



**MINUTES of
SOUTH EASTERN AREA PLANNING COMMITTEE
11 MARCH 2019**

PRESENT

Chairman	Councillor R P F Dewick
Vice-Chairman	Councillor A S Fluker
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, R Pratt, CC and N R Pudney

935. CHAIRMAN'S NOTICES

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

936. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Mrs H E Elliott.

937. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 11 February 2019 be approved and confirmed.

938. DISCLOSURE OF INTEREST

Councillor R Pratt, CC declared a non-pecuniary interest in several items of business as a member of Essex County Council, a consultee on planning application matters with respect generally to highways, matters of access and education primarily.

Councillor M W Helm declared a pecuniary interest in Item 5 - OUT/MAL/18/01034 - Mapledean Poultry Farm, Mapledean Chase, Mundon, Essex, as he was a neighbour. He informed the Committee that he would leave the Chamber for this item of business.

Councillor Mrs P A Channer, CC declared a non-pecuniary interest as a member of Essex County Council, a consultee on planning application matters with respect generally to highways, matters of access and education primarily.

Councillor Helm left the Chamber for the first item of business – Agenda Item 5 – OUT/MAL/18/01034 – Mapledean Poultry Farm, Mapledean Chase, Mundon.

939. OUT/MAL/18/01034 - MAPLEDEAN POULTRY FARM, MAPLEDEAN CHASE, MUNDON

Application Number	OUT/MAL/18/01034
Location	Mapledean Poultry Farm, Mapledean Chase, Mundon
Proposal	Redevelopment of poultry farm for approximately 5,030m ² of B1 commercial floorspace with associated access arrangements
Applicant	B.J. Rock Ltd & S.P.Bardwell Ltd
Agent	Mr Peter Le Grys - Stanfords
Target Decision Date	28 th November 2018 (EOT agreed: 15.03.2019)
Case Officer	Anna Tastsoglou
Parish	MUNDON
Reason for Referral to the Committee / Council	Major Application, Member Call In Councillor R Dewick has called in this application on the grounds of the size of the application site and in order for the Committee to assess whether the previous reasons for refusal have been addressed.

A Members' Update was submitted clarifying that comments from waste management were not relevant to the application as they don't provide a Trade Waste Collection Service.

Following the Officer's presentation, Mr Martin Read, the Applicant, addressed the Committee.

A long discussion ensued on this application. Members debated the policies in the Local Development Plan (LDP) and the need for rural diversification. It was noted that this application chimed with their objectives to support local businesses. This was particularly timely given the ever-growing new population and the need for jobs locally. There were no objections from residents, the Environment Agency and Anglia Water.

The issue of alternative sites was discussed, however, those reported by Officers were deemed to be unsuitable due to distance from the application site and the fact that they had not been developed. The consensus was that should this be refused it would be a missed opportunity as it was a site that would provide employment opportunities.

The Chairman then requested from Members reasons for approval contrary to the Officer's recommendation. It was agreed that the benefits of the development would outweigh the harm caused in terms of flood risk. Furthermore, given that Policy E1 states that '*new proposals for employment uses will generally be directed to the designated employment areas prior to considering other sites within the District*' demonstrates that the application was acceptable for approval.

Councillor Beale proposed that the application be approved contrary to the Officer's recommendation, subject to conditions and the completion of a S106 agreement. This was seconded by Councillor Fluker.

Due to the complexity of the conditions required the Committee agreed that these be delegated to Officers and the Chairman to agree following the meeting. The Chairman then put the proposal to approve to the Committee and this was carried.

Councillor Boyce asked that his vote against approval be recorded.

RESOLVED that the application be **APPROVED** subject to the delegated conditions being finalised and agreed with both Officers and the Chairman following the meeting, together with the completion of a S106 agreement in relation to highway improvements and Travel Plan monitoring fee.

Councillor M W Helm returned to the meeting.

940. FUL/MAL/18/01374 - MANGAPP MANOR, SOUTHMINSTER ROAD, BURNHAM-ON-CROUCH, ESSEX

Application Number	FUL/MAL/18/01374
Location	Mangapp Manor, Southminster Road, Burnham-on-Crouch
Proposal	Change of use from wedding venue to residential (C3) and the construction of an outbuilding including an associated access, boundary treatments and car parking.
Applicant	Mr Mark Sadleir
Agent	N/A
Target Decision Date	31.01.2019
Case Officer	Devan Lawson, Tel: 01621 875845
Parish	BURNHAM NORTH
Reason for Referral to the Committee / Council	Major Application

Following the Officer's presentation, Mr Mark Sadleir, the Applicant, addressed the Committee.

Councillor Pudney expressed concern regarding the application due to its size and bulk. A discussion ensued regarding this issue and the negative impact of the design of the building. It was considered that the proposed outbuilding would result in unacceptable urban sprawl into the countryside.

