



Parish of Castle Heddingham

Mrs Claire Waters (Parish Clerk)
25 Bayley Street, Castle Heddingham, Essex CO9 3DG
Tel: 07845 056597
email: castleheddinghamparishclerk@gmail.com

CHILDRENS PLAY FACILITIES IN CASTLE HEDDINGHAM MINUTES OF A PUBLIC MEETING, WEDNESDAY 24TH JANUARY 2018 7.45 PM MEMORIAL HALL, CASTLE HEDDINGHAM

Present:

Castle Heddingham Parish Council:

Cllrs Higgins, Hood, Moffat, Philp, Pewter, Scrivens, Southgate, Worley, Toocaram

Heddingham Castle:

Mr Jason Lindsay & Mrs Demetra Lindsay

Braintree District Council:

Cllr John McKee, Cabinet Member for Asset Management and Corporate Development.

District Cllr Jo Beavis & District Cllr Hylton Johnson

Essex County Council:

County Cllr David Finch

In the Chair: Cllr Southgate

Clerk: Claire Waters

Also Present: Approximately 100 parishioners

1. Apologies for Non-Attendance.

None. Cllr Guy Pewter apologised for late arrival due to train delay.

2. Introduction and welcome by the Chairman of Castle Heddingham Parish Council

Cllr Southgate welcomed everyone and introduced the representatives from each organisation. He gave an overview of the reason for calling the public meeting and set out the procedures for the discussions to be held during the public forum

3. Statement on behalf of Castle Heddingham Parish Council by Cllr Trevor Hood, Chair of the Playing Field Committee

The existing facilities at the playing field are poor. Although safe to use, the play equipment fails to meet current guidelines and expectations. The equipment is obsolete, and maintenance and repairs expensive. There is little for very young children, it excludes children with additional mobility and sensory needs, and there is nothing for older children. There are far superior facilities in nearby, smaller villages.

The landowner, Heddingham Castle, will not allow development of the playing field as they wish to build on it and have offered an alternative site on part of the area known as "The Old Allotments". The National Planning Policy Framework requires that any loss of open space resulting from proposed development must be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

The Parish Council has several concerns with regard to the Castle's offer;

- The area being proposed is smaller and hilly, so fails to be of equal quantity and quality.
- The lease would only start once planning permission is granted on the existing site, which could be many years in the future.
- The Parish Council does not want to be pressured to support a planning application that it may wish to oppose.
- It would be a breach of Common Law for the Parish Council to predetermine a planning application in advance of its submission.

- The lease is offered for a period of twenty years, which we consider insufficient. It is unlikely that we could secure funding from relevant bodies for future improvements with such a short lease.
- There may be safety concerns such as the secluded nature of the site.

The Parish Council would not consider such an offer without full public consultation.

In an effort to try and make progress with its plans, the Parish Council approached Braintree District Council to request that it be given use of the BDC land adjacent to New Park. This is a substantial area, next to the existing site, and would easily accommodate a good size play area and other facilities. Unfortunately it has emerged that BDC also wish to develop their land, and that this may be as early as spring of this year.

Our current playing field is defined as Amenity Green Space in BDC's own Open Space Study, and their quantity standard is a minimum of 1.0 ha per 1,000 population. The existing playing field is approximately 0.75 ha, and the alternative location around 0.5 ha. So a move to the proposed alternative site would see an existing deficiency made worse, BDC actions would be contrary to their own standard and policy. In addition BDC's local plan stipulates that, where it is proposed that existing open space is to be built on, that developers should consult the local community and demonstrate that any proposals are widely supported by them. From discussions between parish councillors and residents, we believe that it would be unlikely that the proposal to develop both the existing playing field, and the BDC land adjacent to it, would have wide support from the village.

We believe that BDC has a duty to residents to facilitate the provision of adequate recreational facilities where the opportunity exists. This was recognised by Graham Butland, leader of BDC, both at a Planning Committee meeting in May of last year, and subsequently on a site visit to the village. We are disappointed that despite this, BDC seem determined to proceed regardless of public opinion, their own policies and guidelines, and the Government's National Planning Policy Framework. We are concerned that the planning authority for the proposed application will be BDC themselves. The Parish Council has approached BDC on several occasions, and attended a meeting of the Planning Committee where we made the case to retain the designation of Informal Recreation over the BDC land at New Park. Despite these representations BDC Planning Committee voted to change the designation of their own land to allow development.

This now brings us to a Public Meeting as we feel it right to put residents in full possession of the facts, and have the opportunity to ask BDC, Hedingham Castle and the Parish Council about this very important issue.

