



**MINUTES of
SOUTH EASTERN AREA PLANNING COMMITTEE
12 MARCH 2018**

PRESENT

Vice-Chairman Councillor A S Fluker
(in the chair)

Councillors Mrs B F Acevedo, B S Beale MBE, Mrs P A Channer, CC,
Mrs H E Elliott, P G L Elliott, M W Helm, R Pratt, CC and
N R Pudney

888. CHAIRMAN'S NOTICES

The Chairman drew attention to the list of notices published on the back of the agenda.

889. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R P F Dewick and R G Boyce MBE.

890. MINUTES OF THE LAST MEETING

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 12 February 2018 be received.

Councillor N R Pudney informed the Committee that he had been in attendance at the meeting on 12 February 2018

RESOLVED

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 12 February 2018 be confirmed.

891. DISCLOSURE OF INTEREST

Councillor Mrs P A Channer CC declared a non-pecuniary interest as a Member of Essex County Council and advised that she represented the Maldon Division.

Councillor R Pratt CC declared a non-pecuniary interest as a Member of Essex County Council.

Councillor M W Helm declared a pecuniary interest in respect of Agenda Item 6 – OUT/MAL/17/01338 – Mapledean Poultry Farm, Mapledean Chase, Mundon, Essex as he knew both the applicants. He advised the Committee that he would leave the Chamber for this item of business

Councillor Fluker, acting Chairman, declared an interest in respect of Agenda Item 7 – FUL/MAL/17/01364 – Steeple Bay Holiday Park, Canney Road, Steeple, Essex CM0 7RS as he knew one of the objectors.

The Committee received the reports of the Director of Planning and Regulatory Services and determined the following planning applications, having taken into account all representations and consultation replies received, including those listed on the Members' Update circulated at the meeting.

892. OUT/MAL/17/01327 - LAND SOUTH OF 97 SOUTH STREET, TILLINGHAM, ESSEX

Application Number	OUT/MAL/17/01327
Location	Land South Of 97 South Street Tillingham Essex
Proposal	Change of use of land to residential and construction of 14 residential dwellings (Resubmission of previously withdrawn application to include Flood Risk Assessment and Surface Water Management Strategy)
Applicant	Mr Oliver Mee - J D Mee & Sons
Agent	Sarah Threlfall - TMA Chartered Surveyors
Target Decision Date	6 March 2018
Case Officer	Yee Cheung TEL: 01621 875741
Parish	TILLINGHAM
Reason for Referral to the Committee / Council	Member Call In Major Application

The Chairman informed the meeting that the application had been withdrawn that afternoon by the agent.

893. ADJOURNMENT OF MEETING

RESOLVED that the meeting be adjourned to allow those members of the public in attendance for the previous application to leave the Chamber.

894. RESUMPTION OF BUSINESS IN OPEN SESSION

RESOLVED that the meeting resumes in open session.

895. OUT/MAL/17/01338 - MAPLEDEAN POULTY FARM, MAPLEDEAN CHASE, MUNDON, ESSEX

Application Number	OUT/MAL/17/01338
Location	Mapledean Poultry Farm, Mapledean Chase, Mundon, Essex
Proposal	Redevelopment of poultry farm for approximately 5,030m ² of B1 commercial floorspace with associated access arrangements
Applicant	B.J. Rock Ltd & S.P.Bardwell Ltd
Agent	Mr Peter Le Grys – Stanfords
Target Decision Date	30 th March 2017
Case Officer	Anna Tastsoglou TEL:01621 875741
Parish	MALDON EAST MUNDON
Reason for Referral to the Committee / Council	Major Application

It was noted from the Members' Update that the site is located within the boundaries of Mundon Parish Council. It was further noted that following the publication of the agenda representations were received from interested parties.

In addition to the Members' Update an Addendum was provided to Members for Agenda Item 6 in relation to a Health Impact Statement.

Following the Officer's presentation of the report, Mr Peter Le Grys, the Agent, addressed the Committee.

Members debated issues around flood risk given this was a flood zone and the potential adverse impact this development would have on the ecology of the area.

Councillor Mrs B E Acevedo proposed that the application be refused in accordance with the Officer's recommendation and this was seconded and agreed.

RESOLVED that this application be **REFUSED** for the following reasons:

- 1 The application site lies within a rural location outside of the defined settlement boundaries where policies of restraint apply. The site has not been identified by the Council to meet the needs of the District in terms of Employment Land and insufficient evidence has been submitted to demonstrate the need for an additional 2.4ha of employment land outside the designated sites listed in policy E1. The development would result in an unjustifiable employment use outside the designated areas for employment purposes and by reason of its nature in an unjustifiable encroachment to what is currently considered as agricultural land. The development would be therefore unacceptable and contrary to the policies S1, S2 and E1 of the Maldon District Local Development Plan (2017) and Government advice contained within the National Planning Policy Framework (2012).
- 2 According to the NPPF local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. The

development which would create new office space (which falls within the definition of town centre uses) is located outside the town centre and it has not been demonstrated that sequentially preferable sites have not been considered first as required by national and local planning policy in the interests of maximising accessibility by sustainable modes of transport and ensuring the vitality and viability of more central locations. The development is therefore unacceptable and contrary to guidance contained within the National Planning Policy Framework (2012).

