

FURNEUX PELHAM PARISH COUNCIL

Minutes of the Parish Council meeting held on Thursday, 9th December 2021, at 7:06 pm

Present: Cllr S Bratt, Cllr R Gale, Cllr R Rodrigues, Cllr H Smart, Cllr T Langlois and Cllr E Wills.

In attendance: F Forth, Parish Clerk and 5 members of the public.

21/92) Apologies

None.

21/93) Declarations of interest or dispensation requests

None.

21/94) Chair's announcements

The Chair was saddened to report the passing of Robert Noakes on the 26th November, the Vicar of the Parish from 1992 to 2004.

The Chair also highlighted that this meeting had been held over from November due to illness and COVID rates locally. In terms of the anti-social behaviour agenda item (21/100), Cllrs were requested to not mention names or the location of this behaviour.

21/95) Adoption of previous minutes

RESOLVED that the minutes of the meeting held on the 2nd September 2021 be accepted as a true and accurate record of the proceedings and be signed by the Chair.

21/96) Report on outstanding matters

An update in relation to the following outstanding matters was provided:

- pallets yard - the Clerk confirmed there had been no change in respect of this item;
- road signs and marking - Cllr B Gale reported still waiting for Highways to action;
- Parish EV (electric vehicle) charging community hubs project - Cllr B Gale reported that there had been no progress on this matter. The Chair highlighted that it had been raised with the Ward County Cllr who is equally concerned about the lack of progress but need to wait for Herts County Council to take action;
- Allotment fence - the Clerk stated that, as yet, still no quote received for the allotment fence. The state of the fence to be re-visited once the current foliage has died down;

- Barleycroft End - the Clerk reported that 2 residents and the Chair met with the Ward County Cllr and Highways on the 16th September. Residents raised the speeding issue and requested a SID. However, a covert traffic survey was required first to identify whether there is frequent speeding and establish where the site sits in the county priority of locations. Residents also requested a chicane device, like that in Braughing, a 'children crossing' sign near the pub for children going to the playground in the pub car park, a footpath opposite Cllr H Smart's house for children walking to school and further traffic calming between the school and Furneux Pelham Hall.

In terms of the layby opposite Millwrights Cottage, this has been priced for possible inclusion in the 2022/23 Highways budget.

Cllr H Smart commented that when the road was widened near his house in the 1980s, there was not enough space to add a footpath. He understood that the verge was owned by Herts County Council and the field above was in private ownership but he would confirm this.

Action: Cllr H Smart;

- book swap shelter - the Clerk highlighted that this was by The Brewery Tap and now operating. Cllr E Wills stated that a local resident had undertaken the renovation work required for free and it was agreed that a sign would be put up to thank and recognise his efforts. A competition for school children to design the sign be run. **Action: Cllr E Wills**
It was also noted that book donations can be taken to the pub or left in a dome in the garden if the pub is shut;
- gifted land - immediate improvement works - the Clerk confirmed that the improvement works to the entrance were completed in October: new gate installed and the entrance way cleared; and
- bank - the Clerk reported that changing the Parish Council's bankers from Barclays to Unity Trust was progressing.

21/97) Solar farms and battery facilities

The Chair summarised the actions taken by the Parish Council since the last meeting in relation to solar farms and battery facilities. His full report is at Appendix A and the key actions the Parish Council had taken were:

- contributed to the funding of a publication entitled "The problem with solar farms - factors that should be considered in determining applications" which was provided to the local planning authorities;
- co-signed a letter to 3 local MPs urging them to note local opposition to solar developments;

- attendance at a Planning Forum hosted by East Herts Council where views were sought on two generic questions relating to solar developments; and
- submission of a detailed objection to the re-consultation of the planning application for Greens Farm.

21/98) Gifted land

The following options had been received or were discussed for the future use of the gifted land:

- lease to the Riding for the Disabled Association;
- graze sheep;
- leave to nature - maybe with planted trees to create a woodland rich in wildlife;
- planted trees with a clearing for bench or benches to sit on;
- plant fruit trees;
- develop a nature trail for children;
- rent to dog walkers;
- rent to beekeepers; or
- plant some trees and rename the land "Jubilee field" in recognition of the Queen's Platinum Jubilee.

Note - covenants on the land need to be taken into account when deciding the option(s) to pursue.

Following discussion, it was agreed to:

- continue seeking ideas on the future use of the land through the community magazine;
- organise the removal of the fly-tipped rubbish; and
- obtain some trees using the Queen's Green Canopy grant.

