

COLD NORTON PARISH COUNCIL

MINUTES OF THE MONTHLY MEETING OF THE PARISH COUNCIL HELD ON WEDNESDAY 6TH JULY 2011 IN THE MAIN HALL OF THE VILLAGE HALL

THOSE PRESENT:

Councillors:

Mr. J. Archer
Mrs. S. Garnham
Mr. C. Litscher
Mr. P Wakeling (Chairman)

In attendance: Mrs. M. Dyer (Parish Clerk)
PC A Bowen
c 170 Members of the Public

As there was such a large number of Members of the Public present the Chairman, Mr Wakeling explained the format of a Parish Council meeting and how this meeting would be conducted in order comply with the legal guidelines, but to also allow all who wished to speak in relation to one of the planning applications on the agenda to do so.

153. **APOLOGIES FOR ABSENCE:** were received and accepted from Professor Barclay and District Councillor Ms White

154. **DECLARATION OF INTERESTS:** Members are required to declare any personal or prejudicial interests they know they may have in items of business on the meeting's agenda. They are reminded that they will need to repeat their declaration at the appropriate point in the meeting and leave the room if the interest is a prejudicial one. Unforeseen interests must be declared similarly at the appropriate time.

Mrs Garnham declared an interest in the agenda item relating to Allotments as she is an allotment holder.

155. **MINUTES OF THE ORDINARY MEETING of the Parish Council** held on Monday 6th June 2011 were approved as correct and signed accordingly.

PLANNING

- 156 **Planning Applications received by the Parish Council:** the following were considered and responses were as indicated:

FUL/MAL/11/00499 PP-01507472 The Poplars, Cherry Blossom Lane, Cold Norton. Change of use to the siting of three additional caravans for occupation by Gypsy families. Week No.23 dated 10th June 2011. Members were advised that this application had been withdrawn after the Agenda had been issued. Noted.

FUL/MAL/11/00509 PP-01509517 Land at Latchingdon Road & Junction Road, Cold Norton. Change of use to the siting of five caravans for occupation by Gypsy families. Week No.23 dated 10th June 2011.

Mr Wakeling then outlined the application in brief and then read out the letters received by the Parish Council in relation to this application from:

- Cold Norton Primary School: school is already oversubscribed and that number will be reduced in future
- Purleigh Parish Council, North Fambridge PC and Althorne PC all objecting to the application
- Cold Norton residents objecting to the application: Mr Wakeling did not read out names, but just indicated the general location in village of the writers

Councillors had all been supplied with copies of these letters. The Councillors then briefly discussed these submissions.

Mr Wakeling then closed the meeting to allow comments/questions from Members of the Public.

Comments/Questions from Public. Plus responses where applicable:

1. *Why should Cold Norton have more sites when it already has some?
Response: MDC are obliged to provide a certain number*
2. *Is the planning process for this application through the same department as for other planning applications?
Response: The planning process/department is the same. Anyone can apply for planning permission whether for a conservatory, hotel or Gypsy site.*
3. *With reference to the reasons given earlier why this application is invalid, why was it allowed to proceed?
Response: The Planning Department have issued it so think it should be allowed to proceed through the system. Cold Norton Parish Council could send it back stating 'not valid', but then would loose its chance to comment. Not advisable to just say 'invalid' best to comment as to why the application is not appropriate.*
4. *Support all the issues raised opposing the application, suggest that a show of hands re opinion of villagers present at this meeting
Response: Agreed, but at end of this open session to allow all to have their say.*
5. *If Cold Norton Parish Council and Maldon District Council reject this application what is the next step as the Government says that MDC needs to support 15 sites?
Response: the process is that CNPC will make a decision and pass this to MDC. If MDC refuses permission then the applicant may go to appeal. CNPC would seek the support of the local MP John Whittingdale. The Government are at present conducting a consultation re Traveller Sites.*
6. *The next person then quoted from MDC's framework in relation to housing in rural areas, nature conservation and agricultural.*
7. *This person advised those present that on the MDC website there is guidance re how to object to planning applications.*
8. *A comment was made that MDC do offer help to applicants*
9. *The next person to speak wanted to point out that wild life needed to be considered on this proposed site and the environmental impact if this application be allowed to proceed.*
10. *The next commenter just wanted to say that they strongly objected to the application.*
11. *Wildlife was the subject of the next comment and the person concerned advised that a survey re wildlife was needed as there are protected species on this site. This commentator had photos of slow worms and it habitat on this site.*

