



**MINUTES of  
SOUTH EASTERN AREA PLANNING COMMITTEE  
16 JULY 2018**

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**PRESENT**

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

**265. CHAIRMAN'S NOTICES**

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

**266. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors R G Boyce, MBE and H E Elliott.

**267. MINUTES OF THE LAST MEETING**

**RESOLVED** that the Minutes of the meeting of the Committee held on 18 June 2018 be approved and confirmed.

**268. DISCLOSURE OF INTEREST**

All Members declared a non-pecuniary interest in Agenda Item 6 - TPO 4/18- Paton Place, Nipsells Chase, Mayland and Agenda Item 7 - TPO 8/19 – The Orchard, Nipsells Chase Mayland as one of applicant was a fellow member of Maldon District Council.

In addition Councillor A S Fluker declared a non –pecuniary interest in Agenda Item 5 - HOUSE/MAL/18/00448 - 85 Nipsells Chase, Mayland and Agenda Item 8 - FUL/MAL/18/00230 - Asheldham Pit, Southminster Road, Asheldham, Essex as he knew the applicants.

Councillor B S Beale, MBE, declared a non-pecuniary interest in Agenda Item 8 - FUL/MAL/18/0023 - Asheldham Pit, Southminster Road, Asheldham, Essex, as he knew the applicant.

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.

The impact of General Data Protection Regulation (GDPR) requirements was raised. It was noted that the Director of Planning was looking into this and would report back in due course.

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.

**269. HOUSE/MAL/18/00448 - 85 NIPSELLS CLOSE, MAYLAND**

<b>Application Number</b>	<b>HOUSE/MAL/18/00448</b>
<b>Location</b>	85 Nipsells Chase, Mayland
<b>Proposal</b>	Part two storey, part single storey front and side extension
<b>Applicant</b>	Mr David McWilliams
<b>Agent</b>	Mr Matthew Kitching
<b>Target Decision Date</b>	17.07.2018
<b>Case Officer</b>	Devan Lawson
<b>Parish</b>	<b>MAYLAND</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In Councillor M Helm, Reason: Public Interest

Following the Officer's presentation, Mr David McWilliam, the Applicant, addressed the Committee.

A discussion ensued regarding the proposed development and its potential impact on the existing character and appearance of both the dwelling and the surrounding area.

Councillor P G L Elliott proposed that the application be approved contrary to the Officer's recommendation as he could see no problems with the application. This was seconded by Councillor A S Fluker.

Members reviewed the drawings at length and concluded that there was no detriment to the street scene or the single storey neighbouring property. Furthermore, no external objections had been received regarding this proposal.

The Chairman put Councillor P G L Elliott's proposal, seconded by Councillor A S Fluker to the Committee, a vote was taken and the recommendation to approve, contrary to the Officer's recommendation, was carried unanimously.

**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 this 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: AD/1942-DM-B-SP/LP, AD/1942-DW-A-EXIS, AD/1942-DW-B-PRO.

REASON: To ensure that the development is carried out in accordance with the details as approved.

3. The external surfaces of the extension shall be constructed of the materials to match the existing dwelling.

REASON: In the interest of the character and appearance of the area in accordance with policy D1 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

## **270. TPO 4/18 - PATON PLACE, NIPSELLS CHASE, MAYLAND**

<b>Tree Preservation Officer</b>	<b>TPO 4/18</b>
<b>Location</b>	Paton Place, Nipsells Chase, Mayland
<b>Proposal</b>	Confirmation of TPO 4/18
<b>Confirmation by</b>	11.11.2018
<b>Case Officer</b>	Emma Worby
<b>Parish</b>	<b>MAYLAND</b>
<b>Reason for Referral to the Committee / Council</b>	Decision on confirmation of a Tree Preservation Order as per the Council's scheme of delegation

A Members' Update had been submitted providing a site map.

Following the Officer's presentation, Mr Paton, an Objector, addressed the Committee.

