

# Wakes Colne Parish Council

[www.wakescolne.org](http://www.wakescolne.org)

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## Clerks Report May 2009

### Things Ongoing in May

May started off a little more hectic than previous months and currently it is very busy on the Vernons Road planning application issue. Where to start, I will cover all the other outstanding issues and then will move on to the application, the objections and where we are up to now.

So here goes with all the monthly updates and matters arising from last months meeting.

#### Rural Speed Restriction & the “Welcome to Wakes Colne” Sign at the top of Station Road:

After our May meeting I contacted George Ward and asked him to mock up a smaller sign for the top of Station Road. After getting the following reply from George I am chasing for an update. The reply from George Ward was as follows:

Valerie,

If you recall that the reason for putting the sign into private land was to ensure that this large sign, sited lower than the existing sign, did not obscure the visibility to the right for vehicles exiting the station car park.

When I visited again today the vegetation had grown much and would probably need cutting back to ensure clear visibility of the new sign. This would also likely to be a continuing problem over subsequent years.

The available highway land (to the top of the ditch on the road side) would only allow the speed limit sign to be displayed with no accompanying road safety message. The only improvement I can suggest would be to cut the top off the existing post lower the speed limit sign (so that it more in the driver's eye line) and perhaps replace this with a larger sign (750 mm instead of the existing 600mm size) providing that this did not obscure the sight line from the station exit. I could mock up a sign of that size and put it in place to see if it would fit.

Regards

As yet, I have not replied back to Greene King, but as soon as I have a definite agreed plan of action I will advise them accordingly.

Also on the subject of Highways, I have asked George Ward where we are up to with regards the hazard signs for the top of Station Road.

#### Wakes Colne Parish Council Notice of the Annual Audit for the Year ending 31<sup>st</sup> March 2008

We are still waiting for written confirmation that the audit for 2008 has been signed off, however we have been working on the 2009 audit. I am hoping to have had a meeting with Mark Fogg-Elliott before our meeting on Wednesday, following that, we should be able to get the accounts signed off for year ending 31<sup>st</sup> March 2009. It is an agenda item, so we should be able to do this as long as I have all the necessary paperwork from the Audit Commission.

#### Chappel & Wakes Colne Emergency Plan – Update

Hopefully this will be worked on when the summer recess is upon us.

## Grit Bins

This item will also be worked on over the summer recess.

## Standing Orders

It was agreed that the standing orders would be on the Agenda for June, however owing to the excessive amount of work that Vernons Road has created I have been unable to gather any information. Again I am hoping to have a look at this during the summer recess.

## Chappel & Wakes Colne Village Hall Committee Meeting

As agreed, at the meeting on the 6<sup>th</sup> May Cllr Stella Hounslow would attend this meeting in place of Cllr Cresswell if she was not well enough to attend. Due to Hilda not being well enough I have telephoned and left a message for Stella to confirm. Also I e-mailed the agenda and a copy of the letter sent to the Village Hall Committee Re: funding request to Stella so she was aware of what was going on. The Village Hall Committee Meeting is on the Agenda as a report for Stella as she attended.

## EALC Training Calendar

10 June	Employment Issues (incorporating Councillor Training Day 3)	EALC
<b>16 June</b>	<b>Freedom of Information / Data Protection</b>	<b>ETP</b>
25 June	Planning (incorporating Advanced Councillor Training Day 4)	EALC
<b>7 July</b>	<b>Councillor Training Day 2 To be booked for Keith</b>	<b>EALC</b>
17 July	Budget & Precept	ETP
August	Intensive CiLCA Date to be Confirmed	ETP
<b>9 Sept</b>	<b>Chairmans Day 1 To be Booked for Jim</b>	<b>EALC</b>
15 Sept	Burials Surgery	EALC
23 Sept	AGM	EALC
7 Oct	Chairmans Day 2	EALC
15 Oct	Budget & Precept	ETP
20 Oct	Law & Procedures	ETP
6 Nov	Health & Safety	ETP
12 Nov	Roles & Responsibilities	ETP
1 Dec	Risk Management	ET

