



**MINUTES of
CENTRAL AREA PLANNING COMMITTEE
29 MAY 2019**

PRESENT

Chairman	Councillor M S Heard
Vice-Chairman	Councillor S P Nunn
Councillors	Miss A M Beale, M R Edwards, B E Harker, K M H Lagan, C Mayes, C Morris, N G F Shaughnessy, Mrs J C Stilts and C Swain

1. CHAIRMAN'S NOTICE

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

2. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Mrs P A Channer, CC.

3. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 17 April 2019 be approved and confirmed.

4. DISCLOSURE OF INTEREST

Councillor S P Nunn declared a non-pecuniary interest in Agenda Item 5, FUL/MAL/19/00080 - Former Mill, Station Road, Maldon as despite it being removed from the agenda there was still information within the public domain. He further declared a non-pecuniary interest in Agenda Item 9, HOUSE/MAL/19/00354 – 2 Queens Avenue, Maldon, Essex as he knew the Town Councillor who had written a letter of objection.

Councillor C Mayes declared a non-pecuniary interest in Agenda Item 8, FUL/MAL/19/00201 – Riverscourt, Beeleigh Road, Maldon as she knew the Agent. She further declared a non-pecuniary interest in Agenda Item 9, HOUSE/MAL/19/00354 – 2 Queens Avenue, Maldon, Essex as he knew the Town Councillor who had written a letter of objection.

Councillor N G F Shaughnessy declared a non-pecuniary interest in Agenda Item 8, FUL/MAL/19/00201 – Riverscourt, Beeleigh Road, Maldon as she knew the Applicant.

She further declared a non-pecuniary interest in Agenda Item 9, HOUSE/MAL/19/00354 – 2 Queens Avenue, Maldon, Essex as he knew the Town Councillor who had written a letter of objection.

Councillor Mrs J C Stilts declared a non-pecuniary interest in Agenda Item 9, HOUSE/MAL/19/00354 – 2 Queens Avenue, Maldon, Essex as she knew the Town Councillor who had written a letter of objection.

Councillor K M H Lagan declared a non-pecuniary interest in Agenda Item 9, HOUSE/MAL/19/00354 – 2 Queens Avenue, Maldon, Essex as he knew the Town Councillor who had written a letter of objection.

Councillor C Swain declared a non-pecuniary interest in Agenda Item 9, HOUSE/MAL/19/00354 – 2 Queens Avenue, Maldon, Essex as he knew the Town Councillor who had written a letter of objection.

Councillor B E Harker declared a non-pecuniary interest in Agenda Item 9a, FUL/MAL/18/00791 – Osea Leisure Park, Goldhanger Road, Heybridge, Essex as he had occasionally frequented the site.

Councillor M S Heard declared a non-pecuniary interest in Agenda Item 9, HOUSE/MAL/19/00354 – 2 Queens Avenue, Maldon, Essex as he knew both the Town Councillor who had written a letter of objection and the Agent.

5. FUL/MAL/19/00080 - FORMER MILL, STATION ROAD, MALDON

The Committee noted that the application had been included on the agenda in error.

6. FUL/MAL/19/00092 - ADVENTURE GOLF COURSE, THE PROMENADE PARK, PARK DRIVE, MALDON

Application Number	FULL/MAL/19/00092
Location	Land West of Marine Parade, Promenade Park, Park Drive, Maldon
Proposal	Proposed gemstone mining attraction.
Applicant	Mr Martin Devine - South West Adventure Golf Ltd
Agent	N/A
Target Decision Date	31.05.2019
Case Officer	Louise Staplehurst
Parish	MALDON EAST
Reason for Referral to the Committee / Council	Council Owned Land Member Call in – Councillor S J Savage – public interest, out of keeping with the original planning application and not being referred to Customer Services Committee first.

Following the Officer's presentation, a brief discussion took place regarding the detail of the proposed development. Members were advised that it would include a water feature depicting as part of the 'panning for gold' activity.

The Chairman put the Officer's recommendation of approval to the Committee and upon a vote being taken the recommendation 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 complete accordance with the following documents: Location Plan, Front & Rear Elevations, Side Elevations, Block Site Plan.
- 3 The materials used in the development hereby approved shall be as set out within the supporting document submitted with the application, on 28.01.2019.
- 4 No means of external illumination of the development hereby approved shall be installed unless otherwise agreed in writing by the Local Planning Authority.

