

Wickhambrook Parish Council

Minutes

Of an Extra-ordinary meeting of the Parish Council held on **Thursday 14th November 2024**

Present: Cllrs A & K Grimes, M Karunaratne, M Lavelle, L Smith, T Turner
Clerk, H Workman; Mr J Henry (Applicant, DC/24/0909/HH), Mr A and Mr M Turner (contractors to Mr Henry), Mr R Merry, Mr T O'Donnell, Mr A & Mrs J Willis

EO.24.11.01 **Noted:** apologies for absence:

- Cllr Paul Couzens – holiday – approved
- SC Cllr Bobby Bennett & WS Cllr Sarah Pugh - noted

EO.24.11.02 **Noted:** That when invited, there were

- 2.1 No Members' Declarations of Local Non-Pecuniary Interests Disclosable Pecuniary Interest and/or Other Registerable Interests in subsequent Agenda items
- 2.2 No declarations of lobbying for planning matters on the agenda their nature, including gifts of hospitality exceeding £25
- 2.3 No requests for dispensations and
- 2.4 No additions and/or deletions to the Council's Register of Interests.

EO.24.11.03 **Noted:** Public Forum – (**Open Session**)¹. 18:05

Cllr Mike Lavelle welcomed all to the meeting and summarised additional information which had been brought to his attention in respect of the Australia Farm planning application, summarised below:

- Australia Farm is not a listed building (the original having been demolished in 1974 and rebuilt)
- Vehicular access over the Bridleway had been established since 1974
- Byeway 31 is a BOAT and vehicular motorised traffic can not be restricted – the route is regularly difficult to negotiate due to mud
- He had been advised that after construction SC Highways would work to ensure that the Bridleway is maintained.

That when comments or questions on any Agenda item or matter of concern from those members of the public present were invited, the following

Planning Application DC/24/0909/HH – Australia Farm

- The contractor for Australia Farm, Mr Andrew Turner apologised for the concern resulting from the laying of hardcore at the junction of the Bridleway and BOAT 31. This had been laid to aid vehicles to turn and avoid heavy vehicles reversing on the bridleway – the hardcore had now been lifted at the request of PROW
- In response to questions from the floor, Mr J Henry, the owner of Australia Farm confirmed that:
 - he had a statutory declaration from previous owner that they had used the bridleway for over 25 years and
 - s.35 Highways Act 1988 also established his right to access his property over the Bridleway
 - he had approached the landowner to the north of the bridleway, who had advised that they were not willing to sell land for the establishment of a private track
 - the proposals for improvements to the Bridleway had originally been included in the planning application to address concerns that had been raised with him and that this element of the planning application had subsequently been withdrawn
- Neighbouring residents accepted that Mr Henry had right of access over the bridleway, but were concerned that there had been no explanation as to how the planning application had been changed

Cllr A Grimes left the meeting

¹ The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 15 minutes unless directed by the chairman of the meeting. The chairman so directed.

Signed: Mike Lavelle

Dated: 28/11/2024

- Mr Henry confirmed that he would be meeting with the Suffolk CC Public Rights of Way (PRoW) team and planners to agree how to facilitate turning of delivery lorries for deliveries and that Notices had been published in accordance with Health and Safety Executive (HSE) requirements for the statutory notices 80 weeks, but that the anticipated build, if planning permission were to be granted, would be approximately 12 months.

Cllr A Grimes returned to meeting

- The contractor, Mr Turner advised that if planning permission were to be granted that they would publish contact details and work with local residents and users of the PRoW. This would include sending the clerk a programme of works to improve communication with the parish.
- Cllr Lavelle noted that it was clear that residents were asking that deliveries be co-ordinated
- Noting the concerns from residents, the meeting asked the clerk to report to District Cllr Sarah Pugh their concerns that the difficulty in reaching and speaking with the assigned planning officer and residents of the parish had increased their anxiety and concerns
- In response to residents concerns that lorry drivers would be meeting horses on the Bridleway the contractor undertook to ensure that lorry drivers would be considerate to Bridleway users.
- In response to further questions, Mr Henry advised that:
 - Although the block plan showed nine parking spaces, they would not in normal circumstances be using that number, but to have amended the block plan again would have delayed the application further; and
 - There was no intention to use the premises commercially
 - The hardcore had been laid to prevent vehicles from reversing down the bridleway (which may result in an accident egressing onto the C road).
 - SCC PRoW had advised that they would be unlikely to have any issues with a layer of unwashed road planings in the tyre tracks.
 - The bridleway would be maintained during construction (if planning permission were to be granted) and once the work had been completed
- Residents were concerned at how the change to the planning application was explained by West Suffolk Planning.

Session closed 18:36

Members of the public left the meeting.

EO.24.11.04 **Noted:**

That when reports from Representatives of the Council on External bodies, Ward Members and other external bodies as appropriate were invited:

- 4.1 Cllr Mrs Bobby Bennett, Suffolk County Council (previously circulated)
- 4.2 Cllr Mrs Sarah Pugh, West Suffolk Council

EO.24.11.05 To consider and determine a response to the planning applications listed below as notified by West Suffolk Council for comment.

