

MINUTES OF A VIRTUAL MEETING OF LANGFORD & ULTING PARISH COUNCIL HELD ON TUESDAY 16th JUNE 2020.

Present: Councillors Anfilogoff, Allen, Ashby, Magness and Palmer
In the Chair: Councillor Anfilogoff
Clerk: Jenny Clemo
Also present: 5 members of the public and District Councillor Jarvis for the first 15 minutes of the meeting.

Councillors agreed that item 20/93, District Councillor's Report would be taken first as Cllr. Jarvis had another meeting to attend.

20/93. District Councillor's report

Cllr. Jarvis reported the following:

- Section 151 Officer – new full-time appointment made and draft accounts to 31st March 2020 published. External audit has commenced
- Budget – District Councillors have asked for an urgent reassessment due to the loss of income and increased costs
- High Street opening – details on MDC website
- Assistance Grants - businesses that have suffered financial loss as a consequence of Covid-19 can apply to MDC for funds
- MDC Committees – Some committees have re-engaged remotely.
- Local Highways Panel – Request for new projects for 2020/21
- Locality Fund for Parishes – See item20/97i)

And then left the meeting.

20/90. Apologies for absence

None received.

20/91. Minutes of the previous meeting

The minutes of 19th May 2020 having been previously circulated were taken as read and agreed. Minutes will be signed at the next face to face meeting.

20/92. Declarations of Interest

Cllr. Magness declared a disclosable pecuniary interest in item 20/96a) HOUSE/MAL/20/00462 and left the meeting during this item.

20/94. Public Question Time

- A resident expressed concerned about the large number of HGV lorries accessing business units in Witham Road. The junction is not suitable for vehicles of this size and the B1018 and B1019 are not wide enough for vehicles to pass without mounting the verge or footway.

20/95. Matters for information from previous meetings

20/83c) County Broadband – The clerk had noticed that the company offer a free 300mbps broadband service to village halls.

20/96. Planning Matters

a) Planning applications received:

HOUSE/MAL/20/00408 - Single storey rear extension and patio. 7, Ulting Lane, Langford. Amended description. The Parish Council agreed that no further comment would be made. Cllr. Magness left the meeting at this point.

HOUSE/MAL/20/00462 - Proposed cart lodge outbuilding for personal trailers Orchard Cottage, Hatfield Road, Langford. The Parish Council agreed to support this application. Cllr. Magness was re-admitted to the meeting.

OUT/MAL/20/00427 - Outline planning application for the erection of B1/B2 Business Park extension with associated new and replacement surface car parking together with 60 residential units with associated open space and landscape areas. Oval Park, Hatfield Road, Langford. The Parish Council agreed to recommend refusal: See Appendix A

TCA/MAL/20/00535 - T1 & T2 Conifers - trim back overhanging branches by 2m. T3 Conifer - fell – 2, Church Cottages, Witham Road, Langford. The Parish Council agreed to support this application.

b) Planning decisions received:

None

c) Planning Appeal received:

APP/X1545/W/20/3252207 - Partial conversion and rebuilding of existing disused farm buildings for the creation of 4 no. dwelling houses and 1 no. commercial unit. Outbuildings, Stock Hall Farm, Hatfield Road, Ulting. The Parish Council agreed the following further comments should be submitted to the Planning Inspectorate: See Appendix B

20/97. Correspondence

a) Braintree Local District Plan – It was noted that the Planning Inspector who examined the Local Plan said that it could be made sound and the proposed Garden Community on the Tendring/Colchester Border could proceed, however the Garden Communities at West of Braintree and Colchester Braintree Borders should be removed as part of the main modifications. For further information please see: <https://www.braintree.gov.uk/downloads/file/9294/ied022> - inspectors post-hearing letter to neas - 15th may 2020

b) RCCE AGM – It was noted that the AGM due to be held on 8th July had been postponed.

c) Covid-19 Safe High Street operation – It was noted that Maldon District Council had been looking at Government guidance on the safe operation of High Streets in order to help businesses re-open. A whole range of options were being explored in conjunction with Highways and other stakeholders.