Members debated the merits/demerits of the preservation order and a number of concerns were raised as follows:

- that placing an order on fruit tress was very unwieldy given the need to prune at least twice a year;
- that existing oak trees over 100 years old did not have an order on them;
- that advice received from horticulturalists suggested that a Tree Preservation order was not appropriate for young fruit trees;
- that the Tree Officer should be in attendance to explain the criteria, in order to properly consider this order, and,
- that clarity was required around the Maldon District Council's definition of a Tree Preservation Order.

Councillor A S Fluker proposed that the TPO be deferred and that a site visit be arranged with the Tree Officer in attendance. Furthermore that the Tree Officer attend Committee and clear photographs outlining the areas for preservation be provided. This was seconded by Councillor Mrs P A Channer.

The Chairman put the recommendation to defer to a vote and this was carried.

**RESOLVED** that the Tree Preservation Order be **DEFERRED**, in order for the Tree Officer to attend Committee and for Officers to provide more information.

**271. TPO 8/91 - THE ORCHARD, NIPSELLS CHASE, MAYLAND**

<b>Tree Preservation Order</b>	<b>TPO 8/91</b>
<b>Location</b>	The Orchard, Nipsells Chase, Mayland
<b>Proposal</b>	Revocation of TPO 8/91
<b>Target Decision Date</b>	N/A
<b>Case Officer</b>	Emma Worby
<b>Parish</b>	<b>MAYLAND</b>
<b>Reason for Referral to the Committee / Council</b>	Decision on the revocation of a Tree Preservation Order as per the Council's scheme of delegation.

In light of the discussion under Item 6 - TPO 4/18 - Paton Place, Nipsells Chase, Mayland, the Chairman put the recommendation to defer Item 7 - TPO 8/91- The Orchard, Nipsells Chase, Mayland to the Committee. Upon a vote being taken the motion was carried.

**RESOLVED** that the revocation of the Tree Preservation Order 8/91 be **DEFERRED**, in order for the Tree Officer to attend Committee and for Officers to provide more information.

**272. FUL/MAL/18/00230 - ASHELDHAM PIT, SOUTHMINSTER, ASHELDHAM, ESSEX**

<b>Application Number</b>	<b>FUL/MAL/18/00230</b>
<b>Location</b>	Asheldham Pit, Southminster Road, Asheldham, Essex
<b>Proposal</b>	Erection of an education centre, tea room, 6x holiday log cabins, 1x staff/workers accommodation, 1x welfare cabin, 6x fish breeding pods and associated hard-standing, parking and access point.
<b>Applicant</b>	Mrs Lisa Brown
<b>Agent</b>	Mr Chris Moore - Plainview Planning LTD
<b>Target Decision Date</b>	31 <sup>st</sup> July 2018
<b>Case Officer</b>	Anna Tastsoglou
<b>Parish</b>	<b>ASHELDHAM</b>
<b>Reason for Referral to the Committee / Council</b>	Major Application Member Call In The item has been called in by Cllr Dewick on the grounds of public interest.

A Members' Update had been submitted advising that additional letters of support, objections and comments had been received post the publication of the report. It also contained comments from Economic Development and the Coast and Countryside Officer.

The Committee received the Officer's presentation.

The Chairman advised the Committee that the applicants had asked to defer the application to allow for the completion of the ecology report.

Councillor A S Fluker, in response, said that more information, not just the ecology report, was required before the application could be considered. He proposed that the application be deferred and this was seconded by Councillor M W Helm.

The Chairman put the proposal to a vote and the recommendation to defer was carried.

**RESOLVED** that the application be **DEFERRED**, in order for the applicant to submit more information.

**273. ANY OTHER ITEMS OF BUSINESS**

The Chairman drew Members' attention to the reports for noting on the agenda. He advised the Committee that these were available on the I drive and in the Members' Room.

**RESOLVED** that this was **NOTED**.

There being no further items of business the Chairman closed the meeting at 8.19 pm.

R P F DEWICK  
CHAIRMAN