

WEST MERSEA TOWN COUNCIL

MINUTES OF THE COUNCIL MEETING

HELD ON THURSDAY 29 OCTOBER 2020

PRESENT:	Councillors:	Carl Powling (Mayor) John Akker Julie Baker Peter Banks David Bragg Robert Jenkins Sylvia Wargent Sophie Weaver Chris Wood
IN ATTENDANCE:	Town Clerk:	Petra Palfreyman

THIS MEETING WAS HELD VIA ZOOM VIDEO CONFERENCE CALL (CORONAVIRUS ACT Part 2020 1 Section 78 Regulations 2 – 17)

20/232 TO ACCEPT APOLOGIES FOR ABSENCE

Apologies received from Borough Councillors Davidson and Moore.

20/233 TO RECORD DECLARATIONS OF INTEREST

Councillor Akker declared a non-pecuniary interest in item 20/235 and 20/236 as a member of Stop 350 and Mersea Island Society.

Councillors Baker and Wood declared a non-pecuniary interest in item 20/235 and 20/236 as members of Stop 350.

Councillor Banks declared a pecuniary interest in item 20/238 as an allotment holder.

Councillors Banks and Wargent declared a non-pecuniary interest in planning application 20 1965.

Councillor Powling stated that he is aware of speculation regarding his involvement as an electrical contractor in the two new proposed developments in Dawes Lane and Brierley Paddocks. Councillor Powling confirmed he has no interest in these developments.

20/234 PUBLIC SESSION

4 members of the public in attendance.

Members of MIALGA requested that any increases in allotment charges are discussed with them first.

Concerns were raised about the broken and missing breakwaters on the beach.

A request was made to close the Library car park on 5 December between 10am and 4pm for small fairground rides.

Borough Councillor John Jowers

The environment agency and shoreline management plan and not repairing or replacing some of the broken breakwaters.

The Colchester Road site has been turned down due to highways issues and the East Road application will also get a formal refusal.

Under the new planning white papers Neighbourhood Plans will lose their powers and has requested to the MP's that they support retention of them.

Mersea Avenue will be patched in the next couple of weeks and is on the list for complete renewal.

Borough Councillor Robert Davidson is now Mayor of Colchester following a ceremony at the Town Hall in Colchester.

£4.4M was made available due to the move into Tier 2. It was the COVID engagement board that requested the move in to Tier 2 and not Essex County Council.

At the recent Bradwell Planning meeting, Borough Councillor Jowers refused to vote on extending the storage capacity on the site.

EALC will now handle the Community Initiative Fund (CIF) and have awarded the Rugby Club £15000 for their floodlights.

A Neighbourhood Plan is needed if Mersea is going for protected status. The distribution has been made in the right way.

The local government review will probably not be until after next Spring.

John Ruder will be asked to review residents living full time at local caravan sites.

The Clerk reported on behalf of Borough Councillor Patricia Moore that she had tried to call in the Waldegraves planning application today, but the IT site was down and cannot download the form, she will try again tomorrow.

20/235 PLANNING APPLICATIONS RECEIVED

(a) 20 2104

Addition of storey over garage and front porch.

Tanglewood, 4 Alexandra Avenue, West Mersea – Mr C Bell

Following discussion it was agreed to recommend consent be granted in respect of this application.

(b) 20 2180

Proposed single storey rear extensions, internal and external alterations, together with detached outbuilding (carport/garage/plant room/store) and swimming pool.

29 Empress Avenue, West Mersea – Mr & Mrs D Massey

Following discussion it was agreed to recommend consent be granted in respect of this application.

(c) 20 2173

Erection of a detached dwelling.

Land adjacent to Rose Cottage, 126 Coast Road, West Mersea – Ark Homes

Following discussion it was agreed to recommend refusal be granted in respect of this application, on the grounds of access and infilling.

(d) 20 2195

External garage – proposed external staircase to first floor, velux windows added and garage door replaced with bifolds.

15 Alexandra Avenue, West Mersea – Mr N Sunnassee

No comment.

(e) 20 2196

Ground and first floor side and rear extension and internal alterations.

