

MISTLEY PARISH COUNCIL

Minutes of the Planning Committee Meeting – Thursday 6th August 2020 – 7.30pm via the Zoom platform



Present:

Councillor J Cambridge (*Chairman of the Committee*)
Councillor G Carter
Councillor J Chaplin
Councillor R Frost
Councillor C Howell
Councillor P Nutter (*Vice Chairman of the Committee*)

In Attendance:

Mrs S Clements – Parish Clerk
District Councillor A Coley (*from Minute Number 6*)
No Members of the Public were present

1. **Welcome and Apologies for Absence** – Apologies for absence were received from Councillor Burton (unwell), Councillor Coiley (family medical appointment), Councillor Kent (working), Peacock (technical issues). These apologies were accepted. The Committee was disappointed to note that Councillor Smith was again not present and again did not send an apology for absence.
2. **Public Voice** – No Members of the Public were present.
3. **Declarations of Interest** – There were none.
4. **Minutes of the Previous Planning Committee Meeting** – The Minutes of the Planning Committee Meeting held on 2nd July 2020 were received, considered and agreed following the vote. (Proposed by Councillor Carter and seconded by Councillor Chaplin). (Signed copy in Minute Book).
5. **Matters Arising/Updates from Previous Minutes** –

Matters Arising Minute 7 – Land North of Stourview Avenue 20/00479/DETAIL – (70 Dwellings) - Councillor Cambridge advised the Committee about the investigative work that he has undertaken with the Clerk regarding the restrictive covenant in relation to trees not being felled in the area of the proposed new access road from Stourview Avenue. Councillor Cambridge was disappointed to advise the outcome and the fact that restrictive covenants fall out of planning and development law under the Town and Country Planning Act 1990.

District Councillor Coley arrived at this point. He wished to establish the Committee's view in its capacity as statutory consultee to the LPA relating to 7.a).

6. **The Committee noted Planning Decisions as follows:**
 - a) 20/00741/TCA – The Malt House, 7 Erskine Road – 1 No. Multi-stemmed Sycamore – Reduce by 50%. 1 No. Sycamore – Reduce to ground level –

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The Committee noted that the LPA has approved this tree conservation area planning application.

- a) 20/00737/FUL – Edme House, High Street – Demolition of buildings in a Conservation Area – The Committee noted that the LPA has refused this application.
- b) 20/00617/FUL – 30 Middlefield Road – Single storey rear extension, upgrading of existing conservatory and open porch – The Committee noted that the LPA has approved this application.
- c) 20/00787/TCA – The Malt House, 7 Erskine Road – 1 No. Robina – Reduce in height – The Committee noted that the LPA has approved this application.
- d) 20/00/104/DETAIL – Approval of Reserved Matters/Detailed 24/07/20 - Land East of New Road – Approval of Reserved Matters and clearance of conditions 1 and 4 of application 19/01956/OUT relating to the erection of 67 dwellings together with the formation of an access – The Committee noted that the LPA has approved this application.
- e) 20/00803/TCA – 35 Kiln Lane – 1 No Cordyline – Fell – The Committee noted that the LPA has approved this application.

7. Planning Applications/Proposals received from the LPA (Local Planning Authority):

- a) 20/00662/FUL – Anchor Inn, Harwich Road – Change of use of premises from a public house and residential unit to 2 no. residential units together with the associated demolition and removal of single storey attached outbuildings – A full and detailed discussion ensued. Following the vote, the Committee recommended refusal. (Refusal was proposed by Councillor Cambridge and seconded by Councillor Frost). Refusal being on the grounds of there being no evidence to demonstrate that the public house has being marketed and no evidence of the business being unviable under an improved business case – possibly with a different public house owner. The change of use would be a loss of amenity in the community as this is the only public house in the Village. The Committee asked for District Councillor Coley to “call-in” the application such that it is determined by the LPA’s Planning Committee as opposed to an Officer delegated decision.
- b) 20/00892/OUT – Land South of Long Road, Lawford (cross-boundary) – Outline planning with all matters reserved except for access for up to 76 no. dwellings and associated roads, hardstanding, fencing, outbuildings and drainage - Following the vote, the Committee recommended that this proposal be refused. (Refusal was proposed by Councillor Cambridge and seconded by Councillor Nutter). Refusal being on the grounds of the potential impact of development on the openness of the Green Belt. The Committee would wish to see plans set out and ways in which any impact of removing land from the Green Belt can be offset by compensatory improvements, i.e. infrastructure and evidence of how compensatory improvements to the Green Belt are secured for the environmental quality and accessibility. The whole scheme is deemed to be over-development of the site. The Committee asked for District Councillor Coley to “call-in” the application such that it is determined by the LPA’s Planning Committee as opposed to an Officer delegated decision. The Committee also asked that Lawford Parish Council “calls in” the application in the same way for this cross-boundary application.
- c) 20/00388/LBC – 8 The Green – Proposed urgent repairs to roof – battening removed and replaced, and tiles reused where possible - Following the vote, the Committee recommended approval, provided suitable conservation materials and methods are used which are sympathetic to the listed building. The Committee will be guided by the Conservation and Heritage Officer. (Proposed by Councillor Cambridge and seconded by Councillor Nutter).
- d) 20/00877/TPO – 9 Rosewood Park – 1 Holm Oak – Reduce crown by up to 30% -

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Following the vote, the Committee recommended that the LPA's Tree and Landscape Officer makes a decision under the LPA's scheme of delegation. (Proposed by Councillor Cambridge and seconded by Councillor Howell).

