



MALDON DISTRICT COUNCIL

Annex 1

Welcome, Emma Foy

Section 1

1 2 3 4

1. YOUR DETAILS

Please provide us with your name and contact details

Title

Please Select ... ☒ COUNCILLOR @ MDC

First Name *

BRIAN

Please enter your first name

Last Name *

BEALG

Please enter your surname

Address *

4 DEVONSHIRE ROAD
SOUTHMINSTER
ESSEX

Please enter your address

Telephone

Daytime

01621 772806

Evening

Mobile

E-mail Address

Your address and contact details will not usually be released unless necessary or to deal with your complaint. However, we will tell the following people that you have made this complaint:

The Councillors(s) you are complaining about;
The parish or town clerk.

We will tell them your name and give them a summary of your complaint. We will give them full details of your complaint where necessary or appropriate to be able to deal with it. If you have serious concerns about your name and a summary, or details of your complaint being released, please complete Section 3 of this form.

Please tell us which complainant type best describes you: *

- ☐ Member of the public
- ☒ An elected or co-opted Councillor of an Authority
- ☐ An independent Member of the Standards Committee
- ☐ Member of Parliament
- ☐ Local authority Monitoring Officer
- ☐ Other Council Officer or authority employee
- ☐ Other

You must enter a value for this field

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Page 1 of 2.

- Please provide us with details of your complaint

As a member of MDC South Eastern Area Planning I was present (6th November 2017) at Burnham on Crouch and had on our agenda an item for an application for a new house (17/01010).

At that meeting we heard the officer Mr Matt Leigh outline the application & Cllr Dewick (Chairman of SE Planning) asked if there were any representations to be heard about the application. Miss Tara Bird (Committee Clerk) stated a Councillor Paul Burgess of Althorne P/C wished to speak against the application. (He is the Chairman of Althorne P/C)

We heard his presentation which covered many points which committee members noted prior to making a decision. - to defer the application to clarify bus frequencies & service to that area.

Since that meeting I found Cllr P Burgess did not have the prior approval of Althorne P/C to represent them at the meeting & the reasons put forward by him had not been authorised by Althorne P/C.

At the meeting on 4 December 2017 at the same venue the application (which had been deferred) was reheard.

Prior to the meeting Mr Paul Burgess stated as a resident of Althorne he wished to speak against it. He was told by the clerk Miss Tara Bird that it was too late to be a speaker against the application as he had not notified MDC (Miss T. Bird) of his intentions. So said he will be a

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MALDON DISTRICT COUNCIL

Welcome, Emma Foy

Section 2

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2. MAKING YOUR COMPLAINT

Please see the "Procedure for making a complaint against a Councillor for Breaching of the Local Code of Conduct" available on the Maldon District Council Website before completing

What is the name of the Councillors(s) you believe have breached the Code of Conduct and the name of their authority?

Title COUNCILLOR
First Name
Last Name *

Please enter the Councillors surname

Council/Authority
Name

Please explain what the Councillor has done that you believe breaches the Code of Conduct. If you are complaining about more than one Councillor, you should clearly state what each individual person has done that you believe breaches the Code of Conduct.

It is important that you provide all information you wish to have taken into account by the Standards Sub-Committee when it decides whether to take any action on your complaint. For example;

- You should be specific (wherever possible) about exactly what you are alleging the Councillor said or did. For instance, instead of writing that the Councillor insulted you, you should state what it was they said;
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide the exact dates, it is important to give a general timeframe;
- You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible;
- You should provide any relevant background information.

(Page 2)

Speaker using his position as Althorne Parish Council
Chairman.

He addressed the committee in that capacity.

Later during the meeting before a decision was made
(See tape recording of the meeting) I queried the credibility
of MR Paul Burgess to use his position ~~as~~ Chairman to
even be addressing our meeting & his credibility to act in that matter.
He put forward reasons that had not in their entirety
been endorsed by Althorne P/C (I note had Althorne P/C
minute) at their meeting to allow him to use his position to speak.

