

**Present:** Cllrs Ewing, Evans, Henderson, Middleton, Munson

**In the Chair:** Cllr Smith – Chairman

**Clerk:** Michelle Curtis

**Also Present:** District Councillor Thompson  
Steve Howard – Parish Working Group (PWG)  
8 Members of the public

**1. Welcome**

The Chairman welcomed everyone to the meeting.

**2. Apologies for Absence**

Apologies were received and noted from Cllr Denney.

**3. Declarations of Interest**

There were no declarations of interest disclosed.

**4. County Councillor and District Councillors**

District Councillor Thompson reported that there had been changes to the Local Highways Panel and the funding had been significantly reduced. Any previous applications submitted are no longer valid and will need to be resubmitted once the scheme has been relaunched.

**5. Public Forum**

A resident reported that the condition of the roads is getting worse. Is there anything the Parish Council can do?

The Chairman advised that the Parish Council regularly reports potholes to Essex County Council (ECC). ECC will only carry out repairs if the pothole meets their criteria. The Parish Council has no power to carry out repairs.

A resident asked if there was anything the Parish Council could do regarding the dangerous parking near the school.

The Chairman advised that the Parish Council has worked with the school and the school has sent out reminders to parents regarding the parking. The Chairman suggested that if anyone is parking in a dangerous position, the resident could report it to Essex Police.

**6. Planning Applications and Decisions**

**6.1 Planning Applications**

Application No: 24/00299/FUL PP-12930515

Proposal: Erection of 5 dwellings and associated access road, parking and landscaping

Location: Land Adjacent 86 Tollesbury Road Tolleshunt D'Arcy

**Resolved:** Unanimously agreed to recommend refusal of this application due to the following:

MDC Approved Local Development Plan 2014-2029

- Sustainability and Housing (Policy S1) - Tolleshunt D’Arcy has few services and facilities, limited access to public transport, and very limited or no employment opportunities.
- Policy T1, 7.1: “National Planning Policy requires the consideration of the transport system to be balanced in favour of sustainable transport modes”
- Policy S1: When considering development proposals..... minimise the need to travel
- Policy T2: The proposed access would lead to future highway conflicts and would be detrimental to highway safety.
- The housing mix does not meet the need in the district for 1 and 2-bedroom homes.
- MDC can demonstrate a five-year housing land supply without the need to develop this site.

Other matters:

- The site lies within a conservation area and is protected woodland (TPO 2/90). There are several protected trees within the site.
- The sewerage infrastructure in Tollesbury Road is not capable of accommodating the additional effluent flows. Drainage problems in this area are already an issue.
- The site contains significantly more wildlife than the application suggests.
- As stated by the planning inspector at the last failed appeal “The appeal site includes a small immature wood known locally as Champions Wood. It is located centrally within the village rather than on its edge. The wood is surrounded by development has no physical connection with the open countryside and has no public access. However, it is more than a green void in the village because its wooded appearance positively contributes towards the rural character of the CA. It is therefore justifiably identified as an Important Green Space in the Tolleshunt.” D’Arcy Conservation Area Review and Appraisal 2004 (CAA)
- Two recent similar applications in Tolleshunt D’Arcy failed at appeal where the Inspectors said “...it would be unrealistic to expect future occupiers in this rural area not to be dependent to a large extent on private car use...the proposal does not amount to sustainable development...” and “... I have doubts whether the bus would be a viable option for journeys to work... or to avoid dependency on the private car...” Ref. APP/X1545/W/16/3156877 and 15/3065798
- Heritage/historical value – It is an integral part of the village and conservation area.
- Other similar sites in the Parish that have been granted planning permission, have resulted in serious on-street parking issues. The Parish Council is concerned that should this application be granted, this will further compound the issue.
- To provide the length of road through the proposed development would be costly and there is concern that the development of five houses would not be financially viable for the applicant which could result in any development not being completed should that application be granted.
- The Parish Council requests that a proportion of the S106 monies be used to the benefit of the village to alleviate the negative impact of the development including a significant contribution towards the building of the new Village Hall and/or village car park.