7. FUL/MAL/19/00201 - ADVENTURE GOLF COURSE, THE PROMENADE PARK, PARK DRIVE, MALDON

Application Number	FUL/MAL/19/00201
Location	Land West of Marine Parade, Promenade Park, Park Drive, Maldon
Proposal	Mobile catering unit within adventure golf site - permission for 10 years.
Applicant	Mr Martin Devine - South West Adventure Golf Ltd
Agent	N/A
Target Decision Date	31/05/2019
Case Officer	Louise Staplehurst
Parish	Maldon East
Reason for Referral to the Committee / Council	Council Owned Land Member Call in – Councillor S Savage – public interest, out of keeping with the original planning application and not being referred to Customer Services Committee first.

Following the Officer's presentation, a discussion on the application ensued.

In response to Members' questions Officers confirmed that the 2014 application had been approved for a larger structure which included decking, but permission had expired in 2018.

Councillor S P Nunn proposed that the application be approved in accordance with the Officer's recommendation and upon a vote being taken this was agreed.

RESOLVED that the application be **APPROVED** subject to the following conditions:

- 1 The catering unit hereby approved shall be removed and the land restored to its condition immediately prior to the development authorised by this permission on or before 29th May 2022 in accordance with a scheme of work previously

submitted to and approved in writing by the local planning authority unless before that date a formal planning application for the retention of the building has been approved by the local planning authority.

- 2 The development hereby permitted shall be carried out in complete accordance with the following documents: ATS/565/01, ATS/565/02, 18064-04 Rev B, Block Site Plan.
- 3 The development hereby permitted shall only be open to the public between 09:00 hours and 21:00 hours on Monday to Sunday.

8. FUL/MAL/19/00228 - RIVERSCOURT, BEELEIGH ROAD, MALDON

Application Number	FUL/MAL/19/00228
Location	Riverscourt, Beeleigh Road, Maldon
Proposal	New build part single, part two storey 3 bedroom dwelling and new car port to existing house.
Applicant	Mrs Tina Bishop
Agent	Ms Annabel Brown - Annabel Brown Architect
Target Decision Date	5 June 2019
Case Officer	Kathryn Mathews
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Departure from Maldon District Approved Local Development Plan

A Members' Update was submitted advising that no objection had been received from the Tree Consultant.

Following the Officer's presentation Members debated the application.

At this point Councillor S P Nunn declared a non-pecuniary interest in the item as he sat on the Town Council Planning Committee.

The Committee considered whether the application would increase traffic, be detrimental to riverside development, and the possible adverse impact on the environment.

The Lead Specialist Place confirmed the application was situated within the parish boundary. It was noted that the site was located immediately outside of the settlement boundary, therefore, it was considered that any harm to the surrounding area would be limited.

The Chairman of the Committee put the Officer's recommendation of approval to the Committee, and upon a vote being taken the recommendation was rejected.

Councillor S P Nunn proposed that the application be refused due to the potential adverse impact on the area outside of the settlement boundary. This was duly seconded, and upon a vote being taken the application was refused.

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

The application site lies outside of the defined settlement boundary of Maldon and therefore the proposal would represent the unjustified encroachment of built form into a rural area, with associated visual impacts, therefore resulting in a detrimental impact on the intrinsic beauty, character and appearance of the site and the surrounding area. The proposal is therefore contrary to policies S1, S8, D1 and H4 of the approved Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.

9. **HOUSE/MAL/19/00354 - 2 QUEENS AVENUE, MALDON, ESSEX**

Application Number	HOUSE/MAL/19/00354
Location	2 Queens Avenue, Maldon, Essex
Proposal	Demolition of existing extension and erection of part two storey part single storey side/rear extension and new windows.
Applicant	Mr & Mrs R Kendall
Agent	Terence Wynn
Target Decision Date	07/06/2019
Case Officer	Louise Staplehurst
Parish	MALDON SOUTH
Reason for Referral to the Committee / Council	Member Call in by: Councillor Savage Reason: Request of Maldon Town Council and in the public interest

Following the Officers' presentation, Joe Windsor, an Objector, and Janet Sims, speaking on behalf of the applicant, addressed the Committee.

