



**Notes of the Feering Parish Council Planning Working Group
held virtually on Thursday 5 December 2024 at 10.00 am
via Teams**

In Attendance:

Cllr Katherine Evans	Cllr Pam Carlaw
Cllr Bob Palmer	Cllr Paul Lees
Lisa Collins – Clerk	Cathy Stewart - Assistant Clerk

1) **DISCUSSION OF THE FOLLOWING APPLICATIONS**

a) **24/0241/TPOCON – Moors Cottage, Coggeshall Road, Feering**

Comments by Councillors: Response from Tree Warden to say that the holly is close to the building and could grow very high. Agree it should be removed and replaced with a shrub or tree on FPC land

Delegated response: Feering Parish Council have no objection to the removal of the Holly Tree. As Feering Parish Council has declared a climate emergency, we would request that a suitable replacement tree or shrub be planted either at the residence or, in coordination with Feering Parish Council, at an appropriate location on Parish Council land.

b) **Braintree Planning Policy – Feering Calls for Sites**

Comments by Councillors: This is in an unsustainable location and goes against the Feering Parish Council Neighbourhood plan, it is also in the green space buffer between Feering and Marks Tey, and is outside of the village envelope. There are no public transport links and dangerous to pull in and out onto the A12, plus there is still uncertainty around the A12 widening.

Delegated response: Feering Parish Council object to this additional call for sites. The location is unsustainable and goes against the Feering Neighbourhood Plan Policy 9B as there is not good access to the A12, there is not good quality pedestrian and cycle access to Kelvedon station. It is also contrary to Policy 10A of the Feering Neighbourhood Plan. The site is outside of the village envelope and would erode the green space buffer between Feering and Marks Tey. It would not contribute to or enhance the natural and local environment and support the transition to a low carbon future.

c) **24/02385/FUL – Land North of London Road, Kelvedon**

Comments by Councillors

Delegated response: Feering Parish Council are objecting to this application until the 24/02383/VAR planning application is decided.

The Northern Access plans show a 6m wide carriageway, 2 x 3m verges and 2 x 2m footways. The Essex Design Guide suggests that a Type D access is appropriate for a development entrance of this size. A Type D access is:

- 6m carriageway if not a bus route
- 1 x 2m footway and 1 x 3.5m cycle/footway.

The second north-bound bus-stop will be against the northern frontage of the development. Feering Parish Council suggest that a bus layby is constructed to ensure that there are good sight lines to/from the northern site entrance when a bus stops.

We would also ask that the electricity and lighting poles are located clear of the 2m footway and not inside the footway.

d) **24/02384/REM** – Land North of London Road, Kelvedon

Comments by Councillors: The access is a type D access and show them with the 6m carriageway and 2x3m wide grass verges and 2x2m wide footways. Design guide says there should be a cycle footway on one side. What is being provided is not a type D access as set out in the design guide. Recommendation is that cycleways and footways are separated in the design guide. One of the bus stops will be near the care home, which could be inset into the proposed grass verge. Planning statement states that the road safety audit did not highlight any concerns. It did identify a concern about the specific location of the bus stop.

Delegated response: Feering Parish Council are objecting to this application until the 24/02383/VAR planning application is decided.

FPC would like to point out that the application planning statement states that the access is a type D access:

4.2. Access is proposed from London Road comprising of a Type D Road with a 6m wide carriageway, 2 x 3m verges and 2x2m footways.

However, the Essex Design Guide for the Type D access is:

- 6m carriageway if not a bus route
- 1 x 2m footway and 1x3.5m cycle/footway.

The access as proposed is NOT a Type D access as per the Essex Design Guide and should be amended to comply with it.

At paragraph 7.6, the Planning statement states that the road safety audit did not highlight any potential concerns. This is incorrect as it did identify a concern (section 4.1.1) relating to the proposed move of the north-bound bus stop, currently at the proposed southern entrance location, to be nearer the A12 slip due to visibility concerns and that sight lines to/from the site entrance could be compromised by the bus stop. Feering Parish Council therefore suggest that a bus layby is constructed.

We would also ask that the electricity and lighting poles are located clear of the 2m footway and not inside the footway.

- e) **24/02383/VAR** – Land North of London Road, Kelvedon

Comments by Councillors: It was discussed that this application should be postponed until after the Members Forum meeting on 10 December, however it was then agreed that a response should be drafted and circulated before the meeting and changed following the outcome of the meeting if necessary.

