



**MINUTES of  
SOUTH EASTERN AREA PLANNING COMMITTEE  
18 JUNE 2018**

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**PRESENT**

Chairman	Councillor A S Fluker
Vice-Chairman	In the Chair
Councillors	Mrs B F Acevedo, B S Beale MBE, R G Boyce MBE, Mrs P A Channer, CC, P G L Elliott, M W Helm and R Pratt, CC

**193. CHAIRMAN'S NOTICES**

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

**194. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors R P F Dewick, Mrs H E Elliott and N R Pudney.

**195. MINUTES OF THE LAST MEETING**

**RESOLVED** that the Minutes of the meeting of the Committee held on 21 May 2018 be approved and confirmed.

**196. DISCLOSURE OF INTEREST**

Councillor Mrs B F Acevedo disclosed a pecuniary interest in Agenda Item 5 - HOUSE/MAL/18/00319 - Fiddlers Rest, The Endway, Althorne, Essex, CM3 6DU as she was one of the applicants. She informed the meeting that she would leave the chamber for this item.

Councillor Mrs P A Channer, CC declared a non-pecuniary interest as she was a Member of Essex County Council, a consultee on planning application matters with respect generally to highways, matters of access and education primarily. She further disclosed the following in the interest of openness and transparency:

- Agenda Item 5 - HOUSE/MAL/18/00319 - Fiddlers Rest, The Endway, Althorne, Essex, CM3 6DU as she knew the applicant;

- Agenda Item 9 - HOUSE/MAL18/00562/LBC/MAL/18/00563 - Trusses Waterside Road, Bradwell-on-Sea as she knew the agent.

Councillor P G L Elliott declared a non-pecuniary interest in Agenda Item 5 - HOUSE/MAL/18/00319 - Fiddlers Rest, The Endway, Althorne, Essex, CM3 6DU as he knew the applicant and Agenda Item 9 - HOUSE/MAL18/00562/LBC/MAL/18/00563 as he knew the agent.

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

Councillor B S Beale, MBE disclosed a non-pecuniary interest in Agenda Item 5 - HOUSE/MAL/18/00319 - Fiddlers Rest, The Endway, Althorne, Essex, CM3 6DU as he knew the applicant and Agenda Item 9 - HOUSE/MAL18/00562/LBC/MAL/18/00563 as he knew the agent.

Councillor A S Fluker declared the following in the interest of openness and transparency:

- Agenda Item 5 - HOUSE/MAL/18/00319 - Fiddlers Rest, The Endway, Althorne, Essex, CM3 6DU as he knew both the applicant and agent.
- Agenda Item 6 – FUL/MAL/18/00389 - a T J's Riding School, Burnham Road, Southminster, Essex, CM0 7BL as he knew both the applicant and the agent
- Agenda Item 9 - HOUSE/MAL18/00562 and LBC/MAL/18/00563, Trusses Waterside Road, Bradwell-on-Sea, as he knew the agent.

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.

**197. HOUSE/MAL/18/00319 - FIDDLERS REST, THE ENDWAY, ALTHORNE, ESSEX, CM3 6DU**

<b>Application Number</b>	<b>HOUSE/MAL/18/00319</b>
<b>Location</b>	Fiddlers Rest, The Endway, Althorne, Essex, CM3 6DU
<b>Proposal</b>	Demolish existing garage and workshop and replace with one new timber framed building
<b>Applicant</b>	Mr & Mrs Acevedo
<b>Agent</b>	Mrs Lynne Fornieles - Febo Designs
<b>Target Decision Date</b>	06.06.201 (extension of time agreed: 22.06.2018)
<b>Case Officer</b>	Anna Tastsoglou, <a href="#">TEL:01621 875741</a>
<b>Parish</b>	<b>ALTHORNE</b>
<b>Reason for Referral to the Committee / Council</b>	Councillor / Member of Staff

Councillor Mrs B F Acevedo left the Chamber for this Item of business.

Following the Officer's presentation Councillor R G Boyce, MBE, moved the Officer's recommendation to approve and this was unanimously agreed.