At this point PC Bowen had to leave the meeting due to an emergency call

12. *If the applicant resubmits the application answering all the questions/queries what could happen?
Response: unlikely to be able to respond satisfactorily re all queries*
13. *If the planning application is not successful what could stop illegal occupation?
Response: Access to the site; need planning consent if not enforcement officers would step in.*
14. *A comment was then made re the owner of the land.
Response: Cold Norton Parish Council cannot comment on the land owner.*
15. *The next comment related to hardcore tipping.
Response: MDC and ECC have taken steps regarding this*
16. *The next person to speak advised that ECC have issued advice regarding illegal access*
17. *The next comment related to the 'Character of Cold Norton'.
Response: The 'Character of Cold Norton' is very important as verified in the last village survey and is part of Cold Norton Parish Council's policies especially in relation to village development boundaries and CNPC believes that it is also important to MDC who have also defined the boundaries.*

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| 18. | <i>The next person wanted CNPC to comment on the school etc and that the application is invalid.</i> |
| 19. | <i>A vote by show of hands was taken – this was unanimous against the application</i> |
| 20. | <i>The next person suggested that everyone at the meeting write to MDC</i> |
| 21. | <i>The final person who wanted to speak advised residents to either e-mail MDC or write to the Chief Planning Officer at MDC</i> |

All present were advised that when writing to MDC valid planning reasons must be given, and that name & address must be included. As all who had wanted to speak had had the opportunity the meeting was re-opened.

The Councillors then discussed the application and all agreed to object to this application, based on six elements. The following is the response that was submitted to MDC:

Cold Norton Parish Council OBJECTS to the proposal contained within the above application and recommends that Maldon District Council REFUSE CONSENT.

The Parish Council considers that this planning application is ill considered and that on any reasonable criteria the village of Cold Norton is unsuitable as a site for Gypsy caravans.

The Parish Council's reasons for this recommendation are in relation to six elements:

1. The Planning Application Submitted
2. Cold Norton's Planning Policy
3. Maldon District Council's Planning Policy
4. Technical Issues
5. Supporting Documentation Alleging Suitability of Cold Norton
6. Government Policy in Relation to Planning for Traveller Sites

1. The Planning Application Submitted

The application provides insufficient detail to enable it to be properly considered for the following reasons:

- Highway access: none specified
- Site facilities: we would assume that an amenity block would be required; none specified
- Layout: none specified
- Materials: none specified
- Landscaping/ screening: none specified
- Public Consultation: we understand that this falls within Maldon District Council's definition of a Major Planning Application and as such requires pre-application consultation with the community and a statement within the application confirming that same has been undertaken. There has been no consultation and consequently no statement is provided

2. Cold Norton's Planning Policy

- The site is outside the village development boundary and is of very significant scale. We note in addition that the site is evidently considerably larger than required for the 5 caravans specified and understand further that there would be no restriction upon additional caravans being located on the site if the application were to be granted in its present form. **This application therefore conflicts with Policy S2 of the Common Local Plan**
- It would destroy the rural aspect of the approach to the village from the east by virtue of ribbon development and would represent an alien intrusion into the landscape in a prominent location. **This application therefore conflicts with Policy CC6 of the Common Local Plan**
- Proximity to other houses would, we expect, cause a nuisance, due to intensification of use including vehicle movements and the high probability of commercial usage. This issue would be exacerbated if it were not possible to restrict the use of the site to 5 caravans
- The application represents an unacceptable change of use from rural to, we expect, a mixed residential/commercial use **This application therefore conflicts with Policy CC19 of the Common Local Plan**

Cold Norton's Planning Policy reflects the views of the people of Cold Norton as evidenced by the findings of the Cold Norton Village Survey 2000. The Planning Policy was reviewed and ratified by the Parish Council again in 2008.

