



**MINUTES of
SOUTH EASTERN AREA PLANNING COMMITTEE
15 FEBRUARY 2023**

PRESENT

Chairman	Councillor R P F Dewick
Vice-Chairman	Councillor A S Fluker
Councillors	M G Bassenger, V J Bell, Mrs P A Channer, M W Helm, A L Hull, N J Skeens and W Stamp, CC

1. CHAIRMAN'S NOTICES

The Chairman welcomed everyone present and went over some general housekeeping arrangements for the meeting. He then made Members aware of the recent passing of former Maldon District Councillor Helen Elliot and a moments silence was observed

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors B S Beale MBE and R G Boyce MBE.

3. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 18 January 2023 be approved and confirmed.

4. DISCLOSURE OF INTEREST

The Chairman disclosed that all Members have a Registrable Interest as 'Members of a body exercising business of a public nature' in respect to Agenda Item 5 however, all Members also have a dispensation as resolved by Council on 3 November 2022 and can partake in the debate and vote on the item.

Councillor A L Hull declared a non registrable interest in respect to Agenda Item 6 22/00535/FUL - The Hawthorns, Scalby Road, Southminster, CM0 7BP, as she was acquainted with the applicant.

5. **19/00929/FUL - DOCK, THE QUAY, BURNHAM-ON-CROUCH, ESSEX**

Application Number	19/00929/FUL
Location	Dock, The Quay, Burnham-On-Crouch, Essex
Proposal	Removal of various structures and construction of access deck, handrails and jetty to access new access bridge and floating pontoon with support piles to serve 4 no. new houseboat berths with associated mains services to shoreside.
Applicant	Maldon District Council
Agent	John James Associates
Target Decision Date	17.03.2020
Case Officer	Kathryn Mathews
Parish	BURNHAM-ON-CROUCH
Reason for Referral to the Committee / Council	Council application relating to Council owned land

During the debate that ensued and in response to questions raised the Specialist: Development Management (L2) provided further clarification regarding off street parking. Concerns were raised by some Members in relation to the number of houseboats and the length of the floating pontoon proposed.

Councillor M W Helm proposed that the application be approved, in accordance with the Officer's recommendation, and this was duly seconded.

In accordance with Procedure Rule No. 13 (3) Councillor M G Bassenger requested a recorded vote. The Chairman put this to the Committee and the voting was as follows:

For the recommendation:

Councillors Mrs P A Channer, R P F Dewick, A S Fluker, M W Helm and A L Hull

Against the recommendation:

Councillors M G Bassenger, V J Bell, W Stamp, CC

Abstention:

Councillor N J Skeens

As a result, the recommendation was duly agreed.

RESOLVED that the application be **APPROVED** subject to the following conditions: Pre-commencement conditions are recommended, and the applicant/agent has been written to advise of the intention to use these conditions. If no response is received or no objection raised to the conditions within 10 days, the Local Planning Authority is able to impose the suggested conditions. The recommended below is made on the assumption that agreement is gained.

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:
 - Drawing Number 1905/02rev.B: Block Plan & Existing Site Layout

- Drawing Number 1905/03rev.B: Block Plan & Proposed Site Layout
 - Drawing Number 1905/04rev.A: Proposed Elevations & Cross Section.
 - Updated Preliminary Ecological Appraisal Report (December 2021)
 - Habitat Regulations Assessment Screening Report (October 2021)
 - Ecological Statement (July 2022)
 - Outline Method Statement (November 2021)
 - Flood Risk Assessment (December 2019)
3. No development shall take place unless details of flood resilience and resistance measures to be incorporated into the development and measures to secure houseboats to ensure they do not become floating debris have been submitted to and approved in writing by the local planning authority. The development shall be carried-out in accordance with the approved details and retained as such thereafter.
 4. No vessel shall be moored within the site unless a Flood Warning and Evacuation Plan has been submitted to and approved in writing by the local planning authority. The use of the site shall be carried-out in accordance with the approved Plan, thereafter.
 5. The public's rights and ease of passage over public footpath 11 (Burnham on Crouch) shall be maintained free and unobstructed at all times
 6. Details of all means of artificial lighting to be used within the site and measures to minimise light spillage shall be submitted to and approved in writing by the local planning authority prior to any houseboat being occupied. The development shall be carried out only in accordance with the approved details and no other forms of artificial lighting shall be used within the site thereafter.
 7. Details of the scale, form, materials and finishes of all houseboats to be moored within the site shall be submitted to and approved in writing by Maldon District Council prior to them being moored within the site. The houseboats shall be retained in accordance with the approved details thereafter
 8. Houseboats shall be removed from the site within one month if they subsequently sink, become unfit for habitation, derelict or otherwise abandoned, in compliance with Policy H8.
 9. No more than four boats shall be moored within the application site at any one time.
 10. No boat moored within the site shall measure more than 20 metres in length.
 11. Any houseboat occupying the site shall be and remain navigable and shall be moveable under its own power at all times.
 12. No foul drainage from the houseboats moored within the site shall discharge into the River Crouch.
 13. No development shall take place until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The CEMP shall include the following measures:

