



**MINUTES of
SOUTH EASTERN AREA PLANNING COMMITTEE
28 OCTOBER 2020**

PRESENT

Chairman	Councillor
Vice-Chairman	Councillor
Councillors	M G Bassenger, B S Beale MBE, V J Bell, R G Boyce MBE, Mrs P A Channer, CC and A L Hull
In Attendance	Councillors E L Bamford, C Mayes and C Morris

1. CHAIRMAN'S NOTICES

The Chairman welcomed everyone to the remote meeting, held under new regulations which came into effect on 4 April 2020 in response to the COVID-19 pandemic. He took Members through some general housekeeping issues, together with the etiquette for the meeting and then asked Officers present to introduce themselves.

This was followed by a roll call of all Members present.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R P F Dewick, N Skeens and W Stamp.

3. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 30 September 2020 be approved and confirmed.

4. DISCLOSURE OF INTEREST

Councillor Mrs P A Channer, CC, disclosed a non-pecuniary interest in all items on the agenda as a member of Essex County Council, a consultee on highways, access, waste, education and all planning related matters.

It was noted that all Members had a non-pecuniary interest in Agenda Item 5 20/00733/FUL – Land Adjacent Orchard House, Nipsells Chase, Mayland as they knew the applicant, Mrs Kenny Paton.

5. **20/00733/FUL - LAND ADJACENT ORCHARD HOUSE, NIPSELLS CHASE, MAYLAND**

Application Number	20/00733/FUL
Location	Land Adjacent Orchard House, Nipsells Chase, Mayland
Proposal	An equestrian arena to ride in the wet winter months. The arena is to be made of an equestrian sand mix.
Applicant	Mr & Mrs Kenny Paton
Agent	N/A
Target Decision Date	24.11.2020
Case Officer	Louise Staplehurst
Parish	MAYLAND
Reason for Referral to the Committee / Council	Councillor Miss S White is co-applicant. Major application on site area

A Members' Update had been circulated prior to the meeting that provided further information on the design of the equestrian arena, representations from internal consultees, an amended condition 4 together with an amended informative.

Following the Officer's presentation, Mr Kenny Paton, the Applicant addressed the Committee. The Chairman then moved the Officer's recommendation that planning application 20/00733/FUL – Land adjacent Orchard House, Nipsells Chase, Mayland be approved subject to conditions as detailed in section 8 of the report. This was seconded by Councillor Mrs P A Channer, CC.

Councillor Channer then asked for reassurance that the drainage concerns raised by Mayland Parish Council had been addressed in the report and all drainage works would be completed. The Specialist: Development Management advised that a surface water drainage report had been submitted. In addition, Environmental Health had been consulted and were satisfied that all drainage was sufficient and there was a condition to ensure the work was carried out in accordance with those details.

There being no further discussion the Chairman put the Officer's recommendation of approval to the Committee and upon a vote being taken the application was approved.

RESOLVED that the application be **APPROVED** subject to amendments to condition 4 and the informative as per the Members' Update, together with 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) of The Town & Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in complete accordance with approved drawings: 1142/01 Rev A, Arena Site Plan, Arena Plan, Surface Water Drainage Strategy, Ecology Report
REASON To ensure the development is carried out in accordance with the details as approved.
3. The development hereby approved shall be carried out in accordance with the details specified in the application form/information provided.
REASON To ensure the external appearance of the development is appropriate to the locality in accordance with policy D1 of the approved Maldon District Local

Development Plan and the guidance contained in the Maldon District Design Guide SPD.

4. The boundary treatments surrounding the equestrian arena shall consist of a 1.6 metre high timber post and rail fence, as set out within the email referenced 'boundary treatment details' dated 26.10.2020 and as shown in the details submitted in the 'boundary treatment photo example'.

REASON To ensure the appearance of the boundary treatments are appropriate to the locality in accordance with policy D1 of the approved Maldon District Local Development Plan and the guidance contained in the Maldon District Design Guide SPD.

5. The development shall be carried out in accordance with the surface water drainage scheme, 'Surface Water Drainage Strategy' undertaken by Ambiental Environmental Assessment (reference: 5407 SWDS) and shall be retained as such thereafter.

REASON To avoid the risk of water flooding and pollution in accordance with policy D2 of the Maldon Local Development Plan (2017).

