **Noted:**
The following Members' Declarations of Local Non-Pecuniary Interests and/or Disclosable Pecuniary Interests in subsequent agenda items, to note any additions, deletions or alterations to the Council's Register of Interests and to note any Dispensations;
3.1 Cllr Burch declared a Pecuniary Interest in agenda item 14 as he was an allotment tenant
3.2 Cllr Hancock declared a Pecuniary Interest in agenda item 14 as he was an allotment tenant
- 24.11.04 **Noted:**
4.1 A written report from County Council Ward Member Andy Mellen
4.2 A written report from District Council Ward Members Cllrs Jen Overett & Sarah Mansel
4.3 Cllr Mellen confirmed that Government inclinations seem to suggest that Devolution may feature in a forthcoming White Paper on Local Government Reform with Unitary Authorities as a preferred option for such as Suffolk.
4.4 General discussion related to primary school provision was informed by input from Ward Members. The situation is complex but there may still be flexibility towards removing the currently preferred option of a new school at Woolpit.
4.5 Cllr Mansel confirmed that CIL funding for the Elmswell – Woolpit Community Path should be forthcoming to augment any contribution from Highways England towards crossing A14.
4.6 Cllr Overett drew the Meeting's attention to the new BMSDC page on-line, 'Access Community Funding'.
4.7 The Clerk was asked to write to Woolpit Health Centre seeking to encourage rationalisation of the car park access arrangements.
- 24.11.05 **Noted:**
The following correspondence unrelated to an Agenda item;
5.1 The Minutes of the Local Parishes Liaison Meeting held at Woolpit on 10th September noting that the next scheduled session is on 14th January. The Meeting agreed that the outcomes were not necessarily helpful to Elmswell as a larger village.
5.2 An email from SCC Highways detailing the recent problems with concrete pilings at the A1088 road bridge requiring an extended closure period. No action was determined.
- 24.11.06 **Noted:**
The Clerk's report as per Appendix A.
6.1 Cllr Mansel undertook to check with Planning Enforcement the specifications of the path surface into the Matthew Homes site which has been laid as coarse bark chippings dangerously unsuitable for wheeled access by bicycles etc.

- 24.11.07 **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.
- 24.11.08 **Noted:**
The Planning results as notified by Mid Suffolk District Council;
- | | | | |
|-----|--|----------|----------------|
| 8.1 | <u>DC/24/05651</u>
Outline Planning Care Village...
Land North & West School Road | REFUSED | EPC objected |
| 8.2 | <u>DC/24/04504</u>
Discharge of condition landscaping...
Railway Crossing east of Eastern Way | APPROVED | EPC no comment |
- 24.11.09 **To discuss the following Planning application as notified by Mid Suffolk District Council, Suffolk and to make comment as appropriate:**
- 9.1 **DC/24/04777**
Application for a Lawful Development Certificate for an Existing Use or Operation or Activity, including those in breach of a planning condition Town and Country Planning Act 1990 (as amended) - Works to commence Outline Planning Permission DC/23/02899 and Reserved Matters Permission DC/23/03167 have been undertaken. A lawful development certificate is requested to confirm that the development has commenced and the permission will remain extant
Land to the East of Oak Lane
Councillors made no comment on this application
- 9.2 **SCC/0127/23MS**
Northern extension to Lawn Farm Quarry for the extraction, processing, sale and distribution of sand and gravel and subsequent restoration using inert materials.
Land to the north of Lawn Farm Quarry, Old Bury Road, Wetherden
Further information which requires consideration
SCC/0084/20MS/VOC2
Councillors objected to this application for the following reasons:
- 1 Since the inception of the 'modern' minerals extraction workings at Lawn Farm in March 2009 and for the following several years EPC supported the Community Liaison Forum (CLF) which was established to monitor any adverse effects of the operations and set the site activities against the prescribed policy limits. Council advertised for residents to join the group and both officers and the Clerk attended the quarterly site meetings along with community representatives, Council Members, Ward Members and SCC officers.
 - 2 The Terms of Reference of the CLF included all relevant aspects of the relationship between the operators and the community.
 - 3 It is a matter of record that there has been much dissatisfaction on the part of the community and others across the board at the disparity between policy and practice as the works have proceeded and expanded.
 - 4 Issues of site security, working hours, dust management, noise management and destructive and dangerous deposits left on the old A45 access road have repeatedly been the subject of complaint and attempts at enforcement action
 - 5 There has been an obvious shortfall in resources available to Suffolk County Council (SCC) for monitoring and enforcement and there is no evidence that this has, in advance of the clear need for more and better monitoring and enforcement, been addressed.
 - 6 In February 2009, EPC objected in detail to the originating application which effectively revived working at 'the pit' over a much extended area. The application succeeded in line with identified national and local imperatives for aggregate extraction. Permission was hedged-about with stringent conditions covering conditions such as at 4 above.
 - 7 Since then, EPC has argued against all variations and expansion proposals. Objections have centred on the repeated lack of compliance with control regulation and the shortcomings in enforcement proceedings.
 - 8 EPC accepts, that the current application seeking to vary Ref SCC/0127/23MS is broadly within Policy.

