

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

**Virtual Meeting held on
Monday 24th August 2020 at 7.30pm**

Present: BHPC: Cllrs M Welch, M Baker, C Ellis, D Monk, B Raymond,
R Shackell, K McAndrew
BSMPC: Cllrs G Jackson, J Aries, T Fairbairn, J McCrory,
S Pentney, T Saer, S Sills

In the Chair: Cllr M Welch (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) and 4 members of the public

Cllr Welch took the Chair at this point in the meeting.

1/08/20 APOLOGIES FOR ABSENCE

Apologies received from Cllr Alston (Zoom technical issues)
Apologies accepted by those members present.
Apologies also received from J Weavers.

2/08/20 DECLARATION/REGISTER OF INTERESTS/DISPENSATIONS

To declare any 'Pecuniary' or 'Non-pecuniary' interests in respect of items on the agenda.
Cllrs Baker, Monk and Saer all declared a non-pecuniary interest in Agenda Item 4 (a).
No Dispensation requests put forward.

3/08/20 PUBLIC FORUM

15 minutes maximum public participation

3 minutes for individual contributions unless longer required

There were 4 members of the public present.

On behalf of the adjacent land owner to the site at Lamarsh Hill, the Planning Agent read out objections to Application No. 20/021193/OUT. She highlighted that the proposal is contrary to emerging policy in the new Local Plan for development in Braintree District and in particular the policies that stipulate that Gypsy and Traveller Sites should be strategically located near growth areas, that they need to be located, designed and landscaped to minimise their impact on the environment and to protect local amenity. She also noted that Bures Hamlet is not a strategic Growth Location. The Planning Agent advised that she would be submitting all reasons for objection to BDC on behalf of her clients who strongly object to the application. The Chairman invited those other members of the public to speak. All declined except for one offering full support to the Agent's expressed objections.

4/08/20 PLANNING APPLICATIONS AND DECISIONS - BURES HAMLET

All applications received and comments made to date as per attached list.
The following applications required a decision at the meeting:

a) Application No. 20/021193/OUT Land South of Hill Farm Cottage, Lamarsh Hill – outline planning application with all matters reserved for the provision of four static caravan pitches for gypsy, traveller and showman accommodation.

The application had sparked many written objections from residents. Members thoroughly discussed the proposals with the following points raised:

- 1) Why had the applicant not completed a pre-app consultation with the planning department, not consulted with ECC Highways and had not consulted with neighbouring properties.
- 2) Very little information within the application to allow the parish council to fully assess the proposals.
- 3) The site did not appear to be large enough to incorporate the proposal to provide 4 x 3 bedroom static units.
- 4) Unsuitable proposed highway access into the site.
- 5) Some members expressed disappointment that the site meeting with the applicant had not proceeded. It was considered that the applicant would have been able to answer member's questions on site which would have allowed them to make a balanced view of the application. The Chairman explained that the applicant had been invited to join the Open Forum to put forward the proposals and to answer the member's questions. However the applicant had declined the invitation.
- 6) It was suggested that members will need to respond on clear specific evidence and not emotive reasoning.

At this point the Chairman asked the planning agent whether she wished to offer any further input on the application. She stressed that the application was for outline permission only with all matters reserved and considered there was limited information for the application to proceed.

A proposal was put forward that the application was seen to be in breach of all Planning Policy Guidelines and the parish council should strongly object. Unanimously agreed.

Cllr Welch handed the Chair to Cllr Jackson at this point in the meeting.

Cllr Jackson asked BSMPC members to also consider Application No. 20/021193/OUT.

- 1) One member drew attention to the grounds for dismissal of Appeal No. 21510/W/19/3237376 Land South of Pen-Lan, Lamarsh Hill which stated the highway access to the site did not promote a safe and secure environment. This appeared relevant to Application No. 20/021193/OUT.
- 2) The BDC new Local Plan did not appear to indicate there was a need for the proposals.
- 3) Members agreed with all previous objections raised by BHPC and at the Open Forum. A proposal was put forward to strongly object to the application. 4 in favour with 1 abstention. It was agreed to strongly object to the application on the following grounds. Not in accord with a sustainable community; within the proposed area to extend the AONB; within an area of valued countryside; unsuitable access; a question of need.

