

MINUTES OF A VIRTUAL MEETING OF LANGFORD & ULTING PARISH COUNCIL HELD ON TUESDAY 16th MARCH 2021.

Present: Councillors Anfilogoff, Allen, Ashby, Palmer and Magness  
In the Chair: Councillor Anfilogoff  
Clerk: Jenny Clemo  
Also present: Councillor Durham, Councillor Jarvis, Trevor Hollinger and Clare Innes representing Aquila and 8 members of the public

**21/38. Apologies for absence**

No apologies received.

**21/39. Minutes of the previous meeting**

The minutes of 16th February 2021 having been previously circulated were taken as read and agreed. Minutes will be signed at the next face to face meeting.

**21/40. Declarations of Interest**

Cllr. Magness declared a personal interest in Item 21/45a) - 21/00153/COUPA.

**21/41. Presentation Aquila**

The Chairman welcomed representatives from Aquila. Mr. Hollinger confirmed that the current planning application is a resubmission of the previous planning application OUT/MAL/20/00427. He noted that the Neighbourhood Plan acknowledged Oval Park as a B1/B2 employment allocation in the Local Development Plan and made reference to Policy 7, Supporting and Encouraging Small Business. The intention of the current application is for the sixty houses to pump prime the building of gateway offices at the entrance to the site and to provide infrastructure for the remainder of the proposed employment units. Concerns regarding location of affordable housing, access to A12, future of site if insufficient interest in serviced sites, and buffer zone behind Ulting Lane houses were raised by councillors. It was noted that S106 agreements to protect the employment site, buffer zones and residential area would be agreed in perpetuity. The Chairman thanked Trevor and Clare for attending the meeting and they then left.

**21/42. County and District Councillor's reports**

Cllr. Durham reported the following:

- Local Highways Panel – £400K allocated to Maldon District for the next three years.
- Virtual meetings – Allowed by current legislation to 7th May.
- Devolution White Paper – Due to come back in October 2021.

Cllr Jarvis reported the following:

- Budget 2021/22 had been agreed. Council Tax to increase by £5pa for Band D properties.
- Local Development Plan – Brought forward a year, expected completion 2023.
- Leisure Centres – Funding options to be considered at Full Council meeting 18th March.

The Chairman thanked Cllrs. Durham and Jarvis for their reports.

**21/43. Public Question Time** (limited to 15 minutes if required).

Residents raised the following points:

- Blocked ditches causing flooding onto B1018. This has been reported to Highways on numerous occasions. It was noted that in most cases it is the landowner's responsibility to keep ditches cleared.
- Hoe Mill double yellow lines – Cllr. Durham had followed up from the last meeting. Maldon District Council is responsible and had been notified but the lines are still covered in mud in places. Cllr. Durham to follow up.
- Highways matters – Broken drain on Hatfield Road near junction with Ulting Lane; large pothole opposite Fords Farm House (reported previously as priority pothole); damaged drain cover in footway opposite Langford Lee; damaged road surface near Elm Cottages. Clerk to report to Highways.

#### 21/44. **Matters for information from previous meetings**

21/29b) Flooding from ditch onto B1018 – Clerk had forwarded emails and Highways references to Cllr. Durham.

21/29e) Flooding at junction of Ulting Lane and Hatfield Road – Clerk had reported to Highways.

21/29m) Speed Indicator Device opposite Old Post Office, Langford – The clerk suggested that a request to replace the SID opposite the Old Post Office should be submitted.

#### 21/45. **Planning Matters**

a) Planning applications received:

Cllr. Magness took no part in the discussion relating to the first application.

**21/00153/COUPA** - Application for notification for prior approval for a proposed change of use of agricultural building to a dwelling house (Class C3), and for associated operational development. The Stables, Witham Road, Langford. Cllrs. agreed that no comment should be made subsequent to the Planning Inspector's appeal decision but would request that the following conditions should be imposed a) Ditches surrounding the site are cleared and subsequently maintained because dirty water overflows onto the highway. This has caused dangerous road conditions where it has iced over this winter. b) Removal of manure heaps to avoid health hazard to future occupants of The Stable. It was also noted that a copy of the relevant notification under Regulation 76, The Conservation of Habitats and Species Regulations 2017 did not appear on the Maldon District Council website.

