



**MINUTES of
SOUTH EASTERN AREA PLANNING COMMITTEE
9 NOVEMBER 2022**

PRESENT

Vice-Chairman Councillor A S Fluker
(In the Chair)

Councillors V J Bell, Mrs P A Channer, M W Helm, A L Hull, N J Skeens
and W Stamp, CC

369. CHAIRMAN'S NOTICES

Councillor A S Fluker, the Vice-Chairman, welcomed everyone present and advised that in the absence of the Chairman he would be chairing the meeting and then went through some general housekeeping arrangements.

370. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M G Bassenger, B S Beale MBE, R G Boyce MBE, R P F Dewick and N J Skeens.

371. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 12 October 2022 be approved and confirmed.

372. DISCLOSURE OF INTEREST

Councillor A S Fluker declared an interest in Agenda Item 6 as a member of Southminster Parish Council. In accordance with the new Code of Conduct he advised he would speak on Item 6 but would leave the Chamber for the vote.

He then proposed from the chair that in his absence Councillor Stamp be appointed Chairman for Item 6, this was duly seconded and agreed by assent.

373. 22/00336/LBC - EASTCROFT COTTAGE, FAMBRIDGE ROAD, MUNDON, CM9 6PH

The Chairman drew Members' attention to the Members' Update circulated prior to the meeting that advised this item of business was on the agenda in error as it was for consideration by the North Western Area Planning Committee.

374. **22/00681/FUL - KING GEORGE V PLAYING FIELD, STATION ROAD, SOUTHMINSTER, CM0 7EW**

Application Number	22/00681/FUL
Location	King George V Playing Field, Station Road, Southminster, CM0 7EW
Proposal	Construction of a new multi-use community pavilion and clubhouse to replace existing dilapidated modular buildings, including associated car parking, soft landscaping and services infrastructure.
Applicant	Mr John Anderson - Southminster Parish Council
Agent	Mr Simon Brown - Barker Associates (Essex) Limited
Target Decision Date	23.08.2022 EoT 11.11.2022
Case Officer	Jonathan Doe
Parish	SOUTHMINSTER
Reason for Referral to the Committee / Council	Member Call in by Councillor A S Fluker in relation to Policy D1

During the presentation the Officer advised that since issue of the Members' Update a response had been received from Essex County Council Highways confirming that the proposed access was acceptable. Following the Officer's presentation Councillor Anderson, from Southminster Parish Council, addressed the Committee.

Councillor Fluker, as previously advised, commented that he supported the application given the current buildings were out of date. He then left the Chamber at 19:46pm.

IN THE CHAIR: COUNCILLOR W STAMP.

The Chairman moved the Officer's recommendation of approval and it was seconded by Councillor Helm. A brief debate ensued where issues around a 'green' roof and drainage were raised. Officers provided assurance that all Anglian Water issues were conditioned in the Officer report.

The Chairman then put the Officer's recommendation to approve the application to the Committee and it was approved.

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 accordance with the following approved plans and documents:
 Site location plan and block plan (within Design and Access Statement)
 BA/P21-602-310 Demountable Block 1 to be demolished Floor Plan and Elevations
 BA/P21-602-311 Demountable Block 2 to be demolished Plans and Elevations
 BA/P21-602-312 Container Block 3 to be demolished Plan and Elevations
 BA/P21-602-313 Demountable Block 4 to be demolished Plan and Elevations
 BA/P21-602-203 Revision A Proposed Ground Floor Plan
 BA/P21-602-204 Revision A Proposed First Floor Plan
 BA/P21-602-205 Revision A Proposed Roof Plan
 BA/P21-602-301 Proposed North Elevation
 BA/P21-602-302 Revision A Proposed South Elevation
 BA/P21-602-303 Revision A Proposed East Elevation
 BA/P21-602-304 Revision B Proposed West Elevation
 BA/P21-602-305 Proposed Site Sections
 BA/P21-602-103 Existing Site Sections

Transport Statement by Parker Planning Services, reference 3088 Revision V2
Flood Risk Assessment by JPC Environmental Services
Preliminary Ecological Appraisal by Essex Ecology Services Ltd
Design and Access Statement

