

TOLLESHUNT KNIGHTS PARISH COUNCIL
Minutes of the Ordinary Remote Meeting held on Monday 17th August 2020

PRESENT:

Chair – Councillor D Tungatt
 Vice Chair – Councillor M Porter
 Councillors G Cook, J Dennis and M Thompson.
 The parish clerk V Banyard
 No members of the public were in attendance.

To receive questions/enquiries from members of the public, to receive an answer at an appropriate time in the agenda.

No issues were raised.

3024/01 To receive apologies for absence, other announcements and Declarations of Interest from Members on any of the agenda items set out below.

Apologies for absence were received from Councillor R Long.

There were no Declarations of Interest.

3025/01 To approve the Minutes of the Meeting held on 20.7.2020

It was **RESOLVED** to approve the above Minutes.

3026/01 To receive any items of information contained in the above Minutes.

No issues were raised.

3027/01 Planning.

- a. Decisions by Maldon District Council. None had been received.
- b. New planning applications:

20/00786/AGR	Land at Oaklands Park Park Lane Tolleshunt Knights	Proposed formation, alteration or maintenance of private ways for agricultural or forestry use. The Council did not comment as no information was to hand.
20/00752/FUL	Woodacre 38 D'Arcy Road Tiptree	Demolition of existing buildings and erection of 2no. new C3 dwellings together with vehicular access. It was RESOLVED to make no comment as the site is inside the development boundary and 2 bed unit dwellings are needed in the district.
20/00740/FUL	Community of St John the Baptist The Old Rectory Rectory Road Tolleshunt Knights	Extension to car park. Although the Parish Council is not unsympathetic to the idea of an extended car park, there is a strong objection to the proposal for high level lighting which will lead to light pollution in a rural area. There is also an objection to the size of the proposed new car park which seems to be excessive and will encourage more traffic on the single track Rectory Road which is the only access to the monastery.

201401	Brook Hall Cottages Factory Hill Tiptree	Outline planning application for seven detached bungalows with associated access, parking, amenity and landscaping It was RESOLVED to object to this application on the grounds shown in Appendix A of these minutes. (Decision made between meetings.)
20/00825/FUL	Woodacre 38 D'Arcy Road Tolleshunt Knights	Demolition of existing buildings and erection of 8No. new C3 dwellings (5No. 2 bed and 3No. 4 bed houses) together with access to existing paddocks, vehicular access, landscaping, sustainable urban drainage system and noise attenuating features. It was RESOLVED to object to this application on the grounds given in Appendix B of these minutes.

- c. Updates on planning enforcement issues.
Breach of planning conditions at Meadow Nursery Park Lane. This is pending consideration by Maldon District Council.

3028/01 Correspondence received and reports by the Clerk.

There was nothing to consider.

3029/01 Public rights of way report.

No issues were raised.

3030/01 Road Safety report.

There was nothing to report.

3031/01 Press Officer's report.

Reports of Parish Council meetings continue to appear in the Community News section of the Maldon Standard.

3032/01 Report of the Village Hall Management Committee representative.

The VHMC is to leaflet the entire village asking for volunteers to come forward to join the committee. It was **RESOLVED** that the Parish Council would support this by writing an introduction to the letter. At present the Hall is closed to all activities except the Playgroup.

3033/01 To receive the financial statement and to authorise accounts for payment.

- a. The financial statements were approved.
- b. It was **RESOLVED** to authorise the following payments:

V Banyard	Clerk's salary and expenses Aug	£ 222.33
HMRC	Clerk's tax Aug	£ 52.69
Maldon District Council	Play area inspection	£ 69.60
Maldon District Council	Mowing of playing field Apr-Jun 2020	£ 570.00

- c. The clerk reported that she had contacted E King and Son concerning the repairs to the driveway and it was hoped to carry out the work in the October half term period.

3034/01 To review the parish clerk's salary

It was **RESOLVED** to deal with this matter at the Council's September meeting.

3035/01 To review the Parish Council's Standing Orders

It was **RESOLVED** to approve the draft Standing Orders as presented.