**21/00143/OUT** - Outline planning application (with all matters of detail reserved for future determination except for means of access to the site) for the erection of 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

**21/00095/TCA** - T1 & T2 Eucalyptus - 5 metre crown reduction. T3 - Eucalyptus - Removal of broken branch. Old Post Office, Maldon Road, Langford. The Parish Council agreed that no comment was required.

b) Planning application withdrawn:

**20/01201/FUL** - Construction of a mixed use industrial unit and provision of new parking and loading bays. Land 100M North North West Of Langford Hall Barn, Witham Road, Langford.

c) Planning decisions received:

**20/01093/FUL** - The erection of temporary 4 foot high lightweight stock wire fencing along the river bank to prevent access to and from the river. Church of All Saints, Ulting was approved for 5 years from the date of this permission or upon the construction of a permanent solution, whichever is the earlier.

**20/01262/FUL** - Loft conversion & garage alterations, 11 John Thresh Way, Langford was approved.

**20/01247/FUL** - Construction of 2no. dwelling houses, Longacre, Langford Road, Langford was refused.

**21/00011/TCA** - T1 - Willow tree - Reduce lowest limb by 6m back to previous pruning points. T2 - Picea Abies - Reduce by 3m and shape. T3 Ash tree - Reduce by 3.5m, Mill Cottage, Maldon Road, Langford was allowed to proceed.

**20/01310/HOUSE** - Single storey rear extension, 10 John Thresh Way, Langford was approved.

**21/00021/TCA** - T1 Sycamore - Crown lift to 5 meters & remove Ivy. T2 Horse Chestnut - Crown lift to 5 meters & remove Ivy. T3 Sycamore - Crown lift to 5 meters & remove Ivy. T4 Horse Chestnut – Crown lift to 5 meters & remove Ivy. T5 Sycamore - Crown lift to 5 meters. T6 Horse Chestnut - Crown lift by 2 metres including removal of branches overhanging boundary by 2 metres. T7 - Willow - Fell. 9 John Thresh Way, Langford was allowed to proceed.

Cllr. Jarvis left the meeting at this point.

#### 21/46. **Correspondence**

a) It was noted that Maldon District Council's new Contact Centre telephone system went live 16th February.

b) eForests – Information regarding provision of free trees for community woodlands and similar projects had been received.

- c) Surface water flooding – Information received from Cllr. Durham (circulated by email).
- d) Nub News – Online local newspaper enquiring whether the Parish Council would be willing to send any press and information items for publication had been received.
- e) Information on funding opportunities had been received, including: Emotional Wellbeing; New Opportunities Fund; Contain Outbreak Management Fund; Lockdown Support Fund; Love Essex Fund.
- f) March County Councillor report from Cllr. Durham had been circulated by email.
- g) February Police monthly newsletter for Maldon had been circulated by email.
- h) It was noted that Braintree District Council Local Plan Section 1 had been adopted by the Council at a meeting held 22nd February 2021.

#### 21/47. Finance

a) The following payments were authorised:-

	Net	VAT	Gross	
Maldon District Council	£100.05	£20.01	£120.06	Grasscutting – Ulting closed chyd
Mrs J Clemo	£731.25		£731.25	Clerk's salary (Jan-Mar 2021)
Mrs J Clemo	£139.97	£0.47	£140.44	Clerk's expenses (Nov 20- Mar 21)

b) The following direct debit payments were confirmed:-

	Net	VAT	Gross	
A&J Lighting Solutions Ltd	£17.12	£3.42	£20.54	Streetlight maintenance (Mar 2021)
SSE	£4.20	£0.21	£4.41	Streetlight electricity (Feb 2021)
SSE	£30.41	£1.52	£31.93	Streetlight electricity (Feb 2021)