**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.  
REASON: To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 02 Rev A; 03 Rev A and 04 Rev A.  
REASON: To ensure that the development is carried out in accordance with the details as approved.
- 3 The materials used in the construction of the outbuilding hereby approved shall be as set out within the application form/plans hereby approved.  
REASON: In the interest of the character and appearance of the conservation area in accordance with policies D1 and H4 of the approved Local Development Plan and the guidance contained in the Maldon District Design Guide (2017) and the National Planning Policy Framework.
- 4 The outbuilding hereby permitted shall only be used for purposes incidental to the residential use of the dwelling at Fiddlers Rest, The Endway, Althorne, Essex, CM3 6DU.  
REASON: To safeguard the character and amenities of the area and the amenities of adjoining residential properties, in accordance with the National Planning Policy Framework (2012), policies D1 and H4 of the approved Local Development Plan and the guidance contained in the Maldon District Design Guide (2017)
- 5 Development shall not commence until details of surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be constructed and completed in accordance with the approved details prior to the occupancy of the development.  
REASON: To avoid the risk of water flooding and pollution in accordance with policy D2 of the Maldon District Local Development Plan.

**198. FUL/MAL/18/00389 - T J'S RIDING SCHOOL, BURNHAM ROAD, SOUTHMINSTER, ESSEX, CM0 7BL**

<b>Application Number</b>	<b>FUL/MAL/18/00389</b>
<b>Location</b>	T J's Riding School, Burnham Road, Southminster, Essex, CM0 7BL
<b>Proposal</b>	Permanent retention of manager's dwelling following temporary consent granted 17 October 2014
<b>Applicant</b>	Ms Bridge Jennings - TJs Riding School
<b>Agent</b>	TMA Chartered Surveyors
<b>Target Decision Date</b>	28 <sup>th</sup> June 2018
<b>Case Officer</b>	Anna Tastsoglou, TEL: 01621 875741
<b>Parish</b>	<b>SOUTHMINSTER</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In The item has been called in by Cllr Fluker on the grounds of public interest and equine security.

Councillor Mrs B F Acevedo returned to the Chamber.

It was noted from the Members' Update that a letter of support had been received subsequent to publication of the Officer's report.

Following the Officer's presentation Mr Tim Matthews, the Agent, addressed the Committee.

A debate ensued around temporary accommodation and security issues for rural businesses. Members noted that this rental business was diversifying, should be given the opportunity to develop as it had potential and that a presence on site was essential for its security. Furthermore, it was not detrimental to the street scene and there were no objections from the Parish Council, Essex County Council or residents.

Councillor Boyce proposed that contrary to the Officer's recommendation the application be approved for a further three years temporary consent, to prove the viability of the business. This was seconded and agreed with the proviso that the conditions applied to the temporary consent be determined between the Chairman and Ward Members.

**RESOLVED** that the application be **APPROVED** subject to conditions as agreed in consultation with the Chairman and Ward Members.

**199. FUL/MAL/18/00415 - LAND ADJACENT SPRINGWOOD, RECTORY LANE, LATCHINGDON, ESSEX**

<b>Application Number</b>	<b>FUL/MAL/18/00415</b>
<b>Location</b>	Land Adjacent Springwood, Rectory Lane, Latchingdon, Essex
<b>Proposal</b>	Re-submission of planning application for 3 dwellings with access off Burnham Road
<b>Applicant</b>	Foxley Corporate Ltd
<b>Agent</b>	Mr David Wallis - Smart Planning
<b>Target Decision Date</b>	01.06.2018 (Extension of time agreed: 22.06.2018)
<b>Case Officer</b>	Anna Tastsoglou
<b>Parish</b>	<b>LATCHINGDON</b>
<b>Reason for Referral to the Committee / Council</b>	Departure from the Local Development Plan 2017

Following the Officer's presentation, Mr David Wallis, the Agent, addressed the Committee.

Members had a lengthy discussion on this application. It was noted that when the previous application for two properties on the site was approved the Local Development Plan policies were not in operation. Furthermore the previous application for three dwellings had been refused. There were grave concerns that this represented overdevelopment, altering the character of the area.

Councillor R G Boyce proposed that the application be approved according to the Officer's recommendation which was seconded by Councillor R Pratt. The Chairman

then put the proposal to the Committee. A vote was taken, the proposal was not agreed and the Chairman called for a second proposal.

Councillor Mrs P A Channer then proposed that the application be refused contrary to the Officer's recommendation and this was duly seconded. The Chairman put this proposal to the Committee, a vote was taken and the recommendation to refuse was carried. It was further noted that this was agreed with the proviso that the wording of the reasons for refusal be determined by the Chairman and Ward Members, taking into consideration the reason for refusal of the previous application as outlined in paragraph 6.7 of the report.

**RESOLVED** that the application be **REFUSED** and that the reasons for refusal be agreed in consultation with the Chairman and Ward Members.

**200. OUT/MAL/18/00544 - STAPLETON, STONEY HILLS, BURNHAM-ON-CROUCH, ESSEX, CM0 8QA**

<b>Application Number</b>	<b>OUT/MAL/18/00544</b>
<b>Location</b>	Stapleton, Stoney Hills, Burnham-On-Crouch, Essex, CM0 8QA
<b>Proposal</b>	Demolition of existing dwelling, buildings and removal of a caravan and erection of three single-storey dwellings and associated parking.
<b>Applicant</b>	M & M Developments Limited
<b>Agent</b>	Mrs Lisa Skinner - Bidwells
<b>Target Decision Date</b>	09.07.2018
<b>Case Officer</b>	Anna Tastsoglou, TEL: 01621 875741
<b>Parish</b>	<b>BURNHAM NORTH</b>
<b>Reason for Referral to the Committee / Council</b>	Departure from the Local Development Plan 2017

It was noted from the Members' Update that Burnham-on-Crouch Town Council objected to the application as it was outside the development boundaries and contrary to the Burnham-on-Crouch Neighbourhood Plan.

Following the Officer's presentation, Ms Lisa Skinner, the Agent, addressed the Committee.

Members debated the application, the overdevelopment of the area and the major alterations to the landscape. It was noted that this application was contrary to both the Burnham-on-Crouch Neighbourhood Plan and the Maldon District Local Development Plan. The Committee acknowledged the work that had been invested in these plans and the need to adhere to the planning policies contained therein

Councillor P G L Elliott proposed that the application be refused contrary to the Officer's recommendation. A vote was taken and the recommendation to refuse was agreed.

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

1. The application site lies outside of the defined settlement boundary of

Burnham-on-Crouch where policies of restraint apply. The Council can demonstrate a five year housing land supply to accord with the requirements of the National Planning Policy Framework. The site has not been identified by the Council for development to meet future needs for the District and does not fall within either a Garden Suburb or Strategic Allocation for growth identified within the Maldon District Local Development Plan to meet the objectively assessed needs for housing in the District. The proposed development would represent an intensive and urban form of development that would be materially harmful to the character of the application site and the surrounding area. The proposal is therefore contrary to the National Planning Policy Framework, Maldon District Local Development Plan (2017) policies S1, S2, S8, D1, H4 and policies HO.1 and HO.8 of the Burnham-on-Crouch Neighbourhood Development Plan (2017).

**201. HOUSE/MAL18/00562 AND LBC/MAL/18/00563 - TRUSSES WATERSIDE ROAD, BRADWELL-ON-SEA**

<b>Application Number</b>	<b>HOUSE/MAL18/00562</b>
<b>Location</b>	Trusses Waterside Road, Bradwell-on-Sea
<b>Proposal</b>	Construction of a garden room, porch, cart lodge, a swimming pool and associated pool house. Erection of 1.8m high close boarded fence, timber entrance gates and posts and picket fencing.
<b>Applicant</b>	Mr and Mrs Geoff Pearce
<b>Agent</b>	Mr Anthony Cussen – Cussen Construction Consultants
<b>Target Decision Date</b>	03.07.2018
<b>Case Officer</b>	Devan Lawson, TEL: 01621875845
<b>Parish</b>	<b>BRADWELL-ON-SEA</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In Cllr. Dewick Reason: Public Interest

<b>Application Number</b>	<b>LBC/MAL/18/00563</b>
<b>Location</b>	Trusses Waterside Road, Bradwell-on-Sea
<b>Proposal</b>	Construction of a garden room, porch, cart lodge, a swimming pool and associated pool house. Erection of 1.8m high close boarded fence, timber entrance gates and posts and picket fencing.
<b>Applicant</b>	Mr and Mrs Geoff Pearce
<b>Agent</b>	Mr Anthony Cussen – Cussen Construction Consultants
<b>Target Decision Date</b>	03.07.2018
<b>Case Officer</b>	Devan Lawson, TEL: 01621875845
<b>Parish</b>	<b>BRADWELL-ON-SEA</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In Cllr. Dewick Reason: Public Interest

It was noted from the Members' Update that the applicant had submitted supporting information in response to objections received.

Following the Officer's presentation Mr Ian Fennell, an Objector and Ms Purdy Pearce, the Applicant, addressed the Committee.

A debate ensued concerning both the planning application, **HOUSE/MAL18/00562** and the listed building consent application, **LBC/MAL/18/00563**. It was noted that the Conservation Officer had no concerns regarding the listed building works in relation to the extension and the porch.

Members raised concerns regarding the planning application, in particular, the potential loss of light and outlook in the neighbouring property. There were strong objections to the fence, gates and the overly large cart lodge as these would be detrimental to the street scene.

The Chairman put the recommendations to the committee proposing that in accordance with the Officer's recommendations the planning application be refused, based on the reasons outlined in section 8 of the report, and that the listed building consent be granted subject to the existing conditions. Upon a vote being taken this was agreed.

**RESOLVED** that the planning application **HOUSE/MAL18/00562** be **REFUSED**, for the following reason:

1. The proposed cart lodge by reason of its design, scale, bulk, siting and appearance is considered to result in an overly large and dominant addition to the streetscene and eroding the openness of the countryside, which is exacerbated by the scale, bulk and siting of the proposed 1.8m gates. Therefore the proposal will cause harm to the intrinsic character and a beauty of the surrounding countryside. Moreover, the proposed 1.8m close boarded fence on the western side of the site will detract from the historic character of the listed building and will dominate the site, thereby causing harm to the character and appearance of the site and the surrounding locality. The proposal is therefore, contrary to the requirements of policies S1, S8, D1, D3 and H4 of the approved Local Development Plan, guidance contained within the Maldon District Design Guide and the National Planning Policy Framework.

**RESOLVED** that the listed building consent application **LBC/MAL/18/00563**, 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.  
REASON: To comply with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
2. The development hereby permitted shall be carried out in complete accordance with plans: 1119/01 A, 1119/02 A, 1119/03 D, 1119/04 A, 1119/05 A.  
REASON: To protect the character and amenity of the listed building in line with policy D3 of the Local Development Plan approved by the Secretary of State and guidance contained within the National Planning Policy Framework.
3. Prior to the construction of the development hereby approved samples of the tiles and bricks to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: To protect the architectural and historic value of the building in accordance with policies D1 and D3 of the Local Development Plan.

4 Prior to the construction of the development hereby approved details of the colour finish of the fences and timber cladding to be used in the construction of the development have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: To protect the architectural and historic value of the building in accordance with policies D1 and D3 of the Local Development Plan.

5 The Brickwork used in the construction of the rear extension and porch hereby approved shall be laid in Flemish bond to match the existing dwelling unless otherwise approved in writing by the local planning authority prior to commencement of the brickwork.

REASON: To protect the architectural and historic value of the building in accordance with policies D1 and D3 of the Local Development Plan.

6 All rainwater goods shall be of cast metal with a black painted finish and retained as such thereafter.

REASON: To protect the architectural and historic value of the building in accordance with policies D1 and D3 of the Local Development Plan.

There being no further items of business the Chairman closed the meeting at 9.05 pm.

A S FLUKER  
CHAIRMAN