

**MINUTES OF KERSEY PARISH COUNCIL EXTRAORDINARY MEETING
HELD ON MONDAY 7 DECEMBER 2015
IN KERSEY VILLAGE HALL AT 7.30 PM**

PRESENT

John Hume – Chair, John Maltby, Yvonne Martin, Giles Hollingworth, Iqbal Alam, Ian Fidell, Alan Ferguson – Babergh District Councillor, 67 members of the public and the Clerk – Sarah Partridge.

The Chair welcomed everyone present and outlined how the meeting would run. With so many members of the public present the Chair said that the meeting would be run on a slightly more formal basis than usual to allow time for everyone to make their comments. The Parish Council has Standing Orders to ensure the smooth running of meetings, however Standing Order 1f states that each member of the public is entitled to speak once only in respect of business itemised on the agenda at the Chair's discretion and shall not speak for more than 10 minutes. It was agreed to amend this to 3 minutes to allow time to hear all comments. The applicant would then be given 5 minutes to give a brief presentation about the planning application the Councillors will be considering before the meeting is opened to the floor so members of the public can make their comments. The applicant will then be given a further 3 minutes to answer any points raised before the public session is closed and Councillors make their decision. Members of the public wishing to speak should raise their hand to request to speak and stand, unless they are unable to, and address their comments through the Chair. The Chair asked that only one person speak at a time and to respect others who have comments to make to the meeting. The Chair then outlined the role of the Parish Council which is to represent the views of the parish, respond to consultations and make representations to Babergh District Council, Suffolk County Council and other authorities. The Parish Council makes decisions in the best interests of the parish for the long term. The Parish Council is a consultee in the planning process; Babergh District Council is the deciding authority.

155/15 APOLOGIES were received and accepted from Veronica Partridge.

156/15 ACCEPT MEMBERS' DECLARATIONS OF INTEREST - None

157/15 CONSIDER ANY DISPENSATION REQUESTS FOR PECUNIARY INTERESTS RECEIVED FROM COUNCILLORS – None received

158/15 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 16 November 2015 were approved and then signed and dated as being a correct record by the Chair.

159/15 PLANNING APPLICATIONS

B/15/01075/LBC River House Farm, Church Hill - Listed Building Consent – Alterations and extensions to existing principle barn and existing smaller barn, buildings to facilitate conversion to new residential dwelling and associated garage and annexe; and removal of another smaller timber barn building to form car parking area. Babergh has granted listed building consent.

B/15/00730/FHA & B/15/00731/LBC Red House Farm, Wickerstreet Green, Kersey – Application for full and listed building consent – Erection of two storey rear extension and associated remodelling to rear elevation (following demolition of existing single storey rear extension) insertion of 2 additional window openings to match existing and minor internal layout alterations. Babergh has granted permission and given listed building consent for this development.

B/15/00739/FHA & B/15/00740/LBC Red House Farm, Wickerstreet Green, Kersey – Application for full and listed building consent – Erection of outbuilding/barn. Babergh has granted permission for this development and has stated that listed building consent is not required so B/15/00740/LBC has been withdrawn from the Babergh system.

B/15/01293 Agricultural building adjacent Red House Farm, Wickerstreet Green - Notification under Part 3 of the Town and Country Planning (General Permitted Development (England) Order 2015 –

Prior approval under class Q(a) change of use from agricultural building to dwelling house (C3), and for associated operations under class Q(b). Babergh has refused change of use from agricultural building to dwelling C3. In brief summary the reasons given were that the building was not solely used for agriculture and the existing structure would not be sufficient to support the proposed conversion therefore substantial demolition and rebuild would be required. The proposal does not therefore constitute permitted development.

B/15/01265/FHA & B/15/01266/LBC Boutells, The Street – Full permission and listed building consent – Erection of first floor extension over existing garage. Babergh has granted permission and listed building consent for this development.

B/15/01418/FHA Woodbine Cottage, Church Hill – Erection of rear garden fence. Babergh has granted permission for the fence.

B/15/01196 Land to the rear of 1-6 The Street, Kersey – Erection of 6 two storey dwellings

The meeting was adjourned to hear a brief presentation from the applicant.

Mr Harding from Rural Community Housing, a small family run housing association, said his proposal was for 6 small, two bedroomed cottages which would be built inside the village boundary (BUAB) which is an important point because there is a presumption in favour of building unless there are exceptional circumstances, as outlined in the planning decision process. He then outlined that during the planning process there are comments received from objective consultees such as how the proposal will affect water supply, electricity supply, housing supply and parking. Regarding parking there will be adequate parking provision for the cottages plus additional parking which will alleviate parking problems in the village. There are also comments received from subjective consultees such as the Parish Council and Heritage. Mr Harding stated that there is a proven need for small houses in Babergh and Kersey and he is proposing that 2 of the properties will be for affordable rent in perpetuity, which will be a condition of planning permission. He is proud of the design which he feels looks in keeping and compliments other buildings in the village. Mr Harding said he has local connections having lived in Kersey, been a parish councillor and his children had grown up in the village. He has seen businesses disappear and small houses knocked into one to make large houses so there is a lack of small properties for young people to live in. These proposed cottages would bring life and vitality back into the community.

Members of the public were then invited to make comments to the Chair.

There were many comments made from members of the public including the following points:

- Supports the development, having been born and still living in Kersey they had noticed that of 35 cottages in the centre of Kersey there are now 16, some having been knocked together. There are also 6 holiday cottages, there have only been 2 new homes built and these are not suitable for low income families, there is a need for small cottages for local people to rent including her daughter.
- This proposal will not enhance or benefit the village in any way, the rooves will be seen when looking from the Church steps and the traffic during construction may damage historic buildings. It will change Kersey for ever.
- Parking provision looks insufficient, it is uncharacteristic and is being squeezed into a small plot and doesn't fit in a picture post card village. He was also concerned that a fire engine would not be able to access the site in the event of a fire.
- Supports the development, having been born and still living in Kersey this is just what the village needs, there are too many expensive houses and the Parish Council is giving permission for bigger houses which are unaffordable for local people. He asked the Parish Council not to let another opportunity go, as they did 20 years ago when affordable housing was turned down. The village is stagnating with mainly retired and older residents as is shown by the average age of attendees at this meeting.
- There will always be development and Kersey needs to attract younger people. The proposed rental homes should be for long lets and not for holiday lets because the village needs long term residents to support village businesses and events.
- Opposes the development, they moved to Kersey because it is a 'special place', the development is back filling and this would fundamentally change Kersey, as is supported by independent experts. This development is opposed by those living in The Street and central village but those living in outlying areas support the development but they don't live in the village. This proposal is nothing to

do with affordable housing, it is a commercial development and there is no guarantee the housing won't be sold on and they are in no way affordable. This development will not help the social situation. The back filling will set a precedent for more development in other gardens. We have a duty to protect Kersey.

- Opposed to the development because the houses will be sold off for commercial gain.
- Opposed to the development, having lived in Kersey for 30 years with a keen interest in the history of the village. The long gardens to the rear of 1-6 The Street are integral to the history of the village when people were self-sufficient and kept livestock at the end of the garden, the gardens should not be built on.
- There is a need for housing in Kersey but this is not the right place.
- There is wildlife in the gardens behind 1-6 The Street, which needs protecting.
- If there is a need for housing then it should be built outside the historic centre of the village such as on farmland opposite The Row.
- If they are to be built there needs to be adequate parking, 1 space per house is not enough. (The applicant immediately answered this question – there are 2 parking spaces per unit plus additional parking)
- A question was asked about the level of rent and what is affordable?
- Concern was raised about vehicle access to the site, which looks narrow. Also the small size of the properties, these will not be suitable for families with 2 or 3 children.
- Will there be an age restriction on who lives in the homes? – Those in favour wish for homes for young people. A question was also asked about whether the homes will be available for Kersey people or those from the wider area?
- A question was raised about the ownership of the land.

The applicant was invited to respond to the points raised.

Mr Harding said that the houses will be for local people and will be intermediate affordable houses for rent in perpetuity and this will be a condition of planning consent so cottages cannot be sold off.

Generally affordable housing is managed by Local Authorities and people on the housing register are able to live in affordable housing so long as they meet strict criteria which may mean that people living in the housing could be from the wider Babergh district. Rural Community Housing is an independent housing association and is happy to work with the Parish Council to allocate the housing to local people, those with Kersey connections will be at the top of their list. They will be let on assured short hold tenancies which are usually for 6 months, 1 or 2 years as a minimum.

There would be 2 parking spaces per cottage and 4 additional parking spaces for use by 1-6 The Street to help prevent parking on pavements in the village.

Mr Harding said that it had been suggested by a member of the public at this meeting that there is other land in Kersey which could be built on but these would all be outside the BUAB and so there would be opposition just as there had been in the past.

As part of the planning process they are carrying out an ecological survey to protect wildlife on the site and no trees would be cut down as a result of the proposed development.

The line of the proposed shortened gardens for 1-6 The Street is in line with their current use. Nobody keeps cattle and sheep in their back garden now. There will be an area beyond the proposed cottages which will be a communal area for residents to use as allotments and for social events.

Regarding back land development there is evidence on maps showing that there has been back land housing constructed throughout the development of Kersey over the years.

Highways have been consulted during the pre-application stage and they are happy with the proposals. The proposed development can only be seen from one of the important vistas identified in the Conservation Area Appraisal and this is from the Church where only the rooftop will be seen and as shown in the proposals this will not have a negative impact on the view.

The level of the rent for the properties has not been agreed at this stage but it is likely that the market rent will be £600 to £650 per month and the two affordable rent properties will be £500 per month.

The meeting was reconvened.

Councillors had carried out a site visit to gain a better understanding of the proposals. Councillors then discussed the application in some detail.

There was a concern about the long term rental of the affordable properties, if they could not be rented out then may be the owner would sell them off. (The applicant confirmed they would be rented in perpetuity)

1 member of the public joined the meeting.

The roofline of the proposed development compared to the existing cottages was discussed, there was no drawing showing the comparison but it did show a height of 9.03m for the proposed cottages. This was considered to check the impact of overlooking existing properties.

The Parish Council had received letters/emails of support for the proposals from 22 people, and there was one comment of support on the Babergh on-line planning comments page from a member of the public. There were also letters of support from the Country Land and Business Association (CLA) and the NFU. The Parish Council had received one letter of opposition from Michael Collins a listed building planning consultant on behalf of 59 residents and one other letter of opposition.

On the Babergh planning website there have been consultee responses from Environmental Health and Land Contamination which state that there is insufficient information so they are minded to refuse. The arboricultural officer at Babergh states there needs to be an assessment of the impact on a Beech tree in a neighbouring garden. The Archaeological officer suggests a planning condition to ensure investigation is carried out before construction. The Fire authority would require adequate fire hydrant provision is made. Anglian Water has no comments to make on the application. The Babergh Housing Team has no objection. They confirm there is a need for affordable housing across the district and currently they have 6 people on their housing register wishing to live in Kersey, 4 with local connections to Kersey. Suffolk Preservation Society objects to the proposal. Historic England and the Babergh Heritage officer recommend refusal. Highways have not responded yet.

A Councillor had contacted Shelter to try to understand the different types of affordable housing. Shelter state that there is social rented housing, affordable housing and intermediate housing, which is when you commit to buy the property and rent at 80% of market rates while saving to buy. The Councillors would rather see social or affordable rental properties, intermediate housing seem to be putting people on the housing ladder, there is some confusion around the different types of rental housing. The applicant then confirmed that he is offering intermediate affordable housing for rent with rent levels up to 80% of market rents. Mr Harding said that Rural Community Housing is independent of local government and doesn't receive any government grants, therefore when new legislation comes into force giving tenants the 'right to buy' from social rented or housing association properties, Rural Community Housing will not have to comply with this and the properties can remain available for rent in perpetuity.

Councillors discussed the material considerations:

1-6 The Street would lose their outlook and some privacy as they would be overlooked by the proposed development.

There would be more traffic generated, with narrow access onto the existing highway. With 12 spaces for 6 cottages that would create at least 48 vehicle movements a day.

There are no local shops and there is a lack of capacity at the school, doctors and dentists in the locality. Following research by a Councillor he feels that Kersey is not a sustainable village which can support development, people living in the proposed houses would have to drive by private vehicle to and from all services and facilities.

Councillors discussed the number of rental properties in Kersey, from a recent data sheet produced by Babergh it states that there are 32 privately rented properties and 9 socially rented properties in Kersey. A Councillor had surveyed properties in Kersey and found that 1/3 of houses are for market rent with some at low cost rents. There are 6 holiday lets, 4 houses unoccupied and 65 other households of which 1/3 are rental properties.

Councillors felt there would be a considerable harmful impact on listed buildings, section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that 'the planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest'. Paragraphs 132 and 134 of National Planning Policy state that great weight should be given to the conservation of a heritage asset and that the impact of any development should be weighed against the public benefits of the proposal. A Councillor said the harm was

obvious, as already stated and the possible benefit of this proposal would be the addition of 2 affordable houses and 4 rented houses, the harm is therefore greater than the public benefit. Councillors considered local planning policy, the Babergh Local Plan, particularly CN06 & CN08, Babergh Core Strategy, particularly CS11 and the Kersey Conservation Area Appraisal. These all support the preservation of core historic assets and their settings, Councillors consider that this proposed development would be in the curtilage of 14th to 16th century listed buildings and would cause considerable harm to them. The harm had to be considered versus the benefit. The harm is that this proposal is in the middle of the Conservation Area and the proposed development would have a considerable negative impact. The gardens of 1-6 The Street have stood unencumbered by development for 100's of years and the area has a character of its own which generally Councillors felt was important, it is a tranquil garden and the direct views to open countryside would be lost. One Councillor said he struggled to see how this piece of land was so important and felt it could be put to better use, he said that the population has grown and things move on. Councillors felt that this proposal would break the linear structure of the village. Councillors noted the wildlife and arboriculture reports.

One member of the public left the meeting.

Setting a precedent for development was discussed. There have been 2 judgements in the last 20 years. In 1995 an application for low cost and market housing at Vale Lane was turned down by the Secretary of State with the reason being the benefits of the development didn't outweigh the harm. In 2009 a single dwelling behind Bridge House was refused because it would have a detrimental impact on Kersey and its Conservation Area and would set an unwelcome precedent. Previous back land development in Kersey was discussed, there was some lax planning law at the time of some recent back land development and mistakes in the past must not be repeated in the future. It was noted that on a map with the application several properties were identified as back land developments including Ailsa Cottage, Ayres End, Green Gables, Hall House and Drift House Councillors felt that clearly these are not back land development; they are adjacent to the highway. Councillors had considerable concern that if permission was granted for this development it would create a precedent for further development in the Conservation Area.

The style and design of the proposed cottages was discussed. Generally Councillors liked the design and felt they looked good. Despite being pastiche they were very acceptable. One Councillor felt a modern innovative style would be better than pastiche.

One Councillor brought to the attention of the Council what he considered to be a factual error in the letter of support from the CLA, which states that Babergh is unable to demonstrate a five year supply of deliverable housing land. The Councillor had found on the Babergh website that they have a 6.3 year supply which he feels questions the credibility of the whole letter. However, it was noted that Babergh are under pressure to supply enough houses.

Section 106 and CIL were not discussed as Councillors felt these were not relevant at this stage.

The Chair then asked Councillors to give their decisions. One Councillor said he would like to support new housing but this application was in the wrong place, he had concerns about the impact of additional traffic and that the affordable housing will be sold off so did not support this proposal.

Another Councillor was very keen on affordable housing but would like to see a regulated housing association put forward proposals in another location and does not support this proposal.

Another Councillor did not support the proposal, affordable housing may be needed but not in this location. He said the Parish Council will need to think carefully about site options and considering a Neighbourhood Plan as this would put the Parish Council in charge of development in Kersey.

One Councillor could see the positives and negatives of this proposal, he liked the design and was not concerned by the location but people living near the proposed site were against the development and he represents those people so he did not support the proposal.

Another Councillor was strongly opposed to the developments due to the harm it would cause to the historic environment.

One Councillor said it was not an unattractive design but it would create a precedent in this location and was a threat to the heritage of Kersey and so did not support the proposal.

Councillors were therefore unanimous in their decision not to support this proposal.

The Chair commented that from the meeting it was clear that there was support for affordable housing in Kersey which the Parish Council would need to address.

160/15 ANY OTHER BUSINESS – None

The meeting was adjourned for 'Parish Time'

The ex-post mistress for Kersey commented that 100 people used the post office when she started as post mistress but because new people to the village did not support it the Post Office was forced to close due to a lack of use. The same thing happened to the shop.

A question was raised as to what mechanism the Parish Council and residents have to get agreement on the need for affordable housing and to come up with a plan for a location?

The Chair commented that residents need to get involved; they should come to Parish Council meetings to keep informed, there is always the opportunity for public engagement at the meetings and everyone is welcome. Kersey is fortunate to have a regular attendance at Parish Council meetings but it is always the same older people who attend. The Chair said that when vacancies occur on the Parish Council residents should step forward to become a Parish Councillor. He also asked that residents volunteer to get involved with consultations and join working groups for such things as developing Parish Plans, and a possible Neighbourhood Plan. There is often a lack of support for such initiatives but it is very important that the whole community gets involved.

A member of the public comment that it was good to see such a high attendance at this meeting and wished that they would all come to support other community events in the village hall.

The Chair was thanked for the way he had conducted the meeting which had raised strong feelings on both sides.

There being no further business the meeting closed at 9.10pm.

There are no sheets appended to these minutes.