The Parish Council want the playing field to remain in its current location. We have sufficient funds to make an immediate start when we have secured a lease. We would intend this to be a community led project, engaging the whole village, including the children themselves. It could be a first class facility, inclusive to children of all abilities and ages. We believe that the best option to immediately secure the recreational and play amenities that the village deserves is for BDC to offer their land for the village to use. In the Local Plan BDC say that open spaces that are of particular value to a local community will be given protection, we ask them to honour this commitment.

It is within BDC's ability to facilitate our plans for improving play facilities immediately and, as we already have funds, progress could be made this year. We ask them to make this happen.

4. Statement on behalf of Hedingham Castle by Mr Jason Lindsay

Thank you very much to the Parish Council for arranging this meeting tonight, and welcome to Councillors from Braintree. I thought this evening would be a good opportunity to clear up a few misconceptions about the playing field.

Both the existing playing field and the old allotment site are owned outright by the Castle. We also own the Memorial Hall, the Village Club and the cricket pitch. My cousin Miss Majendie gave the land for the tennis courts, and sold the land for the primary school.

The recreation field facility only exists due to the generosity of the Castle, which receives £150 rent per annum from the Parish Council. The lease ran out in 1999 and occupation has only continued due to our wish for the village to have a play facility until an alternative site was arranged. It seems that by allowing this, some people have imagined a right of occupation and entitlement, but this is simply not true. We could have terminated this occupation at any moment, as the rent has not been banked. Due to this misconception and regardless of the outcome of the development application, to avoid any misunderstanding in the near future we will be serving a notice to quit, to end occupation by the Parish Council.

The Castle, under our ownership, only survives by running it flat out as a commercial venue and has to consider all of its outlying capital assets. The recreation field is one of its main assets and with housing development could provide vital capital to secure long term survival in our ownership. I believe Braintree District Council would also join up with us and develop their strip in the same scheme. I have tried an alternative by getting in touch with the Heritage Lottery Fund to see if they would buy the site at development value, but sadly this was not considered good value.

Sales of land was the only way the Castle survived during the 20th century, with the sale of the entire 2000 acre estate, including Park Vale Close, New Park and Bowmans Park. So development is nothing new.

We realise that no-one likes the idea of further development, but villages do evolve and housing can be done sympathetically. The advantage for the village would be that the Castle is prepared (despite being under no obligation) to offer a great alternative site next to the Memorial Hall on a 20 year lease, which could be renewed. A decent sized play equipment area could be built, and the Village Club could open up as a coffee shop. There is also the possibility that a small site for play equipment could be found where the new houses are built, but that is a conversation between us and BDC as it would reduce the capital value of the site.

It seems that development is going to happen regardless, so it would be a good time to accept the inevitable and embrace the offer, as the alternative is a thriving village with no recreation facilities, which is an outcome we have been trying to avoid during the last 30 years of negotiations. We genuinely want to help the village but the land at New Park is not available. Thank you.

5. Statement on behalf of Braintree District Council

Cllr John McKee told the Parish Council personally 2 years ago that they couldn't use the BDC land as a playing field. BDC needs a 5 year supply of houses. That's why we need development out in the villages. Hedingham Castle has offered a suitable alternative site which offers a long term solution. Any planning application will go through due process and policies will be adhered to by Braintree District Council. We are not the bad guys. There can be a negotiated settlement on a piece of land for a playing field, but we need houses of a certain quality.

6. Public Forum: To invite the public to raise any matters of interest

6.1 Cllr David Finch was asked to offer his opinion. Cllr Finch understands the offer which is being made by the landowners, but a 20 year lease is not sufficient to raise funds to equip a play area. He makes a plea for the lease to be 50 or 99 years.

- Cllr McKee reiterated the pressures on BDC, and the financial gain to BDC. There would be a requirement by developers to allocate some money to remodel the site to help make the land suitable

- Mr Lindsay said he was not going to roll over, but needs to find out what support there is for the Castle. The Castle's assets are on long term leases, for example the Memorial Hall is leased to the Parish Council until 2053. He needs to look after the few remaining assets he has.

- Cllr McKee: It's important to sell land as the capital receipt benefits tax payers across the whole district. BDC could reserve funds to make the alternative site more accessible and are not ruling this out.

6.2 Resident of New Park. Question for the Castle and the Parish Council. What is the value of the land at New Park and could we raise funds to buy it? And who is to say you aren't going to want to redevelop the Village Hall in 50 years time.

- Mr Lindsay: Who knows what is going to happen? The Castle may have imploded by then but we have to work with what we have got.

