



**MINUTES of
SOUTH EASTERN AREA PLANNING COMMITTEE
10 SEPTEMBER 2018**

PRESENT

Chairman	Councillor R P F Dewick
Vice-Chairman	Councillor A S Fluker
Councillors	B S Beale MBE, R G Boyce MBE, P G L Elliott, M W Helm, R Pratt, CC and N R Pudney

409. CHAIRMAN'S NOTICES

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

410. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs B F Acevedo, Mrs P A Channer and Mrs H E Elliott.

411. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 13 August 2018 be approved and confirmed.

412. DISCLOSURE OF INTEREST

Councillor Dewick advised under Agenda Item 7- **FUL/MAL/18/00796** - Redwood Park, Downhall Road, Bradwell-On-Sea, Essex that he had carried out work in the past on this site for various contractors.

Councillor N R Pudney declared an interest in Agenda Item 8 - **FUL/MAL/18/00895**- Land North of Hillcrest House, Stoney Hills, Burnham-On-Crouch, Essex, as he had relatives living there.

Councillor R Pratt declared a non-pecuniary interest as a member of Essex County Council, a consultee on planning matters.

Councillor M W Helm declared a non-pecuniary interest in Agenda Item 5-**FUL/MAL/17/01480** - Land Rear Of 148 Station Road, Burnham-On-Crouch, Essex as he owns an industrial estate in Latchingdon and is familiar with industrial processes.

Councillor A S Fluker, in the interest of openness and transparency, declared an interest under Agenda Item 5 - **FUL/MAL/17/01480** - Land Rear of 148 Station Road, Burnham-On-Crouch, Essex, as he knew the applicant.

413. FUL/MAL/17/01480 - LAND REAR OF 148 STATION ROAD, BURNHAM-ON-CROUCH, ESSEX

Application Number	17/01480/FUL
Location	Land Rear Of 148 Station Road, Burnham-On-Crouch, Essex
Proposal	Application for the change of use from Class B1 and B2 to Class C3, the demolition of the existing dilapidated industrial building and the erection of 10 new residential flats, ancillary development and landscaping on land to the rear of 148 Station Road, Burnham on Crouch
Applicant	Mr Ben Levy - Countryside Style Ltd
Agent	Heather Organ - Arcady Architects Ltd
Target Decision Date	14.09.2018
Case Officer	Anna Tastsoglou
Parish	Burnham On Crouch
Reason for Referral to the Committee / Council	Major Application

A Members' Update was submitted providing a summary of an additional six letters of objection.

Following the Officer's presentation Mr David Howes, an Objector and Councillor Vanessa Bell, Burnham-on-Crouch Town Council, addressed the Committee.

A discussion ensued around the design and location of the proposed application. It was felt that it represented overdevelopment, the design was inappropriate, parking facilities were inadequate and above all it would have a negative impact on existing residents.

Councillor N R Pudney proposed that the application be refused contrary to the Officer's recommendation. This was duly seconded

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

1. The proposed development, by reason of its scale, mass, bulk and poor design would result in an incongruous backland development, out of keeping with the grain and character of the area, to the detriment of the visual amenity of the immediate area, the nearby Burnham-on-Crouch Conservation Area and the locality more widely. The development would therefore be unacceptable and contrary to the National Planning Policy Framework (2018), policies S1, D1, D3 and H4 of the Maldon District Local Development Plan (2017), policies HO.1 and HO.8 of the Burnham-on-Crouch Neighbourhood Plan and the guidance contained in the Maldon District Design Guide SPD (2017).

2. The proposed development, by reason of the design, lack of off-street car parking provision and detrimental impact on the amenity of the neighbouring residential dwellings would result in an unacceptable form of development, which is indicative of the overdevelopment of the site. The development would therefore be unacceptable and contrary to the National Planning Policy Framework (2018) and policies D1, H4 and T2 of the Maldon District Local Development Plan (2017).

414. FUL/MAL/18/00673 - LAND ADJACENT ALTHORNE HOUSE, STATION ROAD, ALTHORNE, ESSEX

Application Number	FUL/MAL/18/00673
Location	Land Adjacent Althorne House, Station Road, Althorne, Essex
Proposal	Section 73A application for the creation of a farm track from the proposed barn to the adjacent highway and the proposed erection of agricultural barn with associated hard surfaced yard
Applicant	Mr & Mrs John & Susan Wilsdon
Agent	Mr Mark Morgan - Petro Designs Ltd
Target Decision Date	03.09.2018 E.o.T. requested for 07.09.2018
Case Officer	Spyros Mouratidis
Parish	ALTHORNE
Reason for Referral to the Committee / Council	Major Application

A Members' Update was received providing outstanding comments from archaeology.

Following the Officer's presentation, Mr Terry Inkpen, an Objector and Councillor Paul Burgess, on behalf of Althorne Parish Council, addressed the Committee.

