



**MINUTES of
SOUTH EASTERN AREA PLANNING COMMITTEE
26 JUNE 2024**

PRESENT

Chairperson	Councillor V J Bell
Vice-Chairperson	Councillor A Fittock
Councillors	M G Bassenger, A S Fluker, L J Haywood, M G Neall, R G Pratt and U C G Siddall-Norman

136. CHAIRPERSON'S NOTICES

The Chairperson welcomed everyone to the meeting and went through some general housekeeping arrangements for the meeting.

137. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D O Bown, W J Laybourn and W Stamp.

138. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 23 May 2024 be approved and confirmed.

139. DISCLOSURE OF INTEREST

There were none.

140. 23/00070/OUT - LAND AT SILVER LAKE, SOUTHMINSTER ROAD, ASHELDHAM

Application Number	23/00070/OUT
Location	Land At Silver Lake, Southminster Road, Asheldham
Proposal	Outline planning permission with all matters reserved for the erection of a 3 bed bungalow.
Applicant	Mrs Lisa Brown
Agent	-
Target Decision Date	03.07.2024
Case Officer	Hayley Sadler
Parish	ASHELDHAM
Reason for Referral to the Committee / Council	Member Call In – Councillor A S Fluker has called in the application for the following policy reasons: LDP policy D1 (Design Quality and Built Environment) and S1 (Sustainable Development)

Following the Officer's presentation, Councillor A S Fluker sought clarity as to whether the proposal was detrimental to the intrinsic character and openness of the countryside and the designated wildlife site it would be located in or not having regard to the text of the final 'Summary' slide contained in the Officer presentation. Officers confirmed that there had been a typographical error and that the text of the first bullet point should have read *'It is considered that the proposal would be detrimental to the intrinsic character and openness of the countryside and the designated wildlife site it would be located within'*. Officers went on to add that Officer presentations are for Members' information and do not form part of the actual Committee report within the published Agenda that was in the public domain and distributed to Members. The Applicant, Mrs Brown then addressed the Committee.

A debate ensued where Members discussed the proposed development site including recent and historic planning appeals in Asheldham and the nearby area.

Councillor Fluker considered the development was in a sustainable location and didn't have an impact to the surrounding street scene. He then proposed to approve the application contrary to the Officer's recommendation and if the proposal was approved then a condition be added to ensure that the applicant screened the property from the surroundings of the site. This was duly seconded by Councillor M G Neall.

In response to points made in the earlier discussion regarding recent and historic planning appeals in Asheldham, the Team Manager-Development Management, Planning & Implementation, made Members aware of the following information:

- Paragraph 5.1.16 of the Officer's report wherein there was an appeal decision for two dwellings on the land north of Willow Grove in Mundon where the Inspector found this to be unsustainable despite being adjacent to various forms of built development, including housing and in close proximity to bus stops.
- Within the last few weeks there had been an appeal decision for five houses in Vicarage Road Tillingham immediately adjacent to the village boundary which had been dismissed as the Inspector stressed the importance of adhering to the policies and strategy set out within the Local Development Plan (LDP).
- Members will also recall that this Committee refused another application which was on the south side of Tillingham for a scheme that included affordable housing. In that case Officers did feel it was acceptable, however, Members agreed that there should be adherence to the LDP.

Following a further short debate, the Chairperson put the proposal of Councillor Fluker to the Committee. In accordance with Procedure Rule No. 13 (3) Councillor A S Fluker requested a recorded vote. This was duly seconded and the voting was as follows:

For the recommendation:

Councillors A S Fluker, L J Haywood and M G Neall.

Against the recommendation:

Councillors M G Bassenger, A Fittock, R G Pratt and U C G Siddall-Norman.

Abstention:

Councillor V J Bell.

The Chairperson advised that the recommendation of approval was therefore not agreed.

The Chairperson moved the Officer's recommendation of refusal as set out in the report, which was duly seconded. In accordance with Procedure Rule No. 13 (3) Councillor A S Fluker requested a recorded vote. This was duly seconded and the voting was as follows:

For the recommendation:

Councillors M G Bassenger, A Fittock, R G Pratt and U C G Siddall-Norman.

Against the recommendation:

Councillors A S Fluker, L J Haywood and M G Neall.

Abstention:

Councillor V J Bell.

The Chairperson advised that the recommendation of refusal was therefore agreed.

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

- 1 The application site lies outside of the defined settlement boundaries where policies of restraint apply, and the proposed development would be detrimental to the intrinsic character and openness of the countryside and the designated wildlife site it would be located within. The Council can demonstrate a five year housing land supply to accord with the requirements of the National Planning Policy Framework. The site has not been identified by the Council for development to meet future needs for the District and does not fall within either a Garden Suburb or Strategic Allocation for growth identified within the Maldon District Local Development Plan to meet the objectively assessed needs for housing and employment in the District. The development is therefore contrary to Policies S1, S2 and S8 of the Maldon District Local Development Plan (2017)
- 2 The proposed development would be out of keeping with the rural character of the area and would cause harm to the intrinsic character and beauty of the open countryside, in particular the established character of Silver Lake itself, due to the introduction of built form and associated changes such as the provision of a vehicular access and introduction of residential paraphernalia. This is contrary to Policies S1, S8, and D1 of the Maldon District Local Development Plan (2017), the Maldon District Design Guide (2017) and the policies and guidance in the National Planning Policy Framework.
- 3 The site is situated outside of the defined development boundary and is in open countryside. Future occupants of the proposed dwelling would therefore be heavily reliant on the use of the car to gain access to everyday services and facilities, and the proposal therefore does not provide a sustainable form of development. The proposal is therefore contrary to policies S1, S8, D1, H4, T1 and T2 of the Maldon District Local Development Plan (2017), the Maldon District Design Guide (2017) and the policies and guidance in the National Planning Policy Framework (2023).

There being no other items of business the Chairperson closed the meeting at 8.05 pm.

V J BELL
CHAIRPERSON