**Bradwell with Pattiswick Parish Council**

**Minutes of the Extraordinary Parish Council meeting held at 7.30pm on Monday 5 August at Bradwell Village Hall, Church Road, Bradwell**

**Present:**

Cllr. Tony Dunn (Chair)

Cllr. Glenn Lockey (Vice-Chair)

Cllr. Adam Deighton

Cllr. Craig Evans

Cllr. Antony Harding

Cllr. Lesley Kinder

Cllr. Michael Turner

**In attendance:**

Mrs. Nicki Watkins, Clerk & RFO

Twenty-two members of the public

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| **24-5/111** | **WELCOME AND APOLOGIES**  The Chair declared the meeting open at **7.30pm** and welcomed those present.  Apologies were also received from Cllr. Ross Playle and Cllr. Tom Walsh. |
| **24-5/112** | **DECLARATIONS OF INTERESTS**  Members of the Council are subject to the LGA Model Councillor Code of Conduct 2020 (The Revised Code), adopted at the Annual Parish Council Meeting on 13 May 2024. Appendix B requires Councillors to register and disclose pecuniary and non-pecuniary interests. There were no declarations of interest. |
| **24-5/113** | **PUBLIC PARTICIPATION SESSION WITH RESPECT TO ITEMS ON THE AGENDA AND OTHER MATTERS THAT ARE OF MUTUAL INTEREST**  Twenty-two members of the public attended the meeting. There were no issues raised during this session. |
| **24-5/117** | **BRAINTREE DISTRICT COUNCIL LOCAL PLAN REVIEW**  This item was brough forward.  Braintree District Council had commenced work on the Local Plan Review and had undertaken a “Call for Sites” exercise earlier in the year. The sites were being considered by area (parish/town council or ward if unparished) and BDC had made parish councils aware of the proposed sites ahead of the Local Plan Sub-Committees. Three hundred responses had been received, ten sites within the Bradwell with Pattiswick parish being identified as potentially suitable for housing (inc. affordable housing), employment, biodiversity Net Gain or for a care home.  The deadline for comments to be included in officer reports for 2 September meeting was 16 August 2024. The deadline for the 16 September meeting was 30 August 2024. The Chair noted that he would be making a complaint to BDC for the short deadline given to parish/town councils to comment, particularly as it was in the middle of holiday season. Similarly, the lack of information and publicity provided to residents was equally disappointing.  The following sites were received, discussed, and considered by the Parish Council, with input from residents in attendance. The Chair took a vote from Councillors and residents, and it was resolved that **every proposed site would be rejected**.  Comments were made against each potential site:   |  |  |  | | --- | --- | --- | | **Ref:** | **Proposed Use** | **Address** | | **BRAD2044** | Housing/Affordable Housing/Care Home/ Employment/Biodiversity Net Gain | Land at Withies Green Farm, Cressing | | **Comments**  This site was excessive and would destroy a vast area of excellent quality agricultural land. There is no direct link to the A120, which is not permitted until the new A120 is built. The A12 and A120 are already overloaded with vehicles and a lack of infrastructure. | | | | **BRAD2045** | Housing | Commercial Workshop and Yard, Rectory Meadow, Bradwell | | **Comments**  There has been no commercial workshop on this site for several years and prior to when Rectory Meadow was built. When it was a workshop, it had been used to repair agricultural equipment and the site is contaminated.    The site comprises a fishing lake (previously a gravel pit), and an associated car park accessible from the A120 Coggeshall Road, which is surrounded by a Priority Habitat, which could potentially be designated as a Biodiversity Net Gain site.  Rectory Meadow is a privately owned road, maintained by the residents of Rectory Meadow. Access to the site from Rectory Meadow is shown on the map and is via a PROW, therefore pedestrian access only. Access is owned by nos. 4 and 5 Rectory Meadow who have made it clear they will not permit vehicular access to the site across their front gardens. Driving a motor vehicle on a public footpath is illegal.  Previous planning applications were initially rejected by BDC, then overturned by a Planning Inspector. Subsequently, an Independent Inspector included the statement that “there should be no linear extension of Rectory Meadow,” which was accepted by BDC when the Bradwell with Pattiswick Neighbourhood Plan was produced in 2019. The owner has previously tried to sell the land but has failed and the granted outline planning permissions have expired.  