



**MINUTES of  
SOUTH EASTERN AREA PLANNING COMMITTEE  
23 JUNE 2021**

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**PRESENT**

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

**112. CHAIRMAN'S NOTICES**

The Chairman welcomed all present and took the Committee through some general housekeeping issues.

**113. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors R G Boyce and RP F Dewick.

**114. MINUTES OF THE LAST MEETING**

**RESOLVED**

- (i) that the Minutes of the meeting of the Committee held on 26 May 2021 be received.

**Minute No. 2 Apologies for Absence**

That Councillor Mrs P A Channer be added to this minute as she had tendered her apologies in advance of the meeting.

**RESOLVED**

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 26 May 2021 be confirmed.

**115. DISCLOSURE OF INTEREST**

Councillor W Stamp declared a non-pecuniary interest as a member of Essex County Council a statutory consultee on all planning related matters.

116. **20/00102/RES - GLEBE MEADOW, SOUTHMINSTER, ESSEX**

<b>Application Number</b>	<b>20/00102/RES</b>
<b>Location</b>	Glebe Meadow
<b>Proposal</b>	Reserved matters application for the approval of appearance, landscaping, layout on approved planning application OUT/MAL/16/00105 allowed on appeal APP/X1545/W/17/3167607 (Outline planning application for the provision of up to 13 dwellings, provision of public open space and a new vehicular
<b>Applicant</b>	Mr Paul Bartholomew – Benferri Developments Limited
<b>Agent</b>	Mr Steven McLean – McLean Architectural
<b>Target Decision Date</b>	25.06.2021
<b>Case Officer</b>	Louise Staplehurst
<b>Parish</b>	<b>SOUTHMINSTER</b>
<b>Reason for Referral to the Committee / Council</b>	Major Application Member Call In – Councillor A.S.Fluker Reason: Policy

Prior to the presentation the Officer verbally updated the Committee by confirming that the four affordable dwellings would be two bedroomed and not three as mentioned in the report and condition 2 had been updated as it referred to plans which have since been superseded. Following the Officer's presentation, the Chairman opened the debate.

A discussion ensued where concerns were raised around poor layout and design of the development, the materials used and the development access. The Lead Specialist Place advised that Planning Policy allowed for the current layout of affordable versus market housing as the development was for thirteen houses only. The mix of materials would apply to both affordable and market houses and the access was the same as discussed at appeal, where the Inspector had agreed the principle of thirteen houses erected on the site.

There being no counter proposal given the principle to erect the thirteen houses had already been established, the Chairman moved the Officer's recommendation to approve the application. This was seconded by Councillor Helm.

The Chairman then put the recommendation to approve to the Committee and it was agreed.

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

1. The development hereby permitted shall be begun before the expiration of two 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:
  - 1551/01
  - 1551/02
  - 1551/B1/02
  - 1551/D1/02
  - 1551/P/03
  - 1551/P/07
  - 1551/B1/01
  - 1551/C1/01
  - 1551/C1/02

- 1551/D1/01
  - 1551/DG/01
  - 1551/E1/01
  - 1551/E1/02
  - 1551/P/08
  - 1551/ST/01
  - 1551/P/02 REV B
  - 1551/P/04 REV A
  - 1551/P/05 REV A
  - 1551/P/06 REV A
  - MC/1604/20 REV A
  - 1551/HA/02 REV A
  - 1551/HA/01 REV A
  - 1551/HA/03 REV A
  - 2014-409-SC00 – location plan
  - Flood Risk Assessment
  - Expedited Phase 1 Habitat Survey
  - Landscape and Visual Impact Appraisal
  - Planning Statement
  - Design and Access Statement
  - Open space management plan and open space specification October 2020
  - Amenity areas management plan and amenity areas specification October 2020
  - Land registry documents (transfer of part of registered titles) – management company details
3. No development above ground level shall take place until written details and photographs or samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
  4. The car parking provision demonstrated on plan referenced 1551/P/02 shall be constructed, surfaced, laid out and made available for such purposes before the development is occupied and shall be retained as such thereafter.
  5. Prior to first occupation of the development hereby approved, the boundary treatment as shown on plan reference 1151/P/06 rev A shall be implemented and completed. Development shall be carried out in accordance with the approved details and retained as such thereafter.
  6. The hard and soft landscape works shall be carried out in accordance with the details contained within approved plan MC/1604/20 rev A and 1551/P/02 rev B, prior to the occupation of the dwellings.  
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 Local Planning Authority gives its written consent to any variation.
  7. The hard landscape works shall be carried out in accordance with the details contained within approved plan 1551/P/02 rev B, prior to the occupation of the dwellings.
  8. No development shall commence until information has been submitted and approved in writing by the local planning authority in accordance with the requirements of BS5837:2012 in relation to tree retention and protection as follows:
    - Tree survey detailing works required
    - Trees to be retained