- e) 20/00867/TCA – Woodside, School Lane – 1 Scots Pine – Remove dead branches and 3 lower branches. 1 Goat Willow – Pollard. 1 Ash – Remove - Following the vote, the Committee recommended that the LPA's Tree and Landscape Officer makes a decision under the LPA's scheme of delegation. The Committee would like to see a replacement native species as recommended by the Tree and Landscape Officer. (Proposed by Councillor Cambridge and seconded by Councillor Howell).
- f) 20/00915/TCA – 21 Malthouse Road – 1 Sycamore – Fell - Following the vote, the Committee recommended that the LPA's Tree and Landscape Officer makes a decision under the LPA's scheme of delegation. The Committee would like to see a replacement native species as recommended by the Tree and Landscape Officer. (Proposed by Councillor Cambridge and seconded by Councillor Howell).
- g) 20/00812/FUL – Mistley Norman C of E Primary School, Remercie Road – Replacement of low level boundary fencing, gates and internal and external perimeter fencing with new weldmesh fencing - Following the vote, the Committee recommended approval. (Proposed by Councillor Cambridge and seconded by Councillor Nutter).
- h) 20/00750/FUL – Dairy House, Green Lane – New summerhouse - Following the vote, the Committee recommended approval. (Proposed by Councillor Cambridge and seconded by Councillor Frost).
- i) 20/00841/TCA – Parkside House, 39 New Road – 2 Small Sycamores – Fell - Following the vote, the Committee recommended that the LPA's Tree and Landscape Officer makes a decision under the LPA's scheme of delegation. The Committee would like to see a replacement native species as recommended by the Tree and Landscape Officer. (Proposed by Councillor Cambridge and seconded by Councillor Frost).
- j) 20/00923/TCA - Eastwood, School Lane, Mistley – Mixed hedge and small trees – reduce to 12ft in height and trim all sides – Following the vote, the Committee recommended that the LPA's Tree and Landscape Officer makes a decision under the LPA's scheme of delegation. (Proposed by Councillor Cambridge and seconded by Councillor Frost).

8. Planning Applications received from the LPA after Agenda distributed

- a) 20/00992/TPO – 1 Denman Cottages, California Road – 1 No Ash – Remove - Following the vote, the Committee recommended that the LPA's Tree and Landscape Officer makes a decision under the LPA's scheme of delegation. The Committee would like to see a replacement native species as recommended by the Tree and Landscape Officer. (Proposed by Councillor Cambridge and seconded by Councillor Frost).
- b) 20/00931/AGRIC – Dovehouse Farm, Heath Road – Proposed general purpose grain store – The Committee noted this notification which is for information only.

9. Public Inquiries, Appeals or Enforcement Matters

- a) Appeal Reference APP/P1560/W/19/3243894 – Land to the East of new Road (67 dwellings) – (19/00978/OUT and 17/0004/OUT) – Condition 4 – Site Layout – It was noted that the appeal has been dismissed by the Planning Inspector.
- b) Appeal Reference APP/1560/W/19/3242087 – Land South of Long Road and West of Clacton Road (Outline up to 300 dwellings under 17/01537/OUT) – 19/00336/OUT – refused – Condition – Reserved Matters and building heights – It was noted that the appeal has been dismissed by the Planning Inspector and also the costs have been dismissed by the Inspector.

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- 10. Section 106 Developer Agreements with the LPA** – The Committee noted that the current list needs some more work before it is submitted to the LPA. This will include approximate costs. It was agreed that the workload for the list will be shared so that Councillors and the Clerk each take around 4 items each to obtain further details about and primarily costs. It was agreed to add two additional items as proposed by Councillor Nutter. These being surfacing of the Village Hall car park (owned by the Parish Council), and all weather netball and tennis courts.

With regard to trees – possibly in conjunction with Section 106 and the playing field land, the Committee discussed the Tree Charter scheme in conjunction with the Woodland Trust and where varying numbers of trees can be donated to communities. Various sites were discussed for the trees including the new playing fields and the Welcome Home Field. It was agreed following the vote, (proposed by Councillor Cambridge and seconded by Councillor Carter), that the Clerk can apply for a grant for this scheme and work with Councillor Nutter before the deadline for applications which is the 14th August 2020. The location of the trees will be discussed again.

- 11. Date of Next Planning Committee Meeting** – Thursday 3rd September 2020 – 7.30pm – Via the Zoom platform.

There being no further business the Meeting closed at 8.55pm.

SignedChairman Date