

# **Elsenham Parish Council**

**Minutes of the Planning Committee meeting  
held on Monday 28 November 2022  
at 7.00pm in the Village Hall, Elsenham**

**All meetings are open to Councillors, the public and press**

## **Planning Committee Members:**

Cllr. G Mott (Chair GM), Cllr. P Johnson (PJJ),  
Cllr. S Waite (SW) Cllr. B Donald (BD) and Mrs. L Johnson (Parish Clerk LJ)

## **Members of Elsenham Parish Council:**

Cllr. R Franklin, (RF), Cllr, F Lambert (FL), Cllr. B Ogilvie (BO),  
Cllr. P Jarvis (PJ) and Cllr. G Bentley (GB).

**Members of the public:** 8 plus District Cllr. J Evans (JE)

- 1. Apologies for absence. None.**
- 2. Declaration of Interests. None.**
- 3. A presentation on developing a Neighbourhood Plan by Cllr. John Evans.**  
Cllr. J Evans is UDC's Portfolio Holder for Planning, Stansted Airport, Infrastructure Strategy and the Local Plan.

Neighbourhood planning was introduced by the Localism Act in 2011. The plan is made by a parish, UDC tick the boxes as it goes forward.

A neighbourhood plan must meet certain specified 'basic conditions.' These ensure plans contribute to the achievement of sustainable development, have regard to national policy and guidance and are in general conformity with adopted strategic local planning policies.

A steering group is set up with councillors and non-councillors. It can be made up of any number of members, although too many and there are lots of discussions, too few and the work load increases. Different members bring different skills to the group.

UDC do not have an up-to-date Local Plan, they are still using the plan from 2005. Parish Councils that have successfully submitted Neighbourhood Plans have more up to date plans and therefore they are more beneficial.

In Uttlesford District there are eight parish/town neighbourhood plans.

A neighbourhood plans takes a lot of work. The first job is to find out what the community want. Questionnaires are delivered to every house in the village and then later collected. All the information is collated.

Some work can be commissioned from outside such as historic and landscaping. There are special statutory duties that apply to decisions involving listed buildings and conservation areas at the planning application stage. Rural Community Council of Essex (RCCE) and UDC can help.

Local green space is different to the green belt. Neighbourhood plans may designate Local Green Space. A plan showing the boundaries of each Local Green Space will need to be included. This is a way to protect them from development.

Costs should not matter, funding is available, specific neighbourhood planning grants, local donations, developers and landowners, local businesses.

The draft plan is examined by an independent planning inspector who is paid by UDC but is not employed by them. The inspector may make some recommendations to the plan. Once a neighbourhood plan is completed a referendum is held and the plan is voted on by the community. UDC do not have a veto.

#### **4. Questions by Councillors.**

**RF** asked if a village plan is different to a neighbourhood plan. In 2004/5 RF had produced a village plan. Sending out questionnaires to all residents and collating all the answers. It had cost approximately £800. UDC had said that the village design statement had to be in concurrence with UDC's, so, the plan was not accepted. The main problems back in 2004 that residents identified were the roads and lack of infrastructure, which is still the main problem today. If infrastructure cannot form part of the plan, then there is no point.

**JE** said the Localism Act in 2011 stated that the village design does not have to be in a neighbourhood plan. It is a parish plan not a district plan.

Roads and the infrastructure can be included in a neighbourhood plan and the utilities such as water and electric have an obligation to provide information when requested.

**FL** said all the green spaces in Elsenham apart from one, which was currently being decided by the inspectorate, have been developed. It was too late for Elsenham to form a neighbourhood plan.

**BD** asked if landowners had to give their permission for their land to be put forward as a 'green space'.

**JE** said no, permission was not necessary, most landowners were not in favour of their land becoming a 'green space'.

**PJ** asked for the time scale and what other advantages were there for having a neighbourhood plan.

**JE** said the time scale depends on many factors, but most take about 3 years.

Writing a neighbourhood plan is a great way of getting the community involved and learning about planning.

#### **5. Questions by members of the public.**

UDC's Local plan is dated 2005, would a neighbourhood plan be of any use without an up-to-date plan?

Lots of people from Elsenham and the surrounding villages fought the Fairfield application for years but that all fell by the wayside and developers are now building on

the land. There is now a planning application to build on land surrounded by 11 listed buildings. Objections have been submitted regarding the listed buildings and we await a decision.