20 Victory Road, West Mersea – Mr & Mrs Daniels

Following discussion it was agreed to recommend refusal in respect of this application, on the grounds of overdevelopment.

(f) 20 2200

Single storey side extension for use as a treatment room.
27 Chatsworth Road, West Mersea – Ms H Cornish

Following discussion it was agreed to recommend consent be granted in respect of this application.

(g) 20 2260

Erection of 1no. single storey dwelling house, with associated parking and landscaping to the rear of 35 Barfield Road.
35 Barfield Road, West Mersea – Mr L Knifton

Following discussion it was agreed to recommend refusal in respect of this application, on the grounds of overdevelopment and access. This Council is concerned that the plot has been cleared and trees removed before any permission has been granted.

(h) 20 1965

Replace existing window with new patio doors and replace existing French doors with bay window. Revised description.
8 The Lane, West Mersea – Mr J Vince

Following discussion it was agreed to recommend consent be granted in respect of this application.

(i) 20 2290

Proposed first floor extension.
17 Melrose Road, West Mersea – Chatterton

Following discussion it was agreed to recommend consent be granted in respect of this application.

(j) 20 2343

Single storey side extension.
33 Churchfields, West Mersea – Mr S Springett

Following discussion it was agreed to recommend consent be granted in respect of this application.

20/236 NOTIFICATION OF PLANNING DECISIONS RECEIVED

Applications passed

(a) 20 0351

Outline planning application for 100 dwellings and land for community uses, public open space and landscaping, and access from Dawes Lane.
Land at Dawes Lane, West Mersea – Mersea Homes

WMTC Recommendation:

There has been very significant comment from the community to West Mersea Town Council on this topic, and West Mersea Town Council accordingly endorses the public's opinion and recommends that consent is NOT granted to this planning application for the following reasons:

Prematurity:

In the National Planning Policy Framework (NPPF) February 2019 paragraphs 59-50 (page 13) premature applications are specifically discussed.

The Colchester Borough Council (CBC) Emerging Local Plan is at an advanced stage, it has already been submitted, therefore the justification to refuse is clearly given in paragraph 49 as both sub terms a). "...to grant permission would undermine the planning process..." and b). "the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area" are fulfilled.

The West Mersea Neighbourhood Plan has now progressed to preparation of a Draft Plan and granting permission for this application would therefore “prejudice the outcome of the plan making process” – NPPF February 2019 paragraph 50 (page 15).

Lack of conformity:

- i. This application is in conformity with the CBC Emerging Local Plan. However, it is not in conformity with the developing West Mersea Neighbourhood Plan which is following the NPPF February 2019 paragraph 29 (page 10) and respective footnote (16).
- ii. This application conflicts with Policy ENV1, which states that the Borough will conserve and enhance Colchester’s natural and historic environment, countryside and coastline. The policy also states development within the Coastal Protection Belt will not be permitted that would adversely affect its open and rural character.
- iii. This application conflicts with Policy DP1, which states that all development must respect its landscape setting and contribute to the surrounding area.
- iv. This application conflicts with Policy DP23, which states that development within the Coastal Protection Belt will only be supported only if it would not be significantly detrimental to the landscape character of the area.

Pedestrian access:

West Mersea Town Council has grave concerns around the safety and suitability of the proposed pedestrian access points.

Beaches settlement boundary:

This application breaches the settlement boundary.

Additional comments:

Having stated our objections, West Mersea Town Council is also aware of its responsibility and obligation in working with Colchester Borough Council to mitigate the effects on the community should the decision by CBC Officers and Councillors be to proceed with this development. Accordingly, West Mersea Town Council will work with Colchester Borough Council and the developer to secure the best possible outcome for the residents of Mersea – certainly in respect of Parks and Recreation and Community.

West Mersea Town Council would also urge Colchester Borough Council to work with the West Mersea Neighbourhood Plan Working Group in this regard.

(b) 20 1737

Proposed rear extension.

14 Melrose Road, West Mersea – J Tasker

(c) 20 1531

Installation of 4x 15 metre masts complete with 8x 2kw floodlights to achieve 100 lux on the pitch as required by the RFU.

