

MINUTES

Minutes of Meeting of Woodham Walter Parish Council
Held at 8pm in Women's Club, Top Road, Woodham Walter.

Monday 11th October 2010

Present:

Mark Durham (Chairman)
James Bunn (Vice Chairman)
Angus Neale
Claire Robinson
Colin Warner
Peter Warren

Others: Jacky Bannerman (Clerk)

District Councillor, Sheila Young

Mark Woodger, Development Control Team Leader, Planning Services, Maldon District Council

Public: 5

321. Welcome Cllr. Mark Durham welcomed those present to the meeting including Mark Woodger who was attending from Maldon District Council Planning Services Department.

322. Apologies For Absence Apologies were received and accepted from Cllr. David Potter.

323. Register of Declared Interests Cllr. Angus Neale declared a personal and prejudicial interest in agenda item 7.1 (Planning Application HOUSE/MAL/10/00725 as he lives next door to the property. There were no other interests declared and the register was duly signed.

324. Public Forum There were 5 members of the public present. Cllr. Durham outlined the procedure for those present.

Sheila Young commented on the problem with dog/cat fouling in the vicinity of her property and generally in Top Road.

Councillors suggested that if the culprits could be identified they would be happy to speak with owners. There is no excuse for not clearing up; the Parish Council has supplied dog bins in strategic locations around the village including Top Road. It was suggested that a supply of dog bags could be provided but this would be at the expense of the parish council. (Clerk to investigate) It was noted that the culprits are in the minority but councillors request clerk includes plea in parish magazine to all dog owners to be responsible and clear up after their animals. It was also noted that Maldon District Council Officers can serve fixed penalty notices to offenders.

Daniela Symons was in attendance regarding Agenda Item 7.2 (Planning Application FUL/MAL/10/00802) she explained that her father-in-law is very sick and in need of constant care. The family want to convert an existing barn into an annex for the owners son & family to live and help care for him.

Chris Wheadon was in attendance as the Volunteer Warden of Woodham Walter Common and was interested in hearing about the recent incident involving a cyclist and horse. He also notified that he has already purchased daffodils as a gift to the village and will plant them over the next couple of weeks, he wanted to discuss the planting scheme councillors required.

Cllr. Durham informed that these two items would be discussed later in the evening and Mr Wheadon agreed he would remain.

Mike Schneidau was attending the meeting to hear about the current situation at Falconers Lodge as he is a neighbour to this location. As he understands that the enforcement notice is on the land are MDC going to take the process further now they know the land ownership?

Cllr. Durham outlined the current situation as we know it and informed that the Parish Council have been pushing MDC to address the enforcement notice. In the recent application to extend the time limit to existing planning permission at the site MDC did not list the enforcement as a reason for refusal but used the recent scheduling of the ruins.

DC Sheila Young commented that she had spoken with Jennifer Candler at Head of Planning at MDC and been assured that the enforcement notice was still in force and the owner would have to remove the spoil.

Cllr. Durham informed that the Parish Council cannot see why (now that the owner is known to MDC) the enforcement cannot now be served. There is concern as to what the precise nature of the materials at the site consist of and there is a watercourse near by. We are very anxious to see this matter

resolved as soon as possible. Surely there should be a time limit to enforcement. The Parish Council have also asked our MP, Priti Patel to look into the case. It was hoped that Mark Woodger will be able to update further later in the meeting.

Angus Neale having declared a personal and prejudicial interest in the planning application HOUSE/MAL/10/00725 which is his next door neighbour, addressed the members to raise an objection to the application on the grounds that it would have an adverse impact on the light at his property. The height of the conservatory is not detailed on the plans and he feels that it would be out of keeping and increase the property excessively.

The meeting was closed to the public at 8.25pm although all remained in the meeting room until detailed otherwise.

Cllr Durham suggested that agenda item 9.1 now be discussed in order that Mark Woodger from Planning Services at Maldon District Council did not need to remain for duration of meeting, this was approved by all councillors. (See Minute ref: 329.1) Mr Woodger then left the meeting at 9.05pm.

325. Minutes Of The Parish Council Meeting Held On 13th September 2010. The minutes were approved as a true record of the meeting and signed accordingly.

326. Matters Arising

326.1 (257.3) School Playground – Risk Assessments & Dual Use Agreement. Clerk has written to thank Ken Rennie for the work he has put in to providing risk assessments on behalf of parish council for the school playground and Bell Meadow football posts. Cllr Neale will read documents. Clerk is awaiting list of equipment from the school, to include with dual use agreement, this is expected soon.

