

**Emberton Parish Council**  
**Minutes of Meeting held in The Pavilion**  
**Tuesday 3<sup>rd</sup> August 2021 at 7pm**

**Present:**

Cllr Melanie Duncan - Chairman  
 Cllr Paul Flowers  
 Cllr Colin Jamieson  
 Cllr Fred Markland  
 Cllr Harry White

4 member of the public

Ward Cllr Peter Geary (part meeting)

Mrs Karen Goss – Clerk and RFO

**Apologies for Absence** – Apologies for absence were received from Cllr Richard Logsdail, Cllr Steve Gibson and Ward Councillors Keith McLean and David Hosking.

**Declarations of Interest in items on the Agenda** – Cllr Duncan Declared an Interest in item 2.1.17.

**MINUTES OF THE MEETING** held on the 6<sup>th</sup> July 2021. The Minutes of the Meeting held on the 6<sup>th</sup> July 2021 were confirmed as correct and signed by the Chairman.

1.2 **Public questions** – Three residents spoke on the outline planning application 21/01921/OUT for the development of up to 41 dwellings at Acorn Nurseries, as follows:

Resident A stated that she would encourage the parish council to object to the outline planning application at Acorn Nurseries as it was contrary to planning policy and the application documents misrepresented the village's feedback to the original questionnaires regarding the Emberton Neighbourhood Plan. Resident A believed that the application was outside the settlement boundary and therefore in open countryside. The development was grossly disproportionate to the size of the village as it increased it by 15% and was the thin end of the wedge for development in the area: if the application were permitted it would be "open season" for developers on the countryside around Emberton. Affordable housing needs had moved on with the major housing developments planned nearby in MK East and Olney. With regard to access, there was an issue with the traffic assessment as this has been undertaken just as the country was preparing to go into lockdown when most people were already working from home and the traffic was significantly less. The new development would cause more difficulties getting on to the A509.

Resident B stated that as a previous member of the Neighbourhood Plan Steering Group Committee, the planning application met all the objectives that the previous neighbourhood plan set out which encouraged affordable housing in the settlement area. MKC highways had stated that they could overcome the highways issues and no one in MKC said the development would be disproportionate. Resident B stated that he would argue that the site was open

countryside as it was a working garden centre. Resident B went on to state that he supported what Acorn Nurseries had written in response to the original neighbourhood plan and had strong recommendations against the newly proposed plan. Resident B stated that he wished his views to be recorded in the Minutes.

Resident C stated that he had also been on the Neighbourhood Plan Steering Group Committee at the beginning and also supported the application for dwellings on the Acorn Nurseries site as he felt that it would encourage “new blood” in Emberton which could help to support the Emberton football club and cricket club. Resident C stated that the new application could have asked for more 1<sup>st</sup> time buyer homes and would suggest that if the application were to go ahead this could be negotiated together with more 1<sup>st</sup> affordable homes. Resident C stated that he believed the land was in the same category as previously developed land and was not open countryside. Resident C stated that his view was that it would be better to consider that it might happen and it would be better to negotiate with the landowners now for a favourable settlement for the benefit of Emberton. Resident C made reference to the S106 contribution for museums and stated that consideration had not been given to requesting funds for the History Society and the Archive Room.

- 1.3 **Risk – Flooding at Petsoe End** – It was noted that the parish council were working on a draft flood action plan which had been circulated prior to the meeting. A site visit was awaited from the MKC flood team who should be able to offer support and advice. Update during meeting: Ashish Patel from MKC had stated that he was available for a site visit on the 13<sup>th</sup> August. Cllrs Markland and Jamieson agreed to be the contacts. **Action: KG** to arrange and to send a copy of the parish council’s action plan to MKC. Cllr Markland stated that he would still like to keep the issue of the pumping station in Harvey Drive on the agenda as he believed it still remained a concern and would be of heightened concern if expected to serve an additional 40 houses in the village. Anglian Water had visited on 3 occasions in the last 3 days. It was agreed to remove the issue from the clerk’s report and include it under the agenda reference 1.3.