Glebe Recreation Ground, Colchester Road, West Mersea – Mersea Island Rugby Football Club

WMTC Recommendation: We do not have agreement from all of the Mersea Island Sports Association clubs and there are concerns about the specification and the potential for light pollution.

(d) 20 1814

Refurbishment of the property with changes to external doors and fenestration, porch to the front door and a new gabled roof to the garage.

1 Victoria Esplanade, West Mersea – Mr J Borges

WMTC Recommendation: Following discussion it was agreed to recommend consent be granted in respect of this application, on the understanding that Colchester Borough Council planners take a look as the build seems to be more than the plans suggest.

Application withdrawn

(a) 20 1522

Proposed new dwelling.
14 St Peters Road, West Mersea – Mr B Lord

Applications refused

(a) 20 1795

Erection of free standing, single sided aluminium sign for Waldegraves Holiday Park.
Land North of Pond Cottage, Waldegraves Lane – Waldegraves Holiday Park
Mr D Lord

WMTC Recommendation: Following discussion it was agreed to recommend consent be granted in respect of this application.

(b) 20 0723

Outline planning application for up to 99 residential dwellings (including up to 30% affordable housing), provision of land for a doctor's surgery, recreation ground park, introduction of structural planting and landscaping, information public open space.
Land off Colchester Road, West Mersea – Gladman and Grays Farms Ltd

WMTC Recommendation:

A very significant number of detailed comments from the community have been received by West Mersea Town Council on this topic and West Mersea Town Council endorses the public's concerns and therefore recommends that consent is NOT granted to this planning application.

The reasons are as follows:

Prematurity: In the National Planning Policy Framework (NPPF) February 2019 paragraphs 59-50 (page 14) premature applications are specifically discussed.

The Colchester Borough Council (CBC) Emerging Local Plan is at an advanced stage, it has already been submitted, therefore the justification to refuse is clearly given in paragraph 49 as both sub terms a). "...to grant permission would undermine the planning process..." and b). "the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area" are fulfilled.

The West Mersea Neighbourhood Plan has now progressed to preparation of a Draft Plan and granting permission for this application would therefore "prejudice the outcome of the plan making process" – NPPF February 2019 paragraph 50 (page 15).

Lack of Conformity:

- i. This application is NOT in conformity with the CBC Emerging Local Plan. It is also NOT in conformity with the developing West Mersea Neighbourhood Plan which is following the NPPF February 2019 paragraph 29 (page 10) and respective footnote (16).
- ii. This application conflicts with Policy ENV1, which states that the Borough will conserve and enhance Colchester's natural & historic environment, countryside & coastline. The policy also states development within the Coastal Protection Belt will not be permitted that would adversely affect its open and rural character.
- iii. This application conflicts with Policy DP1, which states that all development must respect its landscape setting and contribute to the surrounding area.
- iv. This application conflicts with Policy DP23, which states that development within the Coastal Protection Belt will only be supported if it would not be significantly detrimental to the landscape character of the area:
 - a. Within the Coastal Protection Belt and along the undeveloped coast, an integrated approach to coastal management will be promoted and, development will only be supported where it can be demonstrated that it:
 - i. Requires a coastal location and is located within the developed area of the coast;
 - ii. Will not be significantly detrimental to conserving important nature conservation, historic environment assets, maritime uses and the landscape character of the coast;

- iii. Will deliver or sustain social and economic benefits considered important to the wellbeing of the coastal communities; and
- iv. Provides opportunities and scope for adaptation to climate change.
- v. It would be contrary to the National Planning Policy regarding protecting the Island's character which is key to achieving sustainable development.

Pedestrian Access:

West Mersea Town Council has grave concerns around the safety and suitability of the proposed pedestrian access, since the pathways leading to the site are very narrow. Further, the Colchester Road site is on a very infrequent bus service that only runs hourly from 0937 until 13.37 and therefore the siting of a new surgery on this site is totally inappropriate to an ageing demographic who will rely on bus access to any surgery.

Strategic Land Availability Assessment:

In Colchester Borough Council's own 'Strategic Land Availability Document 2' (June 2017) - pp. 72 – it states that this site (MER06), failed on Sieve 1 and Sieve 2 and was marked in RED as *"wholly unsuitable."*

Loss of agricultural land:

This site is valuable Grade 2 agricultural land, and accordingly should not be lost to development.