326.2 (255.4) War Memorial Shelter. Invitations to tender have been sent out. Deadline set for 4pm Monday 1st November with a view to making decision at November meeting.

327. Planning – APPLICATIONS

327.1 HOUSE/MAL/10/00725 10 Church Corner, Herbage Park Road
Rear Conservatory.

Councillor Neale having declared an interest in this item, left the meeting room.

Cllr Robinson carried out neighbour consultations, other than Mr Neale's objections there were no other objections.

Cllr's are concerned that there was no drawing of the side elevation and it was only on reading the application in detail that it was indicated that the side nearest the adjoining property (Mr & Mrs Neale's house at No.9) would in fact be a full height brick wall. Councillors therefore felt that this would have an adverse effect on the light to the neighbouring property and as such object on these grounds and feel that the application should be submitted to the committee for a decision. Clerk to write accordingly. Cllr Neale returned to the meeting room.

327.2 FUL/MAL/10/00802 Shrubbery Farm, Curling Tye Lane

Change of use of outbuilding to ancillary carers annexe.

Cllr Warner had carried out neighbour consultations, there were no objections but slight concern that a precedent could be set for other properties with similar barns.

Councillors felt that the application should be considered on its own merits and take into account the personal circumstances of the applicants who have indicated they would be prepared to enter into a Section 106 agreement. There was concern about creating a dwelling outside of the village envelope but they considered that as it was the conversion of an existing building within the curtilage of Shrubbery Farm and there was plenty of evidence submitted informing of the reasons that they would consider it sympathetically. However, they felt very strongly that a robustly worded Section 106 agreement should be put in place to tie the property to the main house and ensure that it cannot be sold separately at any time in the future and would remain an annex in perpetuity. Clerk to write accordingly.

Two members of the public who were in attendance regarding Planning then left the meeting room.

328. Planning - DECISIONS

328.1 HOUSE/MAL/10/00689 & LBC/MAL/10/00690 The Shrubbery, Curling Tye Lane

This application was **approved** under delegated powers.

329. Other Planning Matters

329.1 Mark Woodger, Maldon District Council, Development Control Team Leader for North & West areas. Mr Woodger offered the apologies of Jennifer Candler, Head of Planning Services and was attending on her behalf. As Team Leader of the area he sees all applications and recommends decisions under delegated powers or puts forward applications to the committee for a decision.

Falconers Lodge: He was pleased to be able to update councillors on the latest situation with the Falconers Lodge site. He confirmed that the notice served applies to the land and successors entitled to the land. New ownership was completed 2 weeks ago and they have been made fully aware of the

enforcement notice. They will be sending a contractor and surveyor to the site which has been further complicated by the scheduling of the ruins. The spoil is likely to be general builders rubble and he felt that the environment agency would have informed if there were concerns likely to affect the water course. He assured that the new owners are taking the situation seriously and realise that it is an expensive problem. Mr Woodger appreciates the frustration for the Parish Council in the past and is confident that the enforcement notice will be complied with in full. There are time limits set for the work to be completed or prosecution will follow. He hopes/expects movement on this very soon.

Cllr Durham on behalf of the parish council said that this was excellent news after many months of frustration and anxiety and offered thanks to the team at Maldon District Council for efforts so far.

Mr Woodger informed that he understood the application which was refused permission to extend the time limit was met with displeasure by the applicant but no appeal has been submitted so far. In fact the waste materials at the site are a side issue in respect of the planning permission, it is now the Scheduled Ancient Monument listing which is having a significant impact and he expects that the original consent is now not suitable so close to such an important English Heritage site.

Shrubbery Farm: Mr Woodger apologised that application had been sent in error to Woodham Mortimer PC and for any inconvenience due to the resulting reduced time to consider the application.

Mr Woodger invited councillors to raise any other concerns which he would try to address:

General/Time Limits: Cllr Durham informed that the Parish Council have had concerns regarding the service received from Maldon District Council Planning Department. This Parish Council takes its role as consultees to planning applications very seriously including neighbour consultations and careful thought and discussion. There are concerns in respect of the time limits allowed for response which we used to be able to extend if required. Sometimes additional meetings (with resulting additional expense) will need to be called in order to meet tighter deadlines.