**JE** said neighbourhood plans stand with the 2005 Local Plan, sustainability planning.

Why has this not been brought to residents attention before developers destroyed our village.

Cllr. Lees said that there has been mention of it over the years. However, it is not Parish Council led. Residents need to come forward to produce a plan.

**BO** asked if 2 or 3 villages could join to make one plan. Many parts of Henham and Ugley are under threat of more houses and this would impact Elsenham with regards to the roads and facilities such as doctors, schools and shops.

**JE** said two parishes could certainly make a joint neighbourhood plan.

**GM** said he had looked at Stebbing's plan and it was a very detailed and well-constructed document with over 100 pages, 13 chapters, 17 maps and many photographs. But what is the point? If Elsenham wrote a plan there could just be three points,

- Elsenham has doubled in size.
- Roads are rubbish.
- We do not want any more houses.

**JE** said policies were the purpose of the plan.

**GM** carried out a straw poll.

How many people here would be interested in being involved in producing a Neighbourhood plan?

Two councillors, SW and BD said they would, no members of the public raised their hands.

Some councillors and members of the public left.

## **6. Approval of the minutes of the meeting held on 7 October 2022.**

The minutes were agreed and signed by GM as a true and accurate record.

## **7. Open to the public.**

**RF** asked about planning application **UTT/22/1488/FUL**. Section 73a retrospective application for the formation of earth bunds and erection of timber gates to secure land. Land to the East of May Walk, Elsenham Road, Stansted, Essex.

**GM** said this was refused by UDC planning and has now gone to appeal and is awaiting a decision.

### **To agree responses on the following planning application.**

**7.1. UTT/22//2875/FUL** Proposed dwelling with detached garage and new access. Land adjacent to 54 New Road, Elsenham. **No Comment.**

## **8. UTT/22/1050/FUL** Demolition of garage and rear extension and erection of a two-storey dwelling together with associated access, car parking and amenity space. 13 Broom Farm, Elsenham.

An email update from PL 16 November 2022.

Still awaiting decision.

## **9. New Community Hall.**

### **9.1. Ransom strip and the transfer of the land to the Parish Council.**

GM had attended Cllr. Lees (PL) surgery to specifically ask the question of the Community Hall. PL advice was to go ahead with the land transfer regardless of the ransom strip and that she had been assured that once the land is transferred to EPC from DWH, then the CN ransom strip will not be an issue.

All members agreed to proceed with the transfer of the community hall land from DWH. LJ to instruct Nockolds to proceed.

### **9.2. Transfer of S106 contribution money from DWH and CN to the Parish Council.**

EPC is expected to commission the project and its works, take on the responsibility of paying for the work but be totally dependent and reliant upon UDC to transfer the necessary funds in a timely way, in order for EPC to pay the contractor's invoice. This is worrying as the only time EPC has asked for invoices to be reimbursed it had taken UDC four and half months. PL said she had received assurances from Mr. Hermitage and Ms Knight from UDC's Finance Department, that this would not happen again and we need to look to the future.

It was agreed not to pursue the reason why the invoices had taken so long to be paid but, as PL had said, to move on and hope that UDC had rectified the problem so in future all invoices would be paid promptly.

GM had asked PL if the money was being held in an interest-bearing account. PL said no, as this was not UDC's money it was not gaining interest.

It is still unclear if and when UDC are presented with an invoice on whether they release the funds to EPC or settle the invoice themselves, including the VAT.

Cllr. Gooding had said at the recent Parish Council meeting that EPC could ask the contractor for interim applications for the money expended. This would be approved by the Quantity Surveyor and they would make a draw down from the funds held by UDC, with the money being paid directly to the contractor. In this way the contractor would not issue a VAT Invoice until the final account.

It was agreed that EPC could draw down funds from UDC to commission an architect to design plans for the new community hall. EPC would then see how UDC dealt with the invoice.

LJ to arrange a New Community Working Group meeting with GM, PJJ, PJ, BD, BO, Allan Hathaway, Elaine Terry, and Cllr. Gooding.

### **9.3. Requests for contributions from other developers.**

- Pegasus, 50 new houses south of Bedwell Road has now gone to appeal. They offered to make a contribution to the community hall of £100,000.
- Bloor, 350 dwellings. At the meeting held with Bloor on 23 September 2022. Nicky Parsons had asked if EPC was asking for a donation towards the community hall, GM replied yes.
- Rush Lane, 40 dwellings. No further progress.
- Dandara, 99 dwellings. Will raise again once detailed planning application has been approved.
- Countryside, Land south of Henham Road 130 houses. EPC and UDC have both asked for a contribution to the community hall in the section 106.