## 2. TO RECEIVE REPORTS AND AGREE ANY DECISIONS/ACTIONS

### 2.1 Ward Cllrs’ Report

**MK Connect** – Ward Cllr Geary commented that Ward Cllr McLean had done quite a lot of work on MK Connect and comments (good or bad) should be fed back to Keith. The new system worked well for some people but had poor outcomes for others and could be unreliable at peak times. It was noted that the length of the MK Connect contract was 5 years.

**MK East** – Ward Cllr Geary reported that this application, with 5000+ houses was ongoing and the first hybrid planning application was expected to be dealt with in October/November. The Ward Councillors were monitoring it. The major implication with traffic would be getting into Milton Keynes and accessing the motorway.

**Emberton School** – Ward Cllr Geary stated that Ward Cllr McLean had been trying to get an update but there had not been any progress made since June. The property team at MKC was under strength and they had more expertise in managing properties so the school issue as a disposal was new to them. There should be an update for the September parish council meeting.

**Acorn Nurseries outline planning application** – Cllr Geary commented that the best way to consult with residents was to hold a public meeting and allow the developer to put their point

across and give the public the opportunity to ask questions. The meeting would be held on the 1<sup>st</sup> September. at 7pm; the Ward Councillors would send out a letter to residents. There would be some plans on the wall. A major application would generally take at least 3 months to go through so it would be October/November before it would be heard in planning committee and every comment received had to be taken into consideration before the decision was made. Ward Cllr Geary advised the parish council to make some initial comments now within the time limit and reserve the right to put in a more detailed response when there had been the chance to speak to residents. Cllr Geary stated that he could not support the application for the following reasons:

- 1) The development fell within open countryside because it was outside the settlement boundary line on the map. This was the main one reason it should be objected to.
- 2) The NPPF and Local Plan policies mean it should be refused.
- 3) The principle of the housing target had gone, and MKC's housing allocation was more than met a long time ago.
- 4) Emberton residents would not get preferential treatment for affordable housing; it would help solve MKC's housing problem but not Emberton's. Any agreement with the developer regarding affordable housing would be on a hand shake until it was put in as a condition.

Ward Cllr Geary commented that it should not be a question of supporting an application 100% or objecting to it 100%: they should still try to make sure they got the best results for the community if the application were permitted. It was important to write developers' planning obligations into a s106 Agreement or planning conditions. He knew of an example in Olney where obligations which had been negotiated in principle were lost, because the developer had sold the site on, without the obligations being secured.

Cllr Markland asked if Ward Cllr Geary could give an example in the Ward where negotiations with the developer had been successful. Ward Cllr Geary responded that the developer often used management companies that looked after the development and managed the public open space. This was a poor system in practice. The alternative would be for public open space to go to the Council (ideally the parish council, if this could be negotiated), with a commuted sum to look after it. Affordable housing which actually came to the community would also be a benefit. It should be remembered that s106 contributions were put in place to mitigate the impact of a development, but generally they ended up mitigating only 80% of the impact; the parish council would end up raising the precept for the remaining problems caused by the housing estate. Cllr Markland commented that the road by the nursery was a country lane and there was also the issue of the bend at Petsoe End. Cllr Jamieson commented that there were currently 100 vehicle movements per day on the Acorn Nurseries site. Cllr Geary commented that MKC would be guided entirely by their highways planners' views on highways and traffic impact, not by comments of residents. If MKC highways officers were satisfied on these matters, then MKC would accept this.

Ward Cllr Geary stated that Cllr Hosking and himself would be requesting that the application was heard by Members at Development Control Committee not decided by planning officers under delegated powers. Three members of the public would have the right to speak in objection and the developer would have the right to respond or they could allow members of the public to speak on their behalf.

Cllr Markland asked if there had been many representations from members of the public? Ward Cllr Geary responded that the job of the Ward councillors was to represent the public and they had received mixed messages. Cllr Markland asked if there would be another chance

to consult as the only issue that wasn't reserved was the access? Ward Cllr Geary stated that there would be but the parish council wouldn't be able to object to the housing as it would only be the details that could be argued, not the process. Once the principle had been determined, the parish council would have very little control as to what could be done on the site. Ward Cllr Geary would be objecting at this stage -although the objection could be withdrawn at any time – and he would be putting in a detailed response in early / mid September. He had concerns about the rate of growth of the development – anything about 10% at one go is a real struggle for a community to absorb, so there were huge concerns about the rate of expansion. It was about building a community. The site was on the wrong side of the A509, out on a limb, and there would need to be significant improvements in infrastructure. Otherwise there would be a split community, with the new residents going to Olney or Milton Keynes.