- 3 No development works above ground level shall occur until details of a surface water drainage scheme to serve the development have been 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). You are 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.
- 4 No development works above ground level shall occur until details of the foul drainage scheme to serve the development have been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the first use or occupation of the building hereby permitted.
- 5 Prior to the commencement of the development the applicant shall submit in writing a construction management plan to the Local Planning Authority which shall subsequently have been approved in writing. Within the construction management plan it must consider the following requirements: The applicant should ensure the control of nuisances during construction works to preserve the amenity of the area and avoid nuisances to neighbours and to this effect: a) no waste materials should be burnt on the site, instead being removed by licensed waste contractors; b) no dust emissions should leave the boundary of the site; c) consideration should be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site; d) hours of works: works should only be undertaken between 0730 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays. If it is known or there is the likelihood that there will be the requirement to work outside of these hours or there will be periods where there will be excessive noise that will significantly impact on sensitive receptors Environmental Health at Maldon District Council must be notified prior to the works as soon as is reasonably practicable. The developer is advised to consult nearby sensitive noise premises and may be advised to apply for a Prior Consent under Section 61 of the Control of Pollution Act 1974. Care must be taken to prevent the pollution of ground and surface waters. This will include during works and the location of any hazardous materials including fuel from vehicles and equipment. Where any soils that are known to be contaminated are being excavated or exposed a site waste plan must be prepared in order to store treat and dispose of the materials in accordance with the waste duty of care. It is recommended that advice is sought from the Environment Agency on this matter. Where there is requirement for dewatering the site the relevant consent must be sought from the Environment Agency Where there is a requirement to obstruct or alter

- watercourses a consent under section 23 of the Land Drainage Act must be obtained from Essex County Council.
- 6 No means of external illumination of the site shall be installed unless otherwise agreed in writing by the Local Planning Authority.
- 7 Prior to construction above damp-proof course a scheme for biodiversity net gain and nature conservation enhancement of the site, along the lines referred to at section 6 of the Design and Access Statement and at 3.6.2 of the Preliminary Ecological Appraisal, shall have been submitted to and approved in writing by the Local Planning Authority.
- 8 Prior to first use of the building hereby permitted the parking spaces as shown at 2.0 of the Design and Access Statement shall be available for use. The parking spaces shall be retained for the sole use of vehicle parking provision for visitors to the King George V playing field site thereafter.
- 9 Prior to the commencement of development details of a scheme of noise insulation for the building hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The agreed insulation works shall be fully implemented, and retained as such, prior to the use of the pavilion.
- 10 The building hereby permitted shall only be used between the hours of 08:00 and 23:30 Monday to Saturday inclusive and between the hours of 09:00 and 21:00 on Sundays and Bank Holidays. Deliveries and collections to and from the building shall only be undertaken between the hours of 08:00 and 18:00 Monday to Saturday inclusive and between the hours of 08:00 and 13:00 on Sundays and Bank Holidays.
- 11 There shall be no amplified sound audible outside of the building.

375. ADJOURNMENT OF THE MEETING

RESOLVED that the meeting be adjourned at 19:51pm for a brief period.

376. RESUMPTION OF BUSINESS

RESOLVED that the meeting resumed at 19:57pm, Councillor A S Fluker returned to the Chamber.

IN THE CHAIR: COUNCILLOR A S FLUKER

377. 22/00896/FUL - HOMELANDS, SOUTHMINSTER ROAD, ASHELDHAM, CM0 7DZ

Application Number	22/00896/FUL
Location	Homelands, Southminster Road, Asheldham, CM0 7DZ
Proposal	Erection of 4 bedroom bungalow, detached garage and new vehicular access
Applicant	Mary Anderson
Agent	Raymond Stemp Associates
Target Decision Date	30.11.2022
Case Officer	Kathryn Mathews
Parish	ASHELDHAM
Reason for Referral to the Committee / Council	Call-in by Councillor M W Helm for the following reason(s): Policy D1

A Members' Update had been circulated prior to the meeting that contained representations from the Parish Council and statutory consultees. Following the Officers' presentation the Agent, Mark Rickards addressed the Committee.

The Chairman then moved the Officer's recommendation to refuse the application and this was seconded. A debate ensued covering issues of accessibility, the previous appeal decision relating to Homelands and the impact of the development on the character and appearance of the area. Members felt that accessibility was not necessarily a concern in this case, however, the Planning Inspector's comments around the impact on the character and appearance in the previous appeal decision were a significant material consideration. Councillor Channer referred to section 5.8.5 of the Officer report that highlighted the impact. The Lead Specialist Place commented on the need to take into account previous appeal decisions and assess what, if anything, had changed since the previous appeal was dismissed.

The Chairman, Councillor Fluker proposed that given there was not adequate information to come to a decision, the application be deferred for further information to be provided regarding the previous appeal. This was seconded by Councillor Helm.

The Chairman put the first proposal, that of the Officer's recommendation to refuse the application, to the Committee and the Committee voted against the refusal. At this point Councillor Mrs P A Channer wished it noted that she voted for the refusal.

The Chairman then put the second proposal to defer the application for further information to be provided regarding the previous appeal to the Committee and this was agreed.

RESOLVED that the application be **DEFERRED** for further information to be provided regarding the previous appeal relating to the site.

There being not other items of business the Chairman closed the meeting at 8.34 pm.

A S FLUKER
CHAIRMAN