



Minutes
of the meeting of
MAYLAND PARISH COUNCIL
held in the Lawling Park Hall
on 8th September 2015
at 7.35 p.m.

Present: Cllr Duncan Cllr Oatham (Vice Chairman)
Cllr Hawkes Cllr Pettitt
Cllr Massenhove Cllr Spires

Clerk: Mrs J Massenhove

In attendance: D Cllr Mrs Penny Channer
16 residents

D Cllr Michael Helm and D Cllr Beverly Acevedo sent their apologies.

In the absence of the Chairman Cllr Evans, Vice Chairman Cllr Oatham chaired the meeting.

80. Apologies for Absence

Apologies were received from Cllr Evans (Chairman), Cllr Gibson and Cllr Lund.

81. Declarations of Interest

No interests were declared.

82. Minutes of the Previous Meeting

Cllr Hawkes proposed accepting the minutes of the meeting held on 14th July. Cllr Duncan seconded the proposal, all in favour. The minutes were signed and dated as a true record.

Cllr Hawkes proposed accepting the minutes of the extraordinary meeting held on 28th July. Cllr Spires seconded the proposal, all in favour. The minutes were signed and dated as a true record.

Cllr Oatham proposed bringing forward item 95 to immediately after the Public Discussion session. Cllr Massenhove seconded the proposal, all in favour. For ease the item is minuted in its original agenda position.

Cllr Oatham closed the meeting at 7.40 p.m. and opened the public session.

83. Public Discussion

The focus of the public discussion was the tree clearance at the old orchard at Nipsell's Chase. Residents expressed dismay at the removal of a significant number of trees and concern for the wildlife that will have been affected. There were also concerns regarding the associated noise nuisance and disposal of rubbish.

It was acknowledged that permission has been granted for removal of some trees at the site, with some trees to be retained and a planting scheme to be implemented. However, the work carried out appears to have breached that consent considerably.

It was noted that the work has been carried out on private land and the Parish Council has no power to take action other than to alert relevant authorities.

Maldon District Council is investigating the planning aspects of what has happened and will then look at what action to take. It is understood that Natural England is looking at the wildlife aspects.

Cllr Oatham closed the public session and re-opened the meeting at 8.19 p.m.

84. Finance

Councillors received lists of all payments and receipts approved by the Finance Committee. Cllr Oatham proposed accepting both the payments and receipts. Cllr Hawkes seconded the proposal, all in favour. The payments and receipts for August and September are listed in this month's Finance Committee minutes.

It was noted that the July and August bank reconciliations were verified at the Finance meeting.

85. Planning

The following applications were considered and comment to the Planning Authority agreed: -

FUL/MAL/15/00702

Removal of condition 3 - external lighting of approved application FUL/MAL/13/00982 (erection of tack & feed room and two stables on field).

Land Adjacent 10 Mill Road Mayland Essex

6 no objection, therefore the recommendation to MDC is to grant planning permission provided that the lighting is as illustrated.

OUT/MAL/15/00748

To construct three new dwellings each with three bedrooms

Fogs Folly 289 Esplanade Mayland Essex

6 object, therefore the recommendation to MDC is to refuse planning permission for the following reasons: -

- insufficient detail provided in the application
- not in keeping with the surrounding properties
- overcrowding.

OUT/MAL/15/00824

Proposed construction of three 2 bedroom cottages.

Land Adjacent The Old School House Southminster Road Mayland Essex

6 object, therefore the recommendation to MDC is to refuse planning permission for the following reason: -

- dangerous access onto a fast road

LDP/MAL/15/00825

Single storey rear extension

83 Imperial Avenue Mayland Essex CM3 6AJ

This was for information only from MDC with no comment being required from MPC.

The following decisions made by the local Planning Authority were noted: -

FUL/MAL/15/00256

Construction of a detached two storey dwelling, together with associated parking and landscaping

Land Adjacent Whispering Trees Mayland Green Mayland Essex

REFUSE

HOUSE/MAL/15/00299

Side & rear extension with pitched roof (single storey)

97 Nipsells Chase Mayland Essex CM3 6EJ

APPROVE

HOUSE/MAL/15/00514

Single storey rear extension and two storey side & rear extension.

7 Mill Road Mayland Essex CM3 6EQ

APPROVE

HOUSE/MAL/15/00535

First floor rear extension conservatory over existing terrace balcony.

Fishermans Rest 71 Imperial Avenue Mayland Essex

APPROVE

FUL/MAL/15/00376

Proposed detached 3 bedroom dwelling with detached garage (revision to previously approved application FUL/MAL/90/00230)

19 Promenade Mayland Essex CM3 6AR

APPROVE

FUL/MAL/15/00589

Erection of 3/4 bedroom chalet bungalow.

Firth View Steeple Road Mayland Essex

REFUSE

PDE/MAL/15/00705

New conservatory to be built at rear of building extending beyond the existing rear wall by 3.4 metres, maximum height of 3.176 metres, height to eaves 2.28 metres. Existing conservatory to be removed.