BDC has confirmed that the link between Rectory Meadow and the site, which was granted planning permission, requires, but does not have, planning permission for the road access and that the land available is too narrow to meet Essex County Council guidance on width and visibility.  To be included in the Local Plan, a site must be shown to be deliverable. Over the past ten years the owner has demonstrated clearly that this site is not deliverable. | | | | **BRAD2046** | Housing | Commercial Workshop and Yard, Rectory Meadow, Bradwell | | **Comments**  This is a larger version of BRAD2045.  There has been no commercial workshop on this site for several years and prior to when Rectory Meadow was built. When it was a workshop, it had been used to repair agricultural equipment and the site is contaminated.  The site comprises a fishing lake (previously a gravel pit), and an associated car park accessible from the A120 Coggeshall Road and which is surrounded by a Priority Habitat, which could potentially be designated as a Biodiversity Net Gain site.  Rectory Meadow is a privately owned road, maintained by the residents of Rectory Meadow. Access to the site from Rectory Meadow is shown on the map and is via a PROW, therefore pedestrian access only. Access is owned by nos. 4 and 5 Rectory Meadow who have made it clear they will not permit vehicular access to the site across their front gardens. Driving a motor vehicle on a public footpath is illegal.  Previous planning applications were initially rejected by BDC, then overturned by a Planning Inspector. Subsequently, an Independent Inspector included the statement that “there should be no linear extension of Rectory Meadow,” which was accepted by BDC when the Bradwell with Pattiswick Neighbourhood Plan was produced in 2019. The owner has previously tried to sell the land but has failed and the granted outline planning permissions have expired.  BDC has confirmed that the link between Rectory Meadow and the site, which was granted planning permission, requires, but does not have, planning permission for the road access and that the land available is too narrow to meet Essex County Council guidance on width and visibility.  To be included in the Local Plan, a site must be shown to be deliverable. Over the past ten years the owner has demonstrated clearly that this site is not deliverable. | | | | **BRAD2047** | Housing | Land at Church Road, Bradwell | | **Comments**  This site was put forward by Bradwell Estates when the Bradwell with Pattiswick Neighbourhood Plan was being developed. The independent Inspector rejected the application by the owner in 2019.  The site includes local amenities used by residents across the village, including:  Allotments  A Village Orchard  A Playing Field (with play and gym equipment)  Grade 2 agricultural land  Land in a flood plain  The Village Orchard and Playing Field are leased to the Parish Council and the lease has been paid up until the lease expiry date of 18 October 2041.  The site is not deliverable. | | | | **BRAD2048** | Housing | Commercial Yard and Rectory Meadow, Bradwell | | **Comments**  This is a smaller version of BRAD2045 and BRAD2046.  This site has a history of planning applications which were initially rejected by BDC, then overturned by a Planning Inspector. The Independent Inspector subsequently included the statement that “there should be no linear extension of Rectory Meadow” and this was accepted by BDC when the Bradwell with Pattiswick Neighbourhood Plan was adopted in 2019. The owner has tried to sell some of the land but has failed. The granted outline planning permissions have now expired.  There has been no commercial workshop on this site for several years and prior to when Rectory Meadow was built. When it was a workshop, it had been used to repair agricultural equipment and the site is contaminated.  Rectory Meadow is a privately owned road, maintained by the residents of Rectory Meadow. Access to the site from Rectory Meadow is shown on the map and is via a PROW, therefore pedestrian access only. Access is owned by nos. 4 and 5 Rectory Meadow who have made it clear they will not permit vehicular access to the site across their front gardens. Driving a motor vehicle on a public footpath is illegal.  BDC has confirmed that the link between Rectory Meadow and the site, which was granted planning permission, requires, but does not have, planning permission for the road access and that the land available is too narrow to meet Essex County Council guidance on width and visibility.  