d) The Essex County Council (Footpath 7, Langford/Footpath 25, Maldon) (Temporary Prohibition of Use) Order 2020 – It was noted that the Order came into force for up to six months from 4th June 2020 until the footbridge is repaired.

e) Market Hill/Fullbridge resurfacing and bridge waterproofing – Notice of road closures from 8th June for 2 weeks while work is carried out was noted.

f) 20T weight limit Witham Road – Correspondence regarding large number of lorries using Witham Road to access barns at Langford Hall had been received. The Parish Council agreed that nearby residents should keep a watching brief and contact the clerk if matters had not improved by the end of June. It was noted that this amount of use is detrimental to the road surface.

g) Wall at Mill House Hotel – It was noted that the owner had forwarded documents to the clerk who had advised that he should contact the Conservation Officer.

h) United in Kind and Social Isolation – It was noted that projects to increase social contact for vulnerable residents whilst maintaining social distancing and adhering to government guidance were being explored.

i) ECC Locality Fund – Each District has been allocated £10,000 which can fund:

1. Making a grant to a registered charity, parish council, community or voluntary body.
2. Buying goods or services.
3. Commissioning services from ECC.

The Parish Council agreed that a request for funds to enable the MDC Community Engagement Team to patrol the Ulting side of Hoe Mill, where parking on the double yellow lines is a problem, should be submitted.

20/98. Finance

a) The following payments were authorised:-

	Net	VAT	Gross	
Mr N Spooner	£75.00		£75.00	Internal audit fee
Mrs J Clemo	£731.25		£731.25	Clerk's salary (April – June)
Lavenham Press	£315.00		£315.00	Newsletter (awaiting invoice)

b) The following direct debit payments were confirmed:-

	Net	VAT	Gross	
A&J Lighting Solutions Ltd	£17.12	£3.42	£20.54	Streetlight maintenance (June 2020)
SSE	£4.32	£0.21	£4.53	Streetlight electricity (May 2020)
SSE	£32.97	£1.64	£34.61	Streetlight electricity (May 2020)

- c) Bank Reconciliation - Cllr Palmer confirmed that she had undertaken internal control to verify bank reconciliations produced by the clerk for the months of April and May 2020.
- d) Grass cutting – It was noted that the clerk had received a third incorrect invoice from Maldon District Council for cutting the grass at the Village Hall. This should be addressed to the Village Hall Management Committee. It was also noted that the invoice for cutting grass at Ulting closed churchyard last year is still outstanding.
- e) Internal Audit – It was noted that the internal audit had been carried out 2nd June 2020.

20/99. Annual Governance and Accountability Return 2020

- a) The Annual Governance Statement (Section 1) was approved by the Parish Council and completed by the clerk after the meeting. The Parish Council authorised the Chairman and clerk to sign.
- b) The Annual Accounting Statements, (Section 2) was approved by the Parish Council and signed by the Chairman.
- c) It was agreed that the accounts for year ending 31st March 2019 should be approved and these were signed by Cllr Anfilogoff and the clerk. Income and expenditure were both under £25000 and it was agreed that the Certificate of Exemption – AGAR Part 2 should be signed by the Chairman and clerk.
- d) To note Public Rights dates have been amended to 22nd June to 31st July 2020 to comply with the regulations.

20/100. Community Orchard Information Board

The Parish Council thanked the resident for designing the information board and agreed that a small gift should be purchased.

20/101. Hoe Mill bridge

It was noted that subsequent to the involvement of Cllr. Durham, Cllr. Palmer, Essex County Council Highways and South Essex Parking Partnership, double yellow lines to control dangerous parking either side of the bridge had been installed. It was also noted that this has not solved the parking problem as complaints had been received from residents in Ulting Lane and Crouchmans Farm Road. The Parish Council agreed to review the situation at the July meeting.