The Ashes 11 Derby Close Mayland Essex

APPROVE

The following appeal decision made by the local Planning Authority was noted: -

FUL/MAL/14/00187 (Appeal Ref: APP/X1545/W/15/3006320)

Blackwater Marina – Esplanade - Mayland

Refurbishment, remodelling and extension to the existing boatyard and marina located in the central part of the site. New residential area comprising 13 units located along the south-eastern end of the site and The Esplanade. Refurbishment of the existing corrugated tin shed located in the south-western corner of the site and remodelling and extension to the existing brick structure including a new open terrace facing Mundon Creek.

APPEAL DISMISSED

86. Clerk's Report

Each Councillor has received an update on matters from the previous meeting.

It was noted that item 208, relating to the creation of a Public Right of Way, has been superseded by a decision made under item 85 at this meeting.

Item 151, the French drain at Bakersfield was discussed. Clerk to write to the resident concerned.

87. Lawling Park Committee *including Bakersfield, Lawling Playing Field & Dog Walk Area*

Each Councillor has received a copy of the minutes from the previous LPC meeting.

It was noted that the Boxing Club wishes to use the hall on Fridays and will approach the Lawling Park Committee about this.

88. Neighbourhood Plan Committee

Each Councillor has received a copy of the minutes from the previous NP meeting.

It was noted that recent progress with the Neighbourhood Plan has been slow, particularly over the holiday period.

89. Highways

Cllr Hawkes expressed concern for safety regarding children's motorised scooters being used on pavements. Cllr Massenhove agreed to seek clarification from our Neighbourhood Constable as to whether these are permitted on footpaths.

It was noted that the sign for Balmoral Road has moved from within the boundary of Klaxons and is now sited between Klaxons and St Bernards. Clerk to bring this to the attention of Highways.

90. Parks & Open Spaces *including George Everitt Memorial Park, Cardnell Brothers Memorial Park Field & Mayland Nature Reserve*

It was noted that a good job has been done by Community Payback workers in tidying the entrance walkway into the MNR. They have also begun work cutting back the Russian vine which was encroaching towards Whitefield Court. Cllr Massenhove is meet with a supervisor on site to clarify what work is to be done.

It was noted that the grass at Bakersfield Walk has been cut in such a way as to create very pleasant pathways. Clerk to thank those who carried out the work.

91. Village Environment *including Lighting, Vandalism, Sea Wall, Transport*

Cracking of the sea wall footpath near to Cardnell Brothers Memorial Park Field was discussed. The Clerk has forwarded photographs to the Environment Agency and asked them to investigate.

92. Footpaths

It was noted that the manhole cover and small drain cover at Lawling Park have now been replaced.

93. CCTV

Clerk to contact the contractor for an update on the work being carried out.

94. Car Park Agreement

A draft document was discussed and amendments agreed. Cllr Massenhove to incorporate these amendments into the draft document; Clerk to circulate the revised draft to all councillors. If no councillor objects, approval of the document will be referred to this month's Lawling Park Committee meeting.

95. Tree Works at Nipsells Chase

Following the public discussion of tree clearance at the old orchard, Cllr Oatham proposed: -

- asking MDC to stop all further work until a decision is made as to whether planning conditions have been complied with
- requesting an input, once MDC's decision has been made, into how the situation is to be remedied and
- writing to relevant wildlife organisations, including EWT, CPRE, English Nature, Natural England, and BCTV.

Cllr Pettitt seconded the proposal, all in favour, Clerk to action.

It was acknowledged that the Parish Council had approved the original plan on the basis of having seen similar work that had been carried out by the previous owner of the site who had submitted the application. Talks had also begun with the previous owner with regard to adding the track which crosses the land, to the Definitive Map by means of a 'creation' with the agreement of the landowners. Cllr Oatham proposed reverting to 'evidence of use' as the means to apply for the track to be designated a PRoW. Cllr Pettitt seconded the proposal, all in favour.

Cllr Spires suggested that a designated use for the land is incorporated into the Neighbourhood Plan.

96. Grant Requests

Cllr Massenhove proposed making a donation of £50 towards Southminster Parish Council's Halloween Party which is open to children across the Dengie area. Cllr Oatham seconded the proposal, all in favour. Clerk to action.

97. Maldon District Conservation & Design Awards 2015

No nominations were made.

98. Correspondence

- Essex Wildlife Trust - Annual Review and AGM; this was noted and is being circulated.
- EALC – AGM and Conference Event to be held on Thursday 24th September; this was noted
- MDC – Questionnaire relating to Development Plan Document consultation and dates for consultation evenings for parish councillors; a response compiled by Neighbourhood Plan Committee members was agreed with the addition of highlighting the old orchard as a potential nature reserve.
- CPRE – newsletters; these were noted and are being circulated.

Additional correspondence was noted: -

- MDC Reports and Minutes; these are being circulated to councillors
- Letter from MDC regarding Saltmarsh 75.

99. Items for Next Agenda

Asset register

The meeting closed at 9.50 p.m.

Date of next meeting, Tuesday 13th October 2015.