

MINUTES OF A MEETING OF THE PARISH COUNCIL HELD ON MONDAY 12 JUNE 2017 AT 7.30 PM AT THE VILLAGE HALL

Present: Chairman, Cllr J C Gregan.
Cllrs. F A Delderfield and Mrs A V Heaviside,

Apologies for absence were received from Cllrs. Mrs C Adams, C L Atkinson, R L Bass, A J Gable, J V Keyes and B S Marshall.

072.17 MINUTES OF THE PREVIOUS MEETING

The minutes of the Annual Meeting of the Council held on 8 May 2017 were confirmed and signed.

073.17 DISCLOSURES OF INTEREST

The Chairman reminded Members that, in common with other local authorities, this item is placed high on the agenda to give Members the earliest opportunity to declare known interests in items set out for later discussion; notwithstanding that they should also declare interests as soon as they become aware should the need arise throughout the meeting. Members were also reminded to review and update if necessary their interests recorded in the Register of Interests and which they are required to declare under the Localism Act 2011 and the Council's Code of Conduct. There were no disclosures.

074.17 PUBLIC QUESTIONS (Adjournment)

Seven members of the public were present. Concern was expressed about a planning application [to be considered later on the agenda] for the part relinquishing of Section 52 Agreement relating to land at the rear of Seagers and Millways and it was hoped that the Council strongly objects to any such relinquishment.

075.17 CHAIRMAN'S ANNOUNCEMENTS, REPORTS OF OTHER BODIES AND GENERAL CORRESPONDENCE.

The Chairman reported on an invitation to a social event at St Peter's Church to meet the new Priest in Charge of the North Blackwater Benefice; An introductory letter from the new Chairman of the Maldon District Council, Councillor Henry Bass; and Armed Forces Day at Stow Maries on 24 June. Other correspondence had been circulated by e-mail.

076.17 MATTERS ARISING FROM THE MINUTES

There were no matters arising.

077.17 PLANNING POLICY AND STRATEGY:

Neighbourhood Planning: The next meeting of the Steering Group was planned for the following evening, 13 June.

Maldon District Design Guide: A consultation on the Maldon District Design Guide Consultation had been circulated by e-mail. It is aimed at developers and designers and there were no comments but it was noted.

078.17 PLANNING APPLICATIONS

Appeal Notices: Notice of appeal and decision were received in respect of 16/01449 26 Walden House Road; roof conversion and alterations to a domestic property. The appeal was allowed.

Planning Decisions: The Clerk reported on the latest planning decisions of the District Council.

Planning Committee: A report of the Planning Committee Meeting of 16 May was received and adopted. For convenience the comments made on applications are reproduced here:

FUL/MAL/17/00365 Change of use from Sui Generis to B2. Unit 1 Little Mountains Farm Mountains Road – The Council believes the proposed use would be an appropriate alternative use and recommends approval.

OUT/MAL/17/00481 Demolition of existing stables and erection of new chalet bungalow dwelling. Land Adjacent Hobbits Prince Of Wales Road – The site is mainly outside of the development limits and in a sensitive rural location. As a result the development would not protect or enhance the natural or built environment. It would have an unacceptably intrusive urbanising effect upon the site which would adversely affect the intrinsic character and beauty of the countryside. As such the proposal does not represent sustainable development and the adverse impact of the development would significantly outweigh the benefits and be contrary to S2, H1 and CC6. The Council recommends refusal.

LDE/MAL/17/00500 Claim for a Lawful Development Certificate for the existing use of land for the restoration, renovation and maintenance of sports field equipment and similar machinery together with related office and workshops. Workshop at Wheelers Farm Plains Road. The Council can confirm the stated use for more than ten years as it has used the business for maintaining mowing equipment.

For Information Only: LDP/MAL/17/00440 Claim for lawful development certificate for proposed extension under class B permitted development. 26 Walden House Road Great Totham. The Council has no comment.

Latest Applications: Comments on planning applications received up to week ending 9 June 2017 were as follows:

HOUSE/MAL/17/00539 Proposed two storey extension to the side & rear. 1 Foster Road – The proposed development would not result in any detrimental harm to the character and appearance of the area and the scale and bulk of the proposal is not considered to be out of proportion with the plot. The Council recommends approval.

HOUSE/MAL/17/00536 First floor extension of existing bungalow to form 4 bedroom chalet - amended application to planning approval ref: 16/01462/HOUSE. 8 Catchpole Lane – The Council has no further comment.

LDE/MAL/17/00547 Claim for a lawful development certificate for the existing use as commercial storage in main barns. Agricultural Barns Adjacent 31 Plains Road – The Council understands that the contents of the barns were left by the previous occupants. If these are removed the barns could continue to be used for agricultural purposes. The Council recommends refusal.