3. Maldon District Council's Planning Policy

- Cold Norton Parish Council's planning policies are generally compatible with and are reflected in MDC policies and provide a clear basis for refusal
- Brownfield sites should be used in preference to green field sites. It would appear that brown field alternatives have not been considered in relation to this application
- We understand that in its Design of New Development and Landscaping guidance MDC will only permit development if it is compatible with its surroundings. This site is completely incompatible with its surroundings. **This application therefore conflicts with Policy BE1 of the Common Local Plan**
- We understand that it is the view of Maldon District Council that there are already sufficient sites in the District

4. Technical Issues

- **Highways:** there is no suggestion from the information supplied as to how the site is to be accessed. Latchingdon Road is a very busy rural road which is subject to high volumes of traffic, often speeding. (recorded speed check data available) The site is in close proximity to the traffic lights at the railway bridge and existing junctions with Station Road and Junction Road. Latchingdon Road is served by a narrow, badly maintained footpath which provides the only pedestrian link to the village shop. For these reasons a major development such as that proposed, whether of 5 caravans or as is possible, considerably more, with the additional likelihood of significant quantities of commercial traffic based at the site makes this location totally inappropriate in highways terms
- **Drainage:** The immediate area is prone to significant flooding with several occurrences causing significant damage to adjacent properties in the last 5 years. The development proposed would involve significant areas of hard standing which will worsen the run off into existing drains which already appear to be inadequate to meet existing loads.
- **The Environment:** for a development of this scale an impact assessment should be undertaken. There is no evidence to confirm that this has been done. There is recorded evidence of Slow Worm, which is a protected species, on this site.
- **Electricity:** Most of Cold Norton suffers from frequent power cuts. This development by virtue of its potential scale and intensity of use, particularly given the potential for commercial usage could worsen the provision and certainty of supply to Cold Norton
- **Telecommunications:** as with electricity the service is relatively poor; broadband speeds are slow and the scale and intensity of use, particularly given the potential for commercial usage could worsen the provision and certainty of supply

Arguably certain of the above factors could be resolved by very large scale capital investment in infrastructure, but none is envisaged by this application.

5. Supporting Documentation Alleging Suitability of Cold Norton

The supporting documentation for this application makes a number of assertions in relation to Cold Norton's suitability for Gypsy sites. These are generally inaccurate and ill considered, below confirms the current position:

- **Education:** Cold Norton Primary School is currently oversubscribed and has a waiting list such that children from 10 families are on the waiting list. The Headmistress, Mrs. P. Dowsing confirms: *"the school is full to capacity for the academic year 2010/11 and for 2011/12."* The Education Authority have rejected an application for an additional classroom
- **Health:** there are no health facilities in Cold Norton. All health requirements are met by travelling elsewhere
- **Shop:** the village shop suffers from vehicular congestion. Pedestrians are served by a narrow poorly maintained footpath alongside a busy minor road prone to speeding traffic

- Pub: The Norton Public House is run by a locally based team of volunteers and relies upon a family, community based atmosphere and clientele.
- Transport: the village bus service is poor. On weekdays only one bus per day runs direct to Chelmsford with 2 buses only per day running direct from Chelmsford to Cold Norton. An hourly service for a part of the day runs to and from Maldon. There are only 4 bus journeys each day to South Woodham Ferrers at 2 hourly intervals (NB the application states that there is a *reliable half hourly bus route to South Woodham Ferrers*) The service is subject to regular reviews and reductions in service
- Employment: there are very limited opportunities within Cold Norton hence most residents have to commute to work. Plus the industrial site currently providing some local employment is scheduled to close shortly.