- Cllr Southgate: We estimate that around 1.5 acres at development value could be worth £1-1.8 million and have been looking into whether that could in any way be funded.

6.3 Resident of Church Ponds. Isn't BDC under an obligation to provide green space?

- Cllr McKee: BDC as the developer can't award itself a S106 agreement. An application would go through a process of independent assessment. Any development would be high quality inside the village envelope, but the pre-application assessment hasn't been done yet so we don't know what it looks like. But the land was put into the Local Plan as development land for housing.

6.4 Resident of Queen Street. The Strategic Housing Assessment shows that BDC has more than enough land for housing for the period of the Local Plan to 2033.

- Cllr McKee: BDC itself is building 400 houses. Developers want to build near railway lines or roads.

- Resident: That's not what your Strategic Housing Assessment says – there have been lots of sites identified with the objective of protecting small villages and the green space in between them.

6.5 Resident of Sudbury Hill. BDC did not buy the piece of land that they own at New Park. They inherited it from the Halstead District Rural Council. Would you agree that since you got it for nothing you could give it to the village for nothing?

- Cllr McKee: We have a responsibility to 160,000 residents across Braintree District, not just to this village.

6.6 Resident of Crown Street. There is also a need for a community garden or area for everyone to use, not just a play area for children.

6.7 Resident of Queen Street. To Mr & Mrs Lindsay. Have you thought of offering the Castle to the National Trust?

- Mr Lindsay: We would have to endow the property and it's not feasible – but it is also my family home.

6.8 Resident of New Park. In the Village Design Statement 2008, the site at New Park is listed as an important historic site including a hospital and St James's Well. It's a very damp site so the houses will be mouldy. The well was famous for miraculous healing, maybe the Castle could make some money by bottling the water?

6.9 Resident of New Park. A lease of 20 years is a drop in the ocean. This sounds like a phased development project, waiting 10-20 years then preparing for the next phase. It doesn't sound like 20 years is an offer at all, more a time period of waiting.

6.10 Resident of Pottery Lane. The 20 year lease offered is not long enough, but I consider the allotment field is a better place for a playing field as the site access is dangerous at Sudbury Hill. Have we asked the children of the village? Would it not be sensible to ask them and get the equipment we need?

- Cllr Hood: Before we do anything we will consult with the whole village. This will be a community led project. The Parish Council would agree the fence is decaying on the existing playing field but we can't improve that site. Nowhere is 100% safe, it's all a question of risk management. The allotment site is more secluded, it is not overlooked and there is access to boggy and wet woodland. We need to put safety first but also consider what the children want. We want it to be accessible to all children of any age and ability.

6.11 Resident of Ruffles Yard. The Parish Council has the resources to build a playing field. Why can't the Castle let us on the site tomorrow?

- Mr Lindsay: It's complicated, and conditional on getting approval for development at New Park. We don't want the Parish Council to fight us when they have been given something. The Castle estate can't just give stuff away, we want to preserve the Castle long term but also give something to the village. We could terminate the current lease tomorrow.

6.12 Resident of Nunnery Street. I would like to make an observation. Mr & Mrs Lindsay are members of our community. Might other residents want to share their own land? They are under no obligation to give us anything. A 20 year lease is the sticking point. 0.5 hectares could be enough, we could make it more ergonomic. I attended the meeting at BDC last year and although I agree we need housing it appears BDC have no desire to help the children. I have been in correspondence

with the Parish Council and they have worked really hard. Would other residents wish to give away 5% of their assets?

- Mr Lindsay: Thank you. We need a mindset that change is going to happen. Villages do evolve and we are offering a large plot of land.

6.13 Resident of New Park. We have been told in planning terms that an application will be submitted in the spring, and BDC will comply with policy. When the draft Local Plan was published the land was allocated as amenity green space. This sounds like poor project management or a lack of transparency. Can Cllr McKee be more specific, don't just say "due process" but tell us what constraints are going to be put in place e.g. density of housing. Something just doesn't sit right. If BDC owns that land and it's vital for access to any development, can't BDC compromise and gift the parish something in perpetuity?

- Cllr Hood: You are correct, in the draft Local Plan the site was not allocated for development but the BDC land was designated as informal recreation. At a Local Plan Sub-Committee meeting where it was proposed to remove the informal recreation designation, 3 Parish Councillors, our 2 District Councillors and a resident all spoke on behalf of the village but were told it is "not deliverable". Nobody said the landowner is BDC. And this was carried out after the public consultation period for the Local Plan. I have a question: BDC's own words in the Local Plan state "developers will need to consult the local community to ensure any proposals are widely supported". I would ask Cllr McKee, do you still believe this is widely supported? And why haven't BDC consulted with residents?