6. No floodlighting or other external form of illumination of the site shall be undertaken without the prior written approval of the local planning authority. Prior to the use of the development hereby permitted, details of any proposed floodlighting and all other external illumination of the site shall be submitted to and approved in writing by the local planning authority. All illumination within the site shall be retained in accordance with the approved details. There shall be no other lighting of the external areas of the site unless otherwise agreed in writing by the local planning authority.

REASON To protect residential amenity in compliance with the NPPF and policies D1 and H4 of the approved Local Development Plan and the guidance contained in the MDDG SPD.

7. There shall be no development, storage of materials, parking of vehicles / plant or other construction activities taking place within 15 metres of the trees on the site subject of Tree Preservation Order 4/18.

REASON To protect the trees subject to TPO 4/18 and in the interests of the visual amenity and the character of the area and for their biodiversity value in accordance with Policies D1 and N2 of the Maldon District Local Development Plan and the Maldon District Design Guide.

8. The public's rights and ease of passage over restricted byway number 17 in Mayland shall be maintained free and unobstructed at all times.

REASON To ensure the continued safe passage of the public on the definitive right of way and accessibility in accordance with policies T1 and T2 of the Maldon District Local Development Plan.

9. The development hereby approved shall not be used for business or commercial use including for the purposes of livery or any riding school activity.

REASON To protect the amenity and character of the area and the amenity of neighbouring occupiers, in accordance with policies S1, S8 and D1 of the LDP.

10. The proposed development shall be undertaken in accordance with the information and recommendations contained within the submitted ecology report dated 9th February 2020..

REASON To ensure appropriate protection of protected species is provided in accordance with the guidance of the National Planning Policy Framework and policy N2 of the approved Local Development Plan.

6. **20/00833/HOUSE- BEACHCREST, SEA VIEW PROMENADE, ST LAWRENCE, ESSEX, CM0 7NE**

Application Number	20/00833/HOUSE
Location	Beachcrest, Sea View Promenade, St Lawrence, Essex CM0 7NE
Proposal	Ground and first-floor extensions and formation of glazed Gambrel at first floor together with an extended roof terrace
Applicant	Mr & Mrs Gilly & Karl Terklesen
Agent	Mr Terry Hyland - Wood Architecture & Building
Target Decision Date	21.10.2020
Case Officer	Annie Keen
Parish	ST LAWRENCE
Reason for Referral to the Committee / Council	Member Call In – Councillor Mrs P A Channer Reason – Policy D1 – Design Quality and Built Environment (1a and 1b) and Policy S1 – Sustainable Development.

A Members' Update had been circulated prior to the meeting that detailed representations received from interested parties.

Following the Officer's presentation, the Agent, Mr Terry Hyland, addressed the Committee. The Chairman then moved the Officer's recommendation that planning application 20/00833/HOUSE- Beachcrest, Sea View Promenade, St Lawrence, Essex CM0 7NE be refused for the reasons as set out in section 8 of the report. This was seconded by Councillor R G Boyce, MBE.

Councillor Bassenger opened the discussion by saying that this was a great improvement on what was there at the moment and given the existing mix of styles would not be detrimental to the character of the area or the street scene. He felt the design was very attractive, the two buildings would benefit from the upgrade and proposed that the application be approved contrary to the Officer's recommendation for the aforementioned reasons.

Councillor Channer, having called -in the application, concurred with Councillor Bassenger. She had walked the area earlier to refresh her knowledge and noted the diverse mix of architecture and design, including different size balconies and windows. In response to a comment from the Lead Specialist: Development Management she agreed that the application was different to that previously refused in that it had been significantly altered and represented good design, in line with policies in the approved Local Development Plan (LDP). She was happy to second the proposal to approve and reasoned that the application complied with Policies D1 and H4 of the LDP.

There being no further discussion the Chairman put the Officer's recommendation to refuse the application to the Committee and upon a vote being taken it was lost. He then put Councillor Bassenger's proposal to approve the application, seconded by Councillor Channer to the Committee. Upon a vote being taken it was approved.

RESOLVED that the application be **APPROVED** subject to conditions delegated to the Lead Specialist Place. The conditions to be in line with those on approved application 20/00827/HOUSE.

7. ANY OTHER ITEMS OF BUSINESS THAT THE CHAIRMAN DECIDES ARE URGENT

Councillor Helm thanked the Committee for its support during his term as Chairman.

There being no further items of business the Chairman closed the meeting at 6.34 pm.

M W HELM
CHAIRMAN