Action: Chair and Clerk

21/99) Platinum Jubilee

The Parish Council agreed that it would like to recognise the uniqueness of the Platinum Jubilee and ideas were discussed. Further information was needed to determine what would be done, particularly in relation to the role the Parish Council could take in respect of lighting a beacon as well as any risk and financial implications.

21/100) Anti-social behaviour

The Chair reported that a neighbourly dispute had been brought to the attention of the Parish Council. In discussion, it was noted that this was a Police matter and that the Police were involved. All Cllrs were sympathetic to the concerns raised but the Parish Council had no legal powers to intervene. It was agreed that Cllrs would provide expertise, in a personal capacity, if they could.

21/101) Finance

a. Update on current financial position

The financial statement for the current position was noted. The Clerk highlighted that the grant for the village playground, mentioned at the July meeting, had been received and paid on.

In terms of specific payments, the Clerk reported that since the last meeting, £600 had been paid to Country Garden Care for the entrance to the gifted land and her salary for two months. In addition, cheques would be signed following the meeting for the allotment costs agreed at the last meeting (£89.61) and the grant mentioned above (£2,020).

b. Initial budget for 2022/23 and initial Forward Financial Plan 2022/23 to 2026/27

The Clerk highlighted that the initial budget and forward financial plan had been derived by updating the prior plan with knowledge of the expected overrun for the current financial year and any known changes impacting on the new financial year. In addition, she highlighted that the overarching principle for the forward financial plan was to maintain an "available to spend" balance of around £4,000, with the precept being at a level that, together with the small amount of income generated, was sufficient to cover in-year costs.

The Clerk proposed that the precept was increased by £500 to enable a step change to the balance level referred to earlier. Other key factors to note were:

- that the Parish Council was no longer receiving a windfall sum via the New Homes Bonus as East Herts Council were no longer paying this; and
- with the gifted land to manage, additional costs are anticipated which will be clarified following the earlier discussion on the future use of this land. (Minute ref: 21/98)

It was noted that the precept would be determined at the next meeting.

21/102) Police

The Clerk reported that PCSO Leon de Bruyn had been unable to attend the meeting, but he had provided the following information:

- no specific crimes had been reported;
- recent increase in thefts from motor vehicles seen as the festive season is approached. Everyone is reminded to ensure cars are locked, even on driveways, all valuable items are removed from within and any 'keyless entry' keys are out of range;
- residents are encouraged to join OWL, the communication system which supports Neighbourhood Watch; and
- the police are interested in details of local community events, no matter how small, so the Safer Neighbourhood Team can attend to engage with the community. Details of any such event can be provided to the Clerk to pass on.

21/103) Update from East Herts Council (EHC)

None.

21/104) Planning

The Clerk reported that since the last meeting, four applications had been considered and one application had been granted permission.

Details of all applications are on the Parish Council's website and those since the last meeting are detailed in Appendix B.

Ratify decision to submit further objection re Green's Farm

RESOLVED to ratify the objection submitted in respect of the re-consultation of planning application 3/21/0969/FUL.

The objection is detailed in Appendix C and was shared with Protect the Pelhams at the time.

East Herts Council's Planning Forum

Following on from the Chair's comments earlier regarding East Herts Council's Planning Forum, the Clerk explained that East Herts Council Planning provided information about the national changes coming through National Planning Policy Framework and the Planning White Paper as well as local changes in terms of a planning policy update. In addition, the Head of Planning provided an update on the delivery of their service.

This will be a regular event and the next Forum is scheduled for 24th March 2022.

21/105) Councillor updates

Cllr E Wills reported that he was storing a tonne of winter salt in his garage that was available for local organisations to use in areas that are not gritted. He would work with these organisations to distribute the salt.

Cllr E Wills also highlighted that East Herts Council were now accepting Community Grant applications. He had passed the information on to a Village Hall representative as upgrades to halls are viewed favourably by East Herts.

Finally, Cllr E Wills suggested that the Parish Council website could become more of a community website. Cllr H Smart highlighted that the Parish Council's website needed to comply with statutory requirements.

Cllr B Gale outlined frustration that Gigaclear were digging up the road near him for the third time in 3 years, especially as the recent work had not been notified in advance.

Cllr T Langlois reported that she had secured "Bags of Kindness" again this year for distribution locally.

Cllr H Smart commented that he expected COVID to have an impact for at least another year.