Cllr Jackson handed the Chair to Cllr Welch at this point in the meeting.

b) Application No. 20/01284/LBC Polsteads Farm, Fishpits Lane – re-thatching of timber framed barn that is ancillary to the listed farmhouse – unanimously agreed no objection.

c) Application No. 20/01120/COUPA Barn 1, Butler's Farm, Colne Road – prior approval for the change of use of agricultural building to a dwelling house (Class 3) and for associated operational development – unanimously agreed no objection.

d) Application No. 20/01122/COUPA Barn 2, Butler's Farm, Colne Road – prior approval for the change of use of agricultural building to a dwelling house (Class 3) and for associated operational development – unanimously agreed no objection.

e) Application No. 20/00267/TPOCON No. 22 Maltings Close – to carry out works to trees in a conservation area – remove Hawthorn tree to ground level – Tree Warden has visited the site and noted that the Hawthorn appears to be on Network Rail land. Members agreed for the Tree Warden to make a response following guidance from Network Rail.

f) Application No. 20/00266/TPOCON No. 17 Station Hill – to carry out works to trees in a conservation area – to reduce Walnut tree to 3 – 4 metres with the intention of removal to ground level over a period of 2 years – Tree Warden has visited the site and has no objection to the works but considers that the tree should be replaced with a suitable species when removed to ground level. Members accepted the Tree Wardens advice.

5/08/20 OTHER PLANNING MATTERS FOR REPORT – BURES HAMLET

a) Application No. 20/00805/FUL The Smallholding, Ferriers Lane – change of use of land to use as a residential caravan site for 6 travellers pitches, including the erection of 2 ancillary amenity buildings and laying of additional hardstanding – objections had been submitted following the previous parish council meeting of 20th July - waiting on BDC planning committee decision.

b) Re-consultation Application No. 20/00324/OUT Former Ambrose Garage site, No. 7 – 9 Colchester Road – amended application with updated Flood Risk Assessment and Covering Letter – no further comments had been submitted – waiting on BDC planning committee decision. The Chairman considered that the canopy was becoming a danger to the public. Clerk to follow up with BDC.

c) Application No. 20/00001/C19CWH Land to rear of Windy Ridge, Colne Road – proposed revised construction working hours – 7.30am - 8pm Monday to Friday and 7.30am – 5pm Saturdays – the parish council had been given notification of the application by BDC however it had been advised that no response required. Application to be determined by BDC.

Cllr Welch handed the Chair to Cllr Jackson at this point in the meeting.

6/08/20 PLANNING APPLICATIONS AND DECISIONS - BURES ST MARY

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

The following application required consideration at the meeting:

a) Application No. DC/20/03197 Lawfulness Development Certificate (Existing) – Unit 24, Fysh House Farm, Cuckoo Hill – continued use from class B1 (Light Industrial) to class B2 use (General Industrial). It was noted that the landowner is supporting the application. The parish council agreed that the Lawful Development Certificate should be issued.

The Clerk agreed to check whether all the units at Fysh House Farm had been assessed.

7/08/20 PLANNING ENFORCEMENT - BURES ST MARY

a) 18/00240/COU Knowle House – the working hours on site continued to be evidenced as exceeding the agreed planning restrictions. The Planning Compliance Officer had been made aware however no response received to date. It was suggested to gain representation from the site owners.

b) 18/00262/COU Rainbow Field, Arger Fen – under Permitted Development Rights the mobile home and shipping container may remain on site temporarily for the duration of the works. The Investigating Officer has been asked for a works end date.

c) Barns at Over Hall – the BDC Heritage and Design Officer is in contact with the owners. There are currently no firm plans to do up or remove the dilapidated barns. Ongoing matter.

8/08/2020 OTHER PLANNING MATTERS – BURES ST MARY

a) Cuckoo Hill planning appeal - the appeal is scheduled for 6th October commencing at 10.00am. The Planning Inspectorate considering whether this appeal should be held virtually or as an in-person event. Still waiting on the Appeal Timetable. The parish council had asked objectors for a preference of whether to be a virtual or in-person event, Preference shown to be an in-person event, however this may delay the Appeal proceedings. The Chairman advised members that the parish council would need to work with BDC to put forward a strong case to ensure the appeal by Stemar was dismissed.

b) Cuckoo Hill site issues - following numerous concerns raised regarding site levels, drainage and activities on site, BDC Enforcement Officer had completed a site visit and the parish council was waiting on his report.

9/08/20 BRIEF INFORMATION & EXCHANGE FOR NEXT AGENDA ITEMS

Cllr Raymond noted that the positioning of the recently erected boundary fencing at Parsonage Hill had resulted in extreme narrowing of FP30. Cllr Aries to inspect the footpath.

10/08/20 DATE OF NEXT MEETING

Joint Planning Committee meeting to be set as required.

The meeting closed at 8.40pm

Signed:

Chairman

Date