- c) Bank Reconciliations – Deferred due to current lockdown.
- d) Receipt of £119.90 from ECC Locality Fund was noted. It was also noted that this does not reimburse the American Federal Tax which is not reclaimable. Cllr. Durham to investigate.
- e) Streetlight electricity contract – It was noted that the contract had been accepted by SSE for 2 years to 31st March 2023.
- f) VAT Reclaim – It was noted that the clerk had submitted VAT return to 28th February 2021.

#### 21/48. Neighbourhood Plan

It was noted that the Regulation 16 consultation had ended 12th March 2021.

#### 21/49. County Broadband

Email update received. Investigation of ditch opposite The Old School, Ulting is outstanding. Other queries resolved.

#### 21/50. Traffic through Langford

A resident had written to the Police and Crime Commissioner, Priti Patel MP and Cllr. Durham as he is concerned about large vehicles negotiating the narrow sections of the B1019 through the village, particularly near the junction with John Thresh Way, and causing a serious accident. Cllr. Magness also raised concerns about the speed of traffic entering Langford from the west. The Parish Council agreed to put in a request to the Local Highways Panel for a reduction in the speed limit.

#### 21/51. Neighbourhood Watch

Several residents had shown an interest in helping out. Clerk to contact volunteer and ask if they would be interested in setting up a group.

#### 21/52. Reports from Councillors

- a) Chelmer Valley Landscape Group meeting - Cllr. Magness reported that the group is struggling to get anywhere. Now planning to launch in March 2022 and workshops also deferred. Cllr. Palmer commented on the issues being caused by the influx of visitors to the river.
- b) Learning Disability workshop - Cllr. Magness had attended the workshop which had emphasised that Parish Councils should make sure that those with learning disabilities are included.

### 21/53. Internal Controls Review

The council's internal control statement including approval of expenditure, authorisation of payments and how they are made was reviewed and approved.

### 21/54. Financial Regulations

The Parish Council reviewed the Financial Regulations (based on the NALC 2016 model), adopted at a meeting held 19th March 2019 and agreed that no revisions were necessary.

### 21/55. Items from the councillors (NEXT AGENDA ITEMS ONLY)

### 21/56. Date of next meeting

The next meeting will be held virtually on Tuesday 20th April 2021.

The meeting closed at 9.35pm

Signed:

(Chairman)

Date

## Appendix A

Firstly, the Parish Council would like to point out the difficulty that has been experienced in consulting with residents during the pandemic lockdown at such short notice. A letter was delivered to those who would be most affected by this proposal, which will have adverse effects on everyone who lives and works in the Parish.

Langford & Ulting Parish Council strongly objects to the proposed outline planning application (with all matters of detail reserved for future determination except for means of access to the site) for the erection of Business Park extension with associated new and replacement surface car parking together with 60 residential units with associated open space and landscape areas.

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 whereas the proposal will result in eighteen affordable homes. As stated by the Planning Inspector in the 2016 Inquiry, *"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 Parish Council is currently discussing the provision of a small number of affordable homes with a landowner. In addition, the NPPF, paragraphs 77-79 states 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 emerging Langford & Ulting Neighbourhood Plan (L&UNP), 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 (currently not open due to the pandemic), 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. 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 submission version of the L&UNP, 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 locations. In addition, none of the key destinations (Heybridge Primary/Plume School, shops, Hatfield Peverel railway station), are 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. This has already been worsened by the residential developments currently being built in Maldon and Heybridge. 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 and in recent times this has got a lot worse. In fact, residents in Ulting Lane have had to park in John Thresh Way to enable them to get to work. 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 valley 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 emerging L&UNP, Policy 4 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. One example being the EOS Business and Innovation Park at Great Notley, a development of high quality production/high tech, light industrial/R&D units. 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.