In summary, a large scale development such as that proposed would have to rely upon services outside Cold Norton for which private transport is required. This demonstrates that this proposal is neither appropriate for Cold Norton nor sustainable in relation to local service provision

6. Government Policy in Relation to Planning for Traveller Sites

The Government is currently consulting in relation to planning policy for traveller sites. We would make the following comments based on Government's Draft Objectives as they relate to Cold Norton:

- Draft Government Objective: *Fair treatment for travellers whilst respecting the interest of the settled community*. The application fails to respect the interest of the local community by a lack of consultation. The clearly expressed view of the village in the Cold Norton Survey 2000 is that the open, rural, aspect of Cold Norton should be preserved. Hence planning applications representing a significant increase in scale over existing developments outside the village development should continue to be rejected. During question time at the Parish Council meeting the c170 members of the village attending, unanimously rejected the application.
- Draft Government Objective: *Local Authority to work collaboratively to develop fair and effective strategies*: this application represents an opportunistic attempt to impose a bad solution upon an inappropriate site. Neither MDC nor Cold Norton Parish Council have been engaged in any kind of process to develop a strategy in relation to either Cold Norton generally or the site specifically
- Draft Government Objective: *Protect Green Belt*: this application would destroy the Green Belt
- Draft Government Objective: *Enable provision of suitable accommodation from where travellers can access education, health, welfare and employment*: as discussed above Cold Norton is poorly provided with in relation to each of these facilities and cannot therefore be considered to be a suitable location
- Draft Government Objective : *Have due regard to the protection of local amenity and the local environment*: this application would be disastrous in relation to local amenity and the environment by virtue of it's scale, intensity of use, location, appearance and probable mixed residential and commercial use.
- Draft Government Objective: *Sites should be sustainable economically, socially and environmentally*: As discussed above, this site does not meet any rational criteria for sustainability. Virtually every need would have to be serviced by a vehicle movement, the amenity; social and utility provision in Cold Norton is at or over capacity, no environmental survey has been made available for consideration

For the reasons given above the Parish Councillors consider that this opportunistic, ill considered planning application should be rejected as Cold Norton does not meet any reasonable criteria to provide a site for Gypsy caravans.

Clerk was asked to send a copy of the letter to MP John Whittingdale, including details of the public vote at the meeting.

ACTION: CLERK

HOUSE/MAL/11/00454 PP-1493690 40 St. Stephens Road, Cold Norton. Single storey front elevation extension to form veranda and single storey side extension. Week No.22 dated 3rd June 2011:

Cold Norton Parish Council has NO OBJECTIONS to the works proposed within the above application.

HOUSE/MAL/11/00393 PP-01477679 30 Green Trees Avenue, Cold Norton. Proposed side/front extension. Week No.24 dated 17th June 2011:

Cold Norton Parish Council has NO OBJECTIONS to the works proposed within the above application.

157. **Maldon District Council Decisions:** – a detailed list had been copied to Members, which is summarised below:

WTPO/MAL/11/00259 Cold Norton

TPO 15/96 T35 (T4 on plan) Oak - Fell to ground level and treat the stump with an appropriate herbicide - Alleged tree related subsidence.