20/102. Ulting Closed Churchyard

Complaints about misuse of the churchyard had been received from several residents and churchgoers. It was noted that the Parochial Church Council is awaiting direction from the Archdeacon regarding locking the gate. Cars parking on both sides of Church Road which is a single-track road have also caused issues for residents and the farmer accessing his fields.

20/103. Tree at Ulting Lane Green

A volunteer had asked if the Parish Council could get permission to fell a Norway Maple adjacent to Ulting Lane to enable disposal of grass cuttings. The Parish Council agreed that the clerk would submit an application to carry out works on a tree in the Conservation Area.

20/104. Items from the councillors (NEXT AGENDA ITEMS ONLY)

20/105. Date of next meeting

The next meeting will be held on Tuesday 21st July 2020.

The meeting closed at 9.10pm.

Signed:

(Chairman)

Date

Appendix A

OUT/MAL/20/00427 - Outline planning application for the erection of B1/B2 Business Park extension with associated new and replacement surface car parking together with 60 residential units with associated open space and landscape areas. Oval Park, Hatfield Road, Langford.

1. The proposed development is outside the settlement boundary for Langford. Policy S8 Maldon District Local Development Plan (LDP), states that *“the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty.”* It goes on further to say that *“planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided it is for specific purposes.”*

2. The proposed development is totally out of proportion and would increase the size of the village of Langford by 84%. There is no evidence that there is a need for 60 new homes in Langford. In 2016, an appeal, (APP/X1545/W/15/3053104), for 45 houses on this site was dismissed. The Housing Needs Survey carried out by the RCCE for the Parish Council in 2019 recommended two 1 bed units for affordable rent. Maldon District Council’s Five-Year Housing Land Supply Statement dated November 2019 demonstrated that the Council has 5.27 years’ worth of housing land supply against its identified housing target. In addition, the NPPF, paragraphs 77-79 state that:

77. In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.

78. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

79. Planning policies and decisions should avoid the development of isolated homes in the countryside.

3. The proposal is for a housing estate remote from the loose knit, linear, rural village of Langford. It would be a totally separate, gated enclave unable to integrate within the existing community. Currently, the largest accumulation of homes is in the village centre (Langford Conservation Area), and this accounts for eighteen properties, followed by the sixteen properties at Ulting Lane; the rest of the parish is scattered over a wide area. The 60 units proposed do not fit in with the looser grain of the existing village. The Pre-Submission Neighbourhood Plan, Policy 10 allows for small-scale infill residential development within the settlement boundary of Langford that does not impact adversely on the character and appearance of the surrounding area or living conditions of future occupiers and neighbouring occupiers. Proposals would also be expected to have a direct highway frontage.

4. Langford has no facilities or services other than a small part-time community shop in the church which is reliant on volunteers and a part time nursery in the Village Hall. This means that access to shops, health facilities, education, employment and leisure activities will all necessitate journeys by car. Regarding public transport, there is only an infrequent bus service between Maldon and Chelmsford and it can take up to 52 minutes to travel to Chelmsford from Langford Church. The Examiner reviewing the Maldon District Replacement Local Plan 2005 stated that: *“The site is in a wholly unsustainable location away from Maldon and served by relatively narrow roads”*. The Planning Inspector conducting the 2016 inquiry stated that: *“Sustainable development is about change for the better and paragraph 9 of the Framework makes it clear that pursuing sustainable development involves seeking improvements in people’s quality of life. I have found that the proposal would not be sustainable development. There is some tension in the social role of providing affordable housing set against the location of the site and the lack of local services meaning that residents would be obliged to travel elsewhere for the vast majority of daily needs. The proposal would not comply with saved Policy T1 of the MDRLP and the appeal site is in a detached and isolated location. Langford has been placed near the bottom of the emerging LDP hierarchy in recognition of its limited facilities. The L&UNP envisages growth but that which is limited to a local need and the proposal would be contrary to the emerging L&UNP when considered as a whole.”* The Transport Statement does not show the Census 2011 data for car ownership in Langford & Ulting. This can be found in the Pre-Submission Langford & Ulting Neighbourhood Plan, page 14. It should be noted that only two households in the Parish did not own a car (2%), 24% of households had one car and 74% of households had two or more cars. This emphasises the point that Langford and Ulting are not sustainable. As stated previously, in the Parish Council letter of objection

for planning application FUL/MAL/14/00788, none of the key destinations (Heybridge Primary/Plume School, shops, Hatfield Peverel railway station), were within 2km walking distance of the site. This is contrary to Policy T2 of the LDP.