21/106) Clerk's information

The Clerk reported on the following matters:

- meeting dates for 2022 have been circulated to all Cllrs and available on the website;
- Chair and Clerk had attended the latest East Herts Council engagement event with town and parish councils. Presentations included:
 - an introduction to the new "Parks and Open Spaces Strategy 2022-2027" being approved by full council next March;
 - an update on East Herts leisure projects (Grange Paddocks and Harthams); and
 - an update, including statistics, on the action East Herts is taking in relation to climate change as well as an electric vehicle (EV) update. As already known, EV charging infrastructure in rural areas is limited and information provided that feasibility work was starting with a range of interested parties. The Clerk highlighted that the site visit at Furneux Pelham had still not been undertaken;
[Any interested Cllr can obtain the slides from the Chair or Clerk]
- London Luton Airport Limited had changed its name to Luton Rising to remove the confusion with London Luton Airport Operations Ltd - the

company that operates the airport. In addition, Luton Borough Council recently approved the airport's expansion to 19 million passengers;

- Manchester Airport Group had applied to lift restrictions on night flights at Stansted Airport. The previous "Stop Stansted Expansion" had been renamed as "Stansted Airport Watch" and were co-ordinating work to oppose this application. In addition, the work of the national airspace modernisation programme was continuing, looking at revising local flight paths;
- the closing date for the East Herts Community Grants, mentioned earlier by Cllr E Wills was 4th January.

21/107) Residents comments

Bus shelter book swap

A resident commented that this "library" was wonderful but raised the concern that, given the openness of the bus shelter, that the books would be damp and mouldy.

Solar developments

A resident highlighted that there were 3 planning applications covering the solar development at Battles Farm and offered to provide the relevant application numbers. In addition, it was noted that the screening applications were still outstanding.

Another resident drew attention to the results of the survey that had been completed, highlighting that 64% across Stocking Pelham and Furneux Pelham were against these local solar developments. The Chair commented that this had been reflected in the objection submitted by the Parish Council to the re-consultation of the Green Farms planning application.

It was noted that Brent Pelham had undertaken its own survey.

A resident also commented that topsoil is removed to make the ground more stable for solar panels which could compromise the reinstatement of land after 40 years. It could also result in the land being considered as a brownfield site and at risk of being developed for housing.

Whitebarns Lane

A resident reported that Ombudsmen had concluded that Herts County Council were not at fault. Following receipt of that decision, the issue has now been raised with East Herts Council's Head of Planning, with a number of other people being copied in.

In discussion, it was agreed that Clarion should be expected to pay for the Lane to be maintained.

Violets Lane signpost

A resident highlighted that the Police closure sign had been taken down which had been effective. It was also noted that a Statutory Instrument would be required in order to close the Lane, the ultimate solution.

21/108) Next meeting

Confirmed that the next meeting of the Parish Council would be held on 13th January 2022 at 7 pm in the Village Hall.

The meeting ended at 8.45 pm.

Chair's update on Solar farms and battery facilities

The Chair summarised the Parish Council's recent actions regarding the application to build a battery storage unit north of Green Farm and the intent to establish several solar farms locally.

After review of a draft version by Cllrs, the Parish Council agreed, in association with several other Parish Councils and interested parties, to part-fund a publication entitled "The problem with solar farms - factors that should be considered in determining applications", copies of which have been delivered to all members of East Herts and Uttlesford Development Management Committees.

The Parish Council co-signed, along with several other local parish councils, a letter to three local MPs, urging them to note the opposition of many of their constituents to these solar developments and in particular to ensure that decisions take into account the cumulative impact of multiple planning applications.

The Parish Council declined to sign a further multi-council letter to Kemi Badenoch, MP for Saffron Walden, on grounds that it did not fully reflect the Parish Council's view and in places did not strike an appropriate tone.

The Clerk and Chair attended a Zoom meeting with East Herts Council planners and councillors from town and parish councils within East Herts on 30th September, where the Clerk posed two generic questions asking for the planners' view on solar applications. Responses appeared pre-scripted and not particularly insightful.

With specific reference to the application to establish a battery storage facility to the north of Greens Farm, the Parish Council noted that it had been re-consulted, following a response by the applicant's agent. The Parish Council lodged another objection which the Chair covered in more detail:

1. the Parish Council reiterated its objection to the proposed access along the lane through Upper East, the absence of the visibility splay required by Hertfordshire Highways at the access point, and the creation of a site exit along a footpath without an appropriate splay;
2. during the build phase, the Parish Council used information from an expert report commissioned by Protect the Pelhams (and kindly shared with us) to challenge the size of vehicles necessary to deliver the battery units, the number of likely HGV movements required and the

adequacy of the proposed site road substructure to support these vehicles;

3. the Parish Council raised concerns over the ability of emergency services to respond to a potential incident at the facility, in terms of gaining rapid access, having sufficient water available in the event of fire, and having the expertise and specialist equipment needed to contain and address any emissions;
4. the Parish Council noted that the proposed noise mitigation did not commit to controlling noise levels within 5dB of the background level of 19dB, as any level greater than 5dB above background is likely to be intrusive; and
5. the Parish Council challenged the assertion that the battery facility was a standalone proposal, not linked to any potential future applications to locate solar farms nearby, a point also made by the Council for Protection of Rural England, who labelled this 'disingenuous' or not completely true.