I have kept the training dates calendar from the EALC as part of the Clerks Report as I think it is useful and serves as a reminder that you have requested training. I have highlighted the training which some or all of us are booked in on. I was unable to book a place for Dean on the Councillor Day 1 course next week as it was fully booked, so I have booked two places for Day 2 on the 7<sup>th</sup> July at the moment. Stella and Keith asked if the training could be booked on the 7<sup>th</sup> July so currently two places has now been booked for Stella and Dean. **Keith as we get nearer to the date I will book a place for you if you are available.** Details will be e-mailed through once I receive them from the EALC. **Jim I will also book a place for you for September on the Chairman's Day 1 as we get nearer the date. Please let me know if you can't make the dates.**

### **NAP Meeting Date & Further Information.**

I have advised the NAP training team that Dean is now replacing Joan as the Council Representative. At Chappel's meeting on the 13<sup>th</sup> May it was discussed that Cllr Chamley was missed at the last NAP meeting. Following the NAP toolkit presentation that I attended in March where I spoke to the NAP Team they advised that Cllrs of any level could not chair the NAP meetings and where possible it should be an independent member of the public or the police. I tried to clarify the point with Cllr Chillingworth who seemed to think that it was ok for Cllrs at Parish level to do this. As this seems very confusing and the Rural West NAP is not run particularly well, then I have asked for some clarification from the NAP Team.

### **Planning**

All comments were submitted to CBC planning department on the 11<sup>th</sup> May following the meeting on the 6<sup>th</sup> May. As of the 26<sup>th</sup> May all comments had not been posted on to CBC's website. Yet another issue with planning!! FYI I have attached a letter at the end of the report with regards to the Land at Hammonds Farm planning application. The letter is from Highways and explains about the footpath issue we have with that application.

### **Vernons Road and the Caravans**

Following last months meeting it was evident that the month of May and Vernons Road was going to be busy. The public meeting which was held on the 12<sup>th</sup> May was a huge success and it was rumoured that over 200 people were present. Protecting Rural Chappel & Wake Colne did a very good on the evening and I think everybody went away from the meeting feeling as though the 3 organisations were working together in order to achieve the same outcome. The strength of feeling amongst the residents was very high, a lot of difficult question were asked that were left unanswered due to CBC Planning department not being present. Following that meeting Cllr's Dwyer, Stratford, Taylor & Martin plus myself had an informal meeting to gather question to present to Vincent Pearce at our meeting on the 20<sup>th</sup> May. The information below is the comprehensive document that we used to present our case to Mr Vincent Pearce on the 20<sup>th</sup> May:

### **Points for discussion in respect of Planning Application No: 090559.**

Retention of use of land for permanent stationing of 12 caravans for occupation by gypsy families. Erection of small toilet/washing sheds and laying of hardcore/chipping surfaces. Location Orchard Place, Vernons Road, Chappel, Colchester.

### **Points for discussion on the submitted Application form:**

- ❖ Incorrect Form – Form submitted is Town and Country Planning Act 1990. Planning (Listed Buildings and Conservation Areas Act) 1990. Is the proposed development a listed site/building?
- ❖ Q 3 Description of Proposed Works - Retention of use of land for permanent stationing of 12 caravans for occupation by gypsy families. Erection of small toilet/washing sheds and laying of hardcore/chipping surfaces. Is this not a change of use application as stated in the supporting documents
- ❖ Q19 Existing use. Stationing of caravans for gypsy accommodation, incorrect current use of site – Current use is Agricultural
- ❖ Documents received by the Clerk are incomplete missing pages from the Application Form. Clerk had photocopied information received by planning department to give to Councillors and Residents without internet access. Unfortunately they have had incomplete documentation.
- ❖ Drawings provided by the applicant/agent are not drawn to scale therefore making the application difficult to consider. Anybody not familiar with the site will find it difficult to make informed decisions.