- Toolbox talks by an ecologist to help inform construction workers and site personnel of the importance of the designated habitats and species, habitats and their sensitivities, as well as all required actions by staff. The toolbox talk will also appraise site workers of biosecurity procedures, including an overview of the identification of priority non-native species.
- All wastes to be stored in designated areas that are isolated from surface water drains, open water, and are banded to contain any spillage, or releases.
- No waste concrete slurry/wash water from concrete or cement works will be discharged into the marine environment, particularly from the boat to be utilised for piling.
- For fuel spillages, run off and other potential pollution incidents which have the potential to impact on habitats including offsite watercourses, appropriate equipment such as spill kits containing absorbent material will be available to site operatives and site operatives shall be trained in the use of these spill kits. All reagents and chemicals will be clearly signed and appropriately stored, contained and banded.
- Any coatings/treatments utilised have to be suitable for use in the marine environment and are to be used in accordance with best environmental practice.
- The floating jetty will be anchored by three steel piles driven by a floating pontoon mounted crane of minimum size required for the complete installation using either a hydraulic or pneumatic pile driver applying a soft start technique.
- The piles, access bridge and pontoon sections will be delivered by road to an offsite yard or wharf location and stored there until required. When required, they will be picked up by barge as needed and tides allow. Piles will be positioned by engineer viewing and giving instruction from shore by radio.
- The pontoon can be craned or floated into position.
- The access bridge will be connected to the jetty via flexible bolted connections. The bridge will be mounted directly onto the floating pontoon sections secured by the pre-driven piles.
- Works will likely take around two weeks to complete, with piling likely to be undertaken over one or two working days (dependent on weather and tide windows).
- Measures to prevent 'biofouling' through a biosecurity plan. Scheme activities which risk introducing or spreading non-native species will be identified. Biosecurity measures will include following a check, clean and dry procedure where working on The Estuary. Boat users and staff will be required to sign in and out, confirming that they have cleaned and inspected all their equipment. All clothing and equipment will be thoroughly inspected and any visible debris (mud, plant or animal matter) will be removed and left at the water body where it was found. Particular attention will be paid to seams and seals of boots and waders. Any pockets of pooled water will be emptied. Equipment will be hosed down or pressure- washed on site. If facilities are not available then equipment will be carefully contained, e.g. in plastic bags, until they can be found. Washings will be left at the water body where the equipment was used, or contained and not allowed to enter any other watercourse or drainage system (i.e. not put down the drain or sink). Where possible, clean equipment should be dipped in disinfectant solution (e.g. Virkon) to kill

diseases, but note this is unlikely to kill non-native species. Thoroughly drying is the best method for disinfecting clothing and equipment. Water-cooled engines must be washed thoroughly with tap water to ensure the system does not harbour non- native species. Boots and nets should be hung-up to dry. Equipment should be thoroughly dry for 48 hours before it is used elsewhere. Some non-native species can survive for as many as 15 days in damp conditions and up to 2 days in dry conditions, so the drying process must be thorough. Biofouling will be thoroughly removed from all hulls and other submerged surfaces before transfer to another site.

- No emptying of the bilge pump to occur into the River Crouch.
- A contingency plan will be put in place if the presence or spread of non-native species is linked to the works.
- Details of surface water drainage during construction.

The approved CEMP shall be adhered to and implemented throughout the construction period.

14. No floodlighting or other external form of illumination of the site shall be provided, including during construction.
15. No houseboat shall be occupied until details of measures to avoid light spill onto habitats have been submitted to and approved in writing by the local planning authority. Any lighting required for security/safety will use sensor activated lamps of no more than 2000 lumens (150 Watts) and only low wattage lamps (<70W) shall be used.
16. Construction works shoreward of the flood defences shall not be undertaken during the overwintering period (1st October to second week of April).
17. All enhancement measures shall be carried out in accordance with the details contained in the Updated Preliminary Ecological Appraisal Report (December 2021) prior to the occupation of any houseboat within the site and retained as approved thereafter.