Elber 28 St Stephens Road Cold Norton Essex
(UPRN - 100090555817)

Mr Nicholas Meyer,

OCA UK Ltd

APPROVED

HOUSE/MAL/11/00297 Purleigh

Porch to front of property

Homestead Latchingdon Road Cold Norton Essex

(UPRN - 100091256847)

Mrs Draper

APPROVED

158. **The Norton:** Members were advised that a further planning application is being prepared. Noted

159. **Oak Tree T46 of TPO 15/96 at 16 St Stephens Road:** Members had been advised that MDC Tree Officer had confirmed that this tree had died and that the home owner had been advised that it should be replaced and of the timing, type etc. Noted

FINANCE

Approval of Payments

160. Dave Bull general village caretaker work Invoice No.17 dated 24.06.11£130.50 (18 hours). Cheque No. 998
161. MAIA Services to updating web pages (May minutes, report from June 2011 Meeting and updating District & County page) invoice No.12002 dated 28th June 2011 £45 (£37.50net). Cheque No.999.
162. Maria Dyer office expenses £ 47.92 Cheque No.1000.
163. Maldon District Council to Grass Cutting Invoice No.COL58766824 dated 16.06.11 £233.02 (£194.18net) Cheque No.1001.
164. RCCE annual membership renewal to 30th June 2012 £55 Cheque No.1002
165. ASAP Office Services to internal audit Invoice No.2253 dated 31.05.11 £97.36 (81.13 net). Cheque No.1003.
166. PH Coote Limited to repairing street lights No5 (junction Howe Green Road/Latchingdon Road, No.13 outside No.36 Latchingdon Road and no numbered light at East Canney Cottages) Invoice No.16012-2678/3 dated 28.06.11 £239.89 (£199.91 net). Cheque No.1004
167. Maldon District Council to annual independent play area inspection Invoice NO.COL58666779 dated 31.05.11 £66 (£55 net) Cheque No.1005
168. E-on Energy Street lighting for May 2011 Invoice No. HB3F7B938 dated 03.06.11 £45.97 (£43.78 net) taken by direct debit on 13.06.11.

169. Financial Statement

Current balances:

Standard Life 10 Day Notice as at 17 th June 2011	£	547.46
Santander as at 2 nd June 2011	£	<u>41,408.52</u>
	£	41,955.98

170. **PC Notice Boards:** Members approved quote of £825 to repair/replace the two locked PC notice boards.
171. **Internal Audit Report:** Members had all been supplied with a copy of the Internal Audit Report. Only recommendation made by the Internal Auditor was to increase the frequency of VAT claims. Noted.
172. **VANDALISM/POLICE MATTERS:** PC Bowen had returned from the emergency call and gave a report on criminal activity in the district plus advice. With regards to Cold Norton PC Bowen advised that there have been no problems with parking in the vicinity of the school, no tickets have been issued and parents are co-operating; there have been some complaints in relation to bands playing at The Norton at weekends. Councillors advised PC Bowen that vandalism continues to be a problem in the playground – PC Bowen advised that checks continue to be made. PC Bowen advised details of the next NAP meeting.

HIGHWAYS AND ROAD SAFETY

173. **Highways Schedule:** Members were advised that from jobs outstanding the Zebra crossing lines had been reinstated; work to the school indicator sign at the corner of St. Stephens Road and Latchingdon Road had been completed; reinstatement of yellow no parking /waiting lines outside the school had been carried out and the light above the Zebra crossing was now operational. All other outstanding jobs continued to be chased. Noted.

VILLAGE HALL

174. **Report from Parish Council Representatives:** not available
175. **Fire Risk Assessment:** review not available.
176. **Village Hall Project:** Mr Wakeling advised that snagging items had been completed or were all in hand with the exception of the painting of the main hall walls. Members were advised that Mr Wakeling is preparing final report for Big Lottery for submission by end of July 2011. Noted.
177. **DISTRICT COUNCILLOR'S REPORT:** District Councillor J. Archer advised that the LDF is being strengthened and that this is very important.

OPEN SPACES

178. **Cowpiece Nature Reserve:** Mr Litscher updated Members and advised that the Village Caretaker continues to assist. On completion of works inspection/risk assessment to be undertaken. Noted
179. **Playing Field**
Members were advised that the panel for the Timberline equipment had been ordered, installation date awaited. Noted
Members were advised that the six week trial session for the Outdoor Fitness Class on the playing field had started on 25th June 2011 and that a feedback report was awaited,
Junior football team request to use the field – Members were advised that this will not proceed. Noted
180. **Village Caretaker work – report for work to 24th June 2011:**
Around the village hall and playground I have continued to inspect and remove litter. I have cleared fallen leaves and swept up debris following the recent high winds. The fence panels around the playground remain damaged.