To be included in the Local Plan, a site must be shown to be deliverable. Over the past ten years the owner has demonstrated clearly that this site is not deliverable. | | | | **BRAD2049** | Mixed Use | Pattiswick Hall Farms, Holfield Grange, Coggeshall | | **Comments**  The land promoter, Lightwood, submitted Monks Wood late into the previous local plan, in 2016, as an 'objection site'. It was rejected twice by BDC during plan-making, based on impact on landscape and local villages, lack of infrastructure, A120 capacity and lack of viability given the enormous amount of infrastructure required from scratch at a remote site. These concerns remain unchanged.  Lightwood's claims must be treated with caution and very robust due diligence is required.  The Promoter made a series of claims last time which were proved to be unsubstantiated, for example that it has a partnership with Bosch as an anchor tenant in a new 'silicon valley' at Pattiswick and that Bosch would sponsor a new sixth form.  The promoter's call-for-sites submission cannot be taken at face value. Significant due diligence is required.  The NPPF requires a site to be deliverable to form part of a sound plan.  There is no way of determining soundness at a site of the type, location, and size of Monks Wood without a full viability appraisal.  The Braintree District Better Together representative recently spoke with a viability expert who confirmed that this approach is required.  The site's viability must be tested, and appraisals undertaken before any decisions are made. | | | | CRESS2108 | Mixed Use | Gateway Park Urban Extension | | **Comments**  The Southern part of this site is required for A120 new road (Option D).  The Northen part of this proposal includes historic woodland.  Templedown Wood, comprises agricultural land of excellent quality which is home to a wide variety of wildlife including badgers, foxes, muntjac and roe deer, red-listed yellowhammer, and skylarks as well as a wide variety of birds including greater spotted woodpeckers, green woodpeckers.  The current biodiversity of the area would be compromised, with threats to nature and habitat as well as the historical site of interest. | | | | SILV2271 | Residential | Land East of Silver End | | **Comments**  The site identified is in the countryside and appears to be good quality agricultural land. There has already been a large amount of development in the area with a new housing estate (Garden Village) having been built on excellent quality agricultural land. There is a Solar Farm currently being constructed, with proposals for another one in the area.  Since this development has been built, it is noted that there have been two fatal accidents. The Strategic Housing Land Availability Assessment must be revisited, and a viability test undertaken to consider pressure on local services and infrastructure. | | | | SILV2279 | Housing & Mixed | Land East of Silver End | | **Comments**  As with site SILV2271, the site identified is in the countryside and appears to be good quality agricultural land. There has already been a large amount of development in the area with a new housing estate (Garden Village) having been built on excellent quality agricultural land. There is a Solar Farm currently being constructed, with proposals for another one in the area.  It is noted that in the proposals for the new A120 there are no road junctions between the A12 and Galleys Corner (route D has one private road junction). In terms of infrastructure, the new dual carriageway A120 is now 20 years overdue (with the existing A120 between Marks Farm and Marks Tey being seriously over-loaded to the point that it cannot take any more traffic). Regular accidents and general congestion of the roads are of concern, impacting both the infrastructure and the environment*. (****N.B. Following the PC meeting, there were two very serious accidents along the A120 – firstly on 06.08.2024 a Fiat 500 ended up in the middle of the road in a very damaged state, at the Kings Lane junction (A120). On 07/08/2024, There was a serious, potentially fatal, accident at 07.15 am and the road was closed for three hours – air ambulance and private ambulance attended alongside the usual emergency vehicles. A120 and A131 gridlocked.)***  The Strategic Housing Land Availability Assessment must be revisited, and a viability test undertaken to consider pressure on local services and infrastructure. | | | | STIS2289 | Housing | Land North of Coggeshall Road, Stisted | | **Comments**  This site comprises good quality Grade 2 agricultural land. It is in the countryside and has neither utilities nor amenities nor facilities.  The site should be rejected based on impact on landscape and local villages, lack of infrastructure, A120 capacity and lack of viability given the enormous amount of infrastructure required from scratch at a remote site. | | |   Members unanimously resolved to give the Chair Delegated Authority to respond for all sites other than the two sites at Silver End which will be responded to by the Clerk.  **Proposed: Cllr. Dunn; Seconded Cllr. Lockey; All in favour, RESOLVED.**  **ACTION – CHAIR & CLERK** |
