



**MINUTES of
PLANNING AND LICENSING COMMITTEE
6 JUNE 2019**

PRESENT

Chairman	Councillor Mrs P A Channer, CC
Vice-Chairman	Councillor Mrs M E Thompson
Councillors	B S Beale MBE, R G Boyce MBE, M F L Durham, CC, M R Edwards, Mrs J L Fleming, A S Fluker, C Mayes and W Stamp
Ex-Officio Non- Voting Member	Councillor M S Heard

117. CHAIRMAN'S NOTICES

The Chairman welcomed Members the first meeting of the municipal year and drew attention to the list of notices published on the back of the agenda.

118. APOLOGIES FOR ABSENCE

There were none.

119. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 11 April 2019 be approved and confirmed.

120. DISCLOSURE OF INTEREST

Councillor M F L Durham disclosed a non-pecuniary interest as a Member of Essex County Council in any items on the agenda relating to the County Council and particularly Agenda Item 11 – Green Essex Strategy Consultation.

Councillor R G Boyce declared a non-pecuniary interest in the following Agenda Items as he was the trustee of an Almshouse Association:

- Agenda Item 7 - Approval to Adopt the Lists of Local Heritage Assets for the Parishes of Althorne, Cold Norton, North Fambridge, Purleigh and Stow Maries.
- Agenda Item 8 - Approval to Consult on the Draft Lists of Local Heritage Assets for the Parishes of Heybridge, Maldon and Southminster.

- Agenda Item 9 - Amendment to Affordable Housing and Viability Supplementary Planning Document.

In respect of Agenda Item 7 Councillor Boyce also declared a pecuniary interest advising that the effect upon the Almshouse Trust could have a serious financial detrimental effect and he would therefore leave the meeting when this item was considered.

Councillor Mrs J L Fleming disclosed a pecuniary interest in Agenda Item 7 - - Approval to Adopt the Lists of Local Heritage Assets for the Parishes of Althorne, Cold Norton, North Fambridge, Purleigh and Stow Maries as she owned property around Bush Farmhouse and would be leaving the meeting when this item of business was considered.

Councillor Mrs P A Channer disclosed interests in relation to the following items of business:

- Agenda Item 7 - - Approval to Adopt the Lists of Local Heritage Assets for the Parishes of Althorne, Cold Norton, North Fambridge, Purleigh and Stow Maries pecuniary interest as she was a trustee of the Henry Guilden Drake Almshouse Charity and lived opposite property belonging to the Charity. She also advised that she had previously taken advice on this matter but was mindful of the declaration made by Councillor Boyce in respect of this item of business. Councillor Mrs Channer also advised that Stow Maries fell within her Essex County Council division as did other items on this agenda.
- Agenda Item 8 - Approval to Consult on the Draft Lists of Local Heritage Assets for the Parishes of Heybridge, Maldon and Southminster, non-pecuniary interest as she was a trustee of the Henry Guilden Drake Almshouse Charity.
- Agenda Item 9 - Amendment to Affordable Housing and Viability Supplementary Planning Document as she was a trustee of the Henry Guilden Drake Almshouse Charity.
- Agenda Item 11 – Green Essex Strategy Consultation, non-pecuniary interest as a Member of Essex County Council.

121. PUBLIC PARTICIPATION

No requests had been received.

122. REVIEW OF PERFORMANCE 2018 / 19

The Committee considered the report of the Director of Planning and Regulatory Services giving details of performance against targets set for 2018 / 19 and to ensure that progress was being achieved towards the corporate goals and objectives detailed in the Corporate Plan 2015 - 19 adopted by the Council.

Councillors Mrs P A Channer and M F L Durham declared non-pecuniary interests in matters relating to this item of business as Essex County Councillors.

The Key Corporate Activities (KCAs) assessed as being “behind schedule” or “at risk of not being achieved” along with indicators which had not achieved their end of year target were set out in Appendix 1 to the report. A summary of the complaints and compliments received during 2018 / 19 were set out in the report.

A lengthy debate took place during which Members raised a number of points and information was provided by Officers in relation to the following:

- **% of other planning applications acknowledged within 5 working days –** The Director of Strategy, Performance and Governance advised that although short of the target, performance had been improving over the years. Within the Directorate work was ongoing to fill any staffing gaps and take operational action in respect of interim cover where required.
- In response to a question regarding the complaints received and to what they related, the Director of Strategy, Performance and Governance advised that he could provide that meeting outside of this meeting.