The Emberton parish councillors then discussed the outline application, in the light of the comments of the earlier speakers, and also two objection letters received. The parish councillors first considered a summary on the overhead monitor of what the application offered, including indicative details of proposed housing and s106 contributions suggested by the applicants, as previously circulated. The councillors also considered other potential benefits to the Emberton parish which could be requested if the application were to be permitted.

The parish councillors then considered the key classifications of the site, as follows: -

- located outside the settlement boundary, so in “open countryside” for Plan:MK policies
- current planning use as a plant nursery and the site's planning history
- classed as agricultural land grade 3, according to MK My Maps
- not classed as “brownfield land” under NPPF definition (which excludes agricultural uses)
- not a “rural exception site” as requirements in PlanMK policy HN10 not met
- within a minerals secondary focus area.

The councillors referred to the applicable NPPF and Plan:MK policies, and in particular Plan MK Policy DS5 regarding the very limited exceptions for developing new housing in the open countryside and also PlanMK policy ER2 regarding the protection of existing employment land and premises.

Cllr Duncan commented that her initial thoughts regarding the development offer were that there were no retirement homes in the mix for an ageing population and nothing for building community feeling to the east of the A509, such as a public play area where residents could meet each other, and that there would be a loss of a valuable local business plant nursery which currently employed 8 people.

Cllr Duncan addressed councillors for their thoughts:

Cllr Markland commented that he could not support the application as it was outside the settlement boundary.

Cllr Jamieson agreed that he could not support the application and went on to state that affordable housing would be good for the village but not at the proposed location due to the traffic.

Cllr Duncan stated that she did not support the application because of the open countryside policy and if the development were to be permitted, it would be easier for other land owners to develop open countryside around Emberton, the landscape character would be lost, that Emberton should not be looking to self-identify as a settlement for major development similar to Sherington, Lavendon or Hanslope, at a time when PlanMK would shortly be up for renewal and there was the Government's white paper looking to categorise land into "protected, growth or renewal", there would be the loss of a valuable business which hadn't been marketed (contrary to Plan MK's economic policies) and also the development was grossly disproportionate for the size of Emberton and would lead to a segregated housing estate with no services.

Cllr Flowers stated that he was against the proposal because it fell within open countryside.

Cllr White commented that he was against the development as it was in open countryside and it was a high percentage of housing for the village. Cllr White stated that the previous version of the Neighbourhood Plan had not been adopted and it had been changed because it had been objected to and the developer should not have been using it as a reference.

Cllr Duncan asked councillors for a show of hands in objection to the outline planning application. 5 votes were recorded. Councillors wished to make a formal request that the application was dealt with by the DCC unless the planning officer was going to refuse it.

Cllr Geary suggested that the parish council did further research following the public meeting and wrote a draft response to be agreed at the next meeting.

2.2 **Dates for Diaries** – these were noted.

2.4 **Clerk's Report**

2.1.17 **Bridleway claim at Petsoe End** – Nothing to report.

2.1.24 **Weed spraying** – Weed spraying to be reviewed at the end of 2021.

2.1.82 **Resident's parking – Hulton Drive** – Response to resident parking scheme and yellow line proposals sent to Davina Millership, Head of Highways on 7<sup>th</sup> July 2021. Ms Millership stated that a questionnaire would be sent to residents asking their views on the scheme. Councillors stated that they would wish that the questionnaire was a paper copy rather than online and that the scheme for Hulton Drive and the service road of Olney Road should not be deferred due to other recommendations put forward by MKC such as the yellow line on the northern end of Olney Road.

2.1.95 **Milestone (A509 north)** – Nothing to report.

2.1.109 **Ash tree (junction of Petsoe End)** – Nothing to report.

2.1.110 **Anglian Water pumping station, Harvey Drive** – It was agreed to incorporate this issue with agenda item 1.3.

2.1.111 **Harvey Drive nameplate** – No response received from MKC.

