

MORETON, BOBBINGWORTH AND THE LAVERS PARISH COUNCIL

Clerk: Mrs Adriana Jones

Email: mbparishcouncil@gmail.com

Dear Councillor

You are hereby summoned to attend a meeting of Moreton, Bobbingworth and the Lavers Parish Council, which will be held on **Tuesday 14 November 2023 at 7.30pm at Moreton Village Hall.**



Adriana Jones
Parish Clerk and RFO
7th November 2023

Members of the public and press are invited to attend this meeting. This meeting may be recorded for the purposes of ensuring accurate minutes. Members of the public should be aware that should they choose to speak, their voice will be picked up by this recording.

AGENDA

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. OTHER ABSENCES

To note any absences for which no apology has been received.

3. DECLARATIONS OF INTEREST

To receive any Declarations of Interest by Members. A Member with a personal interest in a matter must consider whether it is a Disclosable Pecuniary, Other Registerable or Non-Registerable Interest, and declare it accordingly. A Member who is unsure as to how to declare their interest should seek independent advice.

4. CONFIRMATION OF MINUTES

To approve as a correct record the Minutes of the meeting held on 12 September 2023 as attached to the agenda.

5. PARISHIONERS' FORUM

To receive questions from members of the public. In accordance with an agreed procedure, the time allocated for public questions may be limited to 10 minutes or such other period determined by the Chairman of the Meeting.

6. DEATH OF COUNCILLOR CAROL FOULSER

Councillors are asked to formally note the death of Cllr Carol Foulser, Councillor for The Lavers Ward, who passed away on 7th October 2023. The Elections Office at EFDC has been notified of the Casual Vacancy, and a Notice of Vacancy will be created and published. If after 14 days from publication a poll has not been claimed, the Council is able to Co-Opt for this position.

7. RESIGNATION OF COUNCILLOR MICHELLE HALL

Councillors are asked to formally note the resignation of Cllr Michelle Hall. A Notice of Vacancy was published, and confirmation has been received from EFDC that no poll has been claimed. As such the Council is able to Co-Opt for this position. Councillors are asked to note there are currently three vacant Councillor positions (one in Bobbingworth Ward, and two in the Lavers).

8. REPORTS

To receive any verbal reports from Councillors, which may include those who are representatives on Committees, Working Groups, Outside Bodies or who have attended other meetings. Councillors are asked to note that no decisions can be taken under this agenda item.

- a) Chairman's Report
- b) Vice Chairman's Report
- c) District and County Councillor Reports – if any
- d) Parish Councillor Reports - if any
- e) Police report – if any

9. RIDE LONDON 2024

Mr C Davey from London Marathon Events will be in attendance and will provide and update to Councillors as well as answering any questions.

10. BIOGEN

An update will be provided at the meeting, including details of a meeting between affected residents and Alex Burhart MP.

11. TREE PLANTING AND PLAQUE LOCATION(S)

Members to receive an update from Cllr Stuart on planting trees (part of the Jubilee event) within the Parish.

12. DEFIBRILLATOR CHECK

The quarterly check has been carried out on the two defibrillators and have been reported as being in good working order.

13. PUBLICATION OF DRAFT MINUTES

The Chairman to report on this item.

14. GENERAL COMMUNICATION

This item was briefly considered at the last meeting. Members to consider options to communicate with the public – social media.

15. BOBBINGWORTH CLOCK

Cllr J Leverich to report on this item.

16. CONSULTATIONS

To CONSIDER if the Council wishes to respond to the following public consultations, further details of which will be made available at the meeting:

- a) ECC EPOA Parking Guidance Consultation for Essex – Deadline 4th December 2023
[EPOA Parking Standard Consultation](#)
Consultation of revised parking standards for Essex.
- b) EFDC Public Spaces Protection Order – Deadline 20th November 2023
[EFDC Public Spaces Protection Order](#)
Consultation on dog control in the District.
- c) ECC Recycling Centre Booking Systems – Trial period – Deadline 19th November
[ECC Recycling Centre Booking System](#)
Consultation on proposal to make booking system permanent.

17. CLERKS COMMUNICATIONS AND CORRESPONDENCE REPORT

To receive the oral report of the Clerk on matters which may be of current interest to Members and which require a formal update, and to receive such correspondence and communication, as the Clerk may place before the Council. Items under this agenda item are for noting only, and at the time of printing the agenda includes:

- a) Previous Clerk wrote to the CEO at EFDC for an update on permission required in respect of the registration of the village green. A response has been received.
- b) Operation Brazil – Essex Police.
- c) Future agenda items – Members emailing the Clerk with possible agenda items.
- d) ECC, EFDC, EALC and RCCE communications are emailed to Members on a regular basis.
- e) Correspondence from resident regarding flooding on Little Laver Road

18. PLANNING

a) To AGREE responses to the following planning applications:

EPF/2286/23	North Wilmore Barn,	-Retrospective application for the insertion of two
EPF/2291/23LB	Workers Road, High	rooflights on the southern elevation.