The Chairman requested comments from the Committee, of which there were none.

Subsequently, the Chairman put the Officer's recommendation of refusal to the Committee, and upon a vote being taken the application was refused.

RESOLVED that the application be **REFUSED** for the following reasons:

- 1 The proposed development, by reason of its scale, bulk and design, is considered to result in an incongruous and dominant addition and would also result in a contrived roof line, which is considered to cause detrimental harm to the character and appearance of the existing dwelling and surrounding locality. The proposal is therefore contrary to policies D1 and H4 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.
- 2 The proposed extension, due to its bulk, height and depth, is considered to result in an unneighbourly form of development, particularly in relation to the neighbouring site to the south west, No.4 Queens Avenue. The proposal is therefore considered to be contrary to policies D1 and H4 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.
- 3 The proposed development is considered to result in an unacceptable level of on-site car parking provision, for a four bedroom dwelling, which is likely to result in on-street parking to the detriment of pedestrian and highway safety and the free flow of traffic, contrary to policies D1 and T2 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.

9a. FUL/MAL/18/00791 - OSEA LEISURE PARK, GOLDHANGER ROAD, HEYBRIDGE, ESSEX

Application Number	FUL/MAL/18/00791
Location	Osea Leisure Park, Goldhanger Road, Heybridge, Essex
Proposal	Change of Use of inner field from touring caravans occupied between 1st April - 30th September to use for stationing of Holiday Lodges, with occupation between the 1st March - 14th February each year in line with current static caravan and lodges on the wider site.
Applicant	Mr Christopher Powdrill
Agent	Mr Robert Pomery - Pomery Planning Consultants Ltd
Target Decision Date	31 October 2018
Case Officer	Kathryn Mathews
Parish	HEYBRIDGE EAST
Reason for Referral to the Committee / Council	Major Application

Following the Officer's presentation, the Lead Specialist Place informed the Committee of the procedure rules relating to deferred applications. Members were informed that due to there being no prior discussion on this deferral no one would be excluded from commenting on the application.

The Applicant, Mr Chris Powdrill, then addressed the Committee.

Councillor B E Harker, commenting on the application said that the site had the fastest broadband within Heybridge, that over supply of this type of development was not a planning reason for refusal and that the site had the lowest flood risk amongst those along the Blackwater. In addition, he said that the site would not cause harm to the surrounding area, was sustainable, and would pass a sequential test, in addition to not being contrary to the Local Development Plan (LDP) and the National Planning Policy Framework (NPPF).

Councillor B E Harker then proposed that the application be approved.

The Lead Specialist Place reminded Members that the Council's policies, such as the LDP and NPPF, were there to protect the area, and applications which deviated from these were required to evidence a need for the development. It was noted that the applicant had not done this. Officers considered the site a vulnerable area that was prone to flood risk, in close proximity to sewage works and the development would be detrimental to the character of the area.

A lengthy discussion ensued with Members commented on the fact there had been no flooding since 1953 and there were no obvious odours emanating from the site. The development would not be detrimental to the character of the area and would result in increased tourism and revenue. In addition, if the applicant was prepared to spend over £2 million developing the site, there was a need for the development.

Councillor A M Beale advised the Committee that she had previously used the facilities at the site and would second Councillor B E Harker's proposal.

In response to further questions from the Committee the Lead Specialist Place confirmed that under legislation a caravan is defined by size and scale and that the site was currently a play area.

The Chairman put the proposal of approval, contrary to the Officer's recommendation, to the Committee and upon a vote being taken the application was approved.

RESOLVED that the application be **APPROVED** subject to the following condition:

1. The application site is considered to be located within a sustainable location and the proposal is not considered to result in detrimental harm to the intrinsic beauty, character and appearance of the site or the surrounding area. Furthermore, it is considered that the proposal has passed the Sequential Test as this type of development can only be situated within a coastal location and therefore the proposal can be found acceptable from a flood risk perspective. In addition, Members drew on their local knowledge of the site and considered there to be a limited risk of odours from the adjacent sewage treatment works and considered that any possible harm could be overcome by a condition. Overall, the proposal is in accordance with policies S1, S7, S8, D1, D2, D5 and E5 of the approved Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.

There being no further items of business the Chairman closed the meeting at 9.00 pm.

M S HEARD
CHAIRMAN

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