

Fornham St Martin cum St Genevieve Parish Council

Minutes of the Meeting of Fornham St Martin cum St Genevieve Parish Council
held on Thursday 9th February 2023 at 7.30pm, in the Village Hall

1 Councillors present: Cllr. J. Borrett - Chair (JBo), Cllr. M Collier - Vice Chair (MC), Cllr. P. Borrett (PBo),
Cllr. P. Butler (PBU), Cllr. S. Eley (SE) & Cllr. F. Stennett (FS).

Also present: Vicky Bright, Clerk PC. Cllr. Rebecca Hopfensperger – WSC/SCC.

ITEM	<u>PUBLIC FORUM:</u>
	<p>7 members of the public were in attendance.</p> <p>Several residents raised concerns and objections in reference to application DC/22/0051/FUL and urged Councillors to object to the application; see Item 5 (ii).</p>
23/02/1	<p><u>Chairman's Welcome & Acceptance of Apologies for Absence (LGA 1972, Section 85(1) & (2)):</u> Apologies: Cllr. P. Forster.</p>
23/02/2	<p><u>Declaration of Members' Interest (for items on the agenda) – LGA 2000 Part III:</u> None.</p>
23/02/3	<p><u>Approval of the Minutes of the Parish Council meetings - LGA 1972, Schedule 12, para 41(2):</u> <u>Meeting held on 12th January 2023 – Resolved 23/02/3.01</u> The minutes of the Parish Council meeting held on 12th January 2023 were adopted as a true statement and signed by the Chairman (JBo).</p>
23/02/4	<p><u>Local Authority Reports:</u> County & District Councillors: Cllr. Hopfensperger gave updates on the following agenda items 6 (i). And gave the following report;</p> <ul style="list-style-type: none">• SCC approved their budget this afternoon and Council Tax figures agreed are 2% Adult Social Care + 1.99% General rise.• The animal feed mill application has information outstanding, so there will be a full re-consultation. The Planning Officer has confirmed that all comments will be taken into consideration, despite the short deadline over the Christmas period and the postal strikes. <p>Cllr's raised concerns over the Anglian Water road closures at Great Barton and the delay in works starting, causing traffic problems. They also raised concerns over the light pollution at the Waste Operational Hub, and the waste of energy and the waste of money, Cllr. Hopfensperger is to report back on this to WSC. Concerns were raised over the state of road signs and visibility due to mud, graffiti etc. Cllr. Hopfensperger advised that this is not part of the Highways Operational Plan and that enforcement signs take priority over directional signs.</p>
23/02/5 i)	<p><u>Planning (For Consideration):</u> DC/22/1378/FUL - Re-Consultation outdoor gymnasium including open sided exercise shelter, moveable exercise equipment and equipment storage container. Location: All Saints Hotel, The Street, Fornham St Genevieve</p>

Fornham St Martin cum St Genevieve Parish Council

Minutes of the Meeting of Fornham St Martin cum St Genevieve Parish Council
held on Thursday 9th February 2023 at 7.30pm, in the Village Hall

Resolved 23/02/5.01

It was agreed to reiterate previous objections submitted in September 2022 over the fact that the application is retrospective and highlight yet again the applicants' blatant disregard for Planning Law. The lack of a planning application has meant that all the proper safeguards to protect wildlife, the environment, neighbours and any archaeology have been bypassed. In April 2021, following a site inspection by Planning Enforcement Officer, Andy Smith, it was noted that a request had been made to the owner to submit planning permission, albeit retrospectively, this took another 16 months for this to be submitted. We are aware that due to Covid restrictions at the time, Central Government allowed outside recreation and therefore relaxed some planning restrictions, but we would be interested to be provided with information on where it said you can tarmac an area of Protected woodland and fell ancient trees and build shelters in order to provide a recreation/exercise area. There are numerous areas around the site that could have been used, well away from homes.