File number 006784	Laver, Ongar, CM5 0DZ	-Proposed application of an external door on the west elevation of the single storey barn -Remedial work to infill existing opening on east elevation of single story And Grade II listed application for the same https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001XfPb
File number 006784	EPF/2285/23 EPF/2290/23LB North Wilmore Barn, Workers Road, High Laver, Ongar, CM5 0DZ	Retrospective application for insertion of gable end window on east elevation, and Grade II listed building application for the same. https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001XfPM
File number 005565	EPF/2341/23 Bushes, Wind Hill, Magdalen Laver, Ongar, CM5 0DS	Grade II* Listed Building consent for restoration of loft room, gable end window and new staircase for access to loft room. https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001XhsZ

- b) To NOTE the following planning applications below which have been responded to by way of the Clerk's delegated powers following email consultation with Councillors:

EPF/2188/23	Land on the south side, opposite Moreton Lodge.	Prior approval for the conversion of the ground floor of the building to a studio flat, with storage for the thatching business retained above. https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001XYuP
<p>Moreton, Bobbingworth and the Lavers Parish Council objects to the application EPF/2188/23 – Land on the south side, opposite Moreton Lodge. The prior approval for the conversion of the ground floor of the building to a studio flat with storage for the thatching business being retained above will have a detrimental effect on the openness of the Green Belt site, as it will effectively change the use of the site from grazing land to a domestic garden.</p> <p>The reasons for the objection are as follows:</p> <ol style="list-style-type: none"> 1. There has been five planning applications since 1999 to convert the stable for residential use. The last refusal by EFDC in 2016 (EPF/0364/16) was due to the following reasons: <ol style="list-style-type: none"> i. The proposed use of the building and land will introduce residential use and associated paraphernalia, parking and open storage that will be harmful to the openness of the Green Belt. The proposed residential conversion is not considered a subordinate part of a scheme for business use and additionally the Council is not satisfied that the works were not completed with a view and securing a use other than that for which they were ostensibly carried out, contrary to polices GB2A, GB8A and GB9A of the local plan. ii. The site is not well located in relation to the access to shops, services and public transport as the proposal is contrary to policies CP3 and ST1 of the local plan. 2. The last refused planning application under EPF/0364/16 went to an appeal. The appeal ref: APP/J1535/W/16/3149821 (dated 21st October 2016) was dismissed for the following reasons and these reasons still apply today: <ol style="list-style-type: none"> i. whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework and development plan policy; ii. the effect of the proposed development on the openness of the Green Belt; iii. whether the proposed development would be in a sustainable location; iv. if the proposed development is inappropriate in the Green Belt, whether any harm by reason of inappropriateness, openness and any other harm, is clearly 		

outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

3. The proposed development will inevitably result in an increase in activity associated with the building. As there will be a permanent presence of people particularly in the evening. It will also increase in vehicle movements through visitors and comings and goings of the occupants over and above that currently experienced within the existing use.
4. The residential use of this small barn will introduce a significant number of domestic and outdoor furniture/items which cannot be stored indoors. This will have a impact on Green Belt openness than the existing use.
5. Furthermore the proposed site is separated from the main built up area of the village by a large field and surrounded by open countryside on all other sides. Therefore, in our opinion special circumstances should not be applied.
6. There is no bus service and limited local employment opportunities and the occupants of the barn will be dependent on travel by car, which in return will have a harmful effect on the countryside.

PRE/0285/23	Deal Tree Cottage, Harlow Road, Moreton, CM5 0DL	4 Residential dwellings.
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Moreton, Bobbingworth and the Lavers Parish Council strongly objects to the above pre-application, as the application is a contravention of the policies regulating Green Belt planning. Our reasons for the objection are:

1. This site is not a Rural Exception Site.
2. The applicant has not given consideration to the local housing need as shown in the recent Housing Needs Survey carried out by the Rural Community Council of Essex (RCCE), which was analysed and a report produced.
3. The application makes reference to starter homes but these do not meet the definition of affordable housing on a Rural Exception Site, as per the Housing Needs Survey. It must be noted that starter homes are built normally on brownfield sites and sold at a discount, making the purchase cheaper than market price to help those on a limited income. Whereas affordable development on Rural Exception Sites are an exception to building on Green Belt land where no other development except local needs housing is permissible. Due to these restrictions the value of the exception site land is normally lower than land where market housing development is permitted, helping to retain low cost viable housing development. These sites are identified through a sequential approach and this type of affordable housing is delivered through a process to meet local needs in perpetuity and run by a housing association.
4. We understand that the applicant has been in contact with Hastoe Housing Association, as per the Parish Council's suggestion, but fails to understand that these developments cannot be created against Green Belt planning regulations.
5. The applicant has put forward pre-application enquiry for four starter homes, which cannot be claimed as having 'exceptional circumstances', as the guidance is clear on Rural Exceptional Sites; these sites address local housing need and sustain rural communities.
6. The applicant did indeed attend the Parish Council meetings. We outlined to him that he should be in touch with the RCCE and possibly Hastoe Housing Association to explore the possibility of a rural exception site.
7. The Parish Council has not confirmed its support for this proposal.
8. The Parish Council's Neighbourhood Plan policies have been misinterpreted by the applicant. It specifically states:
 - i. Policy MBL 1.1 – ...Affordable housing should be of a type and tenure that reflects the latest available **local affordable housing needs survey**.
 - ii. Policy MBL 1.2 - ...The delivery of affordable housing through rural exception sites where appropriate should take into account the need to minimise the impacts on the openness of the Green Belt.

c) To NOTE the following planning application for which EFDC do not accept comment:

EPF/2361/23 CLD	North Wilmore Barn, Workers Road, High Laver, Ongar, CM5 0DZ	Certificate of lawful development for existing front entrance gates with associated brick piers https://eppingforestdcpr.force.com/pr/s/planning- application/a0h8d000001XiDK
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d) To NOTE the following Planning decision by EFDC:

EPF/0781/23	Weald Bridge Farm, Weald Bridge Road, North Weald Bassett, Epping, CM16 6AT	Single storey rear extension, rear dormer windows (amendment to approval Ref EPF/1557/20)	Approved with Conditions
EPF/1527/23	1 Petcheys Cottages, Bottle Road, High Laver, Ongar, CM5 0JQ	Application for approval of details reserved by condition 3 'Additional drawing of windows' on planning permission EPF/0565/23 (Grade II listed building application for replacement Crittal windows with double glazed powder coating aluminium replicating.	Refused
EPF/0298/23	Green Oaks, Threshers Bush, Matching, Harlow, CM17 0NS	Conversion and alterations to existing greenhouse to create 1no. self- contained dwelling, with associated curtilage, landscaping and new means of access to the public highway.	Refused
EPF/0940/23	Redwoods, Little Laver Road, Little Laver, Harlow, CM17 0RH	Construction of stables and hay barn for personal use.	Refused
EPF/0708/23	Bushes, Wind Hill, Magdalen Laver, Ongar, CM5 0DS	Application for approval of details reserved by condition 3 'Foul and Surface Water', condition 5 'Mitigation Measures' and condition 6 'Contamination' on planning permission EPF/1787/21 (Proposed alterations to existing buildings; provision of pool within.	Approved
EPF/1551/23	Firs House, Moreton Road, Bobbingworth, Ongar, CM5 0LU	Certificate of lawful development for a proposed single storey side extensions and 3m two storey rear extension.	Lawful
EPF/1257/23	Maltings Farm, Maltings Hill, Moreton, Ongar, CM5 0JY	Application for approval of details reserved by condition 9 'Verification' on planning permission EPF/1656/20 (Reserved matters application to EPF/0181/18 for removal of outbuildings and existing dwelling. Erection of three detached dwellings. Formation o.	Approved
EPF/1629/23	Lunds Farm House, Wind Hill, Magdalen Laver, Ongar, CM5 0EX	Grade II listed building application for the demolition of conservatory and garage and erection of extension.	Refused
EPF/1625/23	Lunds Farm House, Wind Hill, Magdalen Laver, Ongar, CM5 0EX	Demolition of conservatory and garage and erection of extension.	Refused
EPF/1660/23	Partridge House, Harlow Road, High Laver, Ongar, CM5 0DL	Application for approval of details reserved by condition 6 'Gas Membrane', condition 7 'unexpected contamination' and condition 12 'Wheel	Approved