### **Points for discussion on the supporting planning statement**

- ❖ **Page 1 – 1<sup>st</sup> Para** – “This planning application is submitted to secure planning permission for the currently unauthorised use of land at Vernons Road as a permanent site for 6 gypsy families”. Not retention as state on the planning application

- ❖ **Page 1** – 6<sup>th</sup> Para bottom – 22 people on 0.05 ha of land is that not classed as over-crowding need to clarify? See point further on
- ❖ **Page 2** – 2<sup>nd</sup> Para – States “In addition, although having the desire to preserve their gypsy heritage of caravan lifestyle, they wanted their own children to have a settled upbringing with access to proper schooling and medical services and a more integrated life within the local community” Are they paying council tax? Are they registered with the medical centre? How many day’s have the children attended school? Where are they working and is it local?
- ❖ **Page 2** – 3<sup>rd</sup> Para – States” It is also far easier for the adults to find and keep work and have access to normal social services with a permanent address” Address on application is Orchards Place - Address on letter in supported document to Ms Killeen re: admission to local school is Ireland Fields. What is the correct address? And how can they expect to find work when they are not resident on the land.
- ❖ **Page 2** – 5<sup>th</sup> Para – No land available in suitable locations for them to purchase and develop. What is suitable about Vernons Road?
- ❖ **Page 2** – 5<sup>th</sup> Para – As yet no permanent premises have been made available by ECC or CBC. What is happening with Severalls Lane as a proposed site?
- ❖ **Page 2** – 7<sup>th</sup> Para – They appreciate current procedures have not been followed. WCPC very nervous following Hemps Barn.
- ❖ **Page 2** – The Development (bottom of page). – Is the site large enough for 12 caravans 6 washing sheds, 6 septic tanks, room to park cars/vans and area to graze animals (i.e. a horse) over crowding issue see earlier point
- ❖ **Page 3** – 1<sup>st</sup> Para – Access on to Vernons Road is dangerous bend to one view, restricted to the other. No other bends, narrow roads or restricted views offer traffic calming throughout Chappel & Wakes Colne why should Vernons road be any different.
- ❖ **Page 3** – 2<sup>nd</sup> Para – 2 metre high closed boarded fence that has been erected has not screened the site from view.
- ❖ **Page 3** – 3<sup>rd</sup> Para – As the applicants are experiencing difficulties in obtaining water & electricity how are they managing to live under acceptable sanitary conditions? The foul draining where would this be discharged to? What are the sanitary facilities currently?
- ❖ **Page 3** – 4<sup>th</sup> Para – Concerns about running business from site – applicant does not intend to do so but what will they do?
- ❖ **Page 3** – 5<sup>th</sup> Para – Lights for safety and security – Light pollution a concern
- ❖ **Page 3** – 6<sup>th</sup> Para – “Site is barely visible from Vernons Road”. Site is fully visible and will be more so during the winter months.
- ❖ **Page 3** – 6<sup>th</sup> Para – Vernons Road is quiet country lane with several properties in very close proximity which is cause for concern. The site backs on to properties on the Colchester Road which is again is cause for concern. As the site has open land from the South and East the site can also be seen when walking or cycling on Vernons Road.
- ❖ **Page 4** – Regional Policy – Have CBC not recently sent comments in respect of the proposed changes to the Regional Spatial Strategy Revision on Accommodation for Gypsies, Travellers and Travelling Showpeople. See link below.
- ❖ [http://www.colchester.gov.uk/Info\\_page\\_two\\_pic\\_2\\_det.asp?id=8490&sec\\_id=2025](http://www.colchester.gov.uk/Info_page_two_pic_2_det.asp?id=8490&sec_id=2025)
- ❖ **Page 6** – Policy H5 – CBC and the Local Development Framework – Severalls Lane what is happening. Vernons Road is out side the village envelope? The supporting document states “the site has ample space for vehicles and a suitable existing access - this is not the case the access is not suitable as explained above and we are concerned as to the size of the site and not having enough space for 12 caravans, 6 septic tanks and 6 sheds never mind parking. Policy H5 CBC states “the council will seek to locate sites within reasonable proximity to existing settlements” where is the nearest existing settlement. Severalls Lane what is happening?
- ❖ **Page 7** – TA4 – Roads & Traffic – policy seeks to manage travel demands. Supporting document states “This site, whilst not on the main road network, will generate little additional traffic onto a very quiet rural road” Hardly with no pavements and an increase in population – the through traffic will increase considerably.

