

Minutes of Bures Hamlet and Bures St Mary Parish Councils Joint Planning Committee Meeting

**Monday 8th April 2019 at the Garrad Room,
Bures Community Centre, Nayland Road at 7.30pm**

Present: BHPC: Cllrs D Lee, M Randall, C Ellis, M Baker, M Welch
BSMPC: Cllrs G Jackson, T Fairbairn, J Aries, S Pentney, T Saer,
J McCrory, A Waring

In the Chair: Cllr D Lee (Chairman of BHPC) and Cllr G Jackson (Chairman of BSMPC)
each acting as Chair for matters relevant to their own parish.

Also Present: Mrs J Wright (Clerk), Cllr Lee Parker (BDC) and 5 members of the public

1/04/19 APOLOGIES FOR ABSENCE

Apologies received from Cllr Alston (work commitment), Cllr Crowe (unwell) and
Cllr Butler (personal commitment).

All apologies accepted by those members present.

2/04/19 DECLARATION/REGISTER OF INTERESTS/DISPENSATIONS

To declare any 'Pecuniary' or 'Non-pecuniary' interests in respect of items on the agenda.
No Register of Interests declared or Dispensation requests put forward.

3/04/19 PUBLIC FORUM – Questions or Statements from the Public

15 minutes maximum public participation

3 minutes for individual contributions unless longer required

There were 2 members of the public present.

Mrs Frewin raised a number of issues regarding the 3 recently submitted applications for the Cuckoo Hill site. In particular the inaccurate labelling of Plots 1 & 2 deemed to be for social housing whilst currently being marketed as private housing. She also considered that Byron House suffers the same significant harm from the build on Plots 1 & 2 as her own property suffers from Plots 5 & 6 build. Mrs Frewin stressed that in her opinion the site should continue to be considered as a whole. Mr Butcher endorsed all Mrs Frewin's comments and suggested to the parish council that the applications should be 'called in'. Cllr Parker gave his assurance that this would be so.

4/04/19 SLAUGHTER HOUSE LAND AT CUCKOO HILL, BURES ST MARY

DC/19/01422, DC/19/01427 & DC/19/01428 – 3 applications submitted under compliance with condition 2 (approved plans and documents) to allow amendments to Plots 1 & 2, Plot 3 and Plot 4:

A draft response had been circulated to all members for consideration.

Comments raised by members:

- a) Why if it is BDC policy not to action split decisions on planning applications had these 3 applications been validated for consideration?
- b) Strongly feel that the site should continue to be considered as a whole.
- c) Whether the word 'character' should be used in paragraph 4.
- d) Had SCC Highways visited the site?

Cllr Parker responded to the first comment. The 3 applications had been accepted as lawful applications and therefore BDC had no mechanism in place to refuse validating for consideration. He noted that the Planning Officer was continuing to press for accurate drawings from the original 2015 approved application. He advised those present on the appeal process for all applications currently relevant to the site.

Mrs Frewin asked if the parish council would consider gaining legal support as previously used for the Certificate of Lawfulness applications. Cllr Jackson noted that advice sought by the parish councils for the recent Public Inquiry at Colchester Road had suggested that it was better placed not to and on that occasion the advice had given had brought a successful outcome.

Cllr Jackson proceeded to advise Bures St Mary Parish Council members that a response was required for each of the 3 applications being considered.

DC/19/01427/01428 Plots 3 and 4: Agreed to accept the circulated draft response and to include the following for both applications:

- a) BDC should not have accepted the applications on the grounds that the drawings remain inaccurate.
- b) The site should not be split but continue to be considered as a whole.
- c) Totally inadequate access and access issues still not resolved with neighbouring properties.

DC/19/01422 Plots 1 and 2: Agreed to accept the circulated draft response and to include the above 3 points listed for Plots 3 and 4 along with those points listed below for this application:

- a) Drawings show Byron House incorrectly placed.
- b) Bryon House suffers significant harm from Plots 1 & 2.
- c) Inaccurate labelling of Plots 1 & 2 deemed to be for social housing whilst currently being marketed as private housing.

It was agreed responses should be submitted from both Bures St Mary Parish Council and Bures Hamlet Parish Council plus joint parish council responses.