Mr Woodger commented that there had been a good deal of staff changes over recent years but that he and the department take their roles very seriously and deal with matters professionally. Planning is a statutory frontline service and the department is forward looking.

MDC are judged on the speed in making decisions and have 8 weeks (13 weeks for large applications) in order to make decisions. Therefore in order to meet criteria this has to be addressed. If comments are received before the decision then they can and will be taken in to account but decisions can be made as soon as deadline set has passed. He suggested that we could ask District Councillor Young to draw an application to committee in order to allow additional time for a response. Mr Woodger will look into the time it takes from receiving applications to sending to the Parish Council and will try to send applications sooner if possible.

Meadows/Meadows Barn: Cllr Durham commented that Meadows/Meadows Barn has caused problems/discussion over many years including the agricultural restriction and most recently the holiday let application which was approved on appeal after what the Parish Council felt was a poor representation from the Planning Department.

Mr Woodger apologised if the Parish Council didn't feel they got a good enough service and assured that he would give such matters his personal attention in the future. He informed that there is an improved enforcement function in the department and conditions at this location and others should ensure compliance or result in penalties

Street Scene: Cllr Neale asked what the street scene is and how it is defined?

Mr Woodger responded that this area is subjective and there is no clear answer to the question. Each application must be judged on individual merits.

Forum: Cllr Bunn commented that it would be helpful on occasions to speak with planners in order to get guidance and explanations on policies regarding specific applications. DC Sheila Young commented that there have been presentations in the past which have dried up but a forum and/or seminar would be very helpful.

Mr Woodger agreed that this was a useful idea, MDC do have an agents forum so perhaps they should also consider a Parish Council forum and he accepted that the rural and town parishes have different requirements. He will take this idea back to be discussed in the department. He also indicated that he would be happy to discuss and give advice if required and come again to visit the Parish Council if/when a specific application demands it. Mr Woodger thanked the Parish Council for the invite and interest. Councillors agreed that it had been very valuable having Mr Woodger's attendance at the meeting and Cllr Durham thanked him for his time. Mr Woodger then left the meeting room.

Cllr's ask clerk to write and thank Mr Woodger and ask him to keep us up to date with progress at Falconers Lodge.

329.2 Falconers Lodge. (See Minute Ref: 329.1)

329.3 MDC – Maldon District Conservation & Design Awards 2010. Notification that the Hoe Mill Barns application has been short-listed and judging panel due to visit on 6th October.

Clerk has written to thank Jenny Moody for showing us round.

329.4 School Bell Tower – Councillors discuss work which has taken place to remove old school bell tower. It is understood that it was in a very poor/dangerous condition. Cllr Warner felt that it was a shame that it couldn't have been renovated as it was a part of the village heritage. Cllr. Durham informed that personally he did not feel it was a planning matter or parish matter as the building is not listed and the feature was very rotten and dangerous. Other councillors felt disappointed to see that it had just gone and could not have been saved and several villagers had raised the matter with them. Cllr Bunn felt that the building is an architecturally pleasing old school building which needs treating with sympathy. Councillors ask clerk to write to the school and say we are disappointed the bell tower was removed and that as the school holds a position in the centre of the village, we would like to be formally notified of any such future works. The management/governors are the present custodians and have a duty to maintain the character of the building.

330. To Authorise Any Payments Due The following payments were approved and cheques duly signed.

330.1 e-on – Monthly DD (See Minute ref: 331.1)

330.2 A&J Lighting Solutions – Monthly DD

330.3 Clerks Salary + Allowance/Expenses

330.4 P.H.Williams (Blackwater Landscapes)

330.5 Dengie Hundred Group of Parish Councils Affiliation Fee (2010-2011) £15.00

331. Other Financial Matters

331.1 E-on – Clerk has arranged to claim a reduction in street lighting costs due to the lights being changed to part-night lighting. E-on have agreed to alter our charge and this has been backdated by one year in the form of a credit.

331.2 Audit Commission – Completion of Annual Audit. Paperwork returned duly completed and signed with no comments. Clerk to put Notice on board outside Chapel Stores informing of the Right to Inspect the Annual Return.

331.3 Clerk submitted financial files etc to Cllr. Durham for 6 month check. Cllr Durham reported that accounts were all in order and thanked clerk for efficient finances.