5. The Parish Council is concerned that the amount of traffic generated by the proposal and accessing Hatfield Road, which has a 60mph speed limit at this point, will be dangerous. Residents have seen a large increase in traffic on the B1019 in recent years and can often wait 5 to 10 minutes to pull out of their properties at peak times. The large numbers of employee, residential and commercial vehicles simultaneously leaving and entering the site at peak times is a cause for concern. Several years ago, the Parish Council was informed that the B1019 had reached capacity at peak times. In addition, congestion and conflict would be expected at the junction from the residential units when crossing the access drive to exit the site.

6. The Transport Statement at paragraph 4.16 states that: *“an uncontrolled pedestrian crossing will also be provided to ensure safe access to the existing bus stop on the northern side of Langford Road, which will benefit from dropped kerbs and tactile paving.”* The B1019 is a Priority A route, the speed limit is 60mph at this point and it would be close to the junction with Ulting Lane. Uncontrolled crossings are only appropriate where there are moderate to low vehicle flows which is not the case here.

7. The proposed development is situated in the Chelmer and Blackwater Conservation Area and is adjacent to Beavis Hall, a Grade II listed building. As defined in the LDP, Design and Climate Change, paragraph 3.28: *“A conservation area is an area of special architectural interest, with a character or appearance which is considered desirable to preserve or enhance.”* The original S106 agreement specified that the existing parkland character at Oval Park was to be maintained in accordance with a scheme imposed by the planning permission granted in 1993. The proposed development requires the removal of many trees and part of the screening between the site and Beavis Hall and along its boundary with Hatfield Road. The gateway building will obliterate any traces that remain of the formal gardens to the west of the access drive. Tree planting along the north west boundary has grown minimally and there are views into the site as you drive down the B1019 from Ernest Doe & Sons Ltd towards Langford and Heybridge, the Chelmer and Blackwater ridges across the valley and Ulting Lane. The bulk of the proposed buildings, glare from cars in the large expanse of car parking and light pollution from street lighting, security lights and from within the houses will be detrimental to the Conservation Area and intrude into the rural countryside.

8. Residents are concerned about flooding from the run-off from the built development, roads and surface car parking for 368 vehicles proposed on the site. Hatfield Road and Ulting Lane, at its junction with Hatfield Road both flood regularly when it rains. See Policy D5, LDP which states that all development must not increase flood risk on site and elsewhere.

9. The proposed development will result in the loss of habitat for a large number of species that currently live in or pass through or over the site. It is a wildlife haven that will inevitably be lost and not replaced, contrary to Policy S1 9) and 10) and Policy N2, LDP which states that: *“all development should seek to deliver net biodiversity and geodiversity gain where possible”*. The policy continues: *“if any protected species or significant local wildlife are found on site, or their habitat may be affected by the proposed development, the proposal must make provision to mitigate any negative biodiversity impacts it may create”* and that as part of the mitigation measures, the Council would have to be satisfied that: *“1) There is no loss of habitats in terms of quantity, quality and connectivity to the local ecological network: and 2) Any new or replacement habitat is delivered as close as possible to the development site in order to maintain a viable population locally and to avoid incremental and accumulative impact on local ecology”*. The site is surrounded by agricultural fields which do not provide suitable habitats for the wildlife present. In addition, the introduction of internal and external lighting on the site will affect the existing dark landscape.