- ❖ **Page 7** – Environment – Policy seeks to protect Borough environment, protects land outside village settlement boundaries. Vernons Road is outside the Village envelope therefore it needs protecting.
- ❖ **Page 7** – Test 1 mentions affordable housing - Wakes Colne had affordable housing turned down as it did not meet the correct criteria by CBC.
- ❖ **Page 7** – Test 2 states” site has a somewhat new appearance and has adequate space to meet the residents need, Wakes Colne feels the site is too small for what the application is proposing. The supporting statement mentions on several occasions planting boundary fencing to further serve as a screen to the site therefore admitting that it is and will be an eye-sore to the surrounding area.
- ❖ **Page 8** – 2<sup>nd</sup> Para – Test 3 admits that the development will not enhance the landscape. The supporting document also states that a substantial farm building was demolished on part of the site. This site is for agricultural use and as yet no change of use had been agreed therefore an agricultural building was accepted as part of the landscape and not caravans and sheds.
- ❖ **Page 8** – Test 1V important natural assets, we believe a footpath will be affected by the site.
- ❖ **Page 8** – 4<sup>th</sup> Para – Test V Site not subject to flooding – The road at the entrance to the site is subject to flooding (environment agency aware?) and is very dangerous in the winter.
- ❖ **Page 8** – 5<sup>th</sup> Para – Test V1 Protected habitats on or near site. Wakes Colne is full of newts which are protected
- ❖ **Page 8** – 7<sup>th</sup> Para – supporting documents states “National and regional policy seek to integrate gypsies into communities where feasible – Please could you explain in your professional capacity why Chappel is a feasible community?”
- ❖ **Page 9** – 4<sup>th</sup> Para – Site is within walking distance of the village but not too close to residential properties. This statement is a contradiction of terms. The site is extremely close to neighbouring properties and is not within walking safe walking distance of the village the route has no footpaths and is along a very narrow country lane,
- ❖ **Page 9** – Conclusions all points are not valid reasons to accept the planning application.
- ❖ **Page 10** – 2<sup>nd</sup> Bullet point – “if application is turned down they will have to return to an unsatisfactory fully travelling life style” – this is an inconsistent reference to wanting a nomad travelling way of life, the comment implies they want to settle permanently and not travel if that is the case why have they not been on site since the application was submitted.

#### Other questions to ask

- ❖ Section 106 – New builds have to give X amount of money to CBC for local amenities what is this site subject too. How much money will the local community receive?
- ❖ Increase in traffic on Vernons Road has led to more minor traffic incidents
- ❖ Unusual activities have been witnessed in recent weeks which are a cause for concern.
- ❖ Can you confirm the number of occupied sites of gypsies and travellers in Essex and what is the required number by 2011?
- ❖ Can you confirm if a planning notice has to be displayed outside the property?
- ❖ Clearly the correct procedures for submitting a planning application has not been followed- what are CBC going to do about it As stated in the supporting document the applicants”appreciate that the current procedure would have been to apply for and secure consent prior to purchasing the land” The description of the proposed work is retention of use of land for permanent stationing of 12 caravans for occupation by gypsy families. Erection of small toilet/washing sheds and laying of hardcore/chipping surfaces. The land prior to the purchase was agricultural
- ❖ Definition of a family? How does CBC define family does that include Aunts, Uncles, Grandparents, Cousins etc.