- Cllr McKee: In September 2015 we were asked to carry out a housing assessment to provide up to 800 homes per year to 2033. We had to go back to the Local Plan, that site was put in as a potential site and went to planning. We need housing that can be delivered in a village that needs housing. You have also been offered this land (the allotment field) to invest in and create a play area in the centre of the village. BDC owns land in benefit for the entire district. No planning has yet been put in – that may happen in the spring/summer this year. BDC can stand in as a developer.

6.14 Resident of New Park. What detail is available of the plans?

- Cllr McKee: There is no detail yet. The developer puts in a pre-application for advice. Then it goes to consultation e.g. with heritage, highways etc, and then for public consultation. It is a council led development so will go to BDC planning committee which is a public meeting.

6.15 Resident of Queen Street. Thank you to Mr & Mrs Lindsay for attending the meeting and the Parish Council for arranging it. A question for Cllr McKee – did you know in the village survey conducted by the Parish Council about the sites allocated for the Local Plan 75% disagreed or strongly disagreed to building on the land at New Park?

- Cllr McKee: I haven't seen that survey

- Mr Lindsay: The question was asked in a strange way. The offer of another site for a playing field was not made obvious in the survey.

6.16 Cllr Guy Pewter, resident of St James Street. If the playing field is developed in a deal with the Castle estate, why can't BDC deliver a piece of land for a play area. Doesn't BDC have an obligation to look after the community – you could give Castle Hedingham a piece of land in perpetuity.

- Cllr McKee: We don't choose to do that. It's a piece of land we have decided to use in a particular way.

- Cllr Pewter: Should you not be considering best value to the community? Where should our children play?

- Cllr McKee: Well, here on the allotment field

- Cllr Pewter: It's not yours.

- Cllr Hood: You say BDC is like any other developer, but you are not. You have a duty to the people of this village, the welfare, wellbeing and health of the village.

- Cllr Pewter: BDC have more obligations. Everybody here is welcome to petition BDC, they could give us use of their land tomorrow. BDC can deliver – so please deliver.

- Cllr McKee: By all means form a petition.

6.17 Resident of Rosemary Lane. I have heard people are concerned about the public toilets being close to the proposed playing field at the old allotments, but I think this is a good thing. I am concerned that in 30 years the Castle may take back the Memorial Hall building and the land.

- Mr Lindsay: I am aware there is a worry we will take everything back and develop it. But who knows what will happen in 30 years. We have been asked if we can site a play area within the curtilage of the Castle and we can't. We are offering a lease but it has to be negotiated. We have to look at maximising the benefit to us. At the moment we have a window of opportunity.

6.18 Resident of Park Vale Close. I have lived in the village for 25 years as a parent and grandparent and care passionately about our community. I feel we are being shafted as BDC have made their minds up, although the Castle seem willing to compromise. The allotment field is a pervert's paradise – period. I spent 15 years running a business overlooking the land.

6.19 Resident of Church Lane. This is BDC saying “it's us against them”. BDC are just saying “tough” - no compromise. You have a responsibility – we vote for you and you're saying “it doesn't matter”.

- Mr Lindsay: I do think there's a way of getting play equipment on the combined site. There could be an area conserved for play.

6.20 Resident of Church Lane. A question for BDC. Have you considered the infrastructure needs for new housing in the village? Doctor's surgery, parking, roads, amenities? And a question for Mr & Mrs Lindsay. The cricket pitch is a bigger size than New Park. Why don't you develop that?

- Cllr McKee: Any planning would have to take into account the infrastructure. BDC has one of the best records in Essex.

- Cllr Beavis: To clarify the question about the doctor's surgery, land has been reserved at the Bloor Homes site in Sible Hedingham but these are private GP practices involved. There is a project initiation document. The Enterprise Centre hasn't replaced the combined medical centre, it was always in the plan.

- Cllr McKee: BDC is trying to facilitate the new combined medical centre in Sible Hedingham.

Mr Chairman reminded those present of the original purpose of the meeting.

6.21 Resident of Church Ponds. My children have chosen to go out of this village to play. Question for BDC – you seem to be relying very much on Mr & Mrs Lindsay. If they took their land back, would you give us the BDC land at New Park?

- Cllr McKee: The sites together are attractive, and an alternative site for a playing field has been offered.

Question to Cllr Hood: Is 20 years a long term solution?