10. The contemporary building design proposed for the residential units does not respect or enhance the character and local context or have regard to the Maldon District Design Guide. This SPD states that: *“All design proposals should be informed by a thorough contextual analysis of the built, natural and historic environment and respond to the scale, height, density, urban grain, settlement pattern and layout, massing, type, materials, vernacular styles of construction and landscape details of the surrounding area”*. The contemporary style is not compatible with this rural location and is out of character and is contrary to Policy 4, L&UNP which states that: *“proposals must plan positively for the achievement of high quality and inclusive design, reinforcing the locally distinctive and aesthetic qualities of the buildings and landscape in the Parish.”*

11. The proposed contemporary style gateway building, fronting Hatfield Road would be an alien feature, unsympathetic to its rural situation and would intrude into the rural landscape. The mass and bulk of the building would dwarf the adjacent bungalow, Beavis Lea and Grade II listed buildings, Beavis Hall and Orchard Cottage. Its design does not respect or enhance the character and local context and is contrary to Policy S1 12), LDP which states that: *“the rural character of the District should be maintained without compromising the identity of its individual settlements”*.

12. There is an abundance of vacant commercial buildings and sites with planning permission for commercial buildings in Maldon and surrounding Districts. Oval Park is not included on the Maldon District Brownfield Land Register which identifies suitable brownfield sites that can accommodate five dwellings or more and be deliverable. It should be noted that commercial activities can conflict with residential uses where noise, air pollution and commercial operations would impact on residential activity and vice versa. This is one of the reasons CML Microsystems originally moved to this greenfield site.

13. Schools and healthcare facilities in the surrounding area are already stretched; the building of further residential units can only exacerbate this situation.

Appendix B

APP/X1545/W/20/3252207 - Partial conversion and rebuilding of existing disused farm buildings for the creation of 4 no. dwelling houses and 1 no. commercial unit. Outbuildings Stock Hall Farm, Hatfield Road, Ulting.

- The proposed new development is outside any settlement boundary and in the rural countryside contrary to Maldon District LDP policies S2 (Strategic growth) and S8 (Settlement boundaries and the Countryside). In addition, the Council has a confirmed five-year housing land supply.
- A Housing Needs Survey carried out for the Parish Council by the RCCE in June 2019 resulted in a need for two 1-bed units for affordable rent.
- The residential and commercial properties proposed are situated in an unsustainable location which will necessitate private car use for all journeys which is contrary to LDP policy S1, 13) (Sustainable development).
- The development would cause harm to the character and beauty of the countryside contrary to LDP policy D1 (Design quality and Built environment).
- The scheme is not in keeping with the rural area and would result in an urbanising visual intrusion into the open landscape, as would the domestication of the site with the paraphernalia associated with residential use. Some of the proposed dwellings do not have sufficient private amenity space. The introduction of internal and external lighting would affect the existing dark landscape.
- The proposed development is adjacent to four listed buildings and would not preserve or enhance their character, appearance, or setting, including their landscape value which is contrary to LDP policy D3 (Conservation and Heritage assets).
- The access road is single track with no passing places and drainage ditches either side. Access to Stock Hall, the proposed commercial unit, the two agricultural properties (permission granted at appeal 2017), the four additional proposed properties and adjacent farmland is insufficient.
- The Parish Council is also concerned about safety issues caused by the additional traffic that will be generated as it joins and leaves Hatfield Road which has a speed limit of 60mph. The access track is almost opposite the entrance to Oval Park which is busy during peak rush hour times. In addition, a planning application for a further 8 business and 60 residential units at Oval Park was submitted to Maldon District Council at the end of April 2020. This will substantially increase the amount of traffic on this dangerous stretch of road which has already seen more accidents over the last year.
- Farming is important to the parish. Access to the adjoining fields through the centre of the proposed development will still be required as this development is located within working farmland and this could cause conflict, noise and disturbance to the occupants. Whoever farms the land in the future will require further agricultural buildings for storage of farm machinery and crops. This has already occurred in Langford where redundant farm buildings were converted for business/domestic use and now two further agricultural barns, one already in use and the other still to be built, have been permitted.
- The proposed development is unlikely to be able to connect to the 150mm private foul sewer at Oval Park. This low-lying development, close to ditches and streams running into the nearby River Blackwater, will require a private drainage system.