



**MINUTES of
SOUTH EASTERN AREA PLANNING COMMITTEE
17 FEBRUARY 2021**

PRESENT

Chairman	Councillor N J Skeens
Vice-Chairman	Councillor V J Bell
Councillors	M G Bassenger, B S Beale MBE, R G Boyce MBE, Mrs P A Channer, CC, M W Helm and A L Hull
In Attendance	Councillors A S Fluker and C Morris

260. 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 the etiquette for the meeting and then asked Officers and Councillors in attendance to introduce themselves.

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

261. APOLOGIES FOR ABSENCE

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

262. MINUTES OF THE LAST MEETING

RESOLVED by assent that the Minutes of the meeting of the Committee held on 20 January 2021 be approved and confirmed.

263. 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.

Councillor A L Hull declared a pecuniary interest in Agenda Item 6 – 20/01166/FUL. Land South of Charwood and East of Orchard House, Stoney Hills, Burnham-on-Crouch and would leave the meeting for this item of business.

264. 20/00883/FUL - ANNLEY HOUSE, BURNHAM ROAD, LATCHINGDON

Application Number	20/00883/FUL
Location	Annley House, Burnham Road, Latchingdon
Proposal	Section 73A retrospective application for single storey extensions and outbuildings and alterations to hours / music at the site.
Applicant	Mr & Mrs Paul Likeman
Agent	Chris Cumbers - CBS Cumbers MCIAT
Target Decision Date	27.11.2020
Case Officer	Louise Staplehurst
Parish	LATCHINGDON
Reason for Referral to the Committee / Council	Member Call In Councillor Mark G Bassenger Reason: this is an existing business providing local employment, providing a service and promoting tourism – policies E1 and E5 of the Local Development Plan (LDP).

Following the Officer's presentation, the Applicant, Mrs Likeman, addressed the Committee. The Chairman then moved the recommendation that planning application 20/00883/FUL, Annley House, Burnham Road, Latchingdon be refused for the reasons as detailed in section 8 of the report.

Councillor Bassenger opened the discussion in support of the application. A lengthy debated ensued where the majority of Members supported the application noting it was a source of employment, provided a hub for the community and was well managed. It was acknowledged that ambient noise in the countryside could cause harm to the amenity of neighbours, especially in the summer when outside space was in use. However, it was also noted that the applicant had undertaken various sound level testing and measures had been put in place to reduce noise nuisance by keeping doors and windows closed and using air conditioning, together with screens to reduce noise when doors were opened to access the outside.

The issue of noise nuisance from public vacating the premises during the proposed opening hours was also discussed and it was suggested that, in line with advice from Environmental Health, opening times could be curtailed by conditions to mitigate these problems. Planning Officers advised that Members consider conditions that protected the amenity of adjoining residents in perpetuity. The Lead Specialist Place advised that, given there was real potential for harm to residential amenity in the district, the proposed opening times be amended to an earlier closing as time noise travels much further in the open countryside.

Councillor Bassenger, taking all the aforementioned into consideration, proposed that the application be approved contrary to the officer's recommendation. This was seconded by Councillor Helm.

The Chairman then put the Officer's recommendation of refusal to the Committee. Upon a vote being taken it was lost.

The Chairman, referring to Councillor Bassenger's duly seconded proposal to approve the application, called for reasons for approval. Councillor Bassenger said the reason the application should be approved was that the applicants had sufficiently mitigated against any noise impact resulting from the development and therefore the proposal would not result in undue harm to the amenity of neighbouring occupiers.

It was noted that due to the complexity of the conditions and the need to address the advice put forward by Environmental Health in the Officer's report the conditions be delegated to Officers in consultation with the Chairman.

The Chairman then put Councillor Bassenger's proposal to approve the application for the aforementioned reason to the Committee. Upon a vote being taken it was carried.

RESOLVED that the application be **APPROVED** with conditions delegated to Officers in consultation with the Chairman.

Councillor A L Hull left the meeting at this point and did not return.