5.1 **DC/24/0909/HH** – Householder Planning Application

- a. single storey extension to the south elevation
- b. single storey extension to the west elevation (following demolition of existing single storey elements)
- c. two storey extension to the east elevation (following removal of existing conservatory)
- d. alterations and conversion to existing barn to provide detached garage and gym with first floor bedroom

Australia Farm Meeting Green Wickhambrook CB8 8UR

See report [WPC.Planning 24.11 DC.24.0909.HH](#)

The parish council considered this application and having considered:

- The application and additional supporting documents available on West Suffolk's planning portal
- A briefing paper (**Report [WPC.Planning 24.11 DC.24.0909.HH](#)**) prepared by the clerk
- Concerns raised by residents at Public Forum, and minuted under EO.24.11.03 and additional comments submitted in writing and summarised below:
 - The applicant is not the owner of the land over which the bridleway crosses
 - That the site plan had not been updated to exclude the bridleway, which does not form part of either the property or the application
- A supplementary document from the applicant, Mr Jim Henry, which confirmed that
 - they have a legal right to use vehicles over the bridleway (private rights)
 - if any proposals are made to improve the bridleway's surface in the future, they would be open to discussing proposed finishes with the parish council
 - a meeting with planners and the PROW team to discuss the way forward with construction traffic and any subsequent repairs was imminent
 - they had approached the landowner proposing purchase of land to establish a separate access but they did not wish to sell
 - they would not be running a business at the property
 - internal demolition and refurbishment works that do not require planning permission have taken place
 - Although the plans show 9 vehicles parking, in reality there would be three other than visitors for family gatherings
 - The rubble had been removed from the BOAT and they were consulting with PROW on the best solution for construction traffic to avoid heavy vehicles reversing on the bridleway.
- the following points identified by Cllrs at the meeting:
 - that the property would benefit from improvements under the proposed development
 - The bridleway (Route: W561/032/0) is restricted under law to walking, horse riding, bicycles, mobility scooters or powered wheelchairs and the owners of Australia Farm have private rights for access over the bridleway established both
 - In their Title Deed and
 - Under Section 34 of the Road Traffic Act 1988²

² 34(2A) It is not an offence under this section for a person with an interest in land, or a visitor to any land, to drive a mechanically propelled vehicle on a road if, immediately before the commencement of section 47(2) of the Countryside and Rights of Way Act 2000, the road was-

(a) shown in a definite map and statement as a road used as a public path

(b) in use for obtaining access to the land by the driving of mechanically propelled vehicles by a person with an interest in the land or by visitors to the land.

Signed: Mike Lavelle

Dated: 28/11/2024

- That Suffolk County Council Public Rights of Way Team had provided a response to the application recommending that any permission which the planning authority may give should include the conditions identified in the interests of:
 - public amenity
 - that safety of users is not compromised by the traffic associated with the development
- Their concern about how the bridleway would be maintained and reinstated throughout construction and on completion of works to the property.
- The Neighbourhood Plan currently being prepared by the parish has identified the following policy which is relevant to this application:

Policy WHB 18 - Public Rights of Way

Measures to improve and extend the existing network of public rights of way and bridleways will be supported where their value as biodiversity corridors is safeguarded and any public right of way extension is fit for purpose. Where practicable, development proposals should incorporate measures to enhance biodiversity within the improved or extended public right of way.

The meeting determined to support the application and ask West Suffolk to condition the maintenance and reinstatement of the bridleway and its junction with BOAT 31 based on the advice of Suffolk PROW, and having regard to Policy WHB 18 of Wickhambrook's Draft Neighbourhood Plan.

- 5.2 **DC/24/1424/OUT** - Outline planning application – (means of access, appearance, layout and scale to be considered) for single storey building consisting of store, workshop, office, garage and cart lodge

Easterwood House Baxters Green Wickhambrook CB8 8UY

See report **WPC.Planning_24.11_DC.24.1424.OUT**

The parish council considered this application and having considered:

- The application and additional supporting documents available on West Suffolk's planning portal
- A briefing paper (**Report [WPC.Planning 24.11 DC.24.1424.OUT](#)**) prepared by the clerk

Identified no matters of concern and determined to support the application.

5.3 Resolved

That the Clerk make known the Council's comments on planning applications above to the Corporate Manager, Growth & Sustainable Planning at West Suffolk Council.

EO.24.11.06 **Noted:** The following planning decision under delegated authority:

Planning Delegations

- p. Preparation and submission of responses (in consultation with either the Chair or Vice-Chair) to minor planning applications
- i. Householder Planning Application(s) and associated Listed Building Consent (HH& LB)

where it is not possible to call a meeting within the timeframe of the consultation or an agreed extension with the planning case officer;

DC/24/1511/HH Householder planning application

one dormer window to front elevation and one replacement window to first floor side elevation

Laurel Cottage Malting End Wickhambrook Suffolk CB8 8XG

WPC: No Comment

- EO.24.11.07 **Noted:**
The meeting considered a proposed submission to West Suffolk Council in respect of bus service reductions (previously circulated as **WPC.EO.24.11.01**) and, noting Cllr Smiths advice that strong concerns had been raised by parish councillors at the recent area forum in Haverhill, where it was reported that eight parishes had been left with no public transport, the meeting asked the clerk to include a comment in the proposed response asking whether developers should be responsible for providing a bus service under s.182 (of planning agreement) or commit money to subsidise services.
- EO.24.11.08 **Noted:**
That when any other matters for information, to be noted or for inclusion on a future agenda were invited, the following:
- No cold call zones
 - Digital inclusion – warm winter Wednesdays.
- EO.24.11.09 **Noted:**
Confirmation that the scheduled date for the next meeting is Thursday 28th November beginning at 7:00pm at Pavilion, Wickhambrook Memorial Social Centre.
- EO.24.11.10 **Noted:** Close of meeting – 18:57