- As concluded by the planning inspector at the last failed appeal “The proposed development would be contrary to the development plan and there are no other considerations, including the National Planning Policy Framework, which outweigh this finding. Accordingly, for the reasons given, the appeal has failed.”

Application No: 24/00302/TCA PP-12919370  
Proposal: T1 - Monkey Tree - Retrospective removal.  
Location: The Old Rectory Church Street Tolleshunt D'Arcy  
**Resolved:** Not to comment on this application.

At this stage, Cllr Ewing declared a personal interest in this application, as the applicant was his neighbour. Cllr Ewing would abstain from voting.

Application No: 24/00281/HOUSE PP-12928390  
Proposal: Addition of porch canopy and cladding to front elevation of dwelling.  
Location: 7 Kelvedon Road Tolleshunt D'Arcy  
**Resolved:** Unanimously agreed to recommend approval of this application but would propose that real timber be used for the cladding as it is in the conservation area.

Application No: 24/00283/HOUSE  
Proposal: Construction of new drop kerb vehicle crossover on public footpath.  
Erection of detached garage to the front elevation.  
Location: 52 Tollesbury Road Tolleshunt D'Arcy  
**Resolved:** Unanimously agreed to recommend approval of this application.

Application No: 24/00256/LDP  
Proposal: Claim for lawful development certificate for proposed outbuildings  
Location: 1 The Elms Tollesbury Road Tolleshunt D'Arcy  
**Resolved:** Not to comment on this application.

## 6.2 Planning Decisions

To note decisions made by Maldon District Council

HOUSE/MAL/24/00128 - 16 D'Arcy Way – Approved

TCA/MAL/24/00179 - The Old Bakery 11 North Street – Approved

FUL/MAL/23/01157 - Outbuilding Manor House 20 Kelvedon Road - Approved

## 6.3 Appeals – None received

## 6.4 Planning Appeal Decisions – None received

## 6.5 Tree Preservation Orders (TPO) – None received

## 6.6 Alleged Breach of Planning Conditions

The Chairman reported that a resident had contacted the Parish Council regarding the alleged breach of planning at 1 Oxley Hill.

Cllr Thompson advised that she had spoken with the resident and would be taking this issue up with Maldon District Council.

## 7. Parish Working Group

Steve reported the following:

- The sign on the maypole had been removed. There is, however, lots of overgrown vegetation around the maypole.  
**Action:** Cllr Henderson to speak to the grounds maintenance contractor to include maintaining the area around the maypole in his monthly duties.
- Community Speed Watch (CSW) – During the last month there were 28 vehicles caught speeding. The main being area is Tollesbury Road.  
Steve agreed to give a presentation on CWS at the Annual Assembly.

## 8. Minutes

### Minutes 26<sup>th</sup> March 2024

**Resolved:** The Minutes of the Parish Council Meeting held on 26<sup>th</sup> March 2024 be approved as a true and accurate record of the meeting. Unanimously agreed by those who attended.

The Chairman signed the Minutes.

## 9. Finance

### 9.1 Monthly Financial Report

Councillors received the Monthly Financial Reports as of 31<sup>st</sup> March 2024.  
Bank Reconciliation – a Closing balance of £30,006.53  
Expenditure to date – Budget £31,971 – Actual £32,035  
Income to date (including Precept (£22,721) £31,971 – Actual £31,035  
Earmarked Funds – Closing Balance -£9,266.58 – Net Transfers £2,069.75

The Clerk reported that Blackwater Gymnastics has paid for the electricity usage which was over the fair-usage allowance from the Parish Council.

The Chairman signed the Reports.

### 9.2 Payments

**Resolved:** Unanimously agreed to approve the payments totalling £2,016.65.

## 10. Asset Register

Councillors reviewed the Asset Register.