OUT/MAL/17/00565 Outline planning permission for the proposed demolition of all buildings and structures and the erection of 5 No. residential units. Land South Of Slough Lodge Scraley Road Heybridge – The location of the proposed development is adjacent to the parish boundaries of Great Totham and Heybridge well outside of the settlement development limits of both parishes. Development in

this location would be unsustainable and contrary to and impact on the delivery of the emerging Local Development Plan. Furthermore, it would impact negatively upon the immediate site surroundings and compromise the character and tranquillity of the nearby area with its attributes of heritage assets. The Council recommends refusal.

MLA/MAL/17/00582 Application to the part relinquishing of Section 52 Agreement (MAL/408/084) dated 10/10/1984 relating to land at the rear of Seagers and Millways. Land Opposite 34 Hall Road – The Council strongly objects to any relinquishment, in part or otherwise, of this Section 52 Agreement.

The agreement was entered into by both parties (The Maldon District Council and the then landowners) willingly following a contentious application (initially MAL/889/81) to further develop the Seagers estate by placing six additional dwellings on land abutting Seagers but outside of the development limits defined in the Great Totham Plan. The landowner modified the application to include the transfer of ownership of the Cricket Field, also abutting Seagers, to the Great Totham Parish Council as a planning gain; and to covenant *not to erect or permit to be erected, or apply for planning permission to erect, any permanent buildings or structures at any time* on a defined band of land from Maldon Road to Hall Road.

For the application to succeed the Great Totham Plan needed amendment and Parishioners were consulted on the proposal to modify the Plan through the Annual Parish Assembly and public sessions at Parish Council meetings over a year and finally tested through a referendum of registered electors in Great Totham. This produced a response from 38.32% of registered electors of whom 437 agreed with the proposed change and planning gain and 314 were against.

To agree to now relinquish in part the agreement, made under the seal of the Maldon District Council, would appear to ignore the valid democratic process of a referendum and its outcome and betray those parishioners who took part in it. Some of those who participated in the referendum attended the last Parish Council meeting and asked at what level the decision on this application will be made and the Council requests that it is considered by Committee.

There is also the question of what enforcement action is being taken against the present landowner who has infringed the Agreement by applying for permission to erect.

WTPO/MAL/17/00221 TPO 7/15 - Oak - Crown reduction of up to 2m and crown lift above the driveway to a height of 5m by reducing the smaller low hanging branches. The Spinney Kelvedon Road - The Council is guided by and supports the Maldon District Council Tree Officer's recommendation.

WTPO/MAL/17/00600 TPO 2/09 T3 Oak - Crown lift to 4.5m, Crown thin by no more than 20% of leaf bearing structure, crown clean - removing dead and dying material. T5 Ash - Crown lift to 4m, including the removal of the lowest lateral encroaching low over patio. T6 Oak - Crown lift to 3m, crown clean - removing dead and dying material as well as ivy. Ravello Maypole Road - The Council is guided by and supports the Maldon District Council Tree Officer's recommendation.

HOUSE/MAL/17/00577 Extensions and alterations to dwelling. The Lodge, Hall Road – The Council recommends approval provided the guidance of the Maldon District Council Conservation officer is followed.

079.17 FINANCE:

Internal Audit: The 2016/17 internal audit is complete and satisfactory and there are no matters to bring to the attention of the Council. Mr Wrigley was thanked for carrying it out.

Accounts and Audit Programme: The Clerk reported that the Annual Return and other papers were sent to the external auditor on 8 June (the deadline is 12 June).

Confirmation of Payments: Cheques were confirmed for:

Amount (£)	Payee	Service
1.77	NWG Business	Water Charge for Changing Hut
134.40	Maldon District Council	Playground Inspections
447.92	C R Potter	Salary/allowance £444.00 Large letter stamps £3.92

080.17 AMENITIES

Report of the Chairman of the Committee: Cllr C L Atkinson had sent his apologies

Annual Playground Inspections: The Annual Playground Inspections reports were received. Cllr Atkinson has not had the opportunity to examine them but the Clerk had not found any high risk or urgent faults.

081.17 HIGHWAYS AND TRANSPORTATION

Rangers Scheme: There was no further requests identified but it was noted that some sign cleaning has not yet been carried out. The Clerk will look back through the notes and follow them up.

Traffic regulation orders: Traffic regulation orders in respect of Captains Wood Road; and Chigborough Road, Heybridge were received. The latter is connected with an annual show and Cllr Mrs A V Heaviside will try to include it in the parish magazine in future.

082.17 COMMUNITY POLICING, SAFETY AND REGULATION

Joint Governance of Police and Fire: The Essex Police and Crime Commissioner advised (circulated by e-mail on 8 June) that he had made a submission for the joint governance of Police and Fire and Rescue Services in Essex. This was noted.

Sewage in Hall Road: Mr Gower had advised of further problems with flooding from sewage in Hall Road and these were noted and it was agreed to ask Anglian Water about progress.

0.83.17 WHERE DOES THE WATER GO?: Information was received about the Where Does the Water Go? Project and it was thought that the Scouts might like to take this on. The Clerk will contact them.

084.17 ANY URGENT BUSINESS AND FUTURE AGENDA ITEMS

There was no urgent business.

The meeting closed at 8.42 pm.