

**MORETON, BOBINGWORTH AND THE LAVERS  
PARISH COUNCIL**

Clerk: Mrs Gurdip Paddan

Email: [mblparishcouncil@gmail.com](mailto:mblparishcouncil@gmail.com)

Dear Councillor

You are hereby summoned to attend the Council Meeting of the Moreton, Bobbingworth and the Lavers Parish Council, which will be held on Tuesday 12 September 2023 at 7.30pm at Magdalen Laver Village Hall.



G Paddan  
Parish Clerk and RFO  
5 September 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 RECEIVE**  
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, Non-Pecuniary or Other Pecuniary 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 11 July 2023.
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. **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 – circulated

7. COUNCILLOR CO-OPTION  
Councillors are asked to consider the application for this position and co-opt if agreed.  
*(N.B. Details of the prospective applicant have been circulated to Councillors only due to their confidential nature).*
8. NOTICEBOARDS  
Update from Councillor Crosbie.
9. COMMUNICATION AND GENERAL INFORMATION SHARING  
Sharing of information received by the Council. Councillor Crosbie to speak on this item.
10. RIDE LONDON 2024  
Cllr Martin to speak on this item in terms of proposing routes or decision for ride London for 2024.
11. BIOGEN  
An email has been received from a resident in respect of the odour from the site. To receive reports/updates.
12. VACANCIES AND COUNCILLOR ATTENDANCE AT MEETINGS  
There are currently three vacancies on the Parish Council. Concern was expressed at the last meeting in respect of Member attendance at meetings.
13. 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.
14. REMOVAL OF PLASTIC TUBES – NATURE RESERVE  
Update from Councillors Leverich and Offord on the success of removal of plastic tubes from around the trees and discarded plastic fragments from the Nature Reserve.
15. MAINTENANCE OF GREEN AREAS WITHIN THE PARISH – GRANT REQUEST  
Members to consider a request for £3k grant towards the maintenance of green areas within the Parish.
16. INFORMAL CONSULTATION - FOOTPATH 12 MAGDALEN LAVER, ECC  
ECC welcome the Council's thoughts on the diversion proposal attached. This is an informal consultation on footpath 12 Magdalen Laver. Closing date 27 September.
17. CORONATION LIVING HERITAGE FUND  
Funding is available to support local tree planting projects across England. Grants are available for £10,000 to £50,000 for each project. Application closing date is 10am on 26 September 2023 and the project must be completed by 31 March 2025. Town and Parish Councils cannot apply directly, therefore, the Tree Officer or the Environmental Team at EFDC has to apply for funding on behalf of Town/Parish Council. Further information is available on this link:  
[https://www.gov.uk/guidance/apply-for-the-coronation-living-heritage-fund-clhf?utm\\_medium=email&utm\\_campaign=govuk-notifications-topic&utm\\_source=61daf14a-13c0-43d5-8ce8-12875166c0a8&utm\\_content=weekly](https://www.gov.uk/guidance/apply-for-the-coronation-living-heritage-fund-clhf?utm_medium=email&utm_campaign=govuk-notifications-topic&utm_source=61daf14a-13c0-43d5-8ce8-12875166c0a8&utm_content=weekly)
18. 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:
  - a) Clerk wrote to the Officer at EFDC for an update on permission required in respect of the registration of the village green. Unfortunately no response has been received.
  - b) Next EALC Branch meeting will be held on Friday 8 September.
  - c) ECC, EFDC, EALC and RCCE communications are emailed to Members on a regular basis.

19. PLANNING

a) 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/1515/23	Land on the south side of School Lane, School Lane , High Laver, CM5 0EE	Conversion of an existing building into a one bedroom dwelling. Resubmission of refused application: EPF/1583/21 and dismissed appeal: APP/J1535/C/21/3278107
Link: <a href="https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001WmOw">https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001WmOw</a>		
No objection		
EPF/1553/23	Holly House, Little Laver Road, Little Laver, Harlow, CM17 0QB	Convert garage to living accommodation.
Link: <a href="https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001Wp3m">https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001Wp3m</a>		
No objection		
EPF/0980/23 File: 000037	Nether Hall, Church Road, Moreton, Ongar, CM5 0JA	Change of use of land and retrospective siting of one lodge for short-term tourist accommodation.
Link: <a href="https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001WAFw">https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001WAFw</a>		
No objection		
EPF/1574/23 File: 006988	Tilegate Farm, Tilegate Road, High Laver, Ongar CM5 0EA	Construction of a tennis court together with perimeter fencing and landscaping
Link: <a href="https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001Wq6r">https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001Wq6r</a>		
<p>The proposal of a tennis court together with perimeter fencing landscaping is an area outside of the Tilegate Farm redevelopment site. This application site was the subject of an application for construction of a tennis court that was <b>refused</b> by EFDC on 12 June 2023, Ref: EPF/0788/23. We understand that the applicant states that this new application has been submitted in response to EFDC's reasons for refusal.</p> <p>The Parish Council has considered and reviewed both applications and the difference between this application and one that was refused under EPF/0788/23 is that the height of the yew hedge surrounding the court increases from 2.1 meters to 2.5 meters.</p> <p>Regarding the previous application EPF/0788/23, the Parish Council made the following comment:</p> <p><i>'We have no objection to the erection of a tennis in this position, providing it is:</i></p> <p><i>a. retained as green belt land and not incorporated into the residential curtilage.</i></p> <p><i>b. no flood light are erected.</i></p> <p><i>This application, as displayed on the planning authority's website is for the erection of a tennis court together with perimeter fencing and landscaping only.</i></p> <p><i>However, the letter from the applicant's agent, requests a change of residential boundary together with a change of entrance to the site.</i></p> <p><i>We have no fundamental objection to the exchange of pockets of green belt land as outlined on plan No 272/01 (02) 003I.</i></p>		

*We are not planning experts; however we believe, a potential closure of the existing entrance to the site of Tilegate Farm and the potential use of another entrance should be considered as a separate matter - probably as a different planning application. It is a highway safety consideration as to where the entrance is.*

*Our Parish Council's view has consistently been that the position of the entrance on the South-Western side of the site\* is dangerous, as it is too close to a blind bend. The existing entrance, which the applicant offers to close by a section 106 agreement, is in a far safer place for an entrance.*

*\* This entrance was closed in 2001 ( EPF/0637/2001) "in the interest of highway safety" and the access road was re-routed. This proposed section 106 agreements would reverse this.'*

**EFDC's delegated Officer report on EPF/0788/23 states:**

*Green Belt*

*Despite being in the Green Belt, the approved residential development was allowed to retain its permitted development rights when planning permission was granted.*

*Despite the retention of these permitted development rights, the applicant now wishes to extend the approved application site / red line / residential curtilage further north encroaching into undeveloped Green Belt Land.*

*This is partly because the applicant has chosen to construct a swimming pool and associated outbuildings on land within the approved application site / red line / residential curtilage which could have accommodated the tennis court which is now proposed.*

*It is unclear whether the swimming pool and associated outbuildings are lawful since no Certificate of Lawfulness application has been submitted to confirm this.*

*Green Belt serves five purposes including to assist in safeguarding the countryside from encroachment.*

*Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*

*When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.*

*A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

*b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*

*Whilst the proposed tennis court would qualify as a facility for outdoor sport / recreation, the proposed development would not preserve the openness of the Green Belt and would conflict with the purposes of including land within it (specifically safeguarding the countryside from encroachment).*

*The proposed development is therefore inappropriate development which is, by definition, harmful to the Green Belt.*

*The proposed tennis court surface would measure 17m x 34m and would be surrounded by perimeter wire mesh fencing measuring between 1m and 2.5m in height and as such would have a significant physical and spatial impact on openness.*

*Unacceptable in this respect.*

Permitted Development fallback position

Officers do not agree with the assertion set out in the covering letter that the submitted tennis court proposal represents a preferable outcome to the alternative PD fallback position.

Development, including that allowed under permitted development rights, should be confined to the approved developed land within the existing red lined application site rather than encroaching further into undeveloped Green Belt land to the north.

The tennis court could have been accommodated within the existing red line/residential curtilage in the northern part of the site had the applicant not built a swimming pool and large outbuildings in this location (apparently under permitted development rights, although not Certificate of Lawfulness application has been submitted to confirm that these buildings are lawful).

The approved central/northern access road and associated gates and walls are previously approved elements within the existing red line development site. The relinquishment of these elements would not compensate for the proposed further encroachment into undeveloped Green belt land to the north.

Character and Appearance

The proposed development would fail to relate positively to the context of the surrounding area, representing an incongruous development on undeveloped Green Belt land and encroaching into the countryside.

Unacceptable in this respect.

In conclusion, it appears that in application EPF/1574/23 none of these points seem to have been addressed. Additionally, the Parish Council **objects** to a 2.5m tall hedge which further impacts on the openness of the green belt and is not appropriate.

The Parish Council does not understand the purpose of resubmitting an application which fails to address the issues which were identified in under EPF/0788/23. Furthermore, our understanding is that development is not permitted under Class E in any area in front of the principal elevation of a house.

Our view is that on all these grounds above, application EPF/1574/23, Tilegate Farm, High Laver, Ongar, CM5 0EA, Construction of a Tennis Court together with perimeter fencing and landscaping should be **refused**.

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.
Link: <a href="https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001Wtjg">https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001Wtjg</a>		
No objection		
EPF/1625/23	Lunds Farm House, Wind Hill, Magdalen Laver, Ongar, CM5 0EX	Demolition of conservatory and garage and erection of extension.
Link: <a href="https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001WtiY">https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001WtiY</a>		
No objection		
EPF/1621/23	Croxton, Weald Bridge Road, North Weald Bassett, Epping, CM16 6AU	Replacement dwelling
Link <a href="https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001WtP7">https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001WtP7</a> No objection.		

EPF/1707/23	The Meadow, Pedlars End, Moreton, Ongar, CM5 0LW	Proposed single storey side extension and two storey infill extension and Painting of Exterior.
<a href="https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001WzNK">https://eppingforestdcpr.force.com/pr/s/planning-application/a0h8d000001WzNK</a>		
No objection		

- a) Councillors are asked to NOTE the following Planning decision by EFDC:

EPF/0788/23	Tilegate Farm, Tilegate Road, High Laver, Ongar, CM5 0EA	Construction of a tennis court together with perimeter fencing and landscaping.	Refused
EPF/0899/23	Redwoods, Little Laver Road, Little Laver, Harlow, CM17 0RH	Replacement side extension.	Approved with conditions
EPF/0959/23	North Wilmore Barn, Workers Road, High Laver, Ongar, CM5 0DZ	Part demolition of an existing wall, of a curtilage listed building, to create an open sided outbuilding.	Refused
EPF/1140/23	Croxton, Weald Bridge Road, North Weald Bassett, Epping, CM16 6AU	Retrospective planning application for construction of a new vehicle access.	Approved with conditions
EPF/1152/23	2 Envilles Cottages, Wellington, Abbess Road, Little Laver, Ongar, CM5 0JH	Single storey side extension to replace conservatory & new canopy roof to front.	Approved with Conditions.

- b) To NOTE the following planning application(s) for which EFDC does not normally accept comment:

EPF/1551/23	Firs House, Moreton Road, Bobbingworth, Ongar, CM5 0LU	Lawful Development Certificate: Proposed	Certificate of lawful development for a proposed single side and two storey rear extensions.
EPF/1823/23	Tilegate Farm, Tilegate Road, Magdalen Laver, Ongar, CM5 0EA	Approval of details reserved by a condition	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 and outbuilding together with reconfiguring of access road and landscaping).

- c) To NOTE the following planning applications that are still to be considered by the Council (these applications will be dealt with by the way of delegated powers to the Clerk).  
None.
- d) To NOTE suspected breach  
None.

20. FINACIAL MATTERS

a) To approve the payments listed below:

BACS	A Busch	Land Registry	£6.00
BACS	EALC	Chairman's training	£342.00
BACS	RCCE	Subscription	£72.60
BACS	A Rogers	July payroll	£25.00
BACS	G Paddan	July Salary	£832.00
BACS	HMRC	July Tax	£208.00
BACS	G Paddan	Travel £5.35 July mtg + Aug mtg £5.35	£10.70
BACS	G Paddan	August Salary	£832.00
BACS	A Rogers	Aug payroll	£25.00
BACS	HMRC	Aug Tax	tbc

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

	£	£
Balance per bank statement as at 30 June 2023		
Unity Deposit Account	42,912.75	
Unity Current Account	3,486.39	
		£46,399.14
Less: Any unpresented cheques at 31 Aug 2023	0.00	
Add: Any un-banked cash at 31 Aug 2023	0.00	
<b>CASH BOOK</b>		
Opening Balance 1 July 2023	46,399.14	
Add: Receipts to 31 August 2023 (precept + int)	0	
Less: Payments to 31 August 2023	2,778.30	
Balance (receipts and payments book) as at 31 August 2023		<b>£43,620.84</b>
Deposit Account £41,912.75		
Current Account £1708.09		

c) Bank signatories – Application has been made to Unity Bank, (as per the Internal Auditor's recommendation) to add Councillors Padfield and Crosbie as signatories.

21. APPOINTMENT OF NEW CLERK AND RFO

Following the advertisement for a New Clerk; two applications were received and considered for the appointment of Clerk and Responsible Finance Officer to the Parish Council. An update will be provided at the meeting.

22. DATE OF NEXT MEETING

The next meeting will be held at Moreton Village Hall on 14 November 2023 at 7.30pm.