Finally, the Parish Council asked planners to note the several hundred objections to the application by local residents, to take full consideration of comments made by other statutory consultees such as Hertfordshire Highways and East Herts Environmental Health, and to determine the application at Development Management Committee rather than by individual case officer.

Looking forward, the Chair noted that an application for a 196-acre solar farm had been made to Uttlesford District Council in November, to which eleven residents in Furneux Pelham had already objected. He noted that the closing date for objections was 17th December and asked Cllrs to review the application, to notify the Clerk if they thought that an objection should be made, and if so to identify any key points to use.

Planning applications since the last meeting detailed below:

3/21/0969/FUL - Construction of a 50MW battery energy storage system facility and associated access, landscaping and other infrastructure works at Land at Greens Farm: **Application re-considered**

3/21/2183/LBC - Replacement of two windows at Cockerel Cottage, The Causeway: **Application considered** | **Permission granted**

3/21/2410/HH - Demolition of single storey side extension and conservatory; erection of single storey side extension with canopy, and double storey side extension, incorporating Juliet balconys at Clay Chimneys House, Furneux Pelham: **Application considered**

3/21/2679/HH - Removal of conservatory; construction of single storey rear extension; new ground floor side window opening at Old Mill House, The Street: **Application considered**

3/21/0969/FUL | Construction of a 50MW battery energy storage system facility and associated access, landscaping and other infrastructure works at Land At Greens Farm East End Stocking Pelham Buntingford Hertfordshire SG9 0JU

Furneux Pelham Parish Council reiterates its objection to the proposed access by HGVs along the minor road between Manuden to Furneux Pelham. Where this road passes through Upper East End, it is a narrow single-track road, suitable only for small vehicles. It is too narrow to allow two small vehicles to pass each other, let alone two HGVs, there is no footpath for pedestrians and no safe passage for cyclists and equestrians when faced with an HGV. The proposed entry access point is on a sharp bend on an unrestricted road and a spurious argument based on typical speeds is put forward to justify not building the appropriately safe access splays required by Herts County Council. The proposed route out of the site is along a track between farm buildings designated as a public footpath and this proposal does not have the approval of the appropriate authority. In addition, visibility displays are not proposed at the exit onto the public highway.

The Parish Council is also aware of the report from a transport consultant commissioned by 'Protect the Pelhams', Bruce Bamber of Railton Transport TPC Ltd, and communicated to you separately by them. This raises multiple issues, for example, the size of the vehicles necessary to bring the battery units to the proposed site, the inadequacy of the hard standing on the site itself and the rationale for the number of vehicle movements necessary to establish the facility during the build period, the report concluding that these have been very significantly underestimated.

Taken as a whole, Parish Council finds this application raises more questions than it answers.

In addition, the Parish Council raises the following matters of concern:

- the risks associated with the facility have not been assessed, particularly in relation to disaster planning. For example, it is not evident that the local fire services were involved in the development of this application to ensure that any risk of a fire would be adequately managed, in terms of access to the proposed site for emergency vehicles, the availability of sufficient water and the equipment needed to control any potential noxious emissions;

- the application does not make clear how the level of intrusive operating noise will be mitigated to a level which will not cause disturbance given the low levels of background noise already measured; and
- that the amended application asserts this to be a standalone proposal. This causes concern given the cumulative impact of the battery facility already in place, and others known to be under consideration by other applicants, is detrimental to the protection and enhancement of the local environment and landscape.

Finally, the Parish Council would like to:

- draw the Planning Case Officer's attention to the number of objections recorded in relation to this application;
- encourage East Herts Council's Development Management Committee to determine this planning application; and
- be assured that the comments raised by other statutory consultees will be fully considered.

Overall, the Parish Council is concerned that the lack of specific information demonstrates that the application is not robust and therefore encourages East Herts Council to refuse this planning application.

Decision made by Furneux Pelham Parish Council by email and this decision will be ratified at the next Parish Council meeting on 4th November 2021.