- Tree retention protection plan
- Tree constraints plan
- Arboricultural implication assessment
- Arboricultural method statement (including drainage service runs and construction of hard surfaces)

The protective fencing and ground protection shall be retained until all equipment, machinery and surplus materials have been removed from the site. If within five years from the completion of the development an existing tree is removed, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement tree shall be planted within the site of such species and size and shall be planted at such time, as specified in writing by the local planning authority. The tree protection measures shall be carried out in accordance with the approved detail.

- Prior to their construction, full details of the sheds to be located in plots 9-12 shall be submitted and approved in writing by the local planning authority. The sheds shall be constructed prior to the first occupation of the dwellings hereby approved.
- Notwithstanding the provisions of Class A, B, C, D, and E of Part 1 of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no garages, extensions or separate buildings (except incidental outbuildings measuring 10 cubic metres or less) shall be erected within the site without planning permission having been obtained from the local planning authority.
- The garages hereby approved shall not be used other than for the accommodation of private motor vehicles or for any other purpose incidental to the enjoyment of the dwelling houses and shall not at any time be converted or used as habitable space / living accommodation.
- The vehicle access, turning areas and parking areas shall be laid out in accordance with plan 1551/P/02 rev B prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.
- The development shall be undertaken in accordance with the terms and specifications contained within the Landscape Specification and Management Plan (October 2020) and the Open Space Specification and Management Plan (October 2020) and the details of the Management Company (Land registry document 2021), which is attached to and forms part of this permission.
- The following first-floor windows shall be obscure glazed and non-openable, except for a top hung fanlight above 1.7m high from floor level.
  - Plot 1 – western flank upper floor window
  - Plot 3 – Southern flank upper floor window
  - Plot 4 - Southern flank upper floor window
  - Plot 5 - Southern flank upper floor window
  - Plot 6 - Southern flank upper floor window
  - Plot 7 - Southern flank upper floor window
  - Plot 8 - Northern flank upper floor window

**117. 20/01344/FUL - DENGIE PROJECT, KNIGHTSWOOD CENTRE, STEEPLE ROAD, SOUTHMINSTER, ESSEX**

<b>Application Number</b>	<b>20/01344/FUL</b>
<b>Location</b>	The Dengie Project Trust Knightswood Centre Steeple Road Southminster
<b>Proposal</b>	Conversion of 2No. existing buildings (previous use class C2) into 11 flats and 2 maisonettes and the construction of 3 new bungalows to rear.
<b>Applicant</b>	MSN Ventures Limited
<b>Agent</b>	Blaine McMahon - DAP Architecture

<b>Target Decision Date</b>	01.06.2021
<b>Case Officer</b>	Kathryn Mathews
<b>Parish</b>	<b>SOUTHMINSTER</b>
<b>Reason for Referral to the Committee / Council</b>	Major Application

At this point Councillors Mrs P A Channer, M W Helm and A L Hull declared a non-pecuniary interest in this item of business as they were acquainted with a member of the Dengie Project Trust.

Following the Officer's presentation, the Chairman, exercising her discretion as a result of extenuating circumstances, read out a submission from an Objector, Mr Newbury. She then opened the debate to Members.