- 9 However, noting that: the SMWLP under Policy MS8 confirms that development at the site will be acceptable so long as the proposals adequately address, amongst other factors:
 - a) the highways safety, maintenance and amenity implications of HGV's including improved wheel cleaning facilities to avoid mud being deposited on the public highway outside of the site;
 - e) the provision of an air quality assessment which considers the potential impacts of increased dust and pollutant concentration...the potential for cumulative impacts...
 - f) the provision of measures which mitigate noise;
 - i) a traffic management plan drafted to avoid traffic routing through local villages including Elmswell and Wetherden except in the case of local deliveries.
- 10 And further noting that the SMWLP lists 'General environmental criteria' at Policy GP4 confirming the acceptability of development which adequately assess (and address where applicable any potential significant adverse impacts including cumulative impacts) on the following:
 - b) vehicle movements, access and the wider highways network;
 - h) neighbouring land use
 - j) noise and vibration;
 - k) air quality including dust and odour;
 - l) light pollution;
 - q) mud and aggregates on the road.
- 11 In light of NPPF at Paragraph 111 which states that development can be refused if it poses an unacceptable impact on highway safety.
- 12 Together with further NPPF constraints at paragraph 174 requiring the prevention of noise impact and adverse effects of noise pollution.
- 13 EPC contends that the record shows an extremely poor level of compliance over 15 years' operation in this regard and measures above and beyond those previously implemented would be needed to allow the proposed operations to take place in the much close proximity presented by the recent housing development at the northern site boundary. Simply conditioning this operation is, provably, inadequate. The Operator has offended in multiple regards on many occasions over the history of the workings and there is no indication of an intention to change working practices despite the increased sensitivities consequent upon those workings moving far closer to the new-build housing at Wetherden Road, Elmswell.
- 14 There is considerable, well-documented and formally recorded evidence logged over 15 freight years of the community's relationship with the operators of Lawn Farm Quarry that the statutory, policy, and best-practice guidance constraints are flouted in the commercial interests of the engineering operation and that this has resulted in serious material harm to the host communities at Elmswell, Wetherden, Woolpit and beyond. There seems little in the current Application to suggest that this will change. The proximity of the red line boundary to dwellings in Elmswell magnifies the harm that will be done if quarrying activities continue, as now, effectively beyond all practical regulation.
- 15 Without conditioning:
 - (i) extra monitoring by SCC Enforcement personnel dedicate to and funded by the site on a minimum of a one-day-per working-week basis;
 - (ii) the adoption of immediate Stop Notices when incursions, particularly related to highways issues occur;
 - (iii) the full prior restoration of the A45 Old Bury Road by way of skirting, drain clearance and the installation of anti-vehicular concrete kerbing,
 this Application should be refused and re-presentation invited when the community can have some confidence that relevant policy constraints will be met and properly enforced.

