



**MINUTES of
DISTRICT PLANNING COMMITTEE
7 JANUARY 2026**

PRESENT

Chairperson	Councillor M E Thompson
Vice-Chairperson	Councillor V J Bell
Councillors	M G Bassenger, D O Bown, J R Burrell-Cook, S Dodsley, J Driver, M F L Durham, CC, A Fittock, A S Fluker, L J Haywood, K M H Lagan, W J Laybourn, S J N Morgan, M G Neall, R G Pratt, N D Spenceley, P L Spenceley, W Stamp, CC, J C Stilts, N J Swindle and L L Wiffen
Officers (Maldon District Council)	Mr Jaggard, Director of Place, Planning and Growth Mrs Holmes, Director of Legal and Governance Mr Johnson, Head of Development Management and Building Control Mr Purvis, Principal Planner

432. CONTINUATION OF 16 DECEMBER 2025 MEETING IN OPEN SESSION

RESOLVED that the meeting of the District Planning Committee on 16 December 2025 resume in open session.

The Chairperson welcomed everyone to this continuation meeting, apologised for the delayed start due to internet problems and then went through some general housekeeping arrangements for the meeting.

433. APOLOGIES FOR ABSENCE

In addition to those apologies given for the meeting on 16 December 2025, apologies for absence had been received from Councillors J C Hughes, K Jennings, R H Siddall, U G C Siddall-Norman and E L Stephens.

It was noted that Councillors V J Bell and J C Stilts were now in attendance.

434. DISCLOSURE OF INTEREST

The Chairperson reminded Members of the requirement for them to declare any interests as soon as they became aware of them.

Councillor A S Fluker advised that in the interest of openness and transparency that he knew the owner in respect of Agenda Item 6 - 25/00206/OUTM Land West Of Spratts Farm, Queenborough Road, Southminster, Essex and confirmed he was not declaring a pecuniary interest.

435. 25/00206/OUTM LAND WEST OF SPRATTS FARM, QUEENBOROUGH ROAD, SOUTHMINSTER, ESSEX

Application Number	25/00206/OUTM
Location	Land West Of Spratts Farm, Queenborough Road, Southminster, Essex
Proposal	Outline planning application for the demolition of number 46 Queenborough Road and the erection of up to 110 dwellings (including affordable housing), with public open space, structural planting, landscaping, sustainable drainage system (SuDS) and vehicular access point. All matters to be reserved, except for means of access.
Applicant	Gladman Developments Ltd, DJ Fisher Farms and L&A Barker
Agent	N/A
Target Decision Date	20.06.2025 (Time Extension requested until 19.12.2025)
Case Officer	Chris Purvis
Parish	SOUTHMINSTER
Reason for Referral to the Committee / Council	<p>Major Development and a Departure from Local Plan Policies</p> <p>'Called in' by Councillor A S Fluker due to concerns about sustainable development, strategic growth, place shaping, the delivery of prosperous rural communities, the existing settlement boundary and the prevailing countryside, the proposed design quality and built environment, Climate Change and the Environmental Impact of the development, the impact on Conservation and Heritage assets, the impact of Agricultural and Rural Diversification and how they are addressed in the proposal – Ref Policies but not limited to S1 6) 11) 12) 13, S2, S3, S7 a) b) c), S8, D1 1) c) d) e) 4) 6) 8) 9), D2 6) 10) 11), D3 1), E4 1) 3) and H4 1) 2) 3) 4) 6) 7)</p>

The Principal Planner summarised the application, as set out in the agenda and as amended by the Members' Update. It was noted that a further financial contribution had been requested from Essex County Council (ECC) for the diversion of public footpath No. 1. In addition, three further letters of representation had been received, making a total of 363. The Officer advised that all of the comments raised in the additional letters had been covered within the report.

Following the Officers' presentation an objector, Mr Aggarwall and the Applicant, Mr John MacKenzie addressed the Committee.

In response to a question, the Chairperson confirmed that representatives from ECC Highways would not be attending this meeting.

During the debate that followed, a number of areas of concern in relation to this application were raised and Officers provided the following information:

- Officers had reviewed the weighting of this application in relation to other appeal decisions; however, it was noted that due to the Council's lack of a Five-Year Housing Land Supply (5YHLS) the weight given to the Housing Land Supply and Affordable Housing was substantial and consistent with other appeals both within and outside of the district.
- Access and Highway Safety – Members expressed concerns regarding access and highways safety, particularly as the application only proposed one access road to the site which was off a bend and from what was a narrow road (Queenborough Road) often restricted by parked cars. It was highlighted that a

condition was proposed which would require a Construction Environment Management Plan. The Officer advised that it was his understanding that the main access was the only site access and therefore this would be used by any construction traffic. In respect of the proposed single point of access to the site reference was made to this posing a risk to life as if the entrance was blocked there would be no access onto the site, including for emergency vehicles.

- Highways – In response to a question regarding the proposed relocation of a footpath within the site which was used by local residents to access the rear of adjacent properties, the Principal Planner explained that the financial contribution requested from ECC Highways was to regulate and amend the Public Right of Order (legislation) in relation to moving to a route shown on the plan instead of its current overgrown route that ran along the rear boundaries of properties to the south of the site.
- Infrastructure particularly in relation to local school capacity – Members concerns were noted and Officers advised that the report set out the consultation response received from ECC Education and its requirements in order to mitigate the development. The Applicant had confirmed they were happy to meet these.
- Infrastructure (healthcare) – The NHS had responded and details of the requested financial contributions towards healthcare improvements were set out in the report. This was noted by Members; however it was commented that the local Doctors surgeries were generally at capacity.
- Character and landscape – In response to comments about an appeal decision for an adjacent site, the Officer advised that this had been considered and detailed within the report. However, it was a different proposal to this application. The Council had considered landscaping and visual impact of the site and sought the view of an independent landscape architect (detailed in the report). It was noted that the landscape architect felt there was some harm but not enough to warrant refusal. Officers had considered all the implications and given this moderate harm.
- Loss of Amenity to nearby residential homes – The Officer highlighted the considerations given to the impact on the amenity of no. 48 Queenborough Road, the closest and most affected property, with moderate weight given. It was noted that no objections had been received from Environmental Health (EH). In respect of reference to erecting an acoustic barrier, Members were advised that the details were to be agreed at the Reserves Matters stage and EH had considered this an appropriate way forward. Although it was recognised that there was harm, Officers had considered this was moderate harm. It was commented that the barrier could have a detrimental impact to the street scene. Reference was also made to nos. 47 and 49 Queenborough Road and the impact the proposed development would have on them, this was noted.

Councillor R G Pratt highlighted issues with the road adjacent to the site and commented on the proposed location. He then proposed that the application be refused, contrary to Officers' recommendation and referred to Councillor A S Fluker for reasons for refusal. This proposal was duly seconded.

At this point and in light of the proposal from Councillor Pratt, Officers provided further information and detailed guidance which included:

- Members were reminded that the Council did not have a 5YHLS which meant the tilted balance applied and the need to ensure that appropriate weight was given when considering the application.

- Officers were unable to provide further clarification regarding why only one access was proposed. Whilst it was expected for sites like this to contain cycle and walkways which may give alternative access, these were not proposed at this time and would come forward as part of the reserved matters application.
- It was acknowledged that the level of growth imposed would likely mean that infrastructure, schools, health services and the road network would be overused before infrastructure could be provided to mitigate the growth.

Officers noted the comments raised by some Members regarding the formula used by ECC and other organisations when calculating Section 106 contributions for items such as highways etc. and provided guidance on the weight given to this when considered by Inspectors at appeal hearings.

The Director of Place, Planning and Growth suggested that should Members be mindful to refuse the application, if key areas for refusal could be identified, the wording of reasons for refusal could be delegated to the Chairperson, Vice-Chairperson and Ward Members in consultation with Officers. Following general agreement of this approach he referred to the reasons for refusal for application 23/00459/OUTM set out in section 6.1 of the report (and referenced below in *italics*) and highlighted the following key areas which could be formed into reasons for refusal:

- Impact on the landscape, character and amenity, including the impact on the setting of the Listed Building (*based on the wording used for reason for refusal 1*)
- Impact on the highway both in terms of the network and highway safety (*reason for refusal 2*). The Council would look to use external highways support to defend the Council's appeal should the application be appealed and ECC Highways not able to support.
- Loss of agricultural land (*reason for refusal 3*)
- Impact and detriment to the amenity of occupiers of neighbouring residential dwellings at 47, 48 and 49 Queenborough Road, Southminster (*reason for refusal 4*)
- Absence of a completed Section 106 legal agreement (*reason for refusal 5*)
- Referring to the Community Infrastructure Levy Regulation 122 test the Director of Place, Planning and Growth highlighted Members' concern regarding infrastructure contributions needing to be related to the nature and scale of the development. It was felt that having a proposal like this come forward outside of a plan led process would result in the infrastructure being piecemeal and not delivered in a timely way due to funding not mitigating the impact of the development until a much later date.

The Chairperson sought confirmation from Councillor Pratt (as the proposer) and Councillor W Stamp (as the seconder) that they were happy with the suggested reasons for refusal. They confirmed that they were and therefore the proposal was amended accordingly.

At this point, the Chairperson sought nomination of a Member(s) to work with officers should the decision be appealed. Councillors A Fittock and A S Fluker were duly nominated and agreed following a vote.

In accordance with Procedure Rule No. 13 (3) Councillor M E Thompson requested a recorded vote. This was duly seconded.

The Chairperson then put the proposal in the name of Councillor Pratt to refuse the application for the reasons outlined by the Director of Place, Planning and Growth with the precise wording delegated to the Chairperson, Vice-Chairperson and Ward Members in consultation with Officers.

In response to a question regarding a possible appeal, the Director of Place, Planning and Growth explained that the Committee was making its decision on the planning framework and policies in front of it and if there was an appeal, the appeal would be held against the current planning framework and policies in front of the Inspector at that point in time.

The Chairperson put the proposal to the vote and the voting was as follows:

For the recommendation:

Councillors M G Bassenger, V J Bell, D Bown, J R Burrell-Cook, S Dodsley, J Driver, M F L Durham, A Fittock, A S Fluker, L J Haywood, K M H Lagan, W J Laybourn, S J N Morgan, M G Neall, R G Pratt, N D Spenceley, P L Spenceley, W Stamp, J C Stilts, N J Swindle, M E Thompson and L L Wiffen.

Against the recommendation: There were none.

Abstention: There were none.

RESOLVED that this application be **REFUSED** for the reasons summarised above, the detail of which is delegated to the Director of Place, Planning and Growth in consultation with the Chairperson and Vice-Chairperson of this Committee and Ward Members.

There being no other items of business the Chairperson closed the meeting at 9.40 pm.

M E THOMPSON
CHAIRPERSON