- 3.6.15 **Rat running and restricted access** – nothing to report.
- 3.6.28 **Parking restrictions (Olney Road)** – See update under item 2.1.82.
- 3.6.30 **Allotments – servicing of mower** – The clerk emailed Nicholas Hannon, Head of Environment and Waste at MKC to ascertain ownership and liability of the allotments, attaching a document relating to the transfer of the administration of the allotments from MKC to the parish council in 2007. A subsequent email was sent to Mr Hannon on the 27<sup>th</sup> July attaching the title of the allotments at Westpits and asking the question whether MKC as freehold owners covered the allotments for liability insurance. The clerk to ascertain whether there was any damage to the perimeter fence.
- 3.6.68 **Well at Petsoe End** – Nothing to report.
- 3.6.109 **Newton Road** – Awaiting assessment by MKC.
- 3.6.110 **Gritting at Petsoe End** – Nothing to report.
- 3.6.112 **Dead trees Newton Road (to right of triangle)** – Nothing to report.
- 3.6.113 **Bench in Olney Road (by bus shelter)** – A resident reported that there was damage to the concrete posts of the wooden bench in Olney Road and requested that it be removed. The clerk requested that the bench was removed from a safety point of view and provision made in the 2022/2023 budget for a replacement. It would also be an ideal opportunity to instal a litter bin at the same time as I have noticed quite a few discarded plastic and glass bottles in this area. There are no litter bins at the northern of the village but there were two in the High Street serving the bus stops so one of these could possibly be relocated. The clerk reported that the bench had now been removed.

### 3. **SPECIFIC AGENDA ITEMS**

- 3.1 **Emberton Park** – Nothing to report.
- 3.23 **Bell & Bear Public House** – Cllr Flowers reported that the purchase of the Bell & Bar was still subject to contract but it was hoped that there would be an outdoor bar area at the end of September.
- 3.74 **Emberton Neighbourhood Plan** – It was noted that the next meeting would be held on either the 16<sup>th</sup> or 17<sup>th</sup> September. Cllr Markland reported that the planning consultant, Chris Akrell had spoken to David Blandamer, MKC's contact for neighbourhood planning. Cllr White asked if the neighbourhood plan steering group would be responding to the Acorn Nurseries planning application. Cllr Duncan responded that the group would look at this at the time. Cllr Markland suggested that the steering group provided something for the open meeting.
- 3.85 **Emberton School** – School House Fund – Cllr Duncan reported that Andy McGrandle would be putting an email together on this subject later in the week. Cllr Duncan suggested that the parish council check with the Charity Commission to see whether the 2017 Constitution documents had been correctly registered with them. Cllr White asked if it was known how much was in the fund. Cllr Duncan stated that this still was not known for sure, but it was believed that the last time the accounts were prepared, back in 2019, there was £40,000 -

£60,000 left. **Action: MD** to talk to the Charity Commission and wait to hear from Andy McGrandle.

- 3.851 **Acorn Early Years proposal** – Ward Cllr McLean had been chasing this with MKC but no response received to further update the parish council.
- 3.97 **Sports & Recreation Committee** – The clerk reported that the next meeting would be held in September.
- 3.99 **Conservation area – review of 1997 Conservation Area Statement by MKC** – Nothing to report. Cllr Markland commented that he believed that emphasis should be placed on the NPPF and Plan MK with regard to planning applications within the conservation area.

#### **4. PLANNING APPLICATIONS AND ENFORCEMENT ISSUES**

- 4.1 **Wind Farm Community Benefit Fund** – Cllr White reported that there had not been any grant applications but there had been lots of emails regarding how the committee first started. MKC had handed the total responsibility of the fund to the committee including the handing over of funds to grantees.
- 4.2 **Solar Farm Community Benefit Fund** – Cllr White reported that a Solar Farm Community Benefit Fund Committee Meeting had been held earlier in the evening. There was an application from Emberton Park Sailing Club in the sum of £3000 to improve access facilities. The grant was awarded in full.