Mrs Frewin advised that the legal public planning notice for the applications had been unlawfully removed from site and she had therefore requested further notices to be erected.

Appeal Ref APP/D3505/W/18/3215428 following refusal of Application No. DC/18/00929 Under the Planning Inspectorate with no appeal date put forward as yet.

Applications for Lawful Development Certificates – all applications had been refused with no appeal to the Planning Inspectorate submitted to date.

Mrs Frewin noted to members that her own private insurance would not cover any legal costs and once again asked the Chairman whether legal representation could be used on this occasion. Cllr Jackson pointed out that the parish councils may need to consider this at a Public Inquiry stage.

5/04/19 PLANNING APPLICATIONS AND DECISIONS - BURES ST MARY

All applications received and comments made to date as per attached list.

The following applications were responded to:

DC/19/01526 Bay Tree House – installation of an automated timber gate to the front access of the property – agreed no objections subject to the applicant ensuring that the gates open inwards as indicated on the plans.

DC/19/01547 No. 17 Friends Field – erection of rear and side single storey extension – agreed no objections.

6/04/19 PLANNING ENFORCEMENT - BURES ST MARY

The Chairman noted that no enforcement action would be taken by BDC regarding the Cuckoo Hill site while an Appeal remained pending.

18/00240/COU Knowle House, Bures St Mary – this case had been ongoing for several months resulting in the conclusion that a material change of use from Sui Generis to Class B1/B2M had occurred and therefore a breach in planning control. A noise survey had been undertaken but still waiting on an assessment.

18/00262/COU Rainbow Field, Arger Fen - the parish council had raised its concerns regarding earthworks at the location and the siting of a mobile home. These concerns were currently being followed up and Officers had requested further information on hours on site. Clerk to gain an update from the Enforcement Officer.

7/04/19 LAND AT COLCHESTER ROAD, BURES HAMLET

a) Public Inquiry APP/Z1510/W/3207509 following refusal of Application No. 17/002291/OUT: The Appeal by Gladman Developments had been unsuccessful and the Planning Inspectorate's report circulated. The visual status of the land being the main reference by the Inspector for rejecting the Appeal. Cllr Lee thanked the Action Group for all its hard work and in particular Mr Butcher who had attended at all the Inquiry days.

b) Leased land at Cambridge Way: A draft statement of aspirations for use of the land to the rear of Cambridge Way currently owned by BDC had been submitted to its Asset Management Team. The Clerk was waiting on an update of the current lease arrangements as Bures Common Trust was looking at possibilities to take over ownership of the land for parish use.

8/04/19 VACANT GARAGE SITE, BURES HAMLET

Application No. 18/02253/OUT 7 – 9 (Vacant garage site) Colchester Road

The revised application following the refusal of Application No. 18/00649/OUT was still pending a decision by BDC. Further revisions had been made to the proposals and ECC Place Services considered these to have improved the scheme. As no objections to the revised plans had been received, District Cllr Scattergood had asked for the application to be considered by Delegated Officer. Clerk to inform BDC Planning Department that the parish council continued to support the proposals put forward for the site.

9/04/19 LAND TO REAR OF PARSONAGE HILL, BURES HAMLET

Application No. 18/02201/REM – this application was for approval of reserved matters following outline approval. The Clerk had met on site with the applicant to discuss his proposals for the approval given for 9 houses to be revised to 9 bungalows. BDC considered that its quota for bungalows across the district had been exceeded and had requested the applicant to submit revised plans for a mix of housing for the site. Both parish councils stressed the need for bungalows in the village and the Clerk to write to BDC accordingly.

10/04/19 PLANNING APPLICATIONS AND DECISIONS - BURES HAMLET

All applications received and comments made to date as per attached list.
There were no other applications requiring consideration at the meeting.

11/04/19 BRIEF INFORMATION & EXCHANGE FOR NEXT AGENDA ITEMS

Cllr Lee noted that the outcome of the Rail Inquiry into the proposals by Network Rail to close the level crossing at The Paddocks was still pending.

12/04/19 DATE OF NEXT MEETING

Joint Planning Committee meeting to be set as required.

The meeting closed at 8.55pm.

Signed:

Chairman

Date