- 3 The proposed development is located within a high risk flood zone (flood zone 3a) and no evidence has been submitted to demonstrate that there are no other available sites within lower risk of flooding that can accommodate the proposed development. Thus, the development is considered to fail the sequential test and therefore the proposal is unacceptable and contrary to policies S1 and D5 of the Maldon District Local Development Plan (2017), and Government advice contained within the National Planning Policy Framework (2012).
- 4 The proposed development is located within a high risk flood zone (flood zone 3a) and insufficient evidence has been submitted to demonstrate that sufficient drainage strategy has been considered to reduce risk of flooding. The development is therefore unacceptable and contrary to policies S1 and D5 of the Maldon District Local Development Plan (2017), and Government advice contained within the National Planning Policy Framework (2012).
- 5 The proposed development would be sited in close proximity to ecological and landscape assets, such as a vegetated stream and areas of hedgerows and scrubs, and insufficient information has been submitted to demonstrate that the development would not have a detrimental impact on the existing landscape features. The development is therefore unacceptable and contrary to policies S1 and N2 of the Maldon District Local Development Plan (2017), the guidance contained within the Maldon District Design Guide and Government advice contained within the National Planning Policy Framework (2012).
- 6 The proposed development would materially increase daily trips to and from the site. Insufficient information has been submitted, within the application, to demonstrate that the proposed development would not result in levels of trips that would not have a detrimental impact upon the existing network and infrastructure. The development is therefore unacceptable and contrary to policy T2 of the Maldon District Local Development Plan (2017) and Government advice contained within the National Planning Policy Framework (2012).

896. FUL/MAL/17/01364 - STEEPLE BAY HOLIDAY PARK, CANNEY RD., STEEPLE, ESSEX

Application Number	FUL/MAL/17/01364
Location	Steeple Bay Holiday Park Canney Road Steeple Essex CM0 7RS
Proposal	Change of use of land to allow the occupation of holiday caravans between the 1st March and the 30th November (inclusive) in each year.
Applicant	Park Holidays UK Ltd

Agent	Mr Ian Butter - Rural & Urban Planning Consultancy
Target Decision Date	20.03.2018
Case Officer	Spyros Mouratidis TEL: 01621 875841
Parish	STEEPLE
Reason for Referral to the Committee / Council	Member Call In Major Application

Following the Officer's presentation of the application, Mr Chris Norton, an Objector, Mr Kevin Hind, a Supporter and Mr Ian Butter, the Agent for the applicant, addressed the Committee.

Members debated the application and concerns were raised regarding the adverse impact it could have on the natural environment, in particular, the habitat for over wintering birds.

Councillor M W Helm proposed that the application be refused in accordance with the Officer's recommendation. This was duly seconded and agreed.

RESOLVED that this application be **REFUSED** for the following reason:

1. In the absence of appropriate habitat assessment or survey information to demonstrate whether or not the development would have an adverse effect upon the internationally and nationally designated nature conservation site, the Local Planning Authority is unable to be satisfied that the proposal would not have a detrimental effect on the natural environment. The proposal would therefore, conflict with Policies S1, S8, E5, D2 and N2 of the approved Local Development Plan and the guidance contained within the National Planning Policy Framework. Given the importance and sensitivity of the site the Local Planning Authority considers that a precautionary approach should be adopted and that no permission should be granted until it can be demonstrated that the proposal would not adversely affect protected species or habitats or that any such effects can be mitigated.

897. HOUSE/MAL/18/00122 - THE SCHOOL ROOM, CREEKSEA LANE, BURNHAM-ON-CROUCH

Application Number	HOUSE/MAL/18/00122
Location	The School Room Creeksea Lane, Burnham-on-Crouch
Proposal	Extension of existing building to provide studio.
Applicant	Mr Roger Barcroft
Agent	None
Target Decision Date	19.03.2018
Case Officer	Devan Lawson TEL: 01621 854477
Parish	BURNHAM NORTH
Reason for Referral to the Committee / Council	Member Call In

Following the Officer's presentation of the report, Mr Nick Skeens, Town Councillor, Burnham Town Council and Mr Roger Barcroft, the Applicant, addressed the Committee.

Members' discussion centred on the fact that the proposed development did not accord with policies outlined in the Local Development Plan (LDP), the National Planning Policy Framework (NPPF) and the Burnham-on-Crouch Neighbourhood Plan. It was noted that considerable work had been invested in these plans and it would not be appropriate to erode those efforts.

Councillor N R Pudney proposed that the application be refused in accordance with the Officers' recommendation. This was duly seconded and agreed.

RESOLVED that this application be **REFUSED** for the following reason:

1. The proposed development, by reason of its appearance, scale, siting and cumulative impact in addition to other developments that have occurred at the site, would detrimentally harm the character and appearance of the existing dwelling and locality by resulting in an addition that harms the character of the existing building at the site. The harm is further exacerbated due to the prominent position of the proposed extension. Therefore, the proposed development is not considered to be in accordance with Policies D1 and S8 of the LDP, guidance contained within the NPPF and the Burnham-on-Crouch Neighbourhood Plan.

There being no further items of business the Chairman closed the meeting at 8.25 pm.

A S FLUKER
CHAIRMAN