

TOLLESHUNT KNIGHTS PARISH COUNCIL
tkpc.org.uk

Dear Councillor

You are summoned to attend the Ordinary Meeting of the above Council to be held on **Monday 26th July 2021** at 8.00 pm in the Village Hall Top Road Tolleshunt Knights.

V Banyard

Parish clerk

21st July 2021

AGENDA FOR THE ORDINARY MEETING

To receive questions/enquiries from members of the public, to receive an answer at an appropriate time in the agenda.

1. To receive apologies for absence, other announcements and Declarations of Interest from Members on any of the agenda items set out below.
2. To approve the Minutes of the Annual Remote Meeting held on 6.5.2021(no June meeting).
8. To receive items of information on the above Minutes.
9. To consider planning issues:
Decisions by Maldon District Council – including:

FUL/MAL/21/00267 Meadow Nursery Park Lane Tolleshunt Knights	Retention of existing dwelling	Refused 10.5.21. The owner of Meadow Nursery has now been asked to remove the breach of planning control (relating to demolition of the existing dwelling). Should this request not be complied with, Maldon District Council will consider the expediency of taking further enforcement action in the form of a Notice.
HOUSE/MAL/21/00310 37 Strawberry Lane Tiptree	Single storey front and rear extension. Changes to fenestration. New patio.	Approved 10.6.21.

New applications – including:

21/00547/COUPA	Prior notification for the change of use of agricultural buildings to 5no. dwelling houses (Class C3)	Gobolts Farm Barnhall Road Tolleshunt Knights It was RESOLVED to object to this application as it is cramped, contrived and of poor design. Furthermore it is known that these barns have been used for some time by bats and barn owls which are protected species. <i>Decision taken between meetings.</i>
21/00575/HOUSE	Single storey rear extension. Alterations to fenestration. New porch (amendments to previous refused scheme 21/00170/HOUSE)	25 D'Arcy Road Tiptree It was RESOLVED to object to this application as it is cramped, contrived, too close to the neighbour's boundary, of poor design and out of keeping with the area. <i>Decision taken between meetings</i>

201401 (Colchester Borough Council)	Amended application. Outline application for 7 detached bungalows with associated access, layout, parking, amenity and landscaping.	Brook Hall Cottages Factory Hill Tiptree. It was RESOLVED to object to this application on the grounds given in Appendix A of this agenda. <i>Decision taken between meetings.</i>
21/00654/FUL	Evershot Hall Park Lane Tolleshunt Knights	Full planning application for the rebuild of the dwelling following fire damage, second storey extension to the approved single utility projection and the retrospective approval for the outbuildings.
21/00666/COUPA	Park Farm Park Lane Tolleshunt Knights	Change of use of agricultural buildings to a flexible use within shops (Class A1), financial and professional services (Class A2), restaurants and cafes (Class A3), business (Class B1), storage or distribution (Class B8), hotels (Class C1) or assembly and leisure (Class D2)

To note the following Appeal decision by the Planning Inspectorate:

Land at The Barn Honeypt Lane Tolleshunt Knights – enforcement notices	APP/x1545/c/20/3249912 and APP/X1545/C/20/3249913 App/x1545/c/20/3249914 and APP/X1545/C/20/3249915 APP/X1545/C/20/3249916 and APP/X1545/C/20/3249917 The appeals are allowed and the enforcement notices are quashed following corrections of the enforcement notices in the terms set in the formal decision. The application for the awards of costs are refused.
--	--

To consider any other planning issues which may arise.

10. To consider any report that the Clerk may make, and correspondence received, including Letter from St Lukes PCC giving expenditure on Tolleshunt Knights cemetery.
Update on the insurance claim for subsidence at the Village Hall.
Winter Salt Bag scheme 2021.
11. To consider any Highways issues.
Trucam report May - 20 captures of speeding vehicles over a 2 hour period.
12. Public rights of way report.
13. Road Safety report.
14. Press Officer's report.
15. Report of the Village Hall Management Committee representative.
16. To receive the financial statement and to authorise accounts for payment.
18. To consider any issues concerning the playing field and play area, Village Hall car park and CCTV systems, including:
Summary of current playing field hire.
Grass cutting in the play area.
19. To consider and approve a review of the Council's Risk Assessment Policy following recommendations made by the internal auditor.
20. To set the date for future meetings.
21. To consider other items of information for inclusion on a future agenda

APPENDIX A

Application no: 201401 – amended application

Outline planning application for seven detached bungalows with associated access, parking, amenity and landscaping

Brook Hall Cottages, Factory Hill, Tiptree, Essex CO5 0RE

The Parish Council objects to this application which lies directly alongside the settlement boundary of Tolleshunt Knights.

