



MISTLEY PARISH COUNCIL

Minutes of the full Parish Council's Extraordinary Meeting held on 26th May 2021 at 7.30pm in the Mistley Village Hall

Councillors Present:

Councillor J Cambridge
Councillor G Carter
Councillor J Chaplin (*Vice Chairman*)
Councillor S Coiley
Councillor R Frost
Councillor C Howell (*Chairman of Council*)
Councillor F Kent
Councillor P Nutter
Councillor I Peacock

In Attendance:

Mr A Lee – Locum Clerk
District Councillor A Coley
District and County Councillor G Guglielmi
A representative from McCarthy Stone
41 Members of the Public

1. Welcome and Apologies for Absence

The Chairman welcomed participants to the Extraordinary Meeting and then explained the Covid-19 arrangements in place. Apologies for absence were received from Councillors Bell (work) and Lawry (work). These were accepted by the Council.

2. Declarations of Interests

Councillors Cambridge, Chaplin, Frost, Howell, and Kent declared their non-pecuniary interests as Trustees to the Welcome Home Field, sited opposite to Mistley Place Park. Councillor Carter declared a non-pecuniary interest as she is a member of Mistley Bowls Club, sited opposite to Mistley Place Park. Councillor Kent declared a pecuniary interest as she resides adjacent to Mistley Place Park.

3. Public Voice

Fourteen members of the public addressed the Council to express their views and comments on the proposed development in the planning application.

- (1) Questioned the need for three storeys for the block of apartments and suggested that two storeys would be less intrusive and could be achieved by spreading out the footprint of the block. Proposed that the re-built tearoom could be made available to community organisations, such as for local ex-military veterans. The applicant's representative agreed to take the suggestion back to the developer.
- (2) Argued that the local housing quota had already been met and this development would only increase stretched local resources while there appeared to be no plan to address the infrastructure. Was also concerned about the impact on the environment.
It was doubtful whether there was any capacity to look after newcomers included in stage one of the Local Plan.
- (3) Mistley was in an Area of Outstanding Natural Beauty and in the time of a climate emergency, there was a need to retain green space. Questioned why the development required such high specifications and expensive housing, when there was a need for cheaper and social housing. Raised a question about the postcards being delivered to new developments in the village. The applicant's representative explained that the size of the units was in keeping with the standards for living spaces. This development was not providing care and also not providing affordable housing.

- (4) Strongly objected to the proposed development as they felt that the green gap should not be reduced and was currently visible from both sides of the river. Also concerned about the impact on the local health services and the extra traffic burden on the already poor roads.
- (5) Strongly objected to the site being developed and ruining the pastoral views from both The Walls and New Road.
- (6) Expressed disbelief that the land would be cleaned up for the community and instead would eventually be built on.
- (7) Supported the proposed development as 80% of the land would become accessible for the local community to use.
- (8) Expressed a strong objection to the proposed development as they did not believe that the land would be cleaned, and it would remain in the same state. There were no details of the pedestrian access to the retired housing. The applicant's representative explained that the Section 106 agreement was a legal document that was enforceable by the Local Planning Authority. The developer intended to fulfil their obligation to clean up the site as well as cost what is needed to do this work and for future maintenance.
- (9) Raised concerns about the impact that the proposed development would have on privacy as it was immediately close to the rear boundary of their property and the three-storey apartment block and bungalows would overlook a currently private garden as well as block views. Had attempted to contact these concerns with the developer but had not yet received any response to suggestions made. The applicant's representative explained that they were keeping a list of changes to be proposed but had not yet updated the plans.
- (10) Argued that the site was part of the history of the area and also had views. Questioned how much money would be required by the Council to maintain, conserve, litter-pick. An earlier section 106 agreement when the Mistley Maltings were redeveloped was supposed to have provided a community room but did not go to plan. There were 67 apartments to be constructed on Mistley Quay which would impact on the infrastructure. If the Mistley Place Park site was developed, then it would be a spoilt area forever.
- (11) Had ecological concerns about the proposed plans to tidy up the land intended for the community. Because it was necessary for tree stumps to be left in the ground for insects and butterflies and moths required areas of longer grass rather than manicured lawns.
- (12) As the site was within 100 metres of a Site of Special Scientific Interest, there was a requirement for a developer to undertake an appropriate assessment. Had questioned in their submission to Tendring District Council why it had not required an Ecology Statement.
- (13) Explained that the current developer of this privately-owned land had been found who would build fewer houses than in the previous developer's planning application (15/01869/OUT). This site was a special piece of land but on a point of principle, this planning application would try to reduce the impact and also give a significant piece of land to the Council.
- (14) As there were new houses here in the area then this development was an opportunity for a green community space for families and also a re-built tearoom. Although not ideal having another development, it might be the best option available.