How necessary are the variations? The conditions which were agreed are now being reneged upon. They were the conditions on which this application was approved. BDC needs to stand up and tell the developers to follow the conditions set out. Doctors surgery is not going to be fit for purpose for Kelvedon & Feering, as it is being designed for Kelvedon & Feering Health Centre as it is today and a small amount of expansion which does not include the Crown Estate land. Only a 300 development and they want to move back to 290 occupied and this is completely unacceptable. Infrastructure was supposed to be put in prior to any occupation and this was one of the selling points of this project and they are going back on this which is detrimental to both communities. They are planning to reduce the size of what they were supposed to build. The extra space proposed is insufficient for expansion for the developments which are coming into both Feering and Kelvedon.

Not that these things must be built and ready but that their plans must be approved. Yes, plans can be approved in detail for these things, but the infrastructure may not be built if it goes ahead as they suggest.

Delegated response: Feering Parish Council (FPC) support Kelvedon Parish Council's objection to the proposed variation of the Section 106 agreement. **FPC object** to the extension of timescales as to when the Health Centre, Early Years Facility and Retail Units will be built and available. FPC also object to the reduction in land area for these facilities. As noted by Kelvedon Parish Council there has been no reasoned justification for these variations which were not mentioned in the September community exhibition nor in the November meeting of BDWH with the Parish Councils.

Section 106 agreement schedule 2: Health Centre

In December 2021, the BDC Officer report and recommendation of this London Road site, outside the Development Envelope and not included in the Local Plan, said that... *"The delivery of a new Health Centre is one of the key benefits of this scheme and the timing of the delivery is important. This is because if the Health Centre is not delivered as intended, then the overall benefits of the development are significantly reduced.... The (S106) Agreement states that no residential dwellings on the site can be occupied until the Health Centre is complete and ready for use [page36]."*

The BDC Officer Report also stated that *"The new Health Centre would be located at the front of the site with easy access for pedestrians, bus users and motorists from London Road. [page 70]"*. **FPC object to the re-location** of the Health Centre and the Retail Hub further into the site. These facilities, rather than the Care Home, should be at the front of the site by the northern entrance.

FPC strongly objects to the proposed delay in delivery of a completed health centre. The agreed schedule of construction to completion of the Health Centre, which is badly needed, must remain as "prior to the first Occupation of any of the Dwellings". BDWH have reportedly said that the proposed variation should have been prior to the occupation of the first 10 dwellings not 100 – but there is no documentation to that effect on the BDC Planning website.

As there has been no decrease in the number of dwellings that are being delivered and will be delivered in Kelvedon & Feering under the BDC Local Plan, including the up to 900 dwellings to be delivered on the Feering Strategic Growth Location, the variation reducing the area from 0.35Ha to 0.3Ha and the variation reducing the floor area from at least 800 sqm to at least 700 sqm **is objected to**. The land for the future expansion of the Health Centre must be retained.

As noted by Kelvedon Parish Council no reasoned justifications have been submitted for these proposed variations reducing the size and timely delivery of the Health Centre.

Section 106 agreement: schedule 5 Early Years Facility

FPC object to the reduction in the land area for the Early Years facility from 0.3Ha to 0.15Ha. The land area is required to provide for indoor and outdoor activities and car parking. As noted by Kelvedon Parish Council, the new increased eligibility for childcare is likely to increase demand. The proposed delay in constructing and delivering the facility to when the residential dwellings are substantially all occupied is also objected to - the extra dwellings will put even more pressure on existing childcare facilities.

f) **24/02518/FUL – 1-3 Police Houses, London Road, Feering**

Comments by Councillors: Ask that there are conditions as to hours of use, operation and conditions regarding smell pollution and noise restrictions as there are residential areas on 2 sides at the rear and the northern side. There is no information regarding what the usage of the building will be if the change of use is permitted, and Class E is very wide. Will be right in the middle all phases of the "new Feering" as part of the Crown Estate land. Class E could then be used for permitted development to residential properties. There are no disabled parking spaces shown on the plan. We would like to see a swept path analysis for commercial vehicles to ensure that they can enter and exit the site. It is disappointing that there are no plans for planting due to the site being under 25m². However further in the application it states that there is 403m².

Delegated response: Feering Parish Council have the following comments to make on this change of use application. We would ask that there are conditions within any granted permission as to the hours of use, the operation of the area, smell pollution and noise restrictions, particularly as there are residential areas on 2 sides of the area, to the rear and to the northern side. Class E is a very wide category, and we would like to see a swept path analysis for commercial vehicles to ensure that they can enter and exit the site safely. It has also been

noted that there are no disabled parking spaces shown on the plan which are obligatory, and these should be included. As Feering Parish Council has declared a climate emergency in the village, it would be nice to see some additional planting to add to the biodiversity net gain. We would also like to see EV charging points and any changes to the construction are in line with the current standards of insulation and sustainability.

2) UPDATE ON APPLICATIONS APPROVED / REFUSED

Nothing to update

DATE OF NEXT MEETING

TBC