The Chairman put the Officer's recommendation to refuse to the Committee and this was carried.

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

1. The proposed outbuilding, as a result of its siting, scale, bulk and design would be unduly detached from the host dwelling and would have a substantial and unacceptable visual impact on the intrinsic character and beauty of the countryside. This would be exacerbated by the substantial increase in built form and the fact the development is located outside of Mangapp Manor's curtilage resulting in the urbanisation of the countryside. The proposal is therefore unacceptable and contrary to policies S1, S8, D1 and H4 of the Maldon District Local Development Plan, policy HO.8 of the Burnham-on-Crouch Neighbourhood Development Plan and the guidance contained within the National Planning Policy Framework.

941. FUL/MAL/18/01479 - THE CLUBHOUSE, CORONATION ROAD, BURNHAM-ON-CROUCH, ESSEX, CM0 8HW

Application Number	FUL/MAL/18/01479
Location	The Clubhouse Coronation Road, Burnham-on-Crouch
Proposal	Proposed extensions, alterations and change of use of the former yacht club to a single dwelling house.
Applicant	Mr & Mrs R Taylor
Agent	Mr David Taylor- AFT Design
Target Decision Date	12.03.2019
Case Officer	Devan Lawson, Tel: 01621 875845
Parish	BURNHAM SOUTH
Reason for Referral to the Committee / Council	Member Call In by: Councillor R Pratt Reason: Public Interest

A Members' Update was submitted detailing comments from the Environment Agency and a summary of a further letter of support.

The Committee as a whole felt that this was a good use of the site and that going back to the original form would enhance the conservation area. It was noted that the club had struggled for years without success therefore there was no real loss of facilities. This option was really welcome as currently the building was an eyesore and this proposal would be a major improvement in the area.

The Chairman then requested from Members reasons for approval. It was agreed that this application be approved contrary to the Officer's recommendation, as it complied with policies S1, D1 and D3 of the Local Development Plan. Furthermore, the benefits to the conservation of the area in developing the site outweighed the harm outlined in the report. It was stressed that working in partnership with the Conservation Officer and setting the correct conditions around materials, joinery, windows etc. would be crucial to ensure a sympathetic result that blended with the area.

Councillor Pratt proposed that the application be approved contrary to the Officer's recommendation and this was seconded. The Chairman put the proposal, along with the conditions to approve to the Committee and it was agreed.

RESOLVED that the application be **APPROVED** subject to the conditions being finalised and agreed by both Officers and the Chairman following the meeting.

942. FUL/MAL/18/01502 - LAND ADJACENT TO 29, PIPPINS ROAD, BURNHAM-ON-CROUCH, ESSEX

Application Number	FUL/MAL/18/01502
Location	Land Adjacent to 29 Pippins Road, Burnham-on-Crouch
Proposal	Proposed development of 2No. three-bedroom houses.
Applicant	Mr I Walker – Bridgewicks Development Ltd
Agent	Mr Adam McLatchie – Front Architecture Ltd
Target Decision Date	12.03.2019
Case Officer	Devan Lawson, Tel: 01621 875845
Parish	BURNHAM NORTH
Reason for Referral to the Committee / Council	Departure from the Local Plan 2017

A Members' Update was submitted detailing comments from Burnham-on-Crouch Town Council.

A debate ensued regarding the street scene and the difference between new build and old. It was noted that given the approval of 75 houses in the area this application did not constitute harm. Members felt that given the surrounding completed development the Officer's recommendation to approve was correct.

Councillor Fluker proposed that given the size, scale and bulk of the design the application be refused contrary to the Officer's recommendation and this was duly seconded.

The Chairman put the proposal to the Committee and this was refused. The Chairman then put the Officer's recommendation to approve to the Committee and this was carried.

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: 001, 200 Rev A, 201 Rev B, 202 Rev B, 203 Rev A. Design and Access Statement 28.11.2018.
- 3 No development works above ground level shall take place until written details of the facing material to be used, including glazing, have been submitted to and approved in writing by the local planning authority. The works must then be carried out in accordance with the approved details.
- 4 No development work above ground level shall occur until a detailed Sustainable Urban Drainage Scheme as specified in the Essex Sustainable Drainage Systems Design Guide has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented prior to occupation of the development and should include and not be limited to:
 - Discharge rates/location
 - Storage volumes
 - Treatment requirement
 - Detailed drainage plan
 - A written report summarising the final strategy and highlighting any minor changes to the approved strategy

Where the surface water drainage strategy proposes the use of soakaways the details of the design and the results of a series of percolation tests carried out upon the subsoil in accordance with DG 365 2016. 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 discharging to a watercourse the proposed scheme shall include details of the destination and discharge rates equivalent to "greenfield runoff" up to and including a 1 in 100 year rainfall event inclusive of climate change. This is typically achieved by installing some form of attenuation on site e.g. temporary

storage. The rate should be restricted to the 1 in 1 greenfield rate or equivalent greenfield rates with long term storage (minimum rate 1l/s). If the land is designated as a Brownfield Site, it should aim to limit run-off for a storm event that has a 100% chance of occurring each year (1 in 1-year event) OR demonstrate 50% betterment of the current rates.

