

FELSTED PARISH COUNCIL
Minutes of the Planning Committee Meeting
Tuesday 17th September at 6pm

**Attending: Councillors, Richard Freeman (Chairman), Graham Harvey, Hywel Jones,
Clive Perrins and Roy Ramm.**
In attendance Clare Schorah - Assistant Clerk

1. Apologies for Absence

There were apologies for absence from Cllrs Andrew Parker and Roy Ramm.

2. Declarations of Interest

There were no declarations of interest.

3. Public Forum

There were no members of the public present.

4. Approval of Minutes of Previous Meeting

The minutes of the 20th August meeting were formally approved. They will be signed at the next Full Parish Council Meeting.

5. New Applications to be considered

[UTT/24/1855/FUL](#)

Land West Of Bury Farm Station Road Felsted

S73 application to vary condition 1 (approved plans) of UTT/22/1078/DFO (Reserved matters application, following approval of UTT/22/1078/DFO, for appearance, landscaping layout and scale, for the proposed development of a doctors surgery and 38 dwellings. To be considered in conjunction with UTT/22/1080/FUL) - amendments to originally submitted plans.

Comment: Felsted Parish Council would like to withdraw its previous objection to this application which was based on what it considered to be inadequate parking provision at the Doctor's Surgery. This has now been reconsidered by the applicant and Felsted Parish Council supports this updated plan with the associated 31 parking spaces provided.

[UTT/24/2126/FUL](#) / [UTT/24/2127/LB](#)

Pencilwood Barn Mole Hill Green

Proposed change of use from office to 1 no. dwelling. Including the addition of 3 no. new windows and internal layout alterations including removal and addition of modern, non-structural partition walls.

Comment: Felsted Parish Council does not object to the principle of the change of use and believes that a dwelling house would be an improvement to the area. The Parish Council is concerned about a Klargester waste unit which was installed at the property a number of years ago. It would appear that currently clean water is pumped out via a two inch pipe on the side of the road and flows down the hill near the recently installed pond. This has the potential to freeze in the winter and creates a hazard which needs to be rectified. The concerns regarding the outflow of water from this site have been previously reported to UDC by Felsted Parish Council.

6. Decisions received since 20 August

[UTT/24/0721/FUL](#)

Land North Of Milch Hill Willows Green

Change of use of agricultural land to residential, construction of 1 no. dwelling and associated landscaping.

Permission Refused - 22nd August 2024 *'The principle of the proposed development would be unacceptable on grounds of sustainability and due to its unacceptable encroachment of the countryside detrimental to the character and appearance of the area. It is also not one of the identified allocated sites that are considered suitable for housing within the Felsted Neighbourhood Plan...The introduction of 1-no. single storey dwelling on the site with the proposed access arrangements would fail to preserve the special interest of the listed building.'*

7. Appeals to Consider

[UTT/23/3220/FUL](#)

APP/C1570/W/24/3350438

Land East Of Chelmsford Road

Proposed new cemetery and associated infrastructure.

Comment: Felsted Parish Council (FPC) submitted robust and clear responses to the original Planning Application which are shown on the Uttlesford District Council (UDC) planning portal. Our previous submissions were dated 17th January 2024 and 14th February 2024. We will not repeat our previous reasons for objection but would ask the Inspector to take full account of our prior comments.

The applicant is clearly fully aware, as acknowledged in their various submissions to this Appeal, that Felsted Parish Council has confirmed that the requirements of Policy FEL/VA4 included in the Felsted Neighbourhood Plan (FNP) supporting a new cemetery site has subsequently been met and therefore a new site is no longer required. Note: The FNP was fully "made" by UDC on 25th February 2020.

However, they bizarrely imply that because a Policy had been included in the FNP that the Policy should persist indefinitely, even when the Parish Council has confirmed that due to subsequent changed circumstances, the need has become redundant and no longer applies. Had the applicant made contact with Felsted Parish Council prior to submitting their Planning Application we would have confirmed that the Policy had become redundant and that during the (current) Neighbourhood Plan Review the Policy will be "edited" to reflect the changed status.