Summary:

The Council cannot support this application given the adverse effect it will have on the character of the Island:

- The site is located in a very prominent position which forms a key part of the Island's landscape structure and sense of place
- Developing this site would breach both the West Mersea Settlement Boundary and the Borough's Coastal Protection Belt policy
- These breaches would damage two of the Island's high value views and the landscape setting which are important to the homecoming, health and wellbeing of the community
- It would introduce urbanisation in a location which would have a detrimental effect on the Island's natural beauty, open coastal views and its rural character
- Development of this site would result in yet a further loss of the Island's good quality agricultural land when arable farming is needed to combat global warming.

In conclusion, there are strong Local Authority and National Planning Policies which should protect this island's natural beauty from inappropriate housing development. Housing on this site would be highly visible across the Strood Estuary and would do irreparable damage to the unspoilt natural view of the Island from the Mainland, a view held dear for generations.

20/237 TO NOTE THE CURRENT FINANCIAL POSITION

Please see report attached.

Councillor Jenkins summarised the report and stated that although funds looked good, we are about to release £70,000 for the improvements to Coast Road toilets. Parking income has increased over the summer. There were no questions raised.

20/238 TO DISCUSS AND AGREE AN INCREASE OF THE ANNUAL RENT RECEIVED FOR THE ALLOTMENTS

Following discussion it was agreed to increase the allotment prices by 3% to the nearest 50p.

The water will be switched off from 1 November to 31 March each year.

The Clerk confirmed that she had checked that prices were broadly in line with Colchester Borough Council.

20/239 TO CONFIRM THE SUPPLY AND INSTALLATION OF NEW FLOORING AS PART OF THE COAST ROAD TOILETS REFURBISHMENT AT A COST OF £2475

Following discussion it was agreed that new flooring should be included as part of the Coast Road toilets refurbishment at a cost of an additional £2475.

20/240 TO DISCUSS AND AGREE A REQUEST TO USE THE LIBRARY CAR PARK FOR A CHRISTMAS MARKET

Following discussion it was agreed to close the Library car park to allow for a small fun fair to be operated from 10am to 4pm on 5 December 2020.

20/241 TO DISCUSS AND AGREE THE REPAIR OF CHRISTMAS LIGHTS AT A COST OF UP TO £385 AND THE ERECTION OF THE CHRISTMAS LIGHTS ON THE MICA BUILDING, LIME TREE ON CHURCH GREEN AND OUTSIDE LIBRARY

Following discussion it was agreed to repair the Christmas lights at a cost of £385, assist the MICA with putting up the lights on the building and outside the library.

20/242 TO DISCUSS AND AGREE AN INCREASE IN THE GATE LICENCE FEES PAYABLE FOR DOUBLE GATES IN WILLOUGHBY CAR PARK

Following discussion it was agreed that gate licences for double gates will be increased to £50 from 1 January 2021.

20/243 TO DISCUSS AND AGREE AMENDMENTS TO THE PERSONNEL COMMITTEE TERMS OF REFERENCE

Following discussion it was agreed that no amendment was needed to the Personnel Terms of Reference. The Clerk recommended that female councillors were included in the personnel committee to address the balance as two thirds of the workforce are female.

20/244 MAYOR'S NOTES

Councillor Powling thanked everyone for working hard and all those that continue to work in the background.

20/245 MAYOR TO MOVE THAT THE PRESS AND PUBLIC BE EXCLUDED DURING THE TRANSACTION OF THE FOLLOWING ITEMS ON THE GROUNDS THAT PUBLICITY WOULD BE PREJUDICIAL TO THE PUBLIC INTEREST BECAUSE OF THE CONFIDENTIAL NATURE OF THE BUSINESS TO BE TRANSACTED

20/246 TO DISCUSS AND AGREE QUOTES TO REPAIR THE OFFICE ROOF

Following discussion it was agreed to defer this decision until the new financial year when the funds could be included in the budget. The Council will also look in to solar panels for the roof.

There being no other business, the public meeting closed at 8.35pm.