To ensure fairness at our Planning Meetings I wish to
have assurance that what is put forward by Parish Council representative
is authentic & truthful for our debate.

I feel Mr Paul Burgess has abused his position as
Chairman of Althorne P/C and made personal opinions rather than
authenticated representational views of Althorne P/C.

 MBE

District Councillor
Maldon District Council
08-12-17



Annex 2

MALDON DISTRICT COUNCIL

Welcome, Emma Foy

Section 1

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1. YOUR DETAILS

Please provide us with your name and contact details

Title

Please Select ... ☒

CHUR MRS

First Name *

BEVERLEY

Please enter your first name

Last Name *

ACEVEDO

Please enter your surname

Address *

FIDDLERS REST
THE ENDWAY
ALTHORNE
ESSEX CM3 6DU

Please enter your address

Telephone

Daytime

Evening

Mobile

E-mail Address

01621 774340

Your address and contact details will not usually be released unless necessary or to deal with your complaint. However, we will tell the following people that you have made this complaint:

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- ☐ An independent Member of the Standards Committee
- ☐ Member of Parliament
- ☐ Local authority Monitoring Officer
- ☐ Other Council Officer or authority employee
- ☐ Other

You must enter a value for this field

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MALDON DISTRICT COUNCIL

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Title ☒ Parish Councillor
First Name
Last Name *

Please enter the Councillors surname

Council/Authority
Name

Please explain what the Councillor has done that you believe breaches the Code of Conduct. If you are complaining about more than one Councillor, you should clearly state what each individual person has done that you believe breaches the Code of Conduct.

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- You should provide the dates of the alleged incidents wherever possible. If you cannot provide the exact dates, it is important to give a general timeframe;
- You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible;
- You should provide any relevant background information.

Please provide
us with details of
your complaint

ON MONDAY 6TH NOVEMBER 2017, MR PAUL BURGESS WHO IS CHAIRMAN OF ALTHORPE PARISH COUNCIL SPOKE AGAINST MY PLANNING APPLICATION AT THE S.E PLANNING COMMITTEE MEETING AS CHAIR OF ALTHORPE PARISH, REPRESENTING THE PARISH COUNCIL WITHOUT AUTHORITY FROM THE COUNCIL. THE PARISH COUNCIL HAD VOTED AGAINST THE APPLICATION BECAUSE IT WAS OUTSIDE OF THE VILLAGE BOUNDARY BUT WHEN MR BURGESS SPOKE HE ADDED OTHER REASONS (PERSONAL) FOR REFUSAL. APP N° 17/01010 THE APPLICATION ON THAT DAY WAS DEFERRED.

IT WAS BROUGHT TO THE ATTENTION OF THE CLERK AT ALTHORPE PARISH COUNCIL ~~THE~~ JOANNA JEFFREY'S THAT PAUL BURGESS HAD BREACHED THE CODE OF CONDUCT IN RESPECT OF THIS APPLICATION SO MRS JEFFREY'S SPOKE TO SALEEM AS MONITORING OFFICER WHO ADVISED HER TO TELL PAUL BURGESS THAT HE WAS IN BREACH OF THE CODE OF CONDUCT AND THAT HE HAD NOT HAD PERMISSION TO SPEAK AS A REPRESENTATIVE OF THE COUNCIL WHICH SHE DID IN THE PRESENCE OF ANOTHER COUNCILLOR. SHE ALSO TOLD HIM THAT IF HE WISHED TO SPEAK AGAINST THE APPLICATION WHEN IT WENT TO COMMITTEE ON 4TH DECEMBER 2017, HE COULD ONLY DO SO AS A PARISHIONER AND NOT REPRESENTING THE COUNCIL.