The Parish Council shares the concerns of Benjy Firth (Senior Planning Officer Colchester Borough Council) who in his Preliminary Enquiry Application of 30.10.2020 identified the following site constraints:

- Flood risk
- Effect on an historic building
- Settlement buffer concerns.

Furthermore he stated that in his opinion “There is nothing in the current suburban cul-de-sac proposals to suggest that the above criteria might be met.”

Tolleshunt Knights Parish Council’s objections are given in greater detail below:

Site location and sustainability

The site lies outside the current proposed settlement boundary of Tiptree and within the countryside. As such neither local nor national policy supports the creation of new dwellings in the countryside or in isolated locations beyond settlement boundaries. Tiptree has recently seen large scale developments both on Kelvedon Road/Grange Road and Factory Hill, and the Brook Hall Cottages site has not been identified as an area of growth.

The sustainability of the site is in question. The application states that the site “is close to the centres of Tiptree and Tolleshunt Knights via maintained public footpaths and which include an array of facilities.” (Planning Design and Access Statement 3.8). Tolleshunt Knights in fact only has a Village Hall and playing field (1.4km from the site) and the Monastery of St John the Baptist (1.6km), both of which cannot be accessed from the site by a continuous pedestrian footway and cannot be described as an “array of facilities”. Although there is a far greater range of amenities in Tiptree (the centre of which is one mile away from the site), in reality the majority of residents in both villages heavily rely on the private car to access sources of employment, medical facilities and large shopping areas.

Historically the site previously held two dwellings, with various permissions being given between 2011 and 2017 to demolish these and replace them with up to two larger dwellings. The current application is for seven bungalows of “two alternative types” with no details being given in the Planning Design Statement as to the number of bedrooms provided, although it is noted that “each bungalow will be served by a minimum of two parking spaces” (4.13). This suggests at least 2+ bedroom units. This

would be a substantial increase in the number of bedroom units from the permissions given previously, and would therefore result in an over-development of the site.

Loss of the green buffer zone between Tiptree and Tolleshunt Knights

Development of this site would result in a further reduction of the green buffer zone separating the villages of Tiptree and Tolleshunt Knights, especially as this zone has already been substantially eroded by the development at the top of Factory Hill opposite Wilkins' factory. The Parish Council considers it essential that this buffer zone remains in place in order to protect the unique characteristics and identity of the two villages, and to prevent the merging of the two settlements.

Development within a flood plain

The site is bordered to the east by Layer Brook which is subject to flooding in periods of heavy rainfall, especially given the unusual weather patterns of recent years. Furthermore this has been exacerbated by run-off from the new development at the top of Factory Hill which has on several occasions led to flooding at the commercial garage operation close to the site. It is noted that the application states that an "attenuation tank (will be provided) underneath (the access road) with the outfall into Layer Brook." (Planning Design Statement 6.4). Wilkins Factory also discharges water into the brook which has led to increased flooding problems for residents in Strawberry Lane and Tudwick Road, and further outfalls into the brook will only increase this problem.

Access issues

The Parish Council is aware that Essex County Council Highways has raised no objections to the proposed access road into the site. However it must point out that over many years residents in the Factory Hill/Brook Road/Tolleshunt D'Arcy Road have frequently raised concerns about the high speed of traffic entering and leaving Tolleshunt Knights at this point. It is felt that a new access road could create problems when residents of the new development attempt to leave the site in either direction.

Effect on the setting of a listed building (Brook Hall)

The Parish Council is unable to understand how the proposed development – described above as "the current suburban cul-de-sac proposal" would have no impact on the setting of the Grade 2 listed Brook Hall which currently stands apart from other buildings with open areas on each side.

Ecology

The developer's Preliminary Ecological Appraisal states that "there was no evidence of badger activity identified" on the site. However the Badger Group confirmed that there was evidence of foraging. This rather brings into question how robustly the Appraisal was carried out.

The Parish Council is also concerned about the ancient rookery to be found in the trees on the eastern edge of the site. This has been in existence since before living memory. The developer will be aware of legal issues concerning the destruction of rookeries.

The Planning Design Statement (6.9, 7.10 and 6.30) discusses the ecological area and mature tree coverage on the eastern edge of the site. This should “enhance the site as a visual amenity asset..... It will be subject to scrub management works ... once every three years.” The Parish Council is unable to find a management plan for this area of the development which gives details of who will be responsible for this work and feels it must be put in place in order that the area does not become an untidy wasteland after the bungalows have been sold. Similarly the Parish Council questions who will be responsible over time for the maintenance of the proposed close boarded 1.8m timber perimeter fencing around the site.

For the reasons given above Tolleshunt Knights Parish Council requests that the above application is **refused** permission.