265. 20/01166/FUL - LAND SOUTH OF CHARWOOD AND EAST OF ORCHARD HOUSE, STONEY HILLS, BURNHAM-ON-CROUCH

Application Number	20/01166/FUL
Location	Land South Of Charwood and East of Orchard House, Stoney Hills, Burnham-On-Crouch
Proposal	Construct cul-de-sac road with turning head and vehicular and pedestrian access off Stoney Hills, erect one detached bungalow and garage, lay out parking spaces and garden
Applicant	Mr Burrows - Virium Technology Limited
Agent	Mr Stewart Rowe - The Planning And Design Bureau Ltd
Target Decision Date	22.02.2021
Case Officer	Louise Staplehurst
Parish	BURNHAM NORTH
Reason for Referral to the Committee / Council	<p>Departure from the Local Plan 2017</p> <p>Member call in by Councillor Vanessa J Bell</p> <p>Reason: The proposed dwelling, as a result of its style, design and bulk, would result in a contrived and dominant development which would cause significant and undue harm to the character and the surrounding area. The proposal is contrary to policies S1, S2, D1 and H4 of the LDP. MDC has it's 5-year plus land supply. Overlooking loss of privacy to immediate property.</p> <p>This is an overdevelopment of the site having 53 houses already being approved on Stoney Hills, outside the NDP & LDP allocations. It is outside the development boundary.</p> <p>No difference to previous application.</p>

It was noted that a Members' Update had been circulated that detailed further objections to the application. Following the Officer's presentation, the Agent, Mr Rowe, and the Applicant, Mrs Yates addressed the Committee.

The Chairman then moved the Officer's recommendation that planning application 20/01166/FUL, Land South of Charwood and East of Orchard House, Stoney Hills, Burnham-on-Crouch be approved subject to a signed Unilateral Undertaking to confirm that the developer will contribute to Essex Coast RAMS and the conditions as detailed in Section 8 of the report. This was seconded by Councillor Helm.

Councillor Bell, having called in the application opened the debate by stating her objections. She said that the development represented serious loss of amenity and loss of privacy due to the proximity to Orchard House. She added that this was a clear case of over development, it did not meet the requirements of the Essex Design Guide and was not an acceptable development given the residents of Orchard House could no longer use certain areas of their home due to loss of privacy..

Councillor Channer sought clarification on the height of the new building and felt that 5.7 metres in relation to the boundary was quite high and a cause for concern. She had grave concerns around the design, orientation and proximity of the development which would cause demonstrable harm to the living conditions of the residents of Orchard House.

The Lead Specialist Place advised that design was subjective and a difficult position to take as a council. He said that as the development was for a bungalow it should not overlook the neighbouring property, that every application influenced someone and that Members, as decision-makers, needed to take into account material considerations..

The Chairman then put the Officer's recommendation of approval to the Committee. As a result of there being an equality of votes the Chairman used his casting vote and the Officer's recommendation was lost.

Councillor Bell proposed that the development be refused for the reason that the style, design and bulk would result in a contrived development that would cause significant harm to the amenity of neighbours and contravened policies S1,S2,D1 and H4 of the Local Development Plan. She clarified that she had taken these reasons from the agenda papers and that Burnham Town Council had refused the application for the same reasons. This was seconded by Councillor Bassenger and Councillor Channer added that the application would cause demonstrable harm to amenities and living conditions of Orchard House.

The Chairman put Councillor Bell's proposal to refuse the application to the committee. Upon a vote being taken the application was refused.

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

1. The proposed development, due to its style, design and bulk would result in a dominant and contrived development which would result in undue harm to the character and appearance of the surrounding area and the amenity of neighbouring sites, contrary to policies S1, S2, D1, H4 of the Maldon District Local Development Plan.
2. It is considered that the development would result in demonstrable harm to the residential amenity of the occupiers of the neighbouring dwelling to the west,

Orchard House, contrary to policies D1 and H4 of the Maldon District Local Development Plan.

266. 20/01188/FUL - STEEPLE BAY HOLIDAY PARK, CANNEY ROAD, STEEPLE

Application Number	20/01188/FUL
Location	Steeple Bay Holiday Park, Canney Road, Steeple
Proposal	Variation of condition 4 of approved planning permission FUL/MAL/18/00465 (Change of use of land to allow the occupation of holiday caravans between the 1st March and the 30th November (inclusive) in each year (resubmission of 17/01364/FUL) to allow occupation between 1st December 2020 and the end of February 2021.
Applicant	Park Holidays UK Ltd
Agent	Mr Ian Butter BSc FRICS MRTPI
Target Decision Date	05.03.2021
Case Officer	Julia Sargeant
Parish	STEEPLE
Reason for Referral to the Committee / Council	Major Application

It was noted that in accordance with the Members' Update circulated prior to the meeting that this application had been withdrawn by the Agent.

There being no further items of business the Chairman closed the meeting at 7.31 pm.

N J SKEENS
CHAIRMAN

This page is intentionally left blank