ON 4TH DECEMBER 2017, MR PAUL BURGESS WAS AT S.E PLANNING AND PRIOR TO THE MEETING I HEARD HIM SPEAK TO THE CLERK TARA BIRD. HE TOLD TARA HE WISHED TO SPEAK AGAINST APP N° 17/01010 AS A PARISHIONER. MRS BIRD TOLD HIM HE COULD ONLY DO THAT IF HE HAD PREVIOUSLY SENT IN A LETTER AGAINST THE APPLICATION. HE TOLD HER THAT HE HAD NOT. HE THEN SAID "WELL IN THAT CASE I WILL SPEAK ON BEHALF OF ALTHORPE PARISH" TARA BIRD ASKED HIM IF HE HAD AUTHORITY TO DO SO AND HE SAID YES.

I LEFT THE ROOM WHEN MY APPLICATION WAS DISCUSSED AND VOTED ON, BUT I UNDERSTAND THAT PAUL BURGESS AGAIN SPOKE AGAINST MY APPLICATION WITH OUT AUTHORITY FROM THE PARISH AS A REPRESENTATIVE OF THE PARISH SO UNFAIRLY INFLUENCED THE COMMITTEE, HE AGAIN ADDED HIS PERSONAL REASONS FOR REFUSAL AND NOT THAT OF THE PARISH OF ALTHORPE. MY APPLICATION WAS REFUSED AND I BELIEVE IT COULD HAVE BEEN BECAUSE OF PAUL BURGESS

INFLUENCE ON THE COMMITTEE.
I BELIEVE MR PAUL BURGESS HAS ABUSED HIS POSITION AND IN BREACH OF THE CODE OF CONDUCT.

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8/12/2017





MALDON DISTRICT COUNCIL

Welcome, Emma Foy

Section 3

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3. ONLY COMPLETE THIS SECTION IF YOU ARE REQUESTING THAT YOUR IDENTITY IS KEPT CONFIDENTIAL

In the interests of fairness and natural justice, we believe Councillors who are complained about have a right to know who has made the complaint. We also believe they have a right to be provided with a summary of the complaint. We also believe they have a right to be provided with a summary of the complaint. We are unlikely to withhold your identity or the details of your complaint unless you have good reason to believe that the Councillor should not be informed of those details, e.g. you have good grounds to believe that the Councillor is likely to intimidate you.

Please note that requests for confidentiality or requests for suppression of complaint details will not automatically be granted. The Standards Sub-Committee will consider request alongside the substance of your complaint. We will then contact you with the decision. If your request for confidentiality is not granted, we will usually allow you the option of withdrawing your complaint.

However, it is important to understand that, in certain exceptional circumstances where the matter complained about is very serious, we can proceed with an investigation or other action and disclose your name even if you have expressly asked us not to.

Please provide us with details of why you believe we should withhold your name and/or details of your complaint:

N/A.

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MALDON DISTRICT COUNCIL

Princes Road, Maldon, Essex CM9 5DL

TEL 01621 854477 FAX 01621 852575 EMAIL dc.planning@maldon.gov.uk



Annex (3)

Application for Planning Permission. Town and Country Planning Act 1990

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

1. Applicant Name, Address and Contact Details

Title:	<input type="text" value="Mr & Mrs"/>	First Name:	<input type="text"/>	Surname:	<input type="text" value="Acevedo"/>
Company name:	<input type="text"/>				
Street address:	<input type="text" value="Fiddlers Rest, The Endway"/>				
	<input type="text" value="Althorne"/>				
	<input type="text"/>				
Telephone number:	<input type="text"/>				
Mobile number:	<input type="text"/>				
Town/City:	<input type="text" value="Chelmsford"/>				
Fax number:	<input type="text"/>				
Country:	<input type="text" value="Essex"/>				
Email address:	<input type="text"/>				
Postcode:	<input type="text" value="CM3 6DU"/>				
Are you an agent acting on behalf of the applicant?					
<input checked="" type="radio"/> Yes <input type="radio"/> No					

2. Agent Name, Address and Contact Details

Title:	<input type="text" value="Mrs"/>	First Name:	<input type="text" value="Lynne"/>	Surname:	<input type="text" value="Fornieles"/>
Company name:	<input type="text" value="Febo Designs"/>				
Street address:	<input type="text" value="1 Foxcombe Cottages"/>				
	<input type="text" value="South Harting"/>				
	<input type="text"/>				
Telephone number:	<input type="text" value="01730826688"/>				
Mobile number:	<input type="text"/>				
Town/City:	<input type="text" value="Petersfield"/>				
Fax number:	<input type="text"/>				
Country:	<input type="text" value="United Kingdom"/>				
Email address:	<input type="text" value="febodesigns@btinternet.com"/>				
Postcode:	<input type="text" value="GU31 5PL"/>				

3. Description of the Proposal

Please describe the proposed development including any change of use:

Has the building, work or change of use already started? ☐ Yes ☒ No

4. Site Address Details

Full postal address of the site (including full postcode where available)

House: Suffix:

House name:

Street address:

Town/City:

Postcode:

Description of location or a grid reference
(must be completed if postcode is not known):

Easting:

Northing:

Description:

5. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

☒ Yes ☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title: First name: Surname:

Reference:

Date (DD/MM/YYYY): (Must be pre-application submission)

Details of the pre-application advice received:

6. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicle access proposed to or from the public highway?

☐ Yes ☒ No

Is a new or altered pedestrian access proposed to or from the public highway?

☐ Yes ☒ No

Are there any new public roads to be provided within the site?

☐ Yes ☒ No

Are there any new public rights of way to be provided within or adjacent to the site?

☐ Yes ☒ No

Do the proposals require any diversions/extinguishments and/or creation of rights of way?

☐ Yes ☒ No

7. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste?

☒ Yes ☐ No

If Yes, please provide details:

Have arrangements been made for the separate storage and collection of recyclable waste?

☒ Yes ☐ No

If Yes, please provide details:

8. Authority Employee/Member

With respect to the Authority, I am:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

Do any of these statements apply to you?

☒ Yes ☐ No

If Yes, please provide details of the name, relationship and role:

Cllr Beverley Acevedo is my cousin.

9. Materials

Please state what materials (including type, colour and name) are to be used externally (if applicable):

Boundary Treatments - description:

Description of *existing* materials and finishes:

Existing fences include rural post and rail and a side strip of close boarded fencing and hedge

Description of *proposed* materials and finishes:

The only new boundary will be a strip of post and rail fencing to divide the new dwelling from Fiddler's Rest

Roof - description:

Description of *existing* materials and finishes:

Slate tiles on Fiddler's Rest

Description of *proposed* materials and finishes:

Similar slate tiles are proposed on new dwelling

Vehicle Access - description:

Description of *existing* materials and finishes:

gravel

Description of *proposed* materials and finishes:

gravel

Walls - description:

Description of *existing* materials and finishes:

Combination of weatherboarding and render on Fiddler's Rest

Description of *proposed* materials and finishes:

The walls are to be a combination of rendered blockwork and white weather boarding

Windows - description:

Description of *existing* materials and finishes:

Description of *proposed* materials and finishes:

Painted softwood windows

Are you supplying additional information on submitted plan(s)/drawing(s)/design and access statement?

☒ Yes ☐ No

If Yes, please state references for the plan(s)/drawing(s)/design and access statement:

Design and Access Statement
Proposed Plans and Elevations
Location and Block Plan

10. Vehicle Parking

Please provide information on the existing and proposed number of on-site parking spaces:

Type of vehicle	Existing number of spaces	Total proposed (including spaces retained)	Difference in spaces
Cars	0	2	2
Cycle spaces	0	3	3
Motorcycles	0	1	1

11. Foul Sewage

Please state how foul sewage is to be disposed of:

Mains sewer	<input checked="" type="checkbox"/>	Package treatment plant	<input type="checkbox"/>	Unknown	<input type="checkbox"/>
Septic tank	<input type="checkbox"/>	Cess pit	<input type="checkbox"/>	Other	<input type="checkbox"/>

Are you proposing to connect to the existing drainage system? ☐ Yes ☐ No ☒ Unknown

12. Assessment of Flood Risk

Is the site within an area at risk of flooding? (Refer to the Environment Agency's Flood Map showing flood zones 2 and 3 and consult Environment Agency standing advice and your local planning authority requirements for information as necessary.)