The fact that the structure has already been built within St Johns Plantation, without the appropriate planning permission, within an ancient woodland that is protected by TPO 030(1960) W1 and TPO 003(1974) W1, shows the applicants complete disregard for the natural environment and historical and environmental value of the site. The application does not mention the loss of trees, it also states that there are no protected or priority species or important habitats on the site, however, it is impossible to know what was destroyed by the removal of the trees and subsequent building works as no ecology assessment was made prior to their destruction and construction of the gym. Concerns regarding the felling of the trees were raised in March 2021 and in April 2021 the Parish Council reported this to the local Enforcement Team to investigate and in April 2021 were advised that a site inspection had taken place, by Tree Officer Falcon Saunders, and it was noted that there had been a loss of trees and that land levels had changed which may be detrimental to the remaining trees in the area and may cause flooding. It was stated that actions should be carried out to mitigate some of the damage that has already occurred; by carrying out remedial works and replacement planting, along with replacement planting at a previous site where tree felling had taken place within the protected woodland (without permission), none of which has been carried out or enforced. The applicant states in his amendments that the tarmac is porous, but this would still not be adequate to deal with flooding and surface water issues, associated with being located on a flood plain and the detrimental effect of the removal of trees. We would stress that these replanting schemes need to be enforced and set as conditions of either refusal or approval of this application going forward and that management of the trees following planting also needs to be enforced.

It is noted that there is a concrete track a "service track" within the woodland on the maps in the application; which is used by groundskeepers and presumably used during construction, this track also has no planning permission and again there is evidence of trees being felled for the construction of the track.

The Parish Council would also comment that submitting amendments to the application when it is a retrospective application, (the building is already in place and should be determined on its current state), with the addition of a storage area/container to the application is again showing disregard for the planning process, again this was added at a later date without planning permission being sought.

Fornham St Martin cum St Genevieve Parish Council

Minutes of the Meeting of Fornham St Martin cum St Genevieve Parish Council
held on Thursday 9th February 2023 at 7.30pm, in the Village Hall

Over the last two summers neighbours have been subjected to significant daily noise disturbance, starting as early as 6:45am most days, this incorporates loud shouting by instructors, music and repetitive noise from the use of a punch bag. Not to mention the noise endured by neighbours from heavy construction machinery during construction to fell trees, along with that was the pollution from bonfires regularly lit near neighbouring properties to dispose of the trees once felled. Residents have been historically complaining to the applicant and the gym staff regarding the noise; the noise of the instructors 'shouting encouragement' and counting 5,4,3,2,1 can be heard clearly by neighbours and as far away as Lark Valley Drive end of Birkdale Court, some 300 metres away. The Parish Council have also raised the issue of noise disturbance to the applicant, again with no demonstration of any action to remediate the situation. Again, had planning permission been applied for before construction, the issue of noise pollution from the gym could have been addressed and conditions set to ensure this did not become a problem for residents. The proposed acoustic fencing, which is a new amendment to the application, would have a detrimental impact on the visual amenity to neighbours and also have a detrimental effect on the view and character from the public footpaths, from which the dwelling and site are visible. We would strongly recommend that if permission is granted, that conditions of approval be set to ensure the following; NO loud music, NO loudspeakers only headphones to be used, with opening hours 8am-5pm only, with NO Sundays or Bank Holidays.

Nearby neighbours are also being affected by early morning and evening light pollution, due to the flood lights used at the gym. Residents close by have reported light shining into their windows at unsuitable times.

The application states 'No' under "Can the site be seen from a public road, public footpath, bridleway or other public land?" However, the gym structure can clearly be seen from 2 public rights of way paths across the golf course, as well as from a footpath leading from Park Avenue to St Andrews Drive.

Also, although there are a number of supportive letters in favour of the gym, it should be noted that the majority of them are from people living far away from the area and their support must not be given precedence over local residents.

The Parish Council would reiterate, that with the application being flawed with inaccurate information, the fact that it is retrospective and with the felling of TPO protected trees, along with the constant and distressing noise disturbance and light pollution affecting residents, that we strongly object to the application and would strongly recommend refusal and immediate removal of the structure, along with enforcement to ensure the remedial works and replacement tree works be carried out forthwith.

ii) **DC/23/0051/FUL - construction of two outdoor tennis courts and one outdoor pickleball court. Location: All Saints Hotel, The Street, Fornham St Genevieve**
Resolved 23/02/5.02

It was agreed to object to application DC/23/0051/FUL, with the following concerns;

- The proposed location of the tennis and pickleball courts will result in an increased level of noise and disturbance that would be detrimental to the living conditions and mental health of neighbouring residential properties. There is the potential for the courts to be utilised from dawn to dusk, seven days a week, with the possibility of 12 players at any one time and with the added potential that use for 'coaching' would also