| **24-5/114** | **MINUTES OF THE MEETING HELD ON 8 JULY 2024 – RESOLUTION**  Councillors received and considered the minutes of the Parish Council meeting held on 8 July 2024 and resolved to approve them as a true record.  The minutes were signed by the Chair.  **Proposed: Cllr. Dunn; Seconded: Cllr. Kinder; All in favour, RESOLVED.** |
| **24-5/115** | **FINANCIAL REPORTS**   1. Councillors received and approved the financial statements to 30 June 2024. There were no queries.   As agreed at the July meeting (**Min. ref 24-5/095 i**) the Chair and Vice Chair had approved an internal transfer from the current account to the deposit account of £2,000, which had been made on 11 July 2024.  **Proposed: Cllr. Deighton; Seconded Cllr. Kinder; All in favour, RESOLVED.**   1. Councillors had approved some July payments at the last meeting (**Min. ref 24-5/095 ii**) including the Clerk’s July salary and an expected invoice from EH Countryside. The Clerk reported that an invoice for £576.32 for the 6th grass cutting at the Church and Playing Field and tree cutting (which had been agreed at the annual contractor review meeting), had been approved and paid. However, a subsequent invoice for £496.32 for a 7th grass cutting at the Church and Playing Field had been received on 19 July 2024, which sought approval, as did an invoice from Birketts solicitors for £1248.00 in relation to legal advice for the Solar Farm, and an invoice for £29.10 to reimburse the Clerk for printer cartridges.  **Proposed: Cllr. Evans; Seconded Cllr. Kinder; All in favour, RESOLVED.** |
| **24-5/116** | **PLANNING MATTERS**  **For Information**   1. **ESS/12/20/BTE/NMA4 – Bradwell Quarry, Church Road, Bradwell, Essex CM77 8EP**   Non-material amendment to condition 56 (General Permitted Development) to allow for the temporary operation of a mobile stone crushing plant over a 24-week period, starting August 2024. Comments by 9 August 2024  The Parish Council had no comments however, a member of the public queried the operating hours of the quarry noting that work appeared to be going on beyond 11pm and mid-night. The Clerk would raise this with Claire Tomalin to have operating times confirmed.  A question was also raised as to why the Quarry was pumping water from its site through to Bluebell Wood and had they received permission for this. Cllr. Dunn recalled this had been discussed at an IWMF liaison meeting he had attended, he believed Essex County Council had approved this but asked the Clerk to check the status with Claire Tomalin  **ACTION - CLERK**  **New Applications/Variances:**   1. **ESS/39/23/BTE/15/01 – Land at Rivenhall Airfield, Coggeshall Road, Braintree, CO5 9DF** Details pursuant to condition 15 (Details of building and structures) of ESS/39/23/BTE. ESS/39/23/BTE is an amended planning permission for the Integrated Waste Management Facility.   Comments by 14 August 2024  There were no comments and the PC confirmed that there was no requirement for the stack/chimney to have an indictor light |
| **Cllr. Lockey left the meeting at 8.15pm** | |
| **24-5/118** | **LINKS SOLAR FARM**  The Clerk had received a response to her latest letter dated July 2024, regarding the Community Benefit Deed, which had been circulated to Councillors, and which answered the remaining points on the Deed as suggested by Birketts. The only outstanding point which had not been answered by Low Carbon was whether they would contribute towards legal costs incurred by the Parish Council (£1,248.00). This remained unanswered despite asking them several times.  Councillors were content with the explanations provided for the Deed, and resolution was sought for the Chair, Vice-Chair and Clerk to electronically sign and witness the Deed.  **Proposed: Cllr. Evans; Seconded Cllr. Kinder; All in favour, RESOLVED.** |
| **24-5/119** | **FLY-TIPPING IN BRADWELL VILLAGE**  The Clerk had met with the Street Scene Officers on 2 August and had had a productive meeting not only regarding the location of the pole for the CCTV camera, but the recycling area in general. Members had received the Clerk’s report and commented on each action in turn:   1. The Clerk was liaising with Rivenhall Parish Council who had recently installed CCTV in their parish and were aware of the pole specifications. They had instructed Essex County Council to install the pole to meet the requirements. The Clerk had e-mailed Rivenhall Parish Council requesting this information but to date had received no reply. She would follow up on this. Councillors agreed that Essex County Council should provide and install the pole to ensure that the specifications were met to ensure the camera could be accommodated and maintained safely.  **Proposed: Cllr. Dunn; Seconded Cllr. Evans; All in favour, RESOLVED.**   **ACTION - CLERK**   1. The grass/foliage/brambles needed to be cut back at the area as these were now quite high and which would assist with assessing the ground where the pole is to be placed and would also improve accessibility for the team to get to the cameras. There was also a need to remove the nettles and brambles on the left-hand side of the area which would improve accessibility for the refuse collectors when emptying the litter bin. The Clerk would liaise with Cllr. Lockey to request the Grass Cutting Contractor to cut back this area in preparation for the pole to be installed and to improve the general appearance of the area.  **Proposed: Cllr. Dunn; Seconded Cllr. Deighton; All in favour, RESOLVED.**   **ACTION – CLERK**   1. The Team had advised that Rivenhall PC had removed their big collection bins. In their experience, these often attracts fly-tippers or individuals who think its acceptable to dump/leave items around the bins which then builds up.  They suggested removing the big blue Aylesford Newsprint bin, which not only is in poor condition with very sharp protruding pieces of metal that could cause significant injury, but which also looked unsightly. Given that BDC provide a newspaper/cardboard recycling facility, collecting from outside residents houses it was questionable whether this was still required. Councillors agreed to remove this from the site. The Clerk would contact Aylesford Newsprint to arrange its removal. **Proposed: Cllr. Dunn; Seconded Cllr. Turner; All in favour, RESOLVED.**   **ACTION – CLERK**   1. Similarly, this also applied to the big yellow clothing bank container. The Team’s advice was to also to consider how useful this was as, again, in their experience, this also attracts fly-tipping, especially when the bin has not been emptied and bags of items are left outside of the bin.  They advised that, even where someone with good intention leaves clothes outside of the bin, this is also considered to be fly-tipping and individuals could potentially be fined for this. Councillors considered removing this, but concluded that as it was useful, it should remain.   **Proposed: Cllr. Evans; Seconded Cllr. Kinder; All in favour, RESOLVED.**   1. Finally, there was a bag of salt placed at the area which had attracted some rubbish bags dumped on top of the salt as well as other general rubbish items, and the team thought it would be better for this to be contained in a salt bin as currently looks like rubbish, which again could attract fly-tippers.  The PC might want to consider using funding for another bin from Locality/councillor grants or removing the salt completely. Councillors recalled that this was extra salt which had been delivered the previous year, leftover from when the new salt bins had been filled. They agreed to remove the salt and store it off-site and would consider purchasing a new lidded salt bin when they next reviewed the grants and funding available. A member of the public noted that it was extremely helpful to have a salt bin at that location as the road got particularly icy and dangerous during the winter months. The Clerk would liaise with Councillor Lockey with regards to removing the salt and would add the purchase of a new salt bin to the September agenda.   **Proposed: Cllr. Dunn; Seconded Cllr. Deighton; All in favour, RESOLVED.**  **ACTION - CLERK**  The Street Scene Team would start to prepare to install the signage for the CCTV and await instruction from the Clerk as to when the pole would be installed, at which point they would install the camera. This would be checked and maintained weekly by the Team to ensure that any incidences could be dealt with.  Once installed the Clerk would advise residents via the Parish Newsletter, the Parish Council website and Facebook. |
| **24-5/120** | **INFORMATION EXCHANGE & AGENDA ITEMS FOR THE NEXT MEETING**   * Parish Newsletter * Maintenance of bus shelters owned by the Parish Council * Update on Grants / Funds – potential funding for a new bench and salt bins * VE Day 8 May 2025 – save the date and to note for 25/26 budget discussions. * 2025 Parish Council meeting dates |
| **24-5/121** | **NEXT PARISH COUNCIL MEETING**   1. The next monthly **Parish Council** meeting will be held on **Monday 9 September 2024**, at **7.00pm** in the Village Hall, Bradwell. 2. Items for inclusion in the September agenda to be sent to the Clerk no later than **12 noon on Friday 30 August 2024.**   **The meeting closed at 8.58pm.** |