#### **previous applications status**

- 4.309 **21/01130/FUL** – Erection of one dwelling with attached single garage (re-submission of 20/00483/FUL) at 34 Gravel Walk – **pending**
- 4.312 **21/01373/FUL and 21/01374/LBC** (Listed Building Consent) New attic floor & roof to existing outbuilding including re-building of boundary wall (excluding garage) to provide ancillary habitable space/sewing room & gym. Existing window adapted to form a new doorway to kitchen (rear elevation). Replacement timber cart shed doors to south elevation (partly glazed), new services in connection. Alterations to garage including alterations to wall plate for new roof, internal division & new door at West Lane House, West Lane. – **pending**.
- 4.313 **21/01441/ADV** – Advertisement consent for installation of new freestanding church noticeboard inside main entrance to the churchyard, on south side of church path, and removal of existing wooden notice board opposite at All Saints Church, Church Lane - **permitted**
- 4.314 **21/01095/FUL** – Install of new freestanding church noticeboard inside main entrance to the churchyard on south side of church path and removal of existing wooden notice board opposite at All Saints Church, Church Lane - **permitted**
- 4.315 **21/01672/FUL** – Single storey rear extension and new rear dormer window at 24 Olney Road - **pending**
- 4.316 **21/00999/OUTEIS** – Hybrid planning application – It was agreed to send the draft letter of objection to this application.

- 4.317 **21/01869/FUL** – Two storey side extension, first floor side and two storey rear extension, new front entrance, replacement pool enclosure with link to house, dormer windows to front elevation, replacement windows and internal alterations (re-submission of 20/00077/FUL) at Springside Pasture, Petsoe End – **pending**

### **New applications**

- 4.318 **21/01800/TCA** – Pruning of overhangings to boundary of 3.5m TG1 mixed species Cottoneaster trees at 1A Church Lane – **no objection**
- 4.319 **21/01921/OUT** – Outline application (all matters reserved except for access) for the residential redevelopment of the Acorn (MK) Nurseries site for up to 41 dwellings including affordable housing. Also, access and additional off site highway improvements following all demolition and removal work of existing structures and hard-standing from site. At Acorn MK Nurseries, Newton Road – previously discussed under item 2.1.

## **5. ACCOUNTS**

- 5.1 **To receive the RFO's Report for the 3<sup>rd</sup> August 2021** and approve payments. It was proposed by Cllr White and seconded by Cllr Markland that the payments be approved as per the RFO's Report. Cllr White to approve the payments online. The clerk reported that the payment to Ms Bates would not be set up as this would be approved when an invoice was received. **Action: HW**

### **5.2 Confidential item**

## **6. CORRESPONDENCE**

- 6.1 **7 Westpits** – nothing to report.

## **7. PARISH RELATED MATTERS**

- 7.1 **Village publicity** – Acorn development, flooding, MK East, Bell & Bear, resident parking scheme

### **7.2 Cllrs' concerns**

**Cllr White** – made reference to the fields being sprayed and whether there should be signs warning walkers. Cllr Jamieson responded that he did not think that farmers had a legal obligation to do so but would speak to the farmer concerned and let the parish council know so that this could be communicated to residents. **Action: CJ**

**Cllr Flowers** – made reference to the path between the playing field and the park not being a designated public right of way – should EPC be looking at claiming the footpath as a public path because of long public use, or would this jeopardise the current use permitted by the Council. Cllr Duncan responded that it might be helpful to gather evidence of who had used the path and for what periods, particularly as this evidence could be lost if residents moved away or died. However, if as it seemed the Council intended the field for biodiversity rather than development, with the Council planting trees etc, then perhaps there was minimal risk of the footpath being closed off by MK Council in future, whereas an attempt to claim a prescriptive route from the Council, if unsuccessful, could perhaps lead to closure of the path.

Following a short discussion, it was agreed that the path should be left as was and that no further action was required.

**Cllr Jamieson** – made reference to the churchyard wall on Church Lane with the fencing around it. **Action:** the clerk to make enquiries with All Saints' Church. **Action: KG**

**Vice Chairman's sabbatical** – It was agreed that the Vice Chairman was permitted to take a 3 month sabbatical from the parish council and that a vice chairman would be appointed at each meeting.

8. **DATE OF NEXT MEETING** – confirmed as Tuesday 7<sup>th</sup> September 2021 at 7pm to be held at the Pavilion.

The meeting closed at 9.30pm

DRAFT