A lengthy discussion ensued where Members raised concerns particularly around the urbanisation of the countryside, with specific emphasis on the inappropriate design of the proposed conversion, the additional strain this would cause to the local infrastructure and that it was unsustainable given the benefits did not outweigh the harm the development would cause.

Councillor Beale requested that a letter be sent to Essex County Council Highways outlining the Committee's concerns regarding Steeple Road. This was agreed by assent.

Councillor Stamp said that she would not be supporting the application and proposed that it be refused, contrary to the Officer's recommendation, for the reasons that it was harmful to the character and appearance of the rural area; encroaching on the countryside; it would increase demands on local infrastructure, it would not be a sustainable development and it was contrary to Policy H4. This was seconded by Councillor Skeens.

The Lead Specialist Place advised that Officers considered that there was an acceptable level of public services and that the development would not cause demonstrable harm. It was a material consideration that this site could lawfully be used for a residential type of use. There was a significant shortage of housing units and the government encouraged re-use of these types of brownfield sites for residential accommodation.

Further discussion followed regarding developments being proposed without commensurate increases in services. Members felt that whilst development was necessary it should be in appropriate locations and this site already contained an adequate amount of buildings.

The Chairman then moved to a vote on Councillor Stamp's proposal to refuse the application and Councillor Stamp requested a recorded vote which was duly seconded, the results of which were as follows:-

For the Recommendation to refuse

Councillors M G Bassenger, N Skeens and W Stamp

Against the recommendation to refuse

Councillors B S Beale and M W Helm

Abstentions

Councillors V J Bell, Mrs P A Channer and A L Hull.

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

1. The development would cause harm to the character and appearance of the rural area within which the site is located as a result of the urbanisation of the countryside location particularly due to the inappropriate design of the converted buildings, contrary to Policies S8, D1 and H4 of the approved Maldon District Local Development Plan and the NPPF.
2. The occupiers of the proposed residential units would increase the demand for local infrastructure with particular reference to education and GPs, contrary to Policy I1 of the approved Maldon District Local Development Plan.
3. The proposal does not constitute sustainable development as there would be no benefits which outweighed the harm the development would cause, contrary to Policy S1 of the approved Maldon District Local Development Plan and the NPPF.

**118. 21/00300/FUL - RESTAWYLE, FAMBRIDGE ROAD, ALTHORNE, ESSEX**

<b>Application Number</b>	<b>21/00300/FUL</b>
<b>Location</b>	Restawyle, Fambridge Road, Althorne Essex
<b>Proposal</b>	New 4No. bedroom bungalow. New front boundary wall and gate including soft and hard landscaping; proposed cladding and canopy to join shipping
<b>Applicant</b>	Mr & Mrs Danielle and Paul Beney
<b>Agent</b>	Mr Alan Green – A9 Architecture
<b>Target Decision Date</b>	25 June 2021
<b>Case Officer</b>	Hannah Dungate
<b>Parish</b>	<b>ALTHORNE</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call-in by Councillor M.G.Bassenger citing Policies S1 and D1

Following the Officer's presentation, the Chairman opened the debate.

In response to a query regarding a lawful development certificate and residential planning on the site Officers advised that in 1994 a lawful development certificate was granted for seasonal occupation of the site together with a mobile home. All mobile homes were deemed caravans under the Caravan Act therefore not permanent residential occupation. The applicant had not applied since for a lawful development certificate and there was no established permanent residence since 1994. It was further noted that there were no facilities on the site.

The consensus was that the Officer's recommendation of refusal was correct. The Chairman then put the Officer's recommendation, seconded by Councillor Helm, 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 from services and facilities by reason of its inaccessible location and would provide poor quality and limited access to public transportation, resulting in an increased need of private vehicle ownership. The limited sustainability credentials of the site and its locality would significantly and demonstrably outweigh any 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 and layout, would result a substantial urbanisation of this rural site which is would result in significant harm and detract from the character and appearance of the countryside. The proposal is therefore contrary to policies S1, D1 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 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 NPPF.

The meeting closed at 9.08 pm.

V J BELL  
CHAIRMAN

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