- Cllr Hood: 20 years lease is not sufficient. We need at least 50 years. A childrens play area would easily fit on the BDC land, we marked it out when Cllr Butland visited the village to see the site.

Question for Cllr McKee: You say the allotment field offer is an excellent alternative. Who says it's excellent?

- Cllr McKee: I'm paid to be the bad guy.

6.22 Resident of Ruffles Yard. Question for BDC. You are saying that your site is not suitable for development without the Castle land at New Park.

- Cllr McKee: BDC is not in cahoots with the Castle.

6.23 Resident of New Park. Question for BDC. If the Lindsays take back their offer of the old allotment field, what will BDC do?

- Cllr McKee: Answered with a comment about council policy.

6.24 Resident of Rushley Green. Could we please now ask for Cllr David Finch's opinion?

- Cllr Finch: I will answer as I did at the beginning, there is an opportunity for Mr Lindsay to offer a 99 or even a 150 year lease on the old allotment field. If BDC is giving itself planning permission to build at New Park, it will gain financially from the land development and the increase in Council Tax. We can make the allotment field safe, if the parties get together they can work out a deal. We want a playground, these three parties are the best opportunity you have.

- Resident of Queen Street: We want to stop chronic overdevelopment.

- Cllr Finch: We don't know how many houses are planned yet. The play area is the issue.

We need housing, it may be that you get suitable development. You should encourage them to sit down and work out a deal.

6.25 Cllr Beavis. I have been district councillor for Castle Hedingham for 15 years. My husband was born at New Park. I would like to thank Mr & Mrs Lindsay for attending tonight and also recognise the hard work put in by the Parish Council and the clerk in getting to this point. That area of land at New Park is quite large – why can't a bit of both pieces of land be available to put in play equipment? Castle Hedingham is a jewel in the crown of the whole country, not just Braintree District, and I do care what is done to you. We must fight for what we want. A childrens play area is not actually a very big space. I would ask Cllr McKee to go and measure it and bring something back to the village.

6.26 Resident of St James Street. Question for BDC. You say the council has to consider the best use of the land. What criteria did you use to determine the best use? What data or analysis did you use to get to that point?

- Cllr McKee: It's in the Local Plan as allocated for housing development. All I am hearing from you is that you don't want this and you don't want that.

6.27 Resident of Nunnery Street. If you are determined that you aren't going to change your mind, then any negotiation isn't going to work.

6.28 Cllr R Worley, resident of Nunnery Street. We have covered a lot this evening and I would like to raise the subject of the compromises being offered. We have been offered a portion of the old allotment site. The problem is that part of that site adjacent to Church Lane is within the village envelope and we know that Mr & Mrs Lindsay have an intention in the future to develop that part. This means that the land offered will be enclosed, non-visible not just as a playground but also as a green open space. It is one of the legacies of the Castle that we don't own any public green open space. My concern in these negotiations is that we may end up with development at New Park and no open space elsewhere. I suggest that a possible compromise is a swap, the whole of the allotment field which would give us a site nearly as large. I accept we don't own the land at New Park but we have had access to it for a long time and we have looked after it and maintained it.

6.29 Resident of Church Lane. Question about the BDC land. How many houses are we talking about?

- Cllr Southgate: We don't know until a planning application is submitted by BDC

6.30 Cllr Hood. I rejoined the Parish Council in 2015 because I wanted to help find a solution to this problem. Mr & Mrs Lindsay want to retain their land at New Park for possible housing development. That is their right as the landowner. We have been offered the option of a short lease here at the old allotment field, but only if planning permission is granted on the current playing field. It could be that planning permission is not granted, so we had to go to BDC. We believe they have an obligation to the village over and above the asset value of the land that they own. The Parish Council has done all the running so far in these negotiations, and we have facilitated this meeting tonight. I would ask BDC is it not incumbent on you as our local council to support the village – there must be an answer. This has been a good meeting and we have informed the village of the current situation, but we are no further forward. For BDC to give the impression that no-one has approached them is very misleading.

- Cllr McKee: I can take back to BDC your feedback in one sentence – you don't want us to develop the site.

Following further discussion between Cllr David Finch, Cllr McKee and members of the Parish Council, it was agreed that a meeting between BDC, Hedingham Castle and the Parish Council should take place. Cllr David Finch was asked by the Parish Council to chair that meeting in order to facilitate the negotiation.

7. Closing statement by the Chairman of Castle Hedingham Parish Council

Cllr Southgate thanked the representatives from Hedingham Castle and Braintree District Council for attending, and thanked all members of the public for attending and sharing their views.

The meeting closed at 10pm