3036.01 To consider any issues concerning the playing field, Village Hall car park, CCTV.

- a. It was noted that Tiptree Heath FC will resume their use of the field for matches from September. By then all other football clubs using the field for practice sessions will have finished.
- b. It was noted that some people are still allowing dogs into the play area.
- c. Councillor Mr Porter was authorized to purchase some new dog waste bags for the dispenser.
- d. The bottom of the round green waste bin at the entrance to the field has been removed. Councillor Mr Porter will investigate.

3037/01 To consider other items of information for inclusion on a future agenda.

"Building For The Future" – the government's white paper on the reform of the planning system will be discussed at the next meeting.

3038/01 It was **RESOLVED** to set the date for the next remote meeting of the Parish Council on Monday 21st September 2020.

As there was no further business the meeting was closed at 9.56 pm.

The above Minutes were approved by the Council's remote meeting held on 17.8.2020 and recorded as Minute Reference 3025/01

APPENDIX A

Application no: 201401

Outline planning application for seven detached bungalows with associated access, parking, amenity and landscaping

Brook Hall Cottages, Factory Hill, Tiptree, Essex CO5 0RE

The Parish Council **objects** to this application which lies directly alongside the settlement boundary of Tolleshunt Knights.

The Parish Council shares the concerns of Benjy Firth (Senior Planning Officer Colchester Borough Council) who in his Preliminary Enquiry Application of 30.10.2020 identified the following site constraints:

- Flood risk
- Effect on an historic building
- Settlement buffer concerns.

Furthermore he stated that in his opinion “There is nothing in the current suburban cul-de-sac proposals to suggest that the above criteria might be met.”

Tolleshunt Knights Parish Council’s objections are given in greater detail below:

Site location and sustainability

The site lies outside the current proposed settlement boundary of Tiptree and within the countryside. As such neither local nor national policy supports the creation of new dwellings in the countryside or in isolated locations beyond settlement boundaries. Tiptree has recently seen large scale developments both on Kelvedon Road/Grange Road and Factory Hill, and the Brook Hall Cottages site has not been identified as an area of growth.

The sustainability of the site is in question. The application states that the site “is close to the centres of Tiptree and Tolleshunt Knights via maintained public footpaths and which include an array of facilities.” (Planning Design and Access Statement 3.8). Tolleshunt Knights in fact only has a Village Hall and playing field (1.4km from the site) and the Monastery of St John the Baptist (1.6km), both of which cannot be accessed from the site by a continuous pedestrian footway and cannot be described as an “array of facilities”. Although there is a far greater range of amenities in Tiptree (the centre of which is one mile away from the site), in reality the majority of residents in both villages heavily rely on the private car to access sources of employment, medical facilities and large shopping areas.

Historically the site previously held two dwellings, with various permissions being given between 2011 and 2017 to demolish these and replace them with up to two larger dwellings. The current application is for seven bungalows of “two alternative types” with no details being given in the Planning Design Statement as to the number of bedrooms provided, although it is noted that “each bungalow will be served by a minimum of two parking spaces” (4.13). This suggests at least 2+ bedroom units. This would be a substantial increase in the number of bedroom units from the permissions given previously, and would therefore result in an over-development of the site.

Loss of the green buffer zone between Tiptree and Tolleshunt Knights

Development of this site would result in a further reduction of the green buffer zone separating the villages of Tiptree and Tolleshunt Knights, especially as this zone has already been substantially eroded by the development at the top of Factory Hill opposite Wilkins’ factory. The Parish Council considers it essential that this buffer zone remains in place in order to protect the

unique characteristics and identity of the two villages, and to prevent the merging of the two settlements.

Development within a flood plain

The site is bordered to the east by Layer Brook which is subject to flooding in periods of heavy rainfall, especially given the unusual weather patterns of recent years. Furthermore this has been exacerbated by run-off from the new development at the top of Factory Hill which has on several occasions led to flooding at the commercial garage operation close to the site. It is noted that the application states that an “attenuation tank (will be provided) underneath (the access road) with the outfall into Layer Brook.” (Planning Design Statement 6.4). Wilkins Factory also discharges water into the brook which has led to increased flooding problems for residents in Strawberry Lane and Tudwick Road, and further outfalls into the brook will only increase this problem.