Fornham St Martin cum St Genevieve Parish Council

Minutes of the Meeting of Fornham St Martin cum St Genevieve Parish Council
held on Thursday 9th February 2023 at 7.30pm, in the Village Hall

cause further noise disturbance. Pickleball is a noisy sport with noise generated to be around 70dBa, which is similar to 'freeway traffic' and which is only 10dBa below the recommended level of 80dBa which can cause damage to hearing in addition, the sound of the paddle hitting the ball is classed as an impulsive sound; these types of sound create more disturbance and humans are particularly sensitive to these. As the popularity of pickleball has increased particularly in the USA and Canada, it has become the source of hundreds of noise complaints and lawsuits, most of these have been settled in favour of the local residents, thus supporting the case that neighbour amenity is affected along with noise pollution. Expert opinion now recommends that pickleball courts are not placed within 183m metres of residential properties, so this precludes the whole of the proposed site (currently the 10th fairway). Those sited within 183m require significant noise abatement measures such as acoustic fencing or walls, in fact experts recommend abatement at buffer distances greater than 183m if the intervening ground has a golf course or water features or the site is located in a valley due to the additional refractive effects created in these situations, all these apply to this application. Policy DM14 (JDMP) states that: "Development will not be permitted where individually or cumulatively there are likely to be unacceptable impacts arising from the development on the natural environment, general amenity and the tranquillity of the wider rural area. As no noise assessment report has been submitted with the application, we feel strongly that this needs to be carried out before any decision is taken.

- There have also been concerns raised by neighbours that this may have an impact on the value of and ability to sell their properties adjacent to the proposed courts, and we sympathise with this concern.
- The application proposes to move the 10th hole and fairway to the practice area of the golf course. However, there is no definitive detail or plans on this within the application, and there has been no risk assessment submitted in relation to this, which highlights that the application is incomplete. This proposed new area for the 10th fairway is flanked on the north side by the River Lark and the Lark Valley footpath, the footpath will run alongside the proposed 10th fairway for a distance of approximately 320m, therefore walkers will be within the danger zone for golf balls for all of that distance, thus impacting on the use of the footpath and loss of amenity for resident's who use this public footpath frequently at present.
- Although the application states that lighting will not be used, there will be considerable commercial pressure to allow the courts to be used in the evening. The applicant has previously used very bright flood lighting in the car park and outdoor gym (current retrospective application DC/22/1378/FUL) and as the application does not state hours of use, nor any information on any lighting or alternative measures that will be used to ensure visibility for players, we feel this could potentially become an issue with light pollution if approved and more information and detail needs to be submitted with the application.
- There is no evidence of archaeological inspection of the proposed site, and as the area is a known site of archaeological significance, this is of concern. As stated in Policy DM20 (JDMP) ".an appropriate desk-based assessment and/or field evaluation of the archaeological interest or significance prior to determination" should be carried out and submitted.
- There is also concern that the proposal will impact greatly on the 'residential amenity' thus altering the character and landscape, by replacing what is green space with hardstanding, this contravenes Policy DM5 (JDMP) "there will be no significant

Fornham St Martin cum St Genevieve Parish Council

Minutes of the Meeting of Fornham St Martin cum St Genevieve Parish Council
held on Thursday 9th February 2023 at 7.30pm, in the Village Hall

detrimental impact on the historic environment, character and visual amenity of the landscape or nature conservation and biodiversity interests”.

- There is no clear information on the ground level of the courts and whether installation will affect the possibility of flooding, as the proposed site is on a flood plain and there are no details on how surface water disposal will be addressed (Policy DM6 – JDMP).
- There will be significant impact on the wildlife in the area, due to noise pollution, but also risks associated with the mesh fencing for birds and bats.

Previous history with the wider site has demonstrated that land has previously been utilised for activities that are detrimental to neighbouring properties and have caused detrimental noise pollution, for example the use of an outdoor gym with amplified sound and coaching sessions (retrospective application DC/22/1378/FUL) and there is concern that these applications are setting a precedent for future anti-social activities.

