

Minutes of an Extraordinary Meeting of Bures St Mary Parish Council held virtually on Monday, 4th March 2021 at 7.30pm

Present: Cllrs J Aries, T Fairbairn, G Jackson, J McCrory, S Pentney, S Sills, T Saer, M Barrett (BDC)
In the Chair: Cllr G Jackson
Also Present: Mrs J Wright (Clerk), 6 members of BHPC, 15 members of the public

1/03/21 APOLOGIES FOR ABSENCE

Apologies received from SCC Cllr J Finch and Mrs C Holbrook (Internal Auditor).
Absent Cllr L Alston and L Norton.

2/03/21 REGISTER OF INTERESTS & DISPENSATION REQUESTS

To declare any 'Pecuniary' or 'Non Pecuniary' interests and dispensation requests.
No Register of Interests declared and no Dispensation requests put forward.

3/03/21 PUBLIC FORUM – 15 minutes maximum public participation

3 minutes for individual contributions unless agreed by the Chairman
8 members of the public chose to speak on Item 4 (a) and (b) of the agenda.
All 8 members of the public voiced strong objections to DC/21/00745 and raised concerns that the contamination and drainage issues must be completed prior to any decision being made by BDC. All urged the parish council to object to DC/21/00745.
Other points raised:
Overlooking and privacy issues.
The Planning Inspector's decision appeared to be based on ground height and underbuild which the proposal to lower the roof height does not rectify.
The site was not levelled according to the B/14/01103/FUL planning permission.
Waste removal dockets remain unavailable. Confirmation needed that the underground tank has been moved. Possible land contamination for the whole site.
2014 planning permission has already been given but Plot 6 although positioned correctly has an incorrect height. Considers Plot 5 should be taken down and re-sited.
This application should not be approved just because Plots 1 – 4 have approval.
Reducing the roof heights does not resolve the garden height and privacy issue.
Gardens of Plots 5 and 6 will remain too high in relation to the neighbouring properties.
The residents should not have to tolerate the past errors of the developer and BDC.

The Chairman thanked the members of the public for their valid contributions and noted that many past errors of the site development were tied to the B/14/01103/FUL approval.

4/03/21 PLANNING APPLICATION - DC/21/00745 CUCKOO HILL

a) Outstanding planning conditions for the site:

The Chairman had responded to the many questions raised by Councillors and members of the public which had arisen since the submission of the DC/21/00745 by the developer's agent. These responses were read out to those present (see attached).
The Chairman asked members for their comments on the 3 outstanding conditions - Contamination, drainage and access.

Comments raised:

Another site visit recommended with the developer to establish where the contamination tanks are installed.

Contamination appeared to be the main issue. Sight of all waste removal dockets was a priority. Concerns from many members that contamination issues had not been robustly dealt with by BDC.

The Chairman advised she was waiting on clarification from the site agent. Cllr Barrett agreed to gain an update from the Enforcement Officer. The Chairman hoped there would be more information available for the next parish council meeting.

b) Response to planning application DC/21/00745:

The Chairman noted that members of public did not consider this application would resolve the ongoing site issues. She referred to Paragraph 1.88 of the Planning Inspector's report which suggested the appellant would want to explore options to total demolish by considering alternative schemes. Members and residents considered bungalows as an alternative scheme however both the agent and the Enforcement Officer did not think this a viable option. The Chairman noted to members that the underbuild and overlooking issues were being addressed by DC/21/00745. The position of the dwellings could be the strongest factor in the parish council's response.

Members put forward comments for consideration:

Closeness of Plot 6 creates harm to White Horse House.

Could dwellings be built back further on site?

Underbuild had created the height issue.

Height had not been a condition on the B/14/01103/FUL application.

Privacy issue should be noted.

Several members keen to object strongly to DC/21/00745 but need to agree grounds for objection.

Bungalows should remain an option especially as a welcome need for the parish.

This option would require a new application.

The planning inspector's report had indicated a lifeline to BDC and the developer that an option to remediate the issues could be made.

The incorrect position of the two dwellings should be included in the objection response. DC/21/00745 does not address the privacy and overlooking concerns.

Cllr Barrett declared herself as a BDC planning committee member and therefore will be considering whether to speak on behalf of the parish council at the pending Planning Committee meeting and step back from the voting decision process. She suggested that the parish council should refer back to reasons for refusal of DC/18/00929 and especially the harm element references 139 and 142 of the Planning Inspector's report.

The Chairman collated the above to offer a proposed response:

- a) Outstanding conditions should be resolved prior to approval
- b) Plot 5 not in correct position
- c) Harm and privacy
- d) Current footprint sufficient for small bungalows

Members expressed reference to the 8.5m permission and where this figure should be measured from.

The reduction in height does not justify allowing the underbuild to remain.

The Chair suggested the objection should refer back to the refusal of DC/18/00929.

She also noted that the level of harm referred to in the 2018 refusal is centred on the height issue.

The Chairman asked members for a proposal of objection to DC/21/00745.

Proposal put forward by Cllr Aries and seconded by Cllr McCrory:

- a) Outstanding conditions should be met prior to approval
- b) Incorrect siting of Plot 5
- c) To address issue of height and harm to adjacent properties

The voting process was interrupted and the issue of the underbuild was raised.

Cllr McCrory withdrew her support for the proposal. The proposal was not seconded.

Cllr McCrory proposed objection should include a), b) and c) as above plus that the development has been built with unacceptable underbuild and therefore there is no other alternative but demolition. Seconded by Cllr Saer.

Vote taken. 5 in favour with 2 abstentions. Agreed.

A draft response to be circulated to all members prior to submission to BDC.

Cllr Barrett left the meeting at this point.

5/03/21 BRIEF INFORMATION & EXCHANGE

None

6/03/21 DATE OF NEXT PARISH COUNCIL MEETING

Thursday 18th March 2021 to be held either virtually or at the Garrad Room, Bures Community Centre, Nayland Road at 7.30pm.

Future dates: Joint APM (TBC), AGM 17th May, 19th July, 13th September, 15th November

The meeting closed at 9.04pm

Signed:

Chair:

Date: