



**MINUTES of
SOUTH EASTERN AREA PLANNING COMMITTEE
24 JULY 2024**

PRESENT

Chairperson	Councillor V J Bell
Vice-Chairperson	Councillor A Fittock
Councillors	M G Bassenger, D O Bown, A S Fluker, L J Haywood, W J Laybourn, M G Neall, U C G Siddall-Norman and W Stamp, CC

210. CHAIRPERSON'S NOTICES

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

211. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor R G Pratt.

212. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 26 June 2024 be approved and confirmed.

213. DISCLOSURE OF INTEREST

There were none.

214. 24/00405/FULM - LAND AT STEEPLE ROAD AND MILL ROAD, MAYLAND

Application Number	24/00405/FULM
Location	Land at Junction of Steeple Road and Mill Road, Mayland
Proposal	Demolition of existing buildings/structures. The construction of 57 new homes, including 27 affordable housing units, the creation of a new access, and associated landscaping, car and cycle parking and refuse and recycling provision.
Applicant	Mr Liam Mcnamara – Savannah Properties
Agent	Mr Richard Quelch - Q Square Group Ltd
Target Decision Date	21.08.2024
Case Officer	Fiona Bradley
Parish	MAYLAND
Reason for Referral to the Committee / Council	Member Call In – Councillor A S Fluker – Policies S1, S3, S7, S8, D1, H1, H2, H4, H5 Departure from the local plan Major Application

It was noted that a Members' Update had been circulated prior to the meeting advising that additional representation had been received from Interested Parties.

The Principal Planning Officer gave Members a verbal update regarding responses that had been received from the Education Authority, Ecology Consultant, and the Lead Local Flood Authority (LLFA). She made Members aware that as a result of the response from the LLFA an additional reason for refusal would need to be added to the recommendation. Following the Officer's presentation, in response to a request from Councillor A S Fluker, with the permission of the Chairperson, the Head of Service: Development Management & Building Control read out a statement sent to Members earlier that day in response to an email that had been sent to Members from the Agent, Mr Leigh on the evening of 23 July. Following this an Objector, Mr Joynes and the Agent, Mr Leigh addressed the Committee. The Chairperson then opened the floor for debate.

A debate ensued where Members discussed the reason for call in, the need for affordable housing, the proposed layout of the site and the proposed density of dwellings per hectare. Councillor A Fittock felt that there were overwhelming reasons why the Committee should support the Officer's recommendation and then proposed the application be refused in accordance with the Officer's recommendation. This was duly seconded.

The Chairperson put Councillor Fittock's proposal to the Committee and at that point, in accordance with Procedure Rule No. 13 (3), Councillor M G Bassenger requested a recorded vote. This was duly seconded.

Following a short discussion, the Chairperson put the proposal of Councillor Fittock including the aforementioned additional reason of refusal as a result of the response from the LLFA to the Committee and the voting was as follows:

For the recommendation:

M G Bassenger, V J Bell, D O Bown, A Fittock, A S Fluker, L J Haywood, W J Laybourn, M G Neall, U C G Siddall-Norman, W Stamp.

Against the recommendation: None.

Abstention: None.

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

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

- 1 The proposal would introduce residential development beyond a settlement boundary where the principle of the proposed development is not supported as development plan policies seek to protect the intrinsic character and beauty of the countryside. The site is not in a sustainable location as the majority of journeys to and from the site would be reliant of travel by private car. The benefits identified, most notably the over provision of affordable housing, do not outweigh the adverse impacts of the development. Accordingly, the proposal would conflict with the development plan's spatial framework contrary to Policies S1, S2 and S8 of the approved Maldon District Local Development Plan and guidance in the National Planning Policy Framework.
- 2 The proposed development, due to its scale, design, poor connectivity and layout is not in keeping with the local context and the development does not achieve high quality design. Furthermore, the under provision of private amenity space, car parking, and public open space results in over development of the site. The proposal is contrary to Policies S1, D1 and H4 of the approved Maldon District Local Development Plan, the Maldon District Design Guide SPD, the

vehicle Parking Standards SPD and guidance in the National Planning Policy Framework.

- 3 The application fails to include insufficient information in order to accurately assess the landscape and visual impacts of the proposed development. There is potential for loss of trees and hedges surrounding the site to make provision for the footway to the front of the site, dwellings and rear gardens. The proposal is contrary to Policies S1, S8 and D1 of the approved Maldon District Local Development Plan and guidance in the National Planning Policy Framework
- 4 The proposed development, due to the under provision of private amenity space for many plots and the overbearing sense of enclosure of gardens adjacent to the site's boundaries due to the height and proximity of the existing boundary vegetation, would result in poor living conditions for occupants. The proposal is contrary to Policy D1 of the approved Maldon District Local Development Plan, the Maldon District Design Guide SPD and guidance in the National Planning Policy Framework.
- 5 The proposal fails to provide sufficient onsite parking spaces and visitor parking spaces. This would result in indiscriminate parking across the site and surrounding area where on-street parking is very limited. The proposal is contrary to Policies D1, H4 and T2 of the approved Maldon District Local Development Plan, the Vehicle Parking Standards SPD of the local planning authority and guidance in the National Planning Policy Framework.
- 6 The application includes insufficient ecological information to assess the impact of the proposed development on protected and Priority species. In addition, habitat degradation has occurred on the site and there is missing, and insufficient information submitted in relation to mandatory biodiversity net gain. The proposal is contrary to Policies S1, D1, N1 and N2 of the approved Maldon District Local Development Plan and guidance in the National Planning Policy Framework.
- 7 In the absence of a completed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 the proposal fails to:-
 - include adequate provision to secure the delivery of affordable housing to meet the identified need in the locality, address the Council's strategic objectives on affordable housing, and supporting a mixed and balanced community, contrary to Policies S1, H1 and I1 of the approved Maldon District Local Development Plan and guidance in the National Planning Policy Framework;
 - secure the necessary contribution towards healthcare provision, such that the impact of the development cannot be mitigated, contrary to Policies S1 and I1 of the approved Maldon District Local Development Plan and guidance in the National Planning Policy Framework;
 - secure the necessary contribution towards education provision, such that the impact of the development cannot be mitigated, contrary to Policies S1 and I1 of the approved Maldon District Local Development Plan and guidance in the National Planning Policy Framework;
 - secure 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, and the development would thereby have an adverse impact on those European designated nature conservation sites, contrary to Policies S1, D1, N1, N2 and I1 of the approved Maldon District Local Development Plan, the Essex Coast Recreational disturbance Avoidance Mitigation Strategy SPD, and guidance in the National Planning Policy Framework.
- 8 The application includes insufficient information to demonstrate that the proposal would be acceptable in terms of flood risk and how it will maximise opportunities to reduce the causes and impacts of flooding through appropriate

measures such as sustainable drainage systems. The proposal is contrary to Policies D2 and D5 of the approved Maldon District Local Development Plan and the guidance within the National Planning Policy Framework.

215. ANY OTHER ITEMS OF BUSINESS THAT THE CHAIRPERSON OF THE COMMITTEE DECIDES ARE URGENT

The Chairperson aired concerns around the promises made by the new Government of more development and stressed to Members the importance that the Local Development Plan played in Local Government.

Councillor Fluker asked the Chairperson if it would be possible for meetings of the Committee to start at 7pm. The Chairperson confirmed this could be discussed at the next meeting of the Committee.

There being no other items of business the Chairperson closed the meeting at 8.25 pm.

V J BELL
CHAIRPERSON