- iii) **To consider whether the Parish Council wishes to submit comments on application DC/22/2190/HYB - Hybrid planning application - (A) (i) Full application on 27.56ha of the site for the storage, distribution and processing of accident damaged and non-damaged motor vehicles, together with the erection of ancillary buildings (B8 Use Class), perimeter fencing and landscaping works (ii) Full application for a new roundabout /road and additional landscaping on circa 5.37 ha of the application site - (B) (i) Outline application for commercial/roadside uses (Use Classes B2, B8, C1, E (excluding E(a)), and a hot food takeaway and pub/restaurant) on circa 2.7 ha of the application site (Plots A, B and C) (i) Outline application for general employment uses (Use Classes B2, B8 and E(g)) on circa 1.37ha of the application site (Plot D). Location: Land at Shepherds Grove Bury Road Stanton**
Resolved 23/02/5.03
It was agreed that the Parish Council would offer their support to the objections from Walsham Le Willows PC, and the Clerk is to draft and submit objections based on non-local issues.
- (For Information Only):
- iv) **DC/22/1294/FUL- animal feed mill and associated development including ancillary offices, silos, warehouse, improved access route and parking. Location: Land of Compiegne Way, Bury St Edmunds (British Sugar) – Still Pending Decision (See Cllr. Hopfensperger’s update in Item 4.)**
- v) **DC/22/1887/FUL - create access into All Saints Golf and Country Club. Location: Land off the Street, Fornham All Saints – Still Pending Decision.**
- vi) **DC/22/2018/FUL - first floor extension above existing reception to create office space. Location: All Saints Hotel, The Street, Fornham St Genevieve – Approved 23.01.2023.**
- vii) **DC/22/1831/FUL – a. reconfiguration of second floor roof to existing bedroom wing b. four storey linked extension creating 46 bedrooms. Location: All Saints Hotel, The Street, Fornham St Genevieve – Approved 26.01.2023.**
- viii) **DC/22/1378/FUL - RETROSPECTIVE APPLICATION - outdoor gymnasium with open sided exercise shelter and moveable exercise equipment Location: All Saints Hotel, The Street, Fornham St Genevieve – Pending decision.**

Fornham St Martin cum St Genevieve Parish Council

Minutes of the Meeting of Fornham St Martin cum St Genevieve Parish Council
held on Thursday 9th February 2023 at 7.30pm, in the Village Hall

- ix) **DC/22/1339/FUL – AMENDED single storey front and side extensions to existing café. Location: Fornham Business Court, Unit 11 The Drift, Fornham St Martin – *Approved 24.01.2023.***
- x) **DC/22/1902/VAR - variation of condition two (approved plans) of DC/16/2792/FUL (AP/18/0010/REF) to include plans for an additional lodge type for the change of use of park land to land for siting of 26 no. additional holiday lodges with access from B1106 - extension to previously approved application SE/05/02293; construction of access road, parking spaces and hard standing bases and associated landscape planting and infrastructure. Location: The Dream Lodge Group Fornham Park, Fornham St Genevieve – *Approved 30.01.2023.***
- xi) **DC/20/0496/FUL - 68 lodges with parking, landscaping, waste and recycling areas and construction compound/maintenance area. Location: St Genevieve Lakes, Road from Bury Road to B1106, Timworth – *Pending decision.***
- xii) **AP/22/0048/STAND – DC/21/2166/VAR Variation of condition nine of DC/16/2792/FUL to enable the site covering phase two to be occupied for holiday accommodation without a restriction on the length of stay for the change of use of park land to land for siting of 26 additional holiday lodges with access from B1106 - extension to previously approved application SE/05/02293; construction of access road, parking spaces and hardstanding bases and associated landscape planting and infrastructure. Location: The Dream Lodge Group, Fornham Park, Fornham St Genevieve – *Pending decision.***
- xiii) **AP/22/0049/STAND – DC/21/2164/VAR- variation of condition five of DC/15/0662/VAR to enable the site covering phase one to be occupied for holiday accommodation without a restriction on the length of stay for a. change of use of land to nine hole pay and play golf course with changing room facilities and associated landscaping b. 26 timber lodges, manager's lodge and associated landscaping. Location: The Dream Lodge Group, Fornham Park, Fornham St Genevieve – *Pending decision.***
- xiv) **Update Enforcement EN/21/0057 St Johns Plantation Trees**
The enforcement will remain open until the Gym application has been decided and conditions for the tree planting have been set, enforcement will follow up to ensure the conditions have been met.
- 23/03/6
i) **Highways/Footpaths & Trees:**
Update on Highways Engineer Walk-a-Bout
Cllr. Hopfensperger advised that;
- Russell Baron Road – An order has been made for Flowline to come out and cut the roots, awaiting date.
 - Old Thetford Road PROW – This is scheduled to be cut this winter, awaiting date.
- ii) **Update on Street Furniture Licence Application and Highways Gates**
The Clerk has secured two quotes and is applying for approval to use companies not approved by Highways, as part of the street licence application. The item was deferred until the street licence application has been decided.
- 23/02/7
Parish Matters.