Councillor A S Fluker, in the interest of openness and transparency, declared an interest in this application as he knew the applicants.

A debate ensued regarding the merits of this proposed development. It was noted that the application was associated with an existing agricultural use and, subject to conditions, would not be materially harmful to the locality, the adjoining properties or highway safety. As such, the development is in line with the stipulations of policies S1, S8, D1, D2, E1, E4, N2, T1 and T2 of the approved Maldon District Local Development Plan (LDP) and the national policy and guidance contained within the National Planning Policy Framework (NPPF).

Councillor A S Fluker proposed that the application be approved in accordance with the Officer's recommendation. This was seconded and upon a vote being taken the application was approved.

RESOLVED that the application be **APPROVED** subject to the following conditions:

1. Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order), premises shall only be used for purposes associated with the agriculture use of the agricultural unit, namely the application site and any other agricultural field under the same ownership, and for no other purpose.
2. The use of the agricultural workshop as shown in the approved plans within the building hereby permitted shall only operate between 08:00 hours and 18:00 hours Mondays to Saturdays and at no time on Sundays, Bank and Public Holidays.
3. In association with the use of the agricultural workshop as marked in the approved plans, no machinery shall be operated or any process shall be carried out and no deliveries or collections undertaken at the site other than between 08:00 hours and 18:00 hours on weekdays and between 08:00 hours and 13:00 hours on Saturdays and not at any time on Sundays and Public Holidays.
4. No machinery associated with the use of the agricultural workshop as marked in the approved plans shall be used outside the building hereby approved.
5. No extraction or ventilation equipment, vents, air conditioning units or similar plant equipment shall be installed or fitted to any external part of the building except in accordance with a scheme to be submitted to and approved in writing by the local planning authority. The scheme as approved and installed shall be retained as such thereafter.
6. No external illumination shall be installed or fitted to any part of the site except in accordance with a scheme to be submitted to and approved in writing by the local planning authority. The scheme as approved and installed shall be retained as such thereafter.
7. No goods, materials, plant, machinery, skips, containers, packaging or other similar items associated with the agricultural use of the application site shall be stored or kept outside of the building hereby approved.
8. Notwithstanding the provisions of Part 3 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) the use of the building hereby approved shall only be for agricultural purposes.

415. FUL/MAL/18/00796 - REDWOOD PARK, DOWNHALL ROAD, BRADWELL-ON-SEA, ESSEX

Application Number	FUL/MAL/18/00796
Location	Redwood Park, Downhall Road, Bradwell-On-Sea, Essex
Proposal	Creation of 1No. extra care unit
Applicant	Creation of 1No. extra care unit
Agent	Mr Neil Jennings - Neil Jennings Architect
Target Decision Date	17.09.2018
Case Officer	Anna Tastsoglou
Parish	TILLINGHAM

Reason for Referral to the Committee / Council	Departure from the Local Development Plan 2017 Member Call In The application has been called-in by Cllr Dewick on the grounds of public interest
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A Members' Update was submitted detailing comments from an additional letter of objection.

Following the Officer's presentation, Mr Neil Jennings, the Agent, addressed the Committee.

The recommendation to approve in accordance with the Officer's recommendation was unanimously agreed by the Committee.

RESOLVED that the application be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in complete accordance with approved drawings 1711/01A; 1711/02; 1711/03D; 1711/04D and Tree Protection Plan Rev A.
3. No development shall take place until details or samples of the external finishing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and be retained as such in perpetuity.
4. Prior to the occupation of the development hereby approved details of the boundary treatment of the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be provided prior to the occupation of the dwelling hereby approved in accordance with the approved details and be retained as such in perpetuity.
5. The tree identified for retention on the approved plan drawing number Tree Protection Plan Rev A which is attached to and forms part of this permission shall be protected during the course of the development. The tree shall be protected by measures which accord with British Standard 5837:2012 (Trees in Relation to Construction). The protective fencing and ground protection shall be erected before the commencement of any clearing, demolition and building operations and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced protection zone no materials shall be stored, no rubbish dumped, no fires lit and no buildings erected inside the fence, nor shall any change in ground level be made within the fenced area unless otherwise first agreed in writing by the local planning authority. If within five years from the completion of the development a tree shown to be retained is removed, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement shall be planted within the site of such species and size, and shall be planted at such time, as specified in writing by the local planning authority.
6. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - The parking of vehicles of site operatives and visitors

- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- Wheel washing facilities
- Measures to control the emission of dust, noise and dirt during construction

Hours and days of construction operations.