		Washing' on planning permission EPF/2667/17 (Proposed Replacement Dwelling and Detached Cart Lodge).	
EPF/1997/23	Hobbs View, Moreton Road, Ongar, CM5 0LX	Non material amendment to EPF/2006/22 (Replacement dwelling and garaging within existing garden curtilage - minor house redesign and repositioning within curtilage following previously consented scheme (Ref: PL/EPF/1693/21) - raise ridge height by 0.64m a.	Refused
EPF/1823/23	Tilegate Farm, Tilegate Road, Magdalen Laver, Ongar, CM5 0EA	Application for approval of details reserved by condition 3 'External Finishes' on planning permission EPF/1052/17 (Demolition of existing industrial and storage workshops and equestrian buildings and replacement with three residential units plus annex an.	Approved

19. DUTY TO CONSERVE AND ENHANCE BIODIVERSITY

Under the Natural Environment and Rural Communities Act 2006, Parish and Town Councils have a duty to conserve biodiversity. This has been further strengthened in the Environmental Act 2021 which, in addition to having a duty to conserve requires that this duty extends to 'enhancing' biodiversity. The Environmental Act 2021 requires that every Parish and Town Council which has functions exercisable must from time to time consider what action the authority can properly take, consistent with the proper exercise of its functions, to further the general biodiversity objective, the first consideration needed to have taken place by 1st January 2024. The biodiversity objective is the conservation and enhancement of biodiversity through the exercise of the Parish Councils functions. To be more specific, Councils need to:

- Determine such policies and specific objectives as it considers appropriate for taking action to further the general biodiversity objective, and
- Take such action as it considers appropriate, in the light of those policies and objectives, to further that objective.

A Parish Council has a wide-ranging set of powers from which it could draw as part of this consideration, and as such the Parish Council is therefore asked to complete its FIRST CONSIDERATION of its duty for biodiversity. An example of the types of matters the Council could consider includes:

- Enhance the quality of green spaces to promote nature, benefit wellbeing and provide connecting corridors for wildlife
- Support and actively promote the need for increase good quality cycling and walking infrastructure to improve health and reduce carbon emissions and air pollution
- Consideration of the frequency of mowing
- Consideration of specific habitats or species
- Carbon footprint

20. PRECEPT / BUDGET 2024/2025

Councillors are asked to advise the Clerk of any matter, including costings, they wish to be considered as part of the budget/precept process which will take place at the January meeting.

21. CHRISTMAS OPEN MEETING

To AGREE the details of the Christmas Tree lighting and Open Meeting being held on Tuesday 5th December, including speakers, refreshments, lighting of the tree, carols, and delivery of leaflets.

22. FINANCIAL MATTERS

a) To approve the payments listed below:

BACS	Hire ML V/H	Hall hire 12 September	£22.00
BACS	Vikatechost	Email host subscription	£40.80
BACS	A Rogers	September payroll	£25.00
BACS	G Paddan	September Salary	£832.00
BACS	HMRC	September tax	£208.00
BACS	V Evans	Internal Audit	£107.20

BACS	A Rogers	October payroll	£25.00
BACS	G Paddan	Travel Sept meeting Oct mtg Adriana £14.85 + printing Xmas flyers £67.00	£81.85
BACS	G Paddan	October Salary + holiday pay	£1312.00
BACS	HMRC	October Tax	£ 328.00
BACS	Community Spirit	Grant for area maintenance within the parishes	£3,000.00
BACS	G Paddan	Home office	£300.00
BACS	A Jones	November Salary (£554.73), and home office allowance for November (£43.33) post dated 30 Nov	£598.06
BACS	HMRC	PAYE November (post dated 6 Dec)	£138.60

b) To NOTE the Bank Balances as at 31 October 2023:

	£	£
Balance per bank statement as at 31 Aug 2023		
Unity Deposit Account	41,912.75	
Unity Current Account	1,708.09	
		43,620.84
Less: Any un-presented cheques at 31 Oct 2023	0.00	
Add: Any un-banked cash at 31 Oct 2023	0.00	
CASH BOOK		
Opening Balance 1 September 2023	43,620.84	
Add: Receipts to 31 Oct 2023 (precept + int)	284.17	
Less: Payments to 31 Oct 2023	7,047.55	
Balance (receipts and payments book) as at 31 Oct 2023		£36,857.46
Deposit Account £36196.92		
Current Account £660.54		

23. ITEMS FOR NEXT MEETING

To suggest possible items for the next agenda.

24. DATES OF NEXT MEETINGS

- a) To consider the dates and locations of the 2024 Parish Council meetings so the Clerk can book these with the relevant hall.
- b) To note the following:
 - The Christmas Lights Switch on be held at Moreton Village Green at 7pm, 5th December
 - The next meeting will be the Open Meeting and being held at Moreton Village Hall on 5 December 2023 at 7.30pm.
 - The next Parish Council meeting will be held on Tuesday 9th January.