☐ Yes ☒ No

If Yes, you will need to submit an appropriate flood risk assessment to consider the risk to the proposed site.

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)?

☐ Yes ☒ No

Will the proposal increase the flood risk elsewhere?

☐ Yes ☒ No

How will surface water be disposed of?

<input type="checkbox"/> Sustainable drainage system	<input type="checkbox"/> Main sewer	<input type="checkbox"/> Pond/lake
<input checked="" type="checkbox"/> Soakaway	<input type="checkbox"/> Existing watercourse	

13. Biodiversity and Geological Conservation

To assist in answering the following questions refer to the guidance notes for further information on when there is a reasonable likelihood that any important biodiversity or geological conservation features may be present or nearby and whether they are likely to be affected by your proposals.

Having referred to the guidance notes, is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, OR on land adjacent to or near the application site:

a) Protected and priority species

☒ Yes, on the development site ☐ Yes, on land adjacent to or near the proposed development ☒ No

b) Designated sites, important habitats or other biodiversity features

☐ Yes, on the development site ☐ Yes, on land adjacent to or near the proposed development ☒ No

c) Features of geological conservation importance

☒ Yes, on the development site ☐ Yes, on land adjacent to or near the proposed development ☒ No

14. Existing Use

Please describe the current use of the site:

Dwelling

Is the site currently vacant?

☐ Yes ☒ No

Does the proposal involve any of the following?

If yes, you will need to submit an appropriate contamination assessment with your application.

Land which is known to be contaminated?

☐ Yes ☒ No

Land where contamination is suspected for all or part of the site?

☐ Yes ☒ No

A proposed use that would be particularly vulnerable to the presence of contamination?

☐ Yes ☒ No

15. Trees and Hedges

Are there trees or hedges on the proposed development site?

☒ Yes ☐ No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character?

☐ Yes ☒ No

If Yes to either or both of the above, you may need to provide a full Tree Survey, at the discretion of your local planning authority. If a Tree Survey is required, this and the accompanying plan should be submitted alongside your application. Your local planning authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to design, demolition and construction - Recommendations'.

16. Trade Effluent

Does the proposal involve the need to dispose of trade effluents or waste?

☐ Yes ☒ No

17. Residential Units

Does your proposal include the gain or loss of residential units?

☒ Yes ☐ No

Market Housing - Proposed

	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses	0	0	0	1	0
Live-Work Units					
Sheltered Housing					
Unknown					

Proposed Market Housing Total

1

Market Housing - Existing

	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Existing Market Housing Total

Social Rented Housing - Proposed

	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Proposed Social Housing Total

Social Rented Housing - Existing

	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Existing Social Housing Total

Intermediate Housing - Proposed

	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Proposed Intermediate Housing Total

Intermediate Housing - Existing

	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Existing Intermediate Housing Total

17. Residential Units

Key Worker Housing - Proposed

	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Proposed Key Worker Housing Total

Overall Residential Unit Totals

Total proposed residential units	1
Total existing residential units	

Key Worker Housing - Existing

	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Existing Key Worker Housing Total

18. All Types of Development: Non-residential Floorspace

Does your proposal involve the loss, gain or change of use of non-residential floorspace?

☐ Yes ☒ No

19. Employment

No Employment details were submitted for this application

20. Hours of Opening

No Hours of Opening details were submitted for this application

21. Site Area