The applicant must demonstrate that the system is an appropriate point of discharge for the site. The discharge hierarchy should be used to determine discharge location. This is particularly important when considering greenfield development which may currently discharge to a sewer but may have the capacity to discharge to a watercourse or to the ground. If not, then further information/assessment will be required to determine the suitability of the system to convey the proposed flows and volumes of water. Evidence will be required that the development will not increase risk to others. If the proposed discharge point is outside the development site then the applicant will need to demonstrate that the necessary permissions and or agreements to achieve connection are possible.

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.

- 5 Prior to first occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, shall have been submitted to and agreed in writing, by the local planning authority. The development shall then be maintained in accordance with the approved details.
- 6 No development work above ground level shall occur until details of the foul drainage scheme to serve the development shall be 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.
- 7 Prior to the first occupation of the building hereby permitted, the first-floor window(s) in the east and west elevations shall be glazed with opaque glass and of a non- openable design with the exception of a top hung fanlight (which shall be at least 1.7m above internal floor level) and shall be retained as such thereafter.
- 8 Areas within the curtilage of the site for loading / unloading / reception and storage of building materials and maneuvering of all vehicles, including construction traffic shall be provided at all times during construction. These areas shall be kept clear of the highway.
- 9 The vehicular accesses as shown on planning drawing 200 Rev A shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the accesses at their junction with the highway shall be no wider than 5 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the highway verge and footway.
- 10 No unbound material shall be used in the surface treatment of the car parking areas.
- 11 There shall be no discharge of surface water from the development onto the Highway.
- 12 Prior to first occupation of the proposed dwellings the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. One pack per dwelling.

- 13 No dwelling shall be occupied until space has been laid out within the site in accordance with drawing no 200 Rev A for two cars to be parked and that space shall thereafter be kept available for the parking of vehicles in perpetuity
- 14 Details of the siting, height, design and materials of the treatment of all boundaries including gates, fences, walls, railings and piers shall be submitted to and approved in writing by the local planning authority prior to first use/occupation of the development hereby approved. The screening as approved shall be constructed prior to the first use/occupation of the development to which it relates and be retained as such thereafter.
- 15 Full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority prior to any works occurring above ground level at the application site. These details shall include, for example:
- i. Means of enclosure;
 - iii. Car parking layouts;
 - iv. Other vehicle and pedestrian access and circulation areas;
 - v. Hard surfacing materials;
 - vi. Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting);
 - vii. Proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc., indicating lines, manholes, supports);
 - viii. Retained historic landscape features and proposals for restoration, where relevant.

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the occupation of any part of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority (LPA). If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the LPA gives its written consent to any variation.

The hard landscape works shall be carried out as approved prior to the first use / occupation of the development hereby approved and retained and maintained as such thereafter.

943. HOUSE/MAL/19/00065 - FARCROFT, BURNHAM ROAD, LATCHINGDON, ESSEX, CM3 6HA

Application Number	HOUSE/MAL/19/00065
Location	Farcroft, Burnham Road, Latchingdon, Essex, CM3 6HA
Proposal	Retention of close boarded fence
Applicant	Mr G Carr
Agent	Sue Bell - Sue Bell Planning Consultant
Target Decision Date	15.03.2019
Case Officer	Nicola Ward
Parish	LATCHINGDON
Reason for Referral to the Committee / Council	Member Call In by Councillor M Helm Reason: Public Interest

A Members' Update was submitted detailing supportive comments from an additional letter received post publication of the report.

Following the Officer's presentation, Mr G Carr, the Applicant, addressed the Committee.

A debate ensued regarding the impact of this application, the fences on surrounding properties and safety issues. Members sympathised with the applicant, however, the negative impact of these high fences on the street scene was also noted. It was agreed that the development was not in keeping with the prevailing boundary treatment in the area and contrary to policies S1, S8 and D1 of the Maldon District Local Development Plan.

Councillor Fluker proposed that the application be refused in accordance with the Officer's recommendation and this was seconded.

The Chairman put the Officer's recommendation to the Committee and there being an equality of votes he exercised his casting vote in support of the Officer's recommendation to refuse.

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

- 1 It is considered that the development by reason of its height, length and prominent location has resulted in a dominating feature within the site. The development is considered not to be in keeping with the prevailing boundary treatment within the area and fails to contribute positively to the character and appearance of the area. Therefore, the development is contrary to policies S1, S8 and D1 of the approved Maldon District Local Development Plan, and guidance contained in the National Planning Policy Framework.

There being no further items of business the Chairman closed the meeting at 9.02 pm.

R P F DEWICK
CHAIRMAN