At this point Councillor N J Skeens left the meeting and did not return.

6. **22/00535/FUL - THE HAWTHORNS, SCALBY ROAD, SOUTHMINSTER, CM0 7BP**

Application Number	22/00535/FUL
Location	The Hawthorns, Scalby Road, Southminster, CM0 7BP
Proposal	Material change of use of land to the south of the existing site 'The Hawthorns' and siting of an additional mobile home for permanent residential occupation with associated access gateway, driveway and hardstanding, grassed amenity area and boundary fencing and landscaping.
Applicant	Mr Michael Pilkington
Agent	Mr John James - John James Associates
Target Decision Date	07.06.2022
Case Officer	Jonathan Doe
Parish	SOUTHMINSTER
Reason for Referral to the Committee / Council	Departure from the Local Plan 2017

Following the Officer's presentation, the Chairman asked Officers to confirm that the application wasn't for an ancillary to the mobile home already situated at The

Hawthorns and that it would be a separate unit of accommodation. The Development Management Team Leader (Senior Specialist Coordinator) confirmed that the application was for a separate self-contained dwelling. The Chairman then opened the discussion.

A brief debate ensued around the conditions in the report and members sought clarity if the application was for a separate or ancillary dwelling, also how this would add to the current housing stock. Officer's reassured Members that the application was for a separate self-contained dwelling and made Members aware that the unit would add to the housing stock by being a place for a family to live.

Council A S Fluker proposed that the application be approved in accordance with the Officers' recommendation and this was seconded. The Chairman put the proposal 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 three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in complete accordance with approved drawings: JJA/2102 Site location plan; 2102/04 Block plan & site layout plan; Covering letter from agent; Ecological Walkover Report by James Blake Associates dated 2022.
- 3 A scheme of mitigation and enhancement measures and/or works for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme of mitigation and enhancement measures and/or works for biodiversity shall be carried out in accordance with the approved details prior to first occupation of the mobile home hereby permitted to be stationed at the site and retained in perpetuity.
- 4 The mobile home hereby permitted to be stationed on the site shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as The Hawthorns. The site shall not be occupied by a person other than the son or daughter-in-law of Mr Michael Pilkington (senior) or any resident dependent of the son or daughter-in-law of Mr Michael Pilkington (senior).
- 5 Other than the mobile home hereby permitted to be stationed at the site, no caravan, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended shall be stationed on the site at any time.
- 6 No vehicle over 3.5 tonnes shall be stationed, parked or stored at the site.
- 7 No commercial activity shall take place on the land, including the storage of materials.
- 8 Prior to the commencement of the development details of the surface water 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. The scheme shall ensure that for a minimum: 1) The development should be able to manage water on site for 1 in 100 year events plus 40% climate change allowance. 2) Run-off from a greenfield site for all storm events that have a 100% chance of occurring each year (1 in 1 year event) inclusive of climate change should be no higher than 10/l/s and no lower than 1/l/s. The rate should be restricted to the 1 in 1 greenfield rate or equivalent greenfield rates with long term storage (minimum rate 1l/s) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield) 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.

- 9 Prior to the commencement of the development details of the foul drainage scheme to serve the development shall have been submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the mobile home hereby permitted to be stationed on the site.

7. 22/01180/FUL - MAPLEDEAN PIG FARM, MAPLEDEAN CHASE, MUNDON

Application Number	22/01180/FUL
Location	Mapledean Pig Farm, Mapledean Chase, Mundon.
Proposal	Construction of a chalet bungalow.
Applicant	Mr and Miss Dean Cardy & Leah Foss.
Agent	Mr Anthony Cussen – Cussen Construction Consultant.
Target Decision Date	01.03.2023
Parish	Mundon
Case Officer	Lisa Greenwood
Reason for Referral to the Committee/ Council	Called in by Councillor A S Fluker, with regard to Policy D1.

It was noted from the Members' Update that this application had been **WITHDRAWN** due to information received confirming that the applicant wished to withdraw the planning application.

The meeting closed at 8.29 pm.

R P F DEWICK
CHAIRMAN