332. Report Of The District Councillor

District Councillor Young informed that Maldon District Council need to make 25% efficiencies and are currently in discussions to decide how this will be achieved. They are seeking comments from the public via the Courier leaflet and on the website. Some areas are being looked at where services can be shared. Cllr. Durham requested that Mrs Young comment to Jennifer Candler (Head of Planning Services) that Mark Woodger's attendance at this evenings meeting was very much appreciated.

333. Highways

333.1 (194.16) Road enforcement signage outside School on The Street. Nothing further.

333.2 Herbage Park Road. Clerk has been informed that the re-lining at the gateway will take place in the next couple of weeks.

333.3 Old London Road. Clerk has reported subsided road and a number of pot holes at the edge between Wood Corner and Lodge Farm, these have been marked up for repair.

333.4 Salt Bin – this has been chased. Order is with the contractor but no date for installation has yet been made. It was agreed that as a courtesy Cllr Warner will speak to the owner of the property at High Prospect (who maintains the verge) to inform him of the work.

334. Local Issues

334.1 **Bell Meadow/Playground** The book was duly signed. Cllr. Robinson had cleared a dangerous broken bottle from Bell Meadow.

334.2 **Footpath Officer Report** New discs have been erected on footpaths 3 and 4. Cllr Warren is organising a visit to WW Common.

334.3 **Woodham Walter Common** To discuss concerns arising from report received of incident involving collision between a horse and cyclist. Councillors were concerned to hear about the incident which fortunately didn't result in any major injuries. Both users were on a bridleway and were entitled to be. It was noted that there are many bridleways in the area and a circuit of 20 miles or so off road is possible, there is also now a trend to cycling on these at night. It is hoped that users of the common will take note of this incident and proceed with due care and attention. Clerk to write to Essex Wildlife Trust and inform.

Cllr Durham opened the meeting up to Chris Wheadon as he is the volunteer warden at WW Common. He was concerned to hear of the report and hoped users of the common act in a responsible and sensible manner. 1 sign specifically for cyclists has been erected due to a slippery slope hazard but it is not desirable to have excessive signage in the area.

334.4 Crime Report for Woodham Walter. No information to report.

Next visit of mobile police unit – Wednesday 13th October 2.15-3.15pm at WW Village Hall.

334.5 Neighbourhood Action Panel Date of next meeting: no information to report.

334.6 School Report Clerk has been informed that the building works are due to start in January.

334.7 Allotments Report There was no information to report.

334.8 Community Speed Watch Article from Cllr Durham appeared in October magazine, so far no more volunteers have come forward. Cllr Durham disappointed that the plea has not resulted in more support, the equipment will have to be sent back if a team cannot be formed which would be a pretty poor show considering the importance that this issue holds in the village.

334.9 Litter Clerk impressed with how quickly CBC litter picked from Anchor to Warren, day after reporting it.

334.10 Village Agent. No information to report.

334.11 Mike Woodcraft Report The booklets are on sale at a price of £3 each, with profits being donated to Alzheimer's Society (approx. £2.50 per copy). Copies available from Chapel Stores/Clerk So far we have sold 48 copies. Clerk has so far paid £128 into account. Mr & Mrs Woodcraft visited clerk to personally thank her and the council for their help and support which has been a great boost to Mike.

334.12 Bus Services - Clerk has been dealing with a large number of complaints about the bus service since it was taken over by Regal Busways. Clerk has made several representations on behalf of the parish council to help improve matters. It is hoped that improvements are being made to this vital service for our village.

334.13 Memorial Garden – Cllr Durham opened the meeting up to Chris Wheadon who informed that he has purchased the daffodils and will plant in clumps under the hedge and round the trees. They should be planted by the end of the month.

335. Correspondence

335.1 Priti Patel MP – Letter informing she has written to MDC regarding our concerns (and has received similar representations from another Parish Council).

335.2 Flood and Water Management Act – seeking local information. Councillors reported flooding of the brook at Ferndale/Brookside/Bell car park in circa 1998.

Cllr Durham opened the meeting up to Chris Wheadon who had been working for the Environment Agency at the time and following the flooding the brook was redesignated from a stream to a main river and is therefore the responsibility of the Environment Agency who have now taken measures to ensure this doesn't happen again.

The other area which regularly effects Woodham Walter residents although is not in our Parish is the flooding which occurs at Ulting lock. Clerk to write accordingly.

336. Points Of Information There were no points raised.

337. Date of Next Parish Council Meeting: Monday 8th November 2010.

Signed

Dated

Meeting ended at 10.20pm