Access issues

The Parish Council is aware that Essex County Council Highways has raised no objections to the proposed access road into the site. However it must point out that over many years residents in the Factory Hill/Brook Road/Tolleshunt D’Arcy Road have frequently raised concerns about the high speed of traffic entering and leaving Tolleshunt Knights at this point. It is felt that a new access road could create problems when residents of the new development attempt to leave the site in either direction.

Effect on the setting of a listed building (Brook Hall)

The Parish Council is unable to understand how the proposed development – described above as “the current suburban cul-de-sac proposal” would have no impact on the setting of the Grade 2 listed Brook Hall which currently stands apart from other buildings with open areas on each side.

Ecology

The developer’s Preliminary Ecological Appraisal states that “there was no evidence of badger activity identified” on the site. However the Badger Group confirmed that there was evidence of foraging. This rather brings into question how robustly the Appraisal was carried out. The Parish Council is also concerned about the ancient rookery to be found in the trees on the eastern edge of the site. This has been in existence since before living memory. The developer will be aware of legal issues concerning the destruction of rookeries. The Planning Design Statement (6.9, 7.10 and 6.30) discusses the ecological area and mature tree coverage on the eastern edge of the site. This should “enhance the site as a visual amenity asset..... It will be subject to scrub management works ... once every three years.” The Parish Council is unable to find a management plan for this area of the development which gives details of who will be responsible for this work and feels it must be put in place in order that the area does not become an untidy wasteland after the bungalows have been sold. Similarly the Parish Council questions who will be responsible over time for the maintenance of the proposed close boarded 1.8m timber perimeter fencing around the site.

For the reasons given above Tolleshunt Knights Parish Council requests that the above application is refused permission.

APPENDIX B

20/00825/FUL

**Demolition of existing buildings and erection of 8No. new C3 dwellings (5No. 2 bed and 3No. 4 bed houses) together with access to existing paddocks, vehicular access, landscaping, sustainable urban drainage system and noise attenuation features
Woodacre 38 D’Arcy Road Tolleshunt Knights**

The Parish Council **objects** to this application for the following reasons:

It is felt that the reasons for refusal of the previous application for this site have not been fully addressed:

- Part of the application site lies outside the defined settlement boundaries where policies of restraint apply.
- The site is located in a backland location.
- Maldon District Council can demonstrate a five year housing land supply to meet the requirements of the National Planning Policy Framework.
- The site has not been identified by Maldon District Council for development to meet the future needs of the district.
- The proposed development of a gated courtyard design would lead to an urbanisation of the site which is out of keeping with the character of the area. It cannot be compared with other existing small courtyard developments in the village which are all bungalows of one and two bed units.
- As has been stated for the previous application for this site (FUL/MAL/20/00378) Tolleshunt Knights is a village with very few facilities and a very limited bus service which cannot be accessed safely from the site due to an incomplete pedestrian footway to the nearest bus stops. This is also true for access to the Village Hall and playing field in Top Road. Although more facilities exist in the nearby village of Tiptree, it is felt that persons living in the proposed new dwellings would have a very high dependency on the private car to access a full range of amenities and employment. New residents who rely on public transport only may well experience a sense of social isolation and difficulties in accessing employment and higher tier medical and educational facilities.
- The Parish Council notes the developer’s suggestion that a proposed noise mitigation scheme would deal with any noise pollution by the adjacent commercial site. If approval is granted, conditions should ensure that this is fully implemented. However, there is some concern that the report by Sharps Redmore Accoustic Consultants stated that “The use of closed windows is considered to be a reasonable noise mitigation measure.” Given the rising temperatures due to climate change this is felt to be unreasonable.

For the above reasons the Parish Council therefore feels that this application should be **refused**.