No Councillors wished to speak in Public Voice. The Public Voice session closed at 8.35 p.m.

The Parish Council then considered and discussed the following planning application received from Tendring District Council (Local Planning Authority) and made comments and observations following the above Public Voice session.

All Councillors had been requested to view the plans online before the Meeting.
<https://idox.tendringdc.gov.uk/online-applications/>

4. Land at Mistley Place Park, New Road – 21/00453/FUL – Proposed development of land to provide Retirement Living accommodation comprising 42 apartments and 11 bungalows with associated amenity and landscaping improvements to Mistley Place Park, new access to New Road and associated works.

The Chairman had noted that during Public Voice, ten speakers had opposed the Planning Application, three speakers had supported it, while one speaker had raised ecological concerns. It was noted that Tendring District Council's Planning Website had received 116 responses which included: 98 objecting, 13 supporting, and 5 neutral. Several written submissions had been received and copies had been circulated at the Meeting. A full and detailed discussion ensued.

It was noted that there were many strong opinions against the proposed development but it was important to consider that it might be best proposal for this land. Concern was raised about the poor state of local infrastructure which was not being extended in spite of all the new houses being built in the locality. It was noted that the land could not be used for future development once it became a community green space and subject to a Section 106 Agreement. There was some preference for the earlier version of the development with a bigger but lower apartment block more set back. It was suggested that the developer could reduce the height of the apartment block and increase the footprint. There was concern about as the owners struggled to maintain the land, so could the Council afford the upkeep, along with potential flooding, increase in public liability and potential traffic accidents. It was unfortunate that there was no detail or feasibility study in order to calculate maintenance costs. However, once the land and lake had been cleaned up then they should be easier to maintain, plus the café could generate income towards these costs. A further concern was raised about no work having been done about health and safety issues. There was speculation about what the alternative might be to the current proposal and also what might have to be considered in a future proposal. There was concern about the owners retaining about two-and-a-half acres of land which might be developed in the future. It was surmised that there was balance between a scruffy piece of land owned by aging owners and the proposed retirement development, as well as a potential problem of what happens to the remainder of the land.

Following the vote, proposed by Councillor Frost and seconded by Councillor Kent, the Council agreed unanimously to **object** to the Planning Application for the following reasons:

- (1) Manningtree and Mistley Conservation Area – The site is within the Manningtree and Mistley Conservation Area, which was first designated in 1969. The 2006 Conservation Area Review subdivided the conservation area into a series of character areas and Mistley Place Park comes within the site which comprises the former grounds and designed landscape associated with the former Mistley Hall. The applicant's proposed development of 42 apartments and 11 bungalows would outweigh the benefits arising from the proposed remedial work to the parkland and the lake.
- (2) Area of Outstanding Natural Beauty – (AONB) – Mistley Place Park is immediately adjacent to the extension area along the southern edge of the Stour estuary to the Suffolk Coasts and Heaths Area of Outstanding Natural Beauty Partnership and Tendring District Council.
- (3) Planning Policy – Mistley Place Park was identified in the 2007 Local Plan as an important green, open area and the site was designated as part of a Local Green Gap and also as a Protected Existing Recreational Open Space. In the 2012 Draft Local Plan, the site was again identified as forming part of a Strategic Green Gap and a Safeguarded Local Green Space. Development of Mistley Place Park would be contrary to Tendring District Council's saved and draft plan policies, phase 1 of which was adopted in 2021. As part of the "signed-off" phase 1, the site in question is not within the settlement development boundary.
- (4) Cumulative Impact – The applicant's proposed development would have an impact on the local infrastructure, particularly health services.
- (5) Highway Safety – The proposed development will significantly increase the volume of vehicles and subsequent traffic to New Road and The Walls. The likelihood of traffic accidents and congestion along New Road would increase considerably. New Road is the principal road for the majority of heavy goods vehicle journeys into and out of the village.
- (6) Density / Design / Appearance – The current position and height of the two-and-a-half-storey

apartment block proposed for this site is unacceptable and would be inappropriate for this open area which is considered to be of primary importance to the local community for the historic open views across the park from The Walls and from New Road towards the river.

5. Next Meetings:

- Full Parish Council Meeting – Monday 28th June 2021 at 7.30 p.m. at Mistley Village Hall.
- Planning Committee – Thursday 3rd June 2021 at 7.30 p.m. at Mistley Village Hall.

There being no other business the Meeting closed at 8.55 p.m.

SignedChairman

Date