9.3

DC/24/04823

Erection of attached double garage

4 Hulver Close

Councillors agreed to support his application

- 9.4 **DC/24/04866**
Erection of two storey side extension and replacement porch including solar panels to roof slopes (following demolition of garage)
Rosefield, Hawk End Lane
Councillors agreed to support his application

- 24.11.10 **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 or to Suffolk County Council as appropriate.
- 24.11.11 **Noted:**
The following any other Planning business;
11.1 The Meeting noted and approved the Clerk's intention to use Delegated Powers to respond to Planning Application ref. DC/24/05-47 for retrospective Permission for a garden room added to the annexe at Orchard House Ashfield Road, itself approved as DC/23/03508, to the effect that Council would make no comment.
- 24.11.12 **Resolved:**
That Council notes and receives the Internal Control Report from Cllrs Brown & Hancock, tabled as Appendix F following their review of the Council's system of internal controls carried out on 06.11.2024.
- 24.11.13 **Proposal: Cllr Brown;**
That the Financial Regulations required under Council's Standing Orders be amended at 5.15 to the effect that the limits for expenditures authorisation be uplifted so that the Clerk has delegated authority to spend up to £1,000 net per item (formerly £500) and the Clerk in consultation with the Chair of Council or Chair of the appropriate Committee be authorised to spend up to £10,000 net per item (formerly £5,000).
Seconded: Cllr Hancock
- Amendment proposed Cllr Barker:**
To substitute the figure of, '£500', for the proposed figure of, '£1,000', and to remove the words, 'formerly £500'.
Amendment found no Seconder and fell
- Substantive Proposal carried**
- 24.11.14 **Proposal: Cllr Pallett**
That the annual Tenancy fees for the council's allotments be uplifted by 7%, rounded, from 01.01.2025 becoming:
400 sq. yd. plots £36.00 pa state pensioners £29.00
220 sq. yd. plots £25.00 pa state pensioners £19.00
and that a 7% increase, rounded, be automatically applied annually on 1st January from 01.01.2026.
Seconded Cllr Shaw
- Proposal withdrawn by Proposer and Seconder
- 24.11.15 **Noted:**
That the Clerk be asked to respond to the current consultation on SCC's Draft Suffolk Local Transport Plan reinforcing the need for full account being taken of the inevitable and severe impact on traffic and on highway safety as a result of any increase in rail freight traffic following the proposed improvements at Haughley Junction requiring increased frequency of the Elmswell railway crossing down-times.
- 24.11.16 **Noted:**
The current Consultation on the BMSDC Gambling Act 2005 Statement of Principles and that no comment was necessary.
- 24.11.17 **Noted:**
The authorised payments made and income received as per Appendices B and C.
- 24.11.18 **Resolved:**
That proposed payments, scheduled as Appendix D, be authorised.

- 24.11.19 **Noted:**
The Balances as per Appendix E and the Chairman's confirmation that the relevant bank statements and computer report verify the published figures.
- 24.11.20 **Noted:**
That there was no public comment or questions on matters relevant to Council business
- 24.11.21 **Noted:**
The following when other Council business was invited from Councillors or the Clerk for information, to be noted, or for inclusion on a future agenda;
- 21.1 The Clerk confirmed that he had met with a contractor regarding hedge flailing and that the work would be undertaken within the appropriate season.
 - 21.2 The Clerk made Councillors aware of upcoming BMSDC on-line training sessions regarding the Community Infrastructure Levy structure & process which can be booked through him on application.
 - 21.3 The Meeting noted that the April Ordinary Meeting would be held on 14th, avoiding Easter Monday.
- 24.11.22 **Noted:**
That the next Meeting of Council was scheduled for Monday 16th December 2024 beginning at 7.30 p.m. at Blackbourne.
- 24.11.23 **Noted:**
That the meeting closed at 9.28 pm.