The Policy became redundant when following the "making" of the FNP, Felsted Parish Council was able to come to an arrangement with the United Reformed Church (URC) who own the existing burial ground in Chelmsford Road, for them to accept burials of any resident or family member of any denomination who has a connection with Felsted Parish. Subsequently, the URC then asked the Parish Council if they would be prepared to accept the transfer of ownership of the burial Ground. This latter detail, identifying the URC burial ground as the new "Parish Burial Ground", was not included in FPC's submissions to the Planning Application as at that time, whilst the URC Committee had agreed the principle of transferring ownership of the site to Felsted Parish, the approval of the URC Synod needed to be confirmed. The arrangement has since been established as acceptable to the URC Synod and the documentation to enable the legal transfer of the burial ground is currently being prepared by the URC Synod solicitors.

Changes in circumstances will always have a potential of impacting a Neighbourhood Plan and it is simply not feasible or realistic to reissue an updated version of a Neighbourhood Plan every time a local event or a change of circumstances impacts a NP Policy as over time, many unforeseen factors will come into play.

The applicant even suggests in their letter to UDC (ref: Appeal Statement – appendix 7) that no change in circumstances can justify a revision of an “identified need” unless it is “independently re-examined and potentially put to referendum” and saying therefore “their consultation response is disingenuous, premature and not justified”.

This is a ridiculous conclusion as there are 38 Policies within the FNP. We are currently undertaking a review of the Plan which was “made” to cover the years 2018 to 2033 and inevitably, circumstances and situations will change over a 15 year period and whilst these will need to be accommodated in the reviewed Plan, it is totally unrealistic to suggest that prior to the formal launch of a revised Plan that any and every change should individually, require a formal “re-examination” and a referendum within the community.

Felsted Parish Council does not need to arrange for an “independent examination” or organise a public referendum for every change of circumstances that might occur within the Parish over a number of years, many of which could impact a Policy in the FNP. Our current review of the FNP is appropriate because amongst other things, UDC are in the process of revising the Uttlesford District Local Plan (currently at regulation 19) and Felsted will be allocated an additional housing requirement which the reviewed FNP will accommodate. The reviewed FNP will also include various edits to Policies, including Policy FEL/VA4.

As stated previously, had the applicant taken the trouble to engage with or make contact with either Felsted Parish Council or the Felsted Neighbourhood Plan Review Group (whose minutes they clearly monitor and refer to in their Appeal Statement) the changes in circumstances over the past 4 years would have been made clear to them.

Felsted Parish Council has other concerns regarding the suitability of the subject site. These concerns included in our previous submissions will not be repeated here but we ask the Inspector to take account of our comments during determination of this Appeal.

For the various reasons stated above, Felsted Parish Council objects to this application and seeks the dismissal of this Appeal.

8. Draft Local Plans - Uttlesford DC, Braintree DC

No Comment

9. Other Urgent Planning Business and Future Dates

It was noted that the following application will take the form of a hearing:

[UTT/23/2526/FUL](#)

Land To The West Of Chelmsford Road

Change of use of land to use as a residential caravan site for 5 Gypsy families, each with two caravans, including laying of hardstanding, erection of 5 no. utility buildings and construction of new access.

The following application (which is not on the list for comments) was noted and it was agreed to submit a comment:

[UTT/24/2257/PAQ3](#)

The Cottage Cock Green Cock Green Road

Prior Notification of change of use of agricultural building to 1 no. dwelling

Comment: Felsted Parish Council believes that this building is not suitable for conversion to a dwelling house. There was an application for the construction of a dwelling ([UTT/22/1019/OP](#)) in this location which was refused on 19 June 2022 primarily for reasons of an unsustainable location in relation to services and amenities. These factors remain unchanged and Felsted Parish Council would not support this change of use.

Next Meeting is 22nd October 2024 online using Zoom.

..... 2nd October 2024 Chairman

Planning Information for Residents

Residents wishing to make comments on Planning Applications or view other comments can go to the Uttlesford District Council Website: <https://publicaccess.submitted.uttlesford.gov.uk/online-applications>.

To find out more about Appeals please go to the Planning Inspectorate Website: <https://acp.planninginspectorate.gov.uk>

Visit <https://felsted-pc.gov.uk/planning/> to find out more about the Planning process.