

**FELSTED PARISH COUNCIL**  
**Minutes of the Planning Committee Meeting**  
**Tuesday 23<sup>rd</sup> April 2024 at 6pm**

**Attending: Councillors, Richard Freeman (Chairman), Clive Perrins and Roy Ramm.**  
**In attendance Clare Schorah - Assistant Clerk**

**1. Apologies for Absence**

There were apologies for absence from Cllrs Andrew Parker and Cllr Hywel Jones.

**2. Declarations of Interest**

There were no declarations of interest.

**3. Public Forum**

There was one member of the public present.

**4. Approval of Minutes of Previous Meeting**

The minutes of the 19<sup>th</sup> March meeting were formally approved. They will be signed when the Planning Committee next physically meet.

**5. New Applications to be considered**

[UTT/24/0721/FUL](#)

**Land North Of Milch Hill Willows Green Main Road**

Change of use of agricultural land to residential, construction of 1 no. dwelling and associated landscaping.

*Comment: Comment: Felsted Parish Council objects to this application for the construction of a dwelling outside the Village Development Limits (VDL's) in open countryside contrary to UDC Policy S7 and Felsted Neighbourhood Plan (FNP) Policies FEL/HN5 - Residential Development outside Development Limits, FEL/CW1 - Landscape and Countryside Character and FEL/ICH1 - High Quality Design.*

*Felsted Neighbourhood Plan Policy FEL/HN5 does support certain development outside DVL's which meet certain criteria but this application does not meet any of those criteria. The proposed development is in close proximity to two listed buildings the settings of which would be impacted as would the general landscape and countryside character in conflict with FNP FEL/CW1.*

*We note that the applicant in their Design and Access Statement and Planning Statement does not make any reference to the fully "made" Felsted Neighbourhood Plan. However, the FNP received elevated status in National Planning Policy Framework (NPPF) revisions introduced in December 2023 as it is less than 5 years old.*

*The FNP therefore became the most up to date component of the Statutory Local Development Plan and the application should be refused due to conflict with the FNP Policies quoted above. It is noted that UDC were unable to support the principle of this application in their Pre-application advice.*

[UTT/24/0729/HHF](#)

**22 Oxney Villas**

Proposed vehicular dropped kerb crossover to enable creation of on site parking area.

*No Comment*

[UTT/24/0687/FUL](#)

**Land East Of Chelmsford Road**

A mixed-use development comprising a relocated and improved village convenience store, along with dedicated parking facilities including a multi-use parking and overspill area, together with an external area for farmers market supported by a cafe including disabled WC provision. 3no. self-contained management offices, and 3no. dwellings comprising two 2 bedroom wheelchair adaptable bungalows and one 4 bedroom wheelchair adaptable chalet bungalow with home office and a dedicated 2m footpath route.

*Comment: Felsted Parish Council strongly objects to this application which does NOT comply with Policies in the fully “made” Felsted Neighbourhood Plan as claimed and for that non-compliance and the multiple reasons stated below the application must be refused.*

***Failure to comply with Felsted Neighbourhood Plan Policy FEL/HVC2***

*The application claims to be complying with Policy FEL/HVC2: it does not. This policy expressly supports the relocation of the “Existing Village Shop and Post Office”, however the application does not include a “post office”, which the applicant well knows is an integral community asset and a pivotal commercial element of the existing village shop business.*

*Neither the formal Application Form - Portal Reference: PP-12817879, nor the UDC Planning website application summary description nor the submitted “proposed floor plans” make any reference to a “post office” and it therefore cannot be compliant with FNP FEL/HVC2.*

*There are some mentions of “post office” in the text of the Design and Access statement for this application but as a post office is not included as part of this application these are assumed to be either “cut and paste” copies or carried over comments from the recycling of the Design and Access statement attached to the previously refused application UTT/22 3513/FUL.*

***This location is not supported by the FNP or the existing shop proprietors***

*This application conflates planning and commercial considerations in a further blatant and ill-founded attempt to mislead Uttlesford District Council (UDC) Planning by purporting to have support for the “relocation of the village convenience store” business, without any contractual evidence, to the same site for which the very similar planning application (UTT/22 3513/FUL) has previously been considered by UDC and rejected and which is not and would not in any event, be supported by the Felsted Neighbourhood Plan (FNP) regardless of the status or support of the current owner of the business it purports to ‘relocate’.*

*The owners and proprietors of the village convenience store, Mr and Mrs Silcock, are not party to this application and have personally objected to it. Following dialogue with the proprietors and as confirmed in Mr Silcock’s robust objection, Felsted Parish Council (FPC) understands Linsell’s will remain in the existing premises until Mr and Mrs Silcock decide on the future of the business. Should they decide to attempt to relocate their business,*

*like the applicant, they will be similarly obliged to comply with the FNP and any support offered by FPC will be subject to compliance with the terms outlined in the FNP, particularly Policy FEL/HVC2.*

*This application is therefore both made without the proprietors' agreement and is lacking in the provision of a critical amenity. It cannot therefore be considered a relocation of the existing business. It is simply a 'false flag application' for an unsupported and unwanted new development.*

*It therefore follows that the application, in failing to meet the objective of Felsted Neighbourhood Plan (FNP) Policy FEL/HVC2 (Existing Village Shop and Post Office), can only be viewed as an application for an additional shop which does not enjoy the support of the FNP.*

*FPC wishes to state that it rejects any third party attempts to use the planning process to intimidate a business to relocate against their wishes. The legitimate and true "relocation" of a private business, supporting the livelihood of both the owners and employees of that business, can only be undertaken by the business owner.*

### ***Felsted Neighbourhood Plan***

*The point of a Neighbourhood Plan is to give a community direct influence to develop a shared vision for their neighbourhood and to shape a community's development and growth of their area. The misrepresentation of an alignment of this application with the Felsted Neighbourhood Plan to facilitate an otherwise unsupported development for commercial gain is wholly and vigorously rejected.*

*The made FNP does not include a policy for an additional village shop, a farmers market, an additional village café, office space or additional dwellings in this location.*

*An additional shop in Felsted in direct competition with the existing shop is not wanted and is potentially harmful to our community. Another café in competition with existing businesses, unsupported offices, additional unplanned housing or a farmers' market are all in direct conflict with the FNP which seeks to protect the village centre and the character of Felsted parish.*

*Any new development, such as is proposed, which would significantly impact the future of businesses in our village must only be driven by the community through engagement in the NP planning process. The applicant has made no effort whatsoever to engage in that process. The future of existing amenities must only be determined by the owner/proprietor in conjunction with the community, not by a developer or landowner with their own agenda.*

*Following the December 2023 National Planning Policy Framework amendments which elevated status of the planning weight (Policy 14a) of Neighbourhood Plans less than 5 years old, the FNP, fully "made" in February 2020 which forms the most up to date component of the statutory Local Development Plan, must be given maximum weight.*

*The application is in clear conflict with Felsted Neighbourhood Plan Policies:*

- *FEL/HN1 - Meeting Housing Needs*
- *FEL/HN5 - Residential Development outside Village Development Limits*
- *FEL/HVC2 - Existing Village Shop and Post Office*

- *FEL/ICH1 - High Quality Design*
- *FEL/ICH4 - Avoiding Coalescence*

***FEL/HN1 - Meeting Housing Needs***

*This application, in addition to an unwanted shop and café in this location, also includes additional housing.*

*This housing is not required. Felsted has a fully up to date and “Made” Neighbourhood Plan, which fulfils the requirements of NPPF Paragraph 14a by the allocation of 63 dwellings.*

*As part of Uttlesford District Council’s (UDC’s) draft Local Plan those Large Parishes with a housing allocation are encouraged to engage with the process and were given the option to agree the identification of sites for their housing allocation. Felsted has been allocated 84 new homes by UDC (recently reduced from 95) to be constructed between now and 2041 and Felsted has already confirmed with UDC that the Parish will accept the responsibility for the identification of sites for its housing allocation.*

*Furthermore, Felsted Parish Council in support of the FNP Review has commissioned a full Housing Needs Survey (HNS) conducted by the Rural Community Council of Essex (RCCE), which concluded on the 29th March 2024. The result is yet to be finalised, but the results of the HNS will be a material consideration in determining the type of homes and the sites identified for phased development in compliance with the Local Plan in tranches between now and 2041.*

*The applicant is keen to emphasise that the proposed dwellings will be “wheelchair accessible”, but this appears to be no more than compliance with existing Building Regulations for all new built dwellings as Part M of the Building Regulations focuses on requiring at least one disabled entrance to all new domestic buildings.*

*It is for Felsted, through the work of the Review Group including community consultation to identify suitable sites for future new housing. Due consideration of sites and public engagement has commenced. This site was considered as part of the original NP and was deemed unsuitable and was therefore not supported.*

*There has been no material change since the initial consideration (other than the refusal of application UTT/22/3513/FUL by UDC for clearly identified UDC and FNP Policy reasons) and following a reassessment of the site, it remains unsupported by the Review Group.*

***FEL/HN5 - Residential Development outside Village Development Limits (VDL’s)***

*Felsted Neighbourhood Plan Policy FEL/HN5 does support certain development proposals outside VDL’s which meets specific criteria but this application does not meet any of those criteria.*

***FEL/HVC2 Existing Village Shop and Post Office,***

*In addition to the absence of a Post Office causing the application to be in conflict with the FNP, as stated clearly by Felsted Parish Council in their objection to the previous very similar application (UTT/22/3513/FUL), the FNP Policy FEL/HVC2 support is NOT unconditional and without the support of the owners of Linsell’s this application cannot be considered a relocation of the existing shop and can only be considered to be for an additional and unwanted shop.*

*The previous application was erroneously submitted under the applicant name of “Linsell’s of Felsted and Felsted Place Limited” and that misleading and false application name was rightly challenged. In this application the false claim that Linsell’s are a joint applicant has been removed (as has any reference to the inclusion of a Post Office) but, bizarrely even in the full knowledge that the owners / proprietors of Linsell’s are not supportive, the applicant continues to describe the application as being for the “relocation” of **their** shop.*

*The applicant mentions that the previous refusal by UDC’s Planning Committee followed the casting vote of the chairperson but it was noted that at that Planning Committee meeting UDC’s Head of Development Management & Enforcement (Nigel Brown) took the opportunity to point out to the Planning Committee that there were important FNP Policies (and UDC Policies) that should be considered. The Chair recognised that these Policies were not at the forefront of the Committee discussions and voted accordingly.*

*The applicant seems unwilling to accept the high degree of local opposition and appears determined to seek approval knowing full well that it is not what either the community or the proprietor of our village shop want. There were 51 submitted objections to the previous application and not a single submission in favour.*

*To attempt to replace someone’s business and livelihood without even seeking their approval is arrogant and totally unacceptable and the delegated Officer must be mindful that the unwarranted commercial competition that would result if this application were to be approved would place the viability of Linsell’s in serious jeopardy and could result in the total loss of a highly respected, much valued and long-standing Felsted amenity.*

*The applicant makes great play of historical text and email exchanges with the proprietor of the existing shop. None of these - usually deemed confidential - exchanges are relevant to this application. They are evidence only of exploratory commercial discussions between parties, which came to nothing.*

*Felsted Parish Council has been advised and Mr Silcock confirms in his objection that he has had (and continues to have) similar dialogue with a number of other local land owners/developers. Indeed, in addition to objecting to this application Richard Silcock also objected to the previous (refused) application, then saying “There is no agreement between the parties to form the basis of this application”.*

*Following establishment of the Felsted Neighbourhood Plan Review Group (FNPRG), Mr Silcock advised that he had reconsidered his position and concluded that a location to the east of the village centre to an area nearer to a higher level of local population and near to the parish Primary School would be more commercially viable and more likely to contribute to other objectives in the FNP. As this was included in the FNPRG minutes the applicant knows this but regardless, seems determined to push for this refused site despite being aware of repeated objections from the Parish Council, Richard Silcock and dozens of private objectors in addition to UDC’s previous refusal of this site for reasons that remain unchanged.*

*However, we have to repeat, that even if Mr Silcock, or another proprietor of the existing village shop and post office, had supported or been party to an application for relocation to the applicant’s site, it would then have been, as now, subject to an objection by the FPC on the basis of conflict with the FNP.*

### ***FEL/ICH1 - High Quality Design***

*The introduction of commercial premises in this location, including the loss of important “long distance views” would negatively impact the character and appearance of the site and the surrounding countryside.*

### ***FEL/ICH4 - Avoiding Coalescence***

*This development would completely eliminate the open space between the village centre and Bakers Lane building coalescence between the village and the separate settlement of Causeway End.*

### ***Felsted Neighbourhood Plan Review***

*This is a Review NOT a new plan. The Review Group has clear current policies to follow but it continues to have an open mind to the selection of sites, both for housing and should it become necessary, a potential re-location of a village shop and post office.*

*Had the applicant attempted to engage with the Review process or attended either of the recent ‘Drop-In sessions’ on the 15th/16th March at the Felsted Memorial Hall, the applicant would have seen a map and an invitation for attendees to identify a preferred location “should it become necessary for the relocation of the village convenience store and post office”. The Review Group did not indicate any preference on the map.*

*The full analysis of the result of the ‘Drop-In’ surveys will be published along with the results of the HNS in due course, once the RCCE have completed their analysis.*

*The applicant, in their Design and Access Statement (on page 30) acknowledges that the Felsted Neighbourhood Plan is currently being reviewed and that a new Review Group has been established.*

*The applicant comments that the December minutes of the Review Group had “concluded that a site in the easterly direction through the village, closer to the density of the population along Braintree Road and the Primary School had considerable advantages.” The applicant goes on to say “The above statement indicates a closed mind-set and indeed that they have a specific site already in mind and simply wish to tighten up their current policy FEL/HVC2 through the current review whilst not analysing each site on its own merits as they should”.*

*‘Tightening policies’ to improve their clarity and effectiveness may be an anathema to the applicant but it is a legitimate and desirable objective of any planning policy statement. Moreover, regarding the accusation of a “closed mind-set”, the applicant fails to mention that the same minutes identify that the Review Group was demonstrably openly considering potential areas - NOT SITES - for relocation of the village shop and invited the proprietor to address the Group and that **he** had expressed a preference for a site to the east of the village for reasons of commercial viability.*

*Additionally, in relation to the allegation of a “closed-mind” of the Neighbourhood Plan Review Group by allegedly “not analysing each site on its own merits as they should” we remind the applicant (and UDC) that in response to the previously refused application the Group clearly stated of this specific site:*

*“The site the subject of this application was very carefully considered by the Felsted Neighbourhood Plan Steering Group (FNPSG) and was rejected as being unsuitable”.*

*See, item 3.7 (site 14Fel15 - Land East of Chelmsford Road) on page 26 of the Site Assessment Report under the Felsted Neighbourhood Plan and supporting documents shown on the Uttlesford District Council (UDC) website:*

<https://www.uttlesford.gov.uk/felstednp>

*The site was assessed and as clearly stated in the site assessment results, was considered to be unsuitable for multiple reasons many of which were the same reasons for UDC's subsequent refusal.*

### ***Parking and highways safety***

*Felsted Parish Council (FPC) has significant concerns over parking and highways safety. Following the previous (refused) application FPC wrote directly to Essex County Council Highways expressing serious concern over ECC Highways statement (incidentally submitted over a week after the official closure date for comments thus preventing any timely challenge) that they considered the proposal acceptable.*

*We were particularly concerned that the inclusion of a farmers' market was a recipe for disaster when there was limited parking included which in our opinion would be totally insufficient and could result in unacceptable on road parking on the very busy Chelmsford Road.*

*We were amazed, when ECC Highways (Eirini Spyratou - Strategic Development Officer) responded saying:*

*“There are no parking standards in the ECC guidance that can be readily applied to markets or farmers markets which are usually ancillary to other retail operations” and went on to say, “Uttlesford District Council as parking authority have not raised any concerns in this regard. Ultimately it is our understanding that Farmers Markets would be subject to appropriate authorisation by street trading licences in any event and therefore in the unlikely event that any such future use of the land gave rise to significant operational concerns these could be reviewed.”*

*It therefore appears that responsibility for ensuring that there cannot be any future risk of inappropriate parking on the Chelmsford Road falls not to ECC Highways, as we would have expected, but to UDC either via this planning application or by ensuring that any future farmers market is subject to a “street trading licence”.*

*The applicant claims that adequate parking is provided and even states (page 26) that “The clearly defined car parking facility for the relocated and improved village shop are to be managed by the applicants to ensure indiscriminate parking does not take place”.*

*“Managed by the applicants”! This is unexplained because it is plainly unachievable. No explanation as to how the applicant or any subsequent lessee or owner of the site would “manage” uncontrolled numbers of customer vehicles attending a farmers market is offered. Historically, farmers markets have been shown to attract huge number of vehicles and they frequently involve “parking marshals” using extensive ‘field’ parking to accommodate them. In the absence of any plans whatsoever, FPC is extremely concerned about the potential for indiscriminate parking on the Chelmsford Road.*

*Considering the comments of ECC Highways (as quoted above) UDC (as “parking authority” according to ECC Highways) needs to be 100% confident that arrangements for parking at this critical location is considered as part of this application assessment.*

*To add weight to this serious concern, we would point out the comments of ECC Highways in response to another recent application just a few hundred yards away, also in Chelmsford Road, (application UTT/23/1466/FUL – Boote House) when just three months ago, in referencing the critical nature of Chelmsford Road as an important secondary distributor road, their comments included:*

*“.....which could lead to inappropriate on-street parking on the B1417 Chelmsford Road and/or B1417 Braintree road and/or Station Road (Secondary Distributor), to the detriment of highway safety and efficiency.*

*The B1417 Chelmsford Road, B1417 Braintree Road and Station Road are a secondary distributor part of Essex County Council Development Management Route Hierarchy Plan. The main function of the highway is that of carrying traffic safely and efficiently between substantial rural populations and on through routes in built up areas”.*

*We would finally add that locating the village shop on the proposed site would result in the vast majority of Felsted residents who wished to visit a shop at this location having to travel by car and having to negotiate the very congested Tee junction of the Chelmsford Road and Station Road/Braintree Roads in the village centre.*

### ***To Summarise***

*FPC objects to this application in the strongest terms.*

*With the failure to include a Post Office in the application and without the express support of the owners/proprietors of the village shop (Linsell's) or Felsted Parish Council this application cannot be assessed as the “relocation” of the village shop. It is either simply an application for another shop in Felsted in direct and damaging competition with Linsell's or the application is intended as a device to ‘encourage’ Mr and Mrs Silcock to support this application. In either case it fails.*

- *There is no Felsted Neighbourhood Plan Policy supporting “another” village shop.*
- *Felsted does not want or need another shop with or without a Post Office, or another café in direct competition with existing businesses and there are no FNP Policies supporting this.*
- *Felsted does not want or need new offices and there are no FNP Policies supporting this.*
- *Felsted does not want or need a farmers market in this location and there are no FNP Policies supporting this.*
- *There are serious concerns over the absence of plans to control parking on Chelmsford Road, particularly in relation to the proposed farmers’ market.*
- *Housing allocations within Felsted should be the responsibility of Felsted Parish Council (via the Felsted Neighbourhood Plan) and not individual developers.*
- *Felsted does not want housing developments that are unsupported by the current Felsted Neighbourhood Plan or the Review.*
- *This application is attempting to misappropriate the Felsted Neighbourhood Plan for commercial gain.*

*Felsted Parish Council objects to this application and seeks UDC's refusal for the many reasons stated.*

[UTT/24/0734/HHF](#)

**18 Ravens Crescent**

Two storey front/side/rear extension, single storey rear extension and front entrance canopy.  
*No Comment.*

[UTT/24/0767/FUL](#)

**Foxtons Mole Hill Green**

S73 application to vary condition 2 (approved plans) of UTT/22/1587/HHF (single storey rear extension, existing roof to be raised to create an additional floor and ground floor fenestration changed) - external materials changed to fully render to match the original dwelling, the rear flat roof changed to a vaulted pitched roof with new oak frame entrance canopy.

*No Comment.*

[UTT/24/0746/LB](#) / [UTT/24/0745/HHF](#)

**Jollyboys Bakers Lane**

Replace the late c20th concrete ground floor with breathable conservation floor. Replace the 1970s cement render & mesh on the external wall with lime-plaster. Replace 1970s front porch for a smaller open oak porch

*Comment: Felsted Parish Council fully supports this application. It proposes using sympathetic materials for the work and it believes that this would enhance and improve the property.*

[UTT/24/0911/HHF](#)

**3 Brook Meadow Gransmore Green**

Construct an outbuilding at the rear of the garden for the purposes of a non-habitable, workshop outbuilding.

*No Comment.*

[UTT/24/0604/OP](#)

**Crossways Stevens Lane**

Outline application with all matters reserved for the demolition of 1 no. existing dwelling and erection of 4 no. dwellings

*Comment: Felsted Parish Council supports this application. It is within the development envelope outlined in the Felsted Neighbourhood Plan and it would provide part of Felsted's housing allocation to support Uttlesford District Council Local Plan. The proposal for two pairs of linked semi detached houses is in line with the housing needs stated in the Felsted Neighbourhood Plan and will provide much needed smaller dwellings in Felsted.*

[UTT/24/0943/HHF](#)

**Yew Tree Cottage Stevens Lane**

Proposed erection of wood framed greenhouse and installation of wooden internal driveway gate.

*No Comment.*

[UTT/24/0562/HHF](#) / [UTT/24/1020/LB](#)

**Milch Hill Willows Green**

Constructing a new pitched roof over the existing 'flat roof extension' which is located to the east of the building.

*Comment: Felsted Parish Council supports this application because it believes that the proposed revisions to the extension would make an improvement to the building.*

[UTT/24/1017/HHF](#)

**10 The Copse Bannister Green**

Installation of a 12kw domestic air source heat pump (ASHP).

*No Comment.*

[UTT/24/0912/FUL](#)

**Lansdowne Bannister Green**

Demolition of existing dwelling and outbuildings and construction of replacement dwelling and garage outbuilding.

*No Comment.*

[UTT/24/0660/HHF](#)

**The Beeches 11A Station Road**

Proposed replacement oak porch.

*No Comment.*

**6. Decisions received since 19<sup>th</sup> March**

[UTT/24/0022/HHF](#)

**4 Brook Meadow Gransmore Green**

Section 73A Retrospective application for an amendment to UTT/23/0946/HHF previously approved single storey side extension, inclusive of rear dormer, and construction of front canopy.

**Permission Granted - 11<sup>th</sup> March 2024**

**7. Appeal Decisions received since 19 March**

[UTT/23/1387/HHF](#)

**Springmead Stebbing Road**

Proposed Annexe as ancillary use to main dwelling.

**Appeal Dismissed - 10<sup>th</sup> April 2024** *'The proposed development would cause harm to the character and appearance of the countryside, and to the setting of Brook Farm House... The development would make a modest contribution to the local housing stock, and to making good any shortfall in the 5-year supply. But this benefit would not outweigh the conflict with the development plan; indeed the benefit would itself be outweighed, both significantly and demonstrably, by the harm.. to the countryside and to the nearby heritage asset.'*

[UTT/23/1345/OP](#)

**Land Adjacent Greenfields Bartholomew Green**

Outline application with all matters reserved except access for the erection of 1 no. detached dwelling.

**Appeal Dismissed - 12<sup>th</sup> April 2024** *'the proposal conflicts with the development plan, read as a whole. No other material considerations, including the Framework, have been shown to indicate that a decision should be taken otherwise than in accordance with it. Therefore, the appeal should be dismissed.'*

**8. To consider the Steeple Bumpstead Neighbourhood Plan**

No Comment

**9. To consider the Braintree Local Plan Call for Sites**

No Comment

**10. Draft Local Plans - Uttlesford DC, Braintree DC**

No Comment

**11. Other Urgent Planning Business and Future Dates**

Next Meeting is 21st May

.....21<sup>st</sup> May 2024 Chairman

Residents wishing to make comments on Planning Applications or view other comments submitted can go to the Uttlesford District Council Website:

<https://publicaccess.uttlesford.gov.uk/online-applications> To find out more about Appeals please go to the Planning Inspectorate Website: <https://acp.planninginspectorate.gov.uk>