Fornham St Martin cum St Genevieve Parish Council

Minutes of the Meeting of Fornham St Martin cum St Genevieve Parish Council
held on Thursday 9th February 2023 at 7.30pm, in the Village Hall

- i) **Weekly & Monthly H&S Play Area/Trim Trail Inspection Reports / Agree Rota**
Cllr. Borrett met with the Inspector, Tim McGhee this morning, to clarify which timbers need replacing on the Trim Trail, Cllr. Borrett (JBo) is to advise the Clerk which timbers need replacing so she can get quotes to replace.

The two benches (bottom of the field & adjacent) need re-staining, the Clerk is to get quotes for the work.

The Clerk updated the Council that WSC had agreed to cut the grass at the playing field as before, per the quotation, and not leave areas for 'wilding' at either ends of the field.

- ii) **Discuss Phase Two security measures for Playing Field (i.e., overhead barrier, fence/hedge gaps, side gate, utilities)**

The Chair (JBo) presented two quotes for galvanised steel overhead barriers;

Resolved 23/02/7.01

It was agreed to accept the quote from M F Everitt at a cost of £1,952.22 + VAT, they will also weld the new gate at the time of installation.

- iii) **Quotes for replacement glass pane for Bus Shelter at Barton Hill**

This item is deferred to the next agenda to agree a quote.

- iv) **VAS/SID Data Report Update / Quote for new Charging Unit for Batteries**

The Clerk gave the new battery charger to Cllr. Collier to forward to Matthew Kelmsley. The old unit's battery life is running at 6hrs instead of 14hrs, Matthew is to liaise with Westcotec to discuss and decide if a new battery is needed. The Clerk is to follow up with the police regarding enforcement in The Street and Barton Hill by the camera safety team.

- v) **Update on New Bugle Compiler**

The Clerk confirmed that the SCC Child Employment Permit had been approved and received. The Chair & Clerk are to meet with Meral to review how her first edition went.

23/02/8

Correspondence:

None.

23/02/9

Finance & Policies:

i)

Parish Council Bank Reconciliation from list of payments/receipts

Resolved 23/02/9.01

The bank balances and reconciliation of payments and receipts were received and adopted and initialled & signed as such by the Chairman. The bank account balance as of the 30th December 2022 is £22,914.00.

ii)

Cheques for signing and approval and to authorise payment of outstanding invoices

Resolved 23/02/9.02

It was agreed to approve payments of outstanding invoices as below and cheques were signed by Cllr. M. Collier & Cllr. P. Butler.

Mrs V Bright	Mileage, expenses	002338	£47.97
--------------	-------------------	--------	--------

Fornham St Martin cum St Genevieve Parish Council

Minutes of the Meeting of Fornham St Martin cum St Genevieve Parish Council
held on Thursday 9th February 2023 at 7.30pm, in the Village Hall

Mrs D Pott	Litter picker	002339	£132.12
Meral Ahmed	Bugle compiler	002340	£207.62
First impressions	Bugle printing	002341	£398.48
Westcotec	VAS Battery charger	002342	£84.60

23/02/10

Councillors Reports and Items for Future Agenda's

Cllr. Butler advised the hall committee had now installed double glazing, better lighting and a Smart Meter, so the hall should be more energy efficient. He asked if the Parish Council could look at increasing their annual donation towards the electricity costs for the hall, the Clerk is to add it to the next agenda.

Items for next agenda:

- Village Hall Electric donation
- Coronation
- Elections 4th May
- Bus Shelter glass quote
- Trim Trail & Bench quotes
- VAS battery update
- Highway Gates Quote

The next Full Parish Council Meeting is to be held on Thursday 9th March 2023 at 7:30pm, in the Village Hall, followed by the King George Playing Field Trustee Meeting.

Meeting closed at 9:37pm

Signed: *J Borrett*
Chair, FSMSGPC

Date: 9th March 2023