My general inspection of the verges around the village has found no further fly-tipping.

In the Cow Piece Nature Reserve I continue to inspect, keep pathways clear and remove litter, to empty and clean out the litter bin and replace the litter bag. I have used the strimmer to maintain the open area around the pond.

I have commenced removal of staples from the village notice boards one board is now completed.

I am continuing sessions to tidy and maintain the established garden areas around the bridge and will continue to do so within my allocated hours. I will carry out some planting to fill empty spaces where otherwise weeds will grow back.

181. **Allotments:** Members were advised that Clerk is investigating agreements etc

PUBLIC RIGHTS OF WAY

182. **Footpaths Map:** Members were advised that Mr Roger Hawes and the Clerk had met with the P3 Officer who approved the layout etc. Next step is for Councillors to review now that the heritage walks have been added, copy to be written and photos to be agreed and additional sponsorship to be sought. Noted

183. **Bridleway along old railway line:** Mr Archer advised that there is no activity at present re bottle diggers. Noted.

TRAINING/CONFERENCES/MEETINGS.

184. **RCEE 2011 AGM Wednesday 6th July 2011 6.30pm at Earls Colne:** Members had been advised that the Clerk had already sent apologies at this clashed with the PC July meeting. Clerk has a copy of the annual review and financial statement. Noted
185. **EALC Meeting for Councils in Maldon District 12th July 2011 7.30pm in Burnham.** No one available to attend.
186. **Sunday 17th July 2011 12.30pm to 4.30pm 999 Emergency Services Day.** Mr Archer advised that he will attend.

CORRESPONDENCE

187. **Dengie Hundred Group of PCs:** Members had been supplied with copy minutes from March 2011 meeting including a police report. Noted
188. **ECC Mobile Library:** Members had been supplied with letter and timetable. Councillors requested that this information also be passed to the school. **ACTION: CLERK**
189. **LCLC Bradwell:** Members had been supplied with additional papers, plus copy of report from 8th June 2011 meeting. Noted
190. **ECC Love where you Live event 2011:** details supplied to members. Noted.
191. **Harvey Escott:** Members were given details of Mrs Escott's retirement. Councillors authorised Clerk to sign the necessary paperwork to transfer the files to the new Solicitor.
192. **MDC Conservation & Design Awards 2011:** Members were advised that nominations are required by 31st August 2011. It was agreed that Litscher Court be put forward.
193. **ECC Passenger Transport –** Members had been supplied with a copy of the transport needs assessment and advised that the Accessibility planning is scheduled for meeting Thursday 7th July 2011. No one available to attend.
194. **EALC Highways Panel:** Members were advised that nominations are requested to represent the group Cold Norton Parish is in. Clerk to advise Mr Archer when the next meeting is. **ACTION: CLERK**

- 195. **VILLAGE PLAN:** Members were advised that nearly all the questionnaires had been delivered. Noted.

- 196. **QUEENS JUBILEE 2012:** Mrs Garnham advised that meetings were scheduled with The Norton Pub Committee and the WI. Noted.

- 197. **VACANCIES ON PARISH COUNCIL:** Members were advised that Co-option details were in the July Beacon and would also be posted on notice boards.

- 198. **MATTERS TO REPORT** (Members are reminded that no decisions may lawfully be made under this agenda item - however matters may be discussed which involve exchanges of information only.)
Members were advised that deliveries of hardcore to Palepit Farm had now stopped

DATES OF FUTURE MEETINGS

Scheduled or provisionally scheduled for 2011: Wednesdays 7th September, 5th October, 2nd November, 7th December.

Chairman.....

Date.....