Following the meeting I had an e-mail on the 21<sup>st</sup> May advising that the application had been temporarily invalidated. The e-mail from Mark Russell (Planning Officer) was as follows:

**Hello Parish Councils,**

**Please be advised that having consulted our Legal Services, we have decided to temporarily invalidate the application so that certain matters can be clarified. This is for avoidance of any doubt should a future legal challenge be made by any aggrieved**

party. Effectively the "clock has stopped" and will be restarted once the matter has been resolved.

It will be virtually impossible to correspond with all parties to give an estimate as to when the clock will be re-started, given that so many people have already expressed an interest. I would, therefore, be grateful if you could supply interested parties with the following information should they ask for your assistance:

- I will be sending out letters on Monday to all those who have thus far commented (in writing) to advise them of this development, and that they need not comment further as their objections/comments will still be valid;
- A re-consultation (with 21-days to comment) will be issued once matters of validation have been dealt with – consultees will be reminded that if they have already commented then they need not further do so unless they wish to add additional information.
- The delay in the application will not necessarily lead to Enforcement action, it would only be reasonable to let the applicants get their papers in order and for the application to run its course – this, of course, is not open ended, and the applicant's agent has been made aware of this.

Please also note that I have received half a dozen 'phone calls as well as emails in the last few minutes regarding the fact that the website is not working. I am not able to do anything about this myself, but the contractors are aware of it and are working on it at the moment -

**I hope that this assists.**

After reading this e-mail it was felt that some question's still needed to be asked and so I e-mailed the following:

**Dear Mark**

Thank you for your e-mail dated 21st May 2009 advising that application 090559 has been temporarily invalidated. Please can you clarify a few queries that we have:

- 1) What is the reason for the temporary invalidation?
- 2) Please can you confirm what you mean by the "clock has stopped"?
- 3) Please can you confirm how long you have given the applicant to get "their papers in order"?
- 4) Since your e-mail on Friday 22nd May confirming that the application should still be available on line I have been unable to view the application - the message is red and confirms no matching case file is found. Over the bank holiday weekend I have been 'swamped' with calls asking what is happening with the application due to this message. Please can you confirm when the application will be available again on-line? NB your planning website has been working over the weekend as far as other applications were concerned.
- 5) Your e-mail of the 22nd May states "the application (if and when it is finally validated) will be largely the same" Without knowing why the application had been temporarily invalidated it is hard to quantify this statement. Wakes Colne Parish Council are concerned that comments already made in respect of this application will be addressed and rectified before re-submitting. What assurances can we have that this will not be the case?

Thank you for your time Mark, I appreciate that this must be very hectic time for you all, however it would be helpful to have a reply from either yourself or Vincent today with regards to the Council's questions. So far today I have had three calls to the Parish Office!!

Response from Mark Russell

**Hello all, I am going through my emails, and will be in the office later today.**

**In answer to your questions:**

- 1) The invalidation has occurred because: a) There was not a scaled map; b) There is a question mark over whether the Certificate of ownership has been correctly filled in (i.e. one or two of the names appear different to what the Land Registry is saying). I have consulted our Legal Services, and they have advised that - especially due to the

strength of feeling - we should not open ourselves up to any possible future challenge as to the legality of the application.

2) This means that the application is not currently under consideration in terms of consultation expiry dates etc.... The clock will "restart" once the matters are resolved. Then everyone will be reconsulted and given 21 days. As stated previously, this gives everyone a long time overall to respond.

3) No specific deadline, and I would rather not give a date which would be later used against us. I am meeting the agent again this Friday, and hope that matters would soon be resolved thereafter. He is aware that time is of the essence. The discrepancies on the application form are simple human error rather than any attempt to prolong matters.

4) Please find enclosed the reply I gave to the "Protect" group when they emailed me earlier:

"The situation is as follows: Because the application is currently invalid, it automatically disappeared from the website. We attempted a temporary fix at the end of last week, with the hope that it would re-appear on Saturday morning for the holiday weekend. From what you are saying it has not. I am sorry that this is the case, and obviously does not tally with my initial desire that it would be on view during the entire intervening period between now and its (hopefully soon to be) revalidation. The bottom line is that *there is not actually a current valid application in, and thus there is not one to see.*

I will be writing to everyone today (now that Tuesday's correspondence will have been logged) to explain the situation. Once the matter of validation is resolved (and I have a meeting with the agent on Friday which should hopefully set the wheels in motion) then a reconsult will take place (21 days) so there will be no deficiency of consultation time available to interested parties.

I am sorry that the item is not on the website, I had hoped that it would be otherwise, but I hope that the above is satisfactory explanation."

5) The application will be substantively the same, with the validation matters ironed out. If the Parish Council's concerns are addressed by the time of the resubmission isn't that a good thing? I am presuming that the substantive matters regarding the claimed visual blight/effect on residential amenity will remain. In any event Parish will be reconsulted, with the new documents, and will be invited to comment again.

I am not sure all our questions have been answered in terms of the invalidated application and as yet we have not had any information with regards to the action points that CBC were looking into after our meeting on the 20<sup>th</sup>. So as it stands today effectively the 'clock has stopped ticking' and we are no nearer in finding out when it will start again so I have prepared a document for discussion and then to be agreed as to our comments in respect of planning application 090559 to be submitted when the consultation period re-opens. It maybe that we have to adjust some of the comments but by and large the hard work should have been done. As promised Mark Russell the case Planning Officer has sent a letter to all the initial consultees advising them of the delay: A copy of the letter has been sent to us (see below) for information. As we have a different length of time to make representation we will be notified separately of the revalidated application. Mark is asking for clarification of dates for our Parish Meetings so these can be taken into account for the re-consultation process. When I reply asking for the action points of the meeting on the 20<sup>th</sup> May I will confirm the next two meeting and I will also confirm that we do not normally have a meeting in August. **Point for discussion under Vernons Road on the Agenda - we may have to have a meeting some time in August to be sure we get comments and/or attend the planning meeting. We can make a resolution at this meeting to be sure we can do it.**

Dear Sir or Madam

**Application No:** 090559

**Application Date:**

**Location:** Orchard Place Vernons Road Chappel Colchester

**Proposal:** Retention of use of land for permanent stationing of 12no. caravans for occupation by gypsy families. Erection of small toilet/washing sheds and laying of hardcore/chipping surfaces.

During this period, for technical reasons, it will not be possible to view the application on our website. Once these matters have been resolved and the application is revalidated (it is envisaged that this could take up to three weeks) you will be renotified, and given a further 21 days to comment.

***Please note, if you have already commented, there is no need to write in again, as your previous comments will be taken into account. You may, of course, comment further if you have anything new to say. Please note that representations will also be accepted during the intervening period.***

It is envisaged that the application will be discussed at a future Planning Committee, possibly in late July or early August, and you will be kept informed of this if you have made a written representation (including fax or email) at any stage.

Colchester Borough Council would like to apologise for this brief pause while these matters are resolved.

Yours faithfully

*Mark Russell*

Mark Russell

Still on the Vernons Road issue, we have been invited, along with Chappel to White Colne Village Hall on the 15<sup>th</sup> June to meet and discuss the situation so far with White Colne Parish Council. (The Clerk from White Colne David Williams is also the Clerk from Great Tey). The Clerk has been in touch a couple of times via e-mail for more information ahead of submitting comments in respect of the application. So far Keith, Hilda and Jim would like to attend that meeting along with me and from Chappel Sue Chamley would like to attend along with Chris Cordingley. I think it will be a very good to raise the profile of the application and gain support from our neighbouring Councils.

Since the application became invalidated I have been inundated with telephone calls asking what is happening. So far I have taken names and telephone numbers / e-mail addresses and agreed to contact these people when the application is under consultation again. Also I would propose that we compile a list of contacts then compose an e-mail along with Chappel (now we have more time) to contact all the local councils, and organisations to inform them of what is happening now and ask them to write to CBC Planning to support our comments in respect of the application. **Again this is a matter for discussion under Vernons Road on the Agenda.**

**Geoff Harris**  
**Area Highway Manager**  
Essex County Council  
East Area Office  
910 The Crescent  
Colchester Business Park  
COLCHESTER  
Essex CO4 9QQ



Essex County Council

090546

**Robert Overall,**  
**Executive Director for Environment,**  
**Sustainability & Highways'**

Mr B. Barrow  
Acorus Rural Property Services  
The Old Market Office  
10 Risbygate Street  
BURY ST EDMUNDS  
IP33 3AA

Your ref:  
Our ref: EAO/AG/GG/PE/134/606  
Date: 17 March 2009

Dear Mr Barrow

**PLANNING APPLICATION NUMBER 081569**  
**LAND AT HAMMONDS FARM, HEMPS GREEN, FORDHAM**

Thank you for your letter dated 26 February 2009 regarding the above mentioned matter.

Further to the recent meeting between you, Mr Abusubul, Mary Moir and Adam Garland of this office I have had the opportunity to look through you latest proposal and discuss this with Mrs Moir.

The following comments are offered for your information and attention:

1. All Public Footpaths across the site and adjacent land should be noted on a planning application. Including FP31 Wakes Colne, FP33 Mount Bures, and FP 34 Mount Bures. Your client should be aware of these routes as I believe a copy of the Definitive Map of Public Rights of Way has been provided previously.
2. All public footpaths should be open and accessible to members of the public at all times. In the event that works to the structure constitute a health and safety risk then the route/s affected should be temporarily closed by official order for a minimal amount of time.
3. The official diversion of the footpath which runs through the barn will be progressed under section 257 of the Town and Country Planning Act 1990 and this should be noted in the proposal information on the planning application form.

VALIDATED  
22 APR 2009  
LODGED  
22 APR 2009

/Continued

**EssexWorks.**

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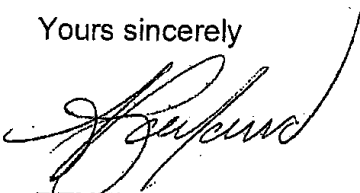


4. It is noted from the traffic information and comparison with the existing use that the volume of vehicle movements for the proposal would be less than at present.
5. It is noted that no on-site supervision would be required thereby removing the need for future applications for a residential property on this site. However, a report has been received by this office to the effect that a caravan is to be brought onto site; this Authority would object to any residential accommodation on site.
6. The works to open up the line of the footpath will include cutting a suitable gap in the boundary wall to the site south of the barn. The ownership of this wall should be clarified and the planning application plans should note the position of any fences designed to keep the livestock off the line of the footpath. In the event that horses would be allowed onto the line of the route a suitable structure should be provided by which egress of the animals is prevented.
7. The surface of the footpath following diversion should be level and smooth with no trip hazards or steps in order to comply with the Disability Discrimination Act.
8. The granting of a planning consent would not necessarily allow commencement of the development. It is the understanding of this Authority that the legal diversion of the public footpath should be completed prior to the development starting.

In the event of a planning application consultation being received by this Authority which notes all of the above information it is unlikely that this Authority would recommend refusal.

Meanwhile, if you have any queries regarding the above, please do not hesitate to contact Adam Garland at this office.

Yours sincerely



**DEVELOPMENT CONTROL ENGINEER**

c.c. Mary Moir ECC PROW  
John Davies CBC Planning



**Please reply to: Adam Garland**  
Telephone: 01206 838600 Fax: 01206 838608  
Internet: [www.essexcc.gov.uk](http://www.essexcc.gov.uk)  
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