



**MINUTES of
SOUTH EASTERN AREA PLANNING COMMITTEE
14 APRIL 2021**

PRESENT

Chairman	Councillor N J Skeens
Vice-Chairman	Councillor V J Bell
Councillors	M G Bassenger, Mrs P A Channer, M W Helm, A L Hull and W Stamp, CC
In attendance	Councillor C Morris

365. 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 then asked all present to join him in a minute silence to mark the recent passing of His Royal Highness The Prince Philip, Duke of Edinburgh.

The Chairman then took Members through the etiquette for the meeting and asked Officers and Councillors in attendance to introduce themselves.

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

366. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R G Boyce, MBE and R P F Dewick.

367. MINUTES OF THE LAST MEETING

RESOLVED by assent that the Minutes of the meeting of the Committee held on 17 March 2021 be approved and confirmed.

368. DISCLOSURE OF INTEREST

Councillor N Skeens declared a non-pecuniary interest in Agenda Item 5 - 21/00088/FUL - Burnham Yacht Harbour, Foundry lane, Burnham-on-Crouch, as someone connected to the applicants had recently provided assistance to a charity of which he was a trustee. He advised that to avoid any semblance of favouritism in decision-making he would not partake in the debate or vote and he would hand over to the Vice-Chairman of the Committee, Councillor V J Bell to deal with this item of business.

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 M W Helm declared a pecuniary interest in Agenda Item - 6 21/00101/FUL - Land adjacent Hipseys Cottage, The Street, Steeple, as the applicant had undertaken repair works for him on several occasions. He advised he would leave the meeting for this item of business.

Councillor N J Skeens then vacated the chair and handed the business of the meeting over to Councillor V J Bell, the Vice-Chairman.

IN THE CHAIR: COUNCILLOR V J BELL

369. 21/00088/FUL - BURNHAM YACHT HARBOUR FOUNDRY LANE BURNHAM-ON-CROUCH

Application Number	21/00088/FUL
Location	Burnham Yacht Harbour, Foundry Lane, Burnham-on-Crouch
Proposal	Temporary permission for a single mobile home for security staff accommodation for a period of 18 months.
Applicant	Mr Richard Lingard – Burnham Yacht Harbour
Agent	Mr John James – John James Associates
Target Decision Date	16 April 2021
Case Officer	Hannah Dungate
Parish	BURNHAM SOUTH
Reason for Referral to the Committee / Council	Member Call In by Councillor V J Bell citing Policies RI.3 and RI.4 of the Burnham Development Plan

A Members' Update had been circulated prior to the meeting that detailed further representations from interested parties. Following the Officer's presentation, the Applicant, Mr Lingard, addressed the Committee.

A brief debate ensued where Members acknowledged the need for onsite security particularly in this location. At this point Councillor W Stamp declared a pecuniary interest in this item of business and left the meeting.

Councillor M W Helm then proposed that the application be approved contrary to the Officer's recommendation. This was seconded by Councillor A L Hull.

The Lead Specialist Place said that as an Authority the Council was sympathetic to the needs of businesses however it needed to be conscious of planning policies and previous decisions taken. He advised that arguments for security were very common particularly in such a rural area and should be resisted unless there was evidence of a particular need. Other ways of delivering this service should be sought prior to considering a permanent residential property onsite. Furthermore, this caravan was to allow for night-time cover which was already being delivered by a private company.

A discussion ensued around the concerns the Marina residents and Harbour Masters had with the private security company due to COVID. Some Members felt that COVID should not be a factor as lockdown was easing whilst others felt there was a need for continued precautionary measures. The Lead Specialist Place advised that if Members felt there was a continued concern in this regard they could look to granting a reduced period of permission from eighteen months to twelve.

Councillor M W Helm then put forward a revised proposal to approve the application contrary to the Officer's recommendation but for a period of twelve months as opposed to eighteen as outlined in the report. This was seconded by Councillor A L Hull. The reason for approval was that taking into account the exceptional circumstances at the site, there was an additional risk which outweighed the conflict with the policy.

The Chairman then put the revised proposal to approve the application to the Committee. Upon a vote being taken it was approved with conditions delegated to Officers in consultation with the Chairman.

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

Councillor V J Bell then vacated the chair and Councillor N J Skeens resumed his role as Chairman of the Committee.

IN THE CHAIR: COUNCILLOR N J SKEENS

At this point Councillor W Stamp returned to the meeting and Councillor M W Helm left the meeting for Item 6 as previously advised.

370. 21/00101/FUL - LAND ADJACENT HIPSEYS COTTAGE THE STREET STEEPLE

Application Number	21/00101/FUL
Location	Land Adjacent Hipseys Cottage The Street Steeple
Proposal	Construction of a new dwellinghouse.
Applicant	Mr Taylor
Agent	Mr Paul Lonergan - Paul Lonergan Architects
Target Decision Date	16.04.2021
Case Officer	Hannah Dungate
Parish	STEEPLE
Reason for Referral to the Committee / Council	Member Call In by Cllr P A Channer citing Policies S1, S8, D1 – Sustainable development, settlement boundaries and the countryside, design quality and environment.

Following the Officers' presentation, the Agent, Paul Lonergan, addressed the Committee.

A debate ensued where a number of issues were raised including comments from Essex Highways Authority (Essex Highways) regarding the parking arrangements, the need to consider the lifetime of a development, the Conservation Officer's comments and sustainability. Whilst Members had sympathy with the applicant it was unanimously agreed that the objection from Essex Highways, which was rare, was very significant in this instance and could not be ignored due to the detrimental impact on highway safety.

There being no further discussion the Chairman moved the Officer's recommendation to refuse the application and this was seconded by Councillor Bell.

He then put the recommendation to the Committee and it was agreed by assent.

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

- 1 The proposed development would be disconnected and isolated from services and facilities by reason of its unsustainable location and would provide poor quality and limited access to public transportation, resulting in an increased need of private vehicle ownership. The poor sustainability credentials of the site and its locality would significantly and demonstrably outweigh the benefits of the proposal. The development would therefore be unacceptable and contrary to policies S1, S8, D1, H4 and T2 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.
- 2 The proposed development, due to its design, layout and position, is considered to be a contrived form of development which would result in significant harm to the character and appearance of the streetscene and the neighbouring listed building, Hipseys Cottage. This harm would be exacerbated by the prominent location and visibility of the site from The Street, given the setback position of the neighbouring bungalows, which would visually compete with Hipseys Cottage. The proposal is therefore contrary to policies S1, D1, D3 and H4 of the Maldon District Local Development Plan and the guidance contained within the Maldon District Design Guide and the National Planning Policy Framework.
- 3 It is considered that, due to the lack of a turning area as a result of the contrived nature of the proposed development and tandem parking arrangement, this would lead to vehicles reversing with restricted visibility onto the busy carriageway of The Street which would lead to increased conflict and risk of collisions for both emerging and approaching vehicles, resulting in an unacceptable degree of hazard detrimental to the safety of all highway users. The proposal is therefore contrary to policies D1 and T2 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.
- 4 In the absence of a completed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, securing a necessary financial contribution towards Essex Coast Recreational disturbance Avoidance and Mitigation Strategy or an appropriate mitigation strategy to overcome the impacts of the development on the European Designated Nature Conservation Sites, the development would have an adverse impact on those European designated nature conservation sites, contrary to Policies S1, and I1 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.

N J SKEENS
CHAIRMAN