RESOLVED that performance against the targets set for 2018 / 19 be noted.

Following their earlier declarations Councillor R G Boyce, Mrs P A Channer and Mrs J L Fleming left the meeting at this point. Prior to leaving the meeting, Councillor Mrs Channer confirmed that she had not taken part in any discussions at Henry Guilder Drake regarding the following item of business.

IN THE CHAIR : COUNCILLOR MRS M E THOMPSON

123. APPROVAL TO ADOPT THE LISTS OF LOCAL HERITAGE ASSETS FOR THE PARISHES OF ALTHORNE, COLD NORTON, NORTH FAMBRIDGE, PURLEIGH AND STOW MARIES

The Committee considered the report of the Director of Strategy, Performance and Governance seeking Members’ approval to adopt the Lists of Local Heritage Assets for the Parishes of Althorne, Cold Norton, North Fambridge, Purleigh and Stow Maries (attached at Appendix 1 to the report).

The report provided background information on listed buildings within the District and how the Planning Practice Guidance encouraged Local Planning Authorities to identify ‘non-designated heritage assets’ against consistent criteria. Adding them to a ‘local list’ was considered a positive way of improving the ‘predictability of the potential for sustainable development’. The Council’s Conservation Officer was currently drafting lists for each Parish and a timetable for this was set out in Appendix 2 to the report with a target completion date of March 2021.

Draft lists for the Parishes of Althorne, Cold Norton, North Fambridge, Purleigh and Stow Maries had been approved for publication in January 2019. Following public consultation, a number of responses had been received (a summary of these was set out in Appendix 3) and the report highlighted a number which resulted in proposed amendments. Members were advised that the draft lists (Appendix 1) had been amended to reflect the proposed amendments.

Members asked that their thanks be passed to the Conservation Officer for his work on all the Lists of Local Heritage.

RESOLVED that the Lists of Local Heritage Assets for the Parishes of Althorne, Cold Norton, North Fambridge, Purleigh and Stow Maries be approved for formal adoption.

Councillors Boyce, Mrs Channer and Mrs Fleming returned to the chamber at this point.

IN THE CHAIR : COUNCILLOR MRS P A CHANNER

124. APPROVAL TO CONSULT ON THE DRAFT LISTS OF LOCAL HERITAGE ASSETS FOR THE PARISHES OF HEYBRIDGE, MALDON AND SOUTHMINSTER

The Committee considered the report of the Director of Strategy, Performance and Governance seeking Members' approval to consult on the Draft Lists of Local Heritage for the Parishes of Heybridge, Maldon and Southminster (attached at Appendix 1 to the report).

The report provided background information on listed buildings within the District and how the Planning Practice Guidance encouraged Local Planning Authorities to identify 'non-designated heritage assets' against consistent criteria. Adding them to a 'local list' was considered a positive way of improving the 'predictability of the potential for sustainable development'.

Draft lists for the Parishes of Heybridge, Maldon and Southminster had been produced with assistance from local historians. If Members were to approve these for public consultation, they would be published on the Council's website and each relevant Parish Council and owner / occupier would be written to. Consultation responses would be reported to a future meeting of this Committee, along with any updates prior to adoption.

In response to a question regarding why a finger post in Heybridge had not been included, the Director of Strategy, Performance and Governance advised that he did not have the information available but would consult with the Conservation Officer and advise the Member accordingly. It was noted that a thorough survey of each area had been carried out, but the Director advised he would check if further proposals could be put forward as part of the consultation. The Director of Strategy, Performance and Governance advised that there was a definition regarding what was included and he agreed to circulate this definition to all Members outside of the meeting. Members were further advised that there may have been a number of eligible assets but Officers had been selective to make sure those listed warranted this categorisation.

Reference was also made to the telephone boxes at the top of Market Hill, Maldon and the Director of Strategy, Performance and Governance agreed to check with the Conservation Officer regarding these and advise accordingly.

RESOLVED that the Draft Lists of Local Heritage for the Parishes of Heybridge, Maldon and Southminster be approved for public consultation.

125. AMENDMENT TO AFFORDABLE HOUSING AND VIABILITY SUPPLEMENTARY PLANNING DOCUMENT

The Committee considered the report of the Director of Strategy, Performance and Governance seeking Members' consideration of an amendment to the Affordable Housing and Viability Supplementary Planning Document (SPD) and seeking its approval for public consultation.

Members were reminded that the Affordable Housing Viability SPD had been adopted by the Council in November 2019. The report highlighted an issue which had arisen regarding the interpretation of the 'additional evidence; step of the flow chart at Fig. 2 on page 38. In order to remove any uncertainty, the report set out a proposed amendment, but this would require public consultation prior to the SPD being revised and adopted.

RESOLVED that the proposed amendment to the Affordable Housing and Viability Supplementary Planning Document be approved for public consultation.

126. UPDATE ON APPEAL DECISIONS (OCTOBER 2018 - MARCH 2019)

The Committee considered the report of the Director of Strategy, Performance and Governance informing Members of planning appeal performance on appeal decisions from October 2018 – March 2019.

The results of appeals by application decision type for the period were set out in the report along with details of any costs awarded / paid out.

It was noted that the adoption of the Local Development Plan had put the Council in a stronger position when defending appeals.

In response to a question the Director of Strategy, Performance and Governance explained that Officers would always review appeal decisions and highlight any learning from them. However, he would reiterate this back to the service and ensure that it continued.

Members commented on the report and it was highlighted that further detail in respect of the number of applications considered by Committees would be useful by way of comparison. Members also requested details of the sites in relation to appeal decisions.

RESOLVED that the contents of the report be noted.

127. GREEN ESSEX STRATEGY CONSULTATION

The Committee considered the report of the Director of Strategy, Performance and Governance, seeking Members' consideration of submitting a response to the Essex County Council consultation on the Green Essex Strategy (GES).

It was noted that the purpose of the GES was to take a positive approach to enhance, protect and create an inclusive and integrated network of high-quality green

infrastructure in Greater Essex, to create a county-wide understanding of green infrastructure and to identify opportunities for implementing green infrastructure.

RESOLVED that the draft consultation responses to the Green Essex Strategy, as set out in section 3.9 of the report, be approved and submitted to Essex County Council.

Section	Draft consultation response
Economy objective - Secure funding for new and existing green infrastructure to ensure their sustainability	<p>The objective should be re-named 'Funding', as the aim to secure funding for Green Infrastructure (GI) is not related to 'economy' as a topic.</p> <p>An additional objective related to the title 'Economy' should be considered, to recognise the importance of GI to the wider economy (e.g. tourism).</p>
3.1 Green Infrastructure Assets of Greater Essex, page 11	<p>It is understandable that agricultural land has been illustrated on a separate map to the Green Assets map, as it would mask the distribution of GI across the county, if the two were included on the same map. However, the map of agricultural land should not be relegated to an appendix. Agricultural land forms 68% of the county and the importance of farming to GI, in terms of food production, landscape and biodiversity should be given a higher profile in this strategy. The agricultural land map should be provided on the page after the GI map on page 12.</p>
Page 23 Local and regional policy	<p>Links to the Local Plans, local authority Design Guides and Green Infrastructure Strategies should be provided. This would reflect the approach taken in the Essex Design Guide, which includes a specific section linking to the other Essex local authorities' design guides.</p>
Table 2 Project delivery of the objectives, page 39/102- Objective: Increase use and inclusivity of green infrastructure across all social groups and abilities	<p>The two proposals listed are both aimed at young people. These do not cover all social groups and abilities (e.g. older people, people with disabilities, BAME) as the objective states and therefore the proposals do not meet the stated aim of this objective.</p>
Page 46 – Essex Design Guide section	<p>Links to the local authority Design Guides and Green Infrastructure Strategies should be provided here. This would reflect the approach taken in the Essex Design Guide, which includes a specific section linking to the other Essex local authorities' design guides.</p>
Page 52 – create green infrastructure as part of new developments	<p>3rd paragraph – technical correction required: 'All the Local Plans are being reviewed regarding their policies on green infrastructure in line with the NPPF.'</p> <p>Under the National Planning Policy Framework (NPPF) an adopted Local Plan must be reviewed every five years - but not just for GI policies - which this sentence suggests. Only a few Local Plans in Essex have been recently adopted, several are in the final stages of preparation.</p>

Section	Draft consultation response
	<p>Revise to:</p> <p>Local Plan preparation or review should include policies to support green infrastructure, in line with the NPPF. These policies can provide for biodiversity net gains and off setting, as well as expanding this approach to</p>
Section 9.8 Agriculture page 86	The text on environmental and countryside stewardship schemes could be expanded and strengthened to include a map showing the areas of the county being farmed under these schemes (available from Magic Map) and the land area/% of Essex covered by these initiatives.
Throughout – references to the Recreational disturbance Avoidance Mitigation Strategy (RAMS) e.g. pg. 92	References to RAMS need to be reviewed and, where necessary, updated by the Place Services team drafting the RAMS SPD.
Page 100 Action Plan proposal – Develop the Coast Path in Essex	This need to recognise that the recreational impact of the Coast Path on the coastal habitat sites need to be mitigated.
GES Appendices	
Appendix 2 - Map of Productive Spaces and the Agricultural Land Classification page 12	The text downgrades the contribution that agricultural land managed under the environmental and countryside stewardship schemes contribute to Green Infrastructure in the County. Include an additional map showing the areas of land managed under these initiatives (data available from Magic Maps).

128. APPOINTMENT OF REPRESENTATIVES ON LIAISON COMMITTEES / PANELS

Councillor M S Heard joined the meeting during this item of business.

The Committee considered the report of the Director of Strategy, Performance and Governance seeking Members' consideration of appointment to the Committees / Panels as set out in the report for the ensuing municipal year and made the following proposals:

- Blackwater River Member Task and Finish Working Group:**
 Councillor Mrs M E Thompson proposed that Councillors R G Boyce, Mrs P A Channer, M F L Durham, Mrs J L Fleming, A S Fluker and Mrs M E Thompson be appointed to this Working Group. This proposal was duly seconded.

Councillor B S Beale proposed that Councillor C Mayes be added to the Working Group.

The Chairman moved the proposal in the name of Councillor Mrs Thompson and upon a vote being taken this was agreed.

- Bradwell Power Station Working Party**

Councillor A S Fluker provided the Committee with some history regarding the working Party which was set up in 1999 and commented on the political balance agreed at that time. He noted the ongoing work in respect of Bradwell Power Station and that there was not a Working Group which addressed the post care and maintenance of the building or Bradwell B. Councillor Fluker proposed that the Membership of this Working Group be referred back to the Council for them to review it and its Terms and Conditions. This was duly seconded.

In response to a question regarding the Bradwell Legacy Partnership the Director of Strategy, Performance and Governance advised that this group no longer met but funding did still exist.

The Chairman put the proposal of Councillor Fluker to defer this matter to the Council and upon a vote being taken this was duly agreed.

- **Maldon and Blackwater Estuary Coastal Community Team (Management Team)**
Councillor Mrs Thompson proposed that Councillor R G Boyce and A S Fluker be appointed as the name substitutes to this Group. This proposal was duly seconded and agreed.
- **Recreational Avoidance and Mitigation Strategy Member Forum**
Councillor Mrs Thompson proposed that Councillor Mrs P A Channer be appointed to this Forum due to her experience. This proposal was duly seconded and agreed.
- **River Crouch Coastal Community Team (Management Team)**
Councillor W Stamp proposed that she be appointed as a named substitute. This proposal was duly seconded.

Councillor Mrs Thompson proposed that Councillor A S Fluker remained as the appointed substitute.

The Chairman then put the proposal in the name of Councillor Stamp and upon a vote being taken this was declare lost.

Councillor Mrs Thompson then proposed that Councillors R G Boyce and A S Fluker be appointed as the name substitutes. This proposal was duly seconded and upon a vote being taken was agreed.

RESOLVED

- (i) that the appointments to the following bodies for the municipal year 2019 / 20 be agreed:

Body	2019 / 20 Representative(s)
Blackwater River Member Task and Finish Working Group	R G Boyce, Mrs P A Channer, CC, M F L Durham, CC, Mrs J L Fleming, A S Fluker and Mrs M E Thompson

Body	2019 / 20 Representative(s)
Maldon and Blackwater Estuary Coastal Community Team (Management Team)	Chairman and Vice-Chairman of the Community Services and Planning & Licensing Committees <i>Substitutes: Councillors R G Boyce MBE and A S Fluker</i>
Member representative for Heritage and Design	Chairman of the Planning and Licensing Committee (or their substitute)
Place Board (Minute 704 – 17/12/15)	Chairman of the Planning and Licensing Committee
Recreational Avoidance and Mitigation Strategy Member Forum	Councillor Mrs P A Channer, CC
River Crouch Coastal Community Team (Management Team)	Chairman and Vice-Chairman of the Community Services and Planning & Licensing Committees <i>Substitutes: Councillors R G Boyce MBE and A S Fluker</i>

RECOMMENDED

- (ii) that the Terms of Reference and membership of the Bradwell Power Station Working Party be reviewed.

There being no further items of business the Chairman closed the meeting at 8.32 pm.

MRS P A CHANNER, CC
CHAIRMAN