The value of the assets at the end of March 2024 was £223,734, an increase of £232 compared to March 2023 (purchase of a King Charles III plaque).

## 11. Risk Management

Councillors reviewed the Risk Assessment and Management Document.

**Resolved:** Unanimously agreed to accept the updated Risk Assessment and Management Document.

## 12. Attendance at Meetings Policy

**Resolved:** Unanimously agreed to adopt the Attendance at Meetings Policy V1.0.

## 13. Training

There were no requests for training.

## 14. Recreation Ground – Path

As only one quotation had been received, it was agreed to defer this item to the next agenda.

## 15. Grant

The Parish Council discussed the application for a grant towards the memorial garden.

Councillors felt that the work being requested was not for the memorial garden but for the surrounding area and therefore the application was invalid.

The meeting was adjourned at 8.33pm to discuss the application with Steve from the PWG who was the applicant for the grant.

The meeting reconvened at 8.36pm.

Councillors were aware that the surrounding area needed attention and this area was a focal point of the village.

**Resolved:** to accept the quotation from Bonz for £600 + VAT. Any contribution from the funds raised by the memorial garden organisers would be appreciated.

## 16. Village Hall Refurbishment

### 16.1 Village Hall Working Party

Councillors agreed that the Village Hall was an important community asset and the Parish Council is very supportive of the work of the Village Hall Management Committee.

**Resolved:** Unanimously agreed to form a Village Working Party with members from the Village Hall Management Committee.

**Resolved:** Cllr Evans would be the Parish Council Representative and would lead the project.

### 16.2 Community Ownership Fund (COF)

**Resolved:** Unanimously agreed to submit an Expression of Interest to the Community Ownership Fund.

## 17. Police/Community Engagement Team (CETs)

### 17.1 Police Report

The Police Reports were received and noted.

### 17.2 Community Engagement Team (CETs)

#### 17.2.1 CET Report

The CET Report for March 2024 was received and noted.

It was noted that during the CETs Patrols in March, there were 17 speeding offences – 15 on Church Street and 2 on Kelvedon Road.

#### 17.2.2 CET Service Level Agreement

**Resolved:** Unanimously agreed to approve the Service Level Agreement for the services of the CET in 2024/25.

## 18. Administration

Car Park – The Clerk reported that an email had been received from the landowner of the car park as follows:

“We were hoping to be at the Parish Council meeting tonight to discuss your letter, dated 12th March 2024, but unfortunately we will not be able to attend.

You will receive a letter outlining our plans for the car park going forward, hopefully within the next week.”

**19. Representative Reports**

**19.1 Burial Ground**

**19.1.1 Update on the Burial Ground**

Cllr Henderson advised there were no new issues to report.

**19.2 Recreation Ground/Pavilion**

**19.2.1 Update on the Recreation Ground/Pavilion**

Cllr Middleton advised there were no new issues to report.

The Clerk advised that she had been contacted by Blackwater Gymnastics as the toilet was blocked and the entrance doors needed fixing.

**Action:** Clerk to arrange for the drainage company to address the toilet issue.

**Action:** Clerk to obtain quotations to replace the entrance doors to the Pavilion.

**19.3 Public Rights of Way**

**19.3.1 Update on Public Rights of Way**

Cllr Henderson advised there were no new issues to report.

**19.4 Road Safety/Highways**

**19.4.1 Lead Councillor for Road Safety/Highways**

There was no update as Cllr Denney was not present at the meeting.

**20. Community Concerns – Information Exchange/Next Agenda Items**

Annual Assembly – The Chairman reminded Councillors that the Annual Assembly was on Friday 17<sup>th</sup> May 2024.

**Action:** Chairman and Clerk to prepare the PowerPoint presentation

**21. Date of the Next Meeting**

The next meeting of the Parish Council will be held on:

Tuesday 14<sup>th</sup> May 2024 – 7.30pm – Annual Parish Statutory Meeting.

The Chairman closed the meeting at 9.05pm

Signed.....

Date:.....