

**Minutes of the meeting of the Planning Committee of  
Messing cum Inworth Parish Council,  
held on 07/12/2015 at 7.15pm at Messing Village Hall**

**Those Present:**

Chair David Smith	Councillor John Dey	Councillor John Longman
Councillor Bob Suckling	Parish Clerk Dawn Marriott	Member of Public David Hooker

**MINUTES**

**P59/15 To receive apologies and record absences**

Apologies received and accepted from Councillors Culley and Marven.

**P60/15 To receive Declarations of Interest**

To declare any Disclosable Pecuniary Interest, Other Pecuniary Interest or Non Pecuniary Interest relating to items on the agenda.

None were required or received.

**P61/15 Adjourn committee meeting for public participation**

In accordance with the adoption of the new code of conduct the members of the public are invited to have your say! The Chairman will ask members of the public to indicate if they wish to speak on any matter appearing on the agenda or any matters not appearing on the agenda.

No questions were asked by members of the public who were present.

**P62/15 Application 152201**

**Barnfield, Messing Road, Tiptree Colchester CO5 OES**

Notification of prior approval for a proposed change of use of an agricultural build to one dwellinghouse.

This application has been filed under the Town and Country Planning (General Permitted Development) Order 2015.

The Parish Council voted unanimously to lodge the following comments:

**General Comments:**

- The applicant and the map supplied stated the address as Messing Road, The site is actually located in New Road Messing, Not Messing Road Tiptree.
- Post code quoted by CBC is incorrect the post code for the area is CO5 9TG, not CO5 OES.
- This incorrect information has led to delays in notifying the correct Parish Council of the application, which has led to an Extra-Ordinary meeting being called as Colchester Borough Council could not extend the consultation period.
- The footpath appears to visually be only 1 metre from the proposed development, and the access to the footpath seems to

have, at some time, what appears to be unauthorised alteration made to it.

- We are not aware of any criminal behaviour reported to the police in the last 2 years relating to this site.
- The site is outside the village envelope, and has only the original farms and associated farm buildings and cottages as nearby residential dwellings.

### **Site planning history:**

- Planning application F/COL/06/0728 dated 1/9/2006 permission refused for erection of 3 stables, and noted that 'unauthorised access had been developed',- 'an unnecessary and substandard access to the detriment of highway safety' and 'that extra traffic that the proposal will generate'
- Planning application F/COL/06/1929 permission granted dated 21/3/2007

Retention of stables/lambing shed etc. Subject to compliance with following conditions:

***1. 'When the premises cease to be occupied by JE & PA Hamilton' ' or at the end of 3 years, whichever shall first occur the use hereby permitted shall cease and all materials and equipment brought on to the premises in connection with this use shall be removed'. Reason: planning permission has only been granted due to the specific circumstances of the applicant and the council would not wish to encourage a permanent permission for this form of development in this location.***

Accordingly the buildings should now have been removed.

### **GDO Comments:**

- A number of local residents have reported to the Parish Council that they do not consider this land 'agricultural'.
- The corrugated metal construction of the current construction appears to be totally unsuitable for conversion to a residential dwelling. It could only be used as a site for a new build.
  - The land in question, and most of New Road (from which access to the site is gained) is regularly subject to flooding in period of heavy rain, and the addition of any further form of hard-standing could exacerbate the current flooding problems.
- CBC have already identified in prior planning conditions the substandard access to the site, and have indicated they would not support the increase in traffic that would be generated by any alteration to the site.

- Essex County Council have already indicated that they recommend Refusal of permission due to the increase in traffic.
- The Parish Council considers, that in accordance with the Town and Country Planning (General Permitted development) Order 2015

***'the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (Dwellinghouses) of the Schedule to the Use Classes Order'.***

- The DCLG Planning Guidance website.  
[www.planningguidance.communities.gov.uk](http://www.planningguidance.communities.gov.uk)

*Indicates that 'it is only when the existing building is structurally strong enough to take the loading which comes with the external works to provide for residential use that the building would be considered to have the permitted development rights'*

And

*'It is not the intention of the permitted development right to include the construction of new structural elements for the building.'*

Meeting closed 7.45pm.

..... 19/01/2016