7. Prior to the occupation of the development hereby approved details of both hard and soft landscape works, including replacement trees, to be carried out have been submitted to and approved in writing by the Local Planning Authority. These details shall include the layout of the hard landscaped areas with the materials and finishes to be used and details of the soft landscape works including schedules of shrubs and trees to be planted, noting the species, stock size, proposed numbers/densities and details of the planting scheme's implementation, aftercare and maintenance programme. The hard landscape works shall be carried out as approved prior to the beneficial occupation of the development hereby approved unless otherwise first agreed in writing by the Local Planning Authority. The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the occupation of the development, unless otherwise first agreed in writing by the Local Planning Authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the Local Planning Authority gives its written consent to any variation.
8. Prior to the commencement of the development details of the surface water drainage scheme to serve the development shall be submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development. The scheme shall ensure that for a minimum:

1) The development should be able to manage water on site for 1 in 100 year events plus 40% climate change allowance.

2) Run-off from a greenfield site for all storm events that have a 100% chance of occurring each year (1 in 1 year event) inclusive of climate change should be no higher than 10/l/s and no lower than 1/l/s. The rate should be restricted to the 1 in 1 greenfield rate or equivalent greenfield rates with long term storage (minimum rate 1l/s) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield)

It is advised that in order to satisfy the soakaway condition the following details will be required:- details of the area to be drained, infiltration rate (as determined by BRE Digest 365), proposed length, width and depth of soakaway, groundwater level and whether it will be rubble filled.

Where the local planning authority accepts discharge to an adopted sewer network you will be required to provide written confirmation from the statutory undertaker that the discharge will be accepted.

9. Prior to the commencement of the development details of the foul drainage scheme to serve the development shall be submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development.
10. Notwithstanding the provisions of Class A, B, C, D, and E of Part 1 of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no garages, extensions or separate buildings shall be erected within the site without planning permission having been obtained from the local planning authority.
11. The public's rights and ease of passage over footpath no.3 in Bradwell-on-Sea shall be maintained free and unobstructed at all times.
12. Prior to the first occupation of the development hereby approved, details of the cycle store shall be submitted to and approved in writing by the Local Planning Authority. Subsequently the cycle store shall be provided prior to the first occupation of the dwelling hereby approved.
13. The extra care residential unit hereby approved shall be occupied only by:
 - persons of 55 years or over who are dependent on the receipt for care for not less than 6 hours per week;
 - persons living as part of a single household with such a person or persons;
 - persons who were living as part of a single household with such a person or persons who have since died
14. Prior to the commencement of the development details of the implementation of a walkover ecological survey by a qualified ecologist and their findings shall be submitted to and approved in writing by the local planning authority. If any protected species are found at the site a scheme of ecological protection and mitigation shall be submitted to and approved in writing prior to the commencement of the development. The development shall then be implemented in accordance with the approved details.

416. FUL/MAL/18/00895 - LAND NORTH OF HILLCREST HOUSE, STONEY HILLS, BURNHAM-ON-CROUCH, ESSEX

Application Number	FUL/MAL/18/00895
Location	Land North Of Hillcrest House, Stoney Hills, Burnham-On-Crouch, Essex
Proposal	Construct 4 new detached dwellings
Applicant	Messrs C Dickens & R Goulding
Agent	N/A
Target Decision Date	23.09.2018
Case Officer	Anna Tastsoglou
Parish	BURNHAM-ON-CROUCH NORTH
Reason for Referral to the Committee / Council	Departure from the Local Development Plan 2005

A Members' Update was submitted detailing comments for Essex County Council Highways Authority (ECC)

Following the Officer's presentation, Karis Galliano, an Objector and Councillor Wendy Stamp, Burnham-on-Crouch Town Council, addressed the Committee.

Councillor N R Pudney objected to the application due to over development of the site which contravened the Burnham-on-Crouch Neighbourhood Development Plan.

Councillor A S Fluker proposed that the application be refused on the grounds of layout, design, size, scale, bulk and the effect of the positioning on the open countryside. This was duly seconded by Councillor N R Pudney.

Upon a vote being taken the Committee agreed that the application be refused contrary to the Officer's recommendation.

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

1. The proposed development, by reason of the size, scale and level of built form alongside the linear layout would result in an incongruous and urban form of development on a rural fringe site outside the boundaries of the settlement. The development would therefore be out of keeping with the character and grain of the area to the detriment of the visual amenity of the adjacent open countryside and the locality more widely. The development would therefore be unacceptable and contrary to the National Planning Policy Framework (2018) and policies S1, S8, D1 and H4 of the Maldon District Local Development Plan (2017), Policies HO.1 and HO.8 of the Burnham-on-Crouch Development Plan and guidance contained within the Maldon District Design Guide SPD (2017).

417. OTHER BUSINESS

It was noted that the Planning department would report back regarding the Enforcement schedule.

Councillor Fluker requested that the plans presented by Planning Officers at the Committee be embedded in the actual committee reports circulated with the agenda.

There being no further items of business the Chairman closed the meeting at 9.06 pm.

R P F DEWICK
CHAIRMAN