- Bloor phase 2, PINS have sent a hearing date for the application on 12 December 2022. A contribution to the new community hall has been added to the Section 106, supported by Henham PC.
- Old Vicarage 5 houses. EPC objected to this application. Cllr. Lees has called it in. If this planning application was agreed and EPC asked for a contribution pro rata, it would amount to £10,000.

**10. UTT/19/0462 – Bovis Homes, now Vistry.**

EPC had been asked for 4 suggestions for street names, the following names have been submitted.

Golden Miller Avenue.

Cheltenham Close.

Gold Cup Way.

National Drive.

**11. Crest Nicholson (CN).**

An email from CN asking for the transfer of the allotment to be done quickly had been received. LJ had replied saying it was in the hands of EPC solicitors who were having problems contacting CN solicitors, therefore would CN solicitors please contact Nockolds.

**12. David Wilson Homes.**

DWH was very keen to transfer the community hall land, hopefully this would now take place soon.

**13. Bloor Homes UTT/17/3573.**

EPC still required confirmation regarding;

- Details of site manager.
- Introductory letter to residents.
- Lack of phasing plan.
- Unacceptably early start times.

BH had agreed to address all of these at the meeting held on 23 September 2022.

GM had visited the sales office and obtained a phasing plan.

There had been queries from residents regarding the position of the bus shelter and the attenuation basin. GM had referred to the agreed plans and both were correct.

An email was received on 22 November from BH asking for EPC to confirm if they wish to own and manage the Public Open Space at Land East of Elsenham, to the north of the B1051, Henham Road. EPC had replied saying they needed more clarification including why there was not a maintenance contribution for the LEAPS, LAPS.

EPC could take on the football pitch and pavilion and then set up a tenancy lease with Elsenham Football Club, the football club could then give a monthly/annual payment to EPC.

**14. Bloor Homes for ‘Phase 2’ 200 new dwellings. Land East of Station Road, Henham.**

This application is in Henham. Bloor have decided to apply direct to Inspectorate.

Contribution to the new Community Hall had been added to the Section 106, supported by Henham PC. The site access is worse than EPC feared.

**15. Rush Lane UTT/19/0437.**

Still no detailed application submitted.

**16. Dandara, 99 dwellings west of Isabel Drive, UTT/21/2461/DFO.**

UTT/22/2318/DOC Application to discharge Condition 17 (acoustics) refused by UDC on 14 October 2022. This would suggest that the developer was having problems with the noise from the motorway.

**17. Proposed development on Land South of Henham Road for 130 dwellings.**

UTT/22/2174/PINS

EPC Representations submitted to Planning Inspectorate, 22 September 2022.

PINS have asked applicants for more information by 30 November 2022.

**18. The Local Plan.**

EPC should respond to UDC Consultation on Draft Developer Contributions.

LJ to gain access to.

**19. UDC Planning Committee meeting.**

Next meetings to be held on 14 December 2022.

**20. Enforcement notices.**

**20.1. ENF/21/0159/D** 2 August 2021 Daisy Mays Farm, Hall Road Commercial camp site set up without permission.

Daisy Mays Farm have started to advertise that their camp site is open again.

LJ inform UDC's Enforcement.

**20.2. ENF/21/0161/D** 2 August 2021 Church Lane, Elsenham. Unauthorized earthworks.

LJ to write to Mrs. Doreen Taylor, asking her to arrange for the compacted mud on Church Lane to be removed, the entrance to the allotments to be reinstated and the War Memorial to be replaced. Doreen Taylor telephoned saying that the three issues would be addressed.

**Church Lane is still very muddy. When it rains the mud runs off the field into the lane.**

**20.3. ENF/22/0043/C** 8 March 2022 Land adjacent to Pennington Hall, Henham Road, Elsenham. Waste brought on site.

**20.4. ENF/22/0045/C** 8 March 2022. Land West of M11 Elsenham Road, Stansted. Unauthorized groundworks and clearing of land.

**21. Date of next meeting.**

Two dates could be set each month, e.g. 2<sup>nd</sup> and 4<sup>th</sup> Monday of the month. If there was no urgent business on the 2<sup>nd</sup> Monday, the meeting could be carried over to the 4<sup>th</sup> Monday.

LJ to liaise with SW.

The meeting finished at 9.25pm.