

**MINUTES OF KERSEY PARISH COUNCIL EXTRAORDINARY MEETING  
HELD ON MONDAY 29 JULY 2019  
IN KERSEY VILLAGE HALL AT 7.30 PM**

**PRESENT**

John Hume – Chair, Penny Calnan, Dave Finch, Pascoe Gibbons (arrived late), Andrew Rogers, 15 members of the public and the Clerk – Sarah Partridge

**118/19 APOLOGIES** – Apologies were received from Philippa Harris and accepted. Pascoe Gibbons sent apologies that he would arrive late.  
Kevin Pratt was absent.

**119/19 ACCEPT MEMBERS' DECLARATIONS OF INTEREST** – None.

**120/19 CONSIDER ANY DISPENSATION REQUESTS FOR PECUNIARY INTERESTS RECEIVED FROM COUNCILLORS** – None received.

**121/19 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 8 July 2019 were signed and dated as being correct.

**122/19 PARISH TIME**

A query was asked about the breakdown of costs for the Parish Council election.

A question was asked about whether there were plans to replace any of the playground equipment which has been removed. It was confirmed there are plans which include trying to secure external funding. One option is to apply for CIL funding. Before applying for CIL funding the Parish Council needs to complete a Parish Infrastructure Investment Plan (PIIP). This is being worked on and a public consultation is planned. All residents are encouraged to respond to this consultation about parish resources.

**123/19 FINANCE - TO APPROVE THE INVOICE FOR THE PARISH COUNCIL ELECTION EXPENSES OF £732.79 AND AGREE TO USE THE RESERVE HELD FOR THIS PURPOSE.**

The Parish Council had received the invoice for the contested Parish Council election held in May. The costs for this election are shared with the Babergh District Council election which took place at the same time. The cost of £732.79 was as estimated by Babergh in October 2018. It was agreed to use the reserve held for the purpose of election expenses to pay this invoice. The Parish Council will need to consider carefully the level of the election reserve at budget setting in November. It was agreed to pay the invoice and ask Babergh for a breakdown of how this invoice price was calculated.

**124/19 PLANNING APPLICATIONS**

a) Progress:

**DC/19/01834 Land South West Of, Vale Lane, Kersey, Suffolk**

Proposal: Outline Planning Application (all matters reserved)-Erection of up to 8no. dwellings with parking and access from a new shared driveway with a single access to Hall Road.

The Clerk has spoken to the officer. She has requested a housing needs assessment, not a housing needs survey. This is expected to be a factual document providing evidence of housing need from statistics. There is no requirement to re-consult following receipt of this assessment, however, if there was a re-consultation period it would only be a 14-day window.

The Clerk reminded Councillors of the need to be open minded during Parish Council discussions before decisions are made. Decision makers are entitled to be predisposed to particular views. However, predetermination occurs where someone closes their mind to any other possibility beyond that predisposition, with the effect that they are unable to apply their judgement fully and properly to an issue requiring a decision. Councillors must be willing to listen to and engage with both sides of the argument. Councillors who cannot do this are predetermined and should declare a conflict of interest and take no part in the discussion or vote on the matter. The law on bias and predetermination is part of the general legal obligation on public authorities to act fairly.

b) To consider planning applications received:

**DC/19/02483 Ballyquirke, Kersey Farm, Hadleigh Road, Kersey Ipswich Suffolk**

Proposal: Householder Planning Application - Erection of 3 No. sheds (following demolition of existing sheds)

The applicant was present and outlined plans to take down the existing sheds and replace with new sheds. These will be slightly larger than the existing sheds to provide secure storage, a sheltered area and a hobby workshop. Councillors considered these proposals and unanimously agreed to support the application.

*Two members of the public joined the meeting.*

**DC/19/03253 2 Ancient Houses, The Street, Kersey, Ipswich IP7 6EA**

Proposal: Application for Listed Building Consent - Installation of oak framed window inside of existing mullioned window.

*Pascoe Gibbons joined the meeting. One member of the public joined the meeting.*

The applicant was present and outlined the proposal and planning legislation he considered relevant to his proposal. The existing mullioned window was unblocked to inspect the structure. It is proposed to insert a new oak single glazed window inside the existing mullioned window. There will be four separate pieces of glass, each with an oak frame to sit behind the mullions providing light to the bedroom. The applicant suggested that because this is a Listed Building application any concerns about a loss of privacy would not be taken into consideration. The owner of the neighbouring property spoke to object to this proposal. The window is set in a flying freehold so the window is above the neighbouring house and it directly overlooks the neighbouring garden creating a total loss of privacy. The tenant also objected concerned by the loss of privacy and being overlooked. She suggested the impact of this loss of privacy would mean having to move house. It was commented this window pre-dates the time when the Ancient Houses was split into more than one house. At the time it was constructed this window would have overlooked its own garden. Historic England is a consultee. They have responded stating Babergh should use their local conservation officer for a response.

Councillors considered this application. The Parish Council agreed this proposal would not cause any harm to the heritage assets of Ancient Houses so it would support the Listed Building Application. However, the Parish Council is concerned that re-opening this window will impact on the privacy of the neighbouring property. The window is set in a flying freehold and overlooks the neighbouring garden.

*Two members of the public left the meeting.*

**B/15/01196 Land to The Rear Of 1 - 6, The Street, Kersey**

Proposal: Erection of 7 No. two storey dwellings

Reason(s) for re-consultation: Further documents received.

The new documents on the Babergh planning website are a housing needs assessment; three different heritage statements; a planning statement written by a planning consultant for the applicant and a copy of a letter from a solicitor's firm dated December 2017 proposing a claim for a judicial review should Babergh approve the application. This letter has been annotated by the applicant giving responses to refute each statement put forward in support of a potential JR.

The applicant did not attend. Members of the public present put forward comments.

- There was a concern raised that this application has been on-going for several years and the recent documents received are outside the consultation timeframe which is not in line with Council procedures.
- There is no obvious homelessness in the village and there are houses available for sale in the village which proves there is no need for more housing in Kersey.
- There are other more appropriate places for new housing in the village.
- The disruption caused by any construction work would have an impact on the pub business.
- The pub, being a community asset, should have protection for the business. The closeness of the proposed homes would impact on the business.

Councillors considered all these documents and discussed the application. There was concern about highway safety because the proposed driveway would be too narrow and access onto The Street would be dangerous. It was questioned whether there is a need for affordable housing, there are houses available for sale in the village. It was also commented there is no public transport to support any new housing. One Councillor felt the heritage harm should not be a concern, three experts have all put forward expert opinion that this proposal would cause less than substantial harm. The housing needs assessment does identify there is a need for housing in the whole area. Concern was expressed about the validity of statements suggesting a need has been identified due to the interest some people have registered to live in the proposed homes. There are Babergh statistics which suggest Kersey would need about 1 house per year to meet the demand, therefore, if these houses were built it would supply the need for several years. This proposal is in a contained location, other locations where new housing could be built in the parish could all be expanded and lead to extended developments. Councillors acknowledged there is a need for more housing but generally it was felt this was the wrong location. Councillors expressed concerns about the detrimental impact this proposal would have on the heritage assets in Kersey. After some debate it was resolved by a majority not to support this proposal. The reasons for not supporting were concerns about the harm to heritage assets and concerns around highway safety. The earlier responses to this application made by the Parish Council still stand.

A member of the public questioned if the Parish Council would make a comment to Babergh about the concerns the applicant is not complying with the timeframes according to policy. It was agreed the Parish Council does not have the facts relevant to this and would not be commenting.

### **125/19 TO RESPOND TO THE BABERGH SURVEY ABOUT THE PLANNING DEPARTMENT**

The Parish Council agreed to respond to this survey. In general, the Parish Council felt it was satisfied with their interactions with the planning department. It was felt the planning website could be improved to make it easier to download multiple documents for an application. The Parish Council also agreed there is obvious pressure on Babergh planning officers due to serious understaffing. The Parish Council would like Babergh to offer training to improve knowledge. Topics of interest would relate to heritage, policies, how to make effective responses, how the planning committee works, how to accelerate Neighbourhood Plans and how decisions are made by officers. The Clerk will complete the on-line survey.

*Two members of the public left the meeting.*

### **126/19 TO AGREE ATTENDANCE BY TWO COUNCILLORS AT THE DRAFT LOCAL PLAN BRIEFING SESSIONS**

The dates had been circulated to all Councillors. John Hume agreed to attend a session. Since these are daytime sessions other Councillors were unable to attend. There are also public drop in sessions which run into the evening so Councillors could take the opportunity to attend one of these sessions.

**127/19 ANY OTHER BUSINESS - AN OPPORTUNITY FOR COUNCILLORS TO BRING MATTERS TO THE COUNCIL'S ATTENTION**

A Councillor asked for Neighbourhood Planning to be added to the agenda of the next ordinary council meeting. This was agreed. All Councillors will need to do some research before this meeting so a fully informed decision can be made as to whether Kersey should work on a Neighbourhood Plan.

A concern was raised about pot holes and highway safety at the far end of Vale Lane. The individual was advised to report this via the SCC website.

There were additional comments and questions from members of the public.

A concern was raised about the overgrown vegetation on Cherry Hill. The Clerk confirmed she has reported this multiple times and was going to send photographs to back up the complaint. It is concerning these verges have not been cut as they are now creating a danger for road users.

A query was asked about the planning survey. It was felt applicants should be surveyed following completion of applications as this would provide valuable feedback to the planning department. It was agreed to add this comment to the survey response.

A query was raised about the process the Parish Council used to consider planning applications. It was asked whether the public could have a second opportunity to comment after Parish Councillors have debated the applications. The Chair said he always tries to ensure members of the public have the opportunity to comment. However, the Parish Council follows a similar protocol to District Council planning committees and it was felt this was the right balance. It should be remembered Parish Council meetings are 'meetings held in public' and not 'public meetings'.

It was suggested there could be ways of saving money when installing new playground equipment using volunteer labour. The Clerk stated the Parish Council must ensure safety and comply with safety legislation which is why experienced competent contractors are used. The KCPC working Group is made up of volunteers who carry out some maintenance at the playground which is within their expertise. More volunteers are always welcomed.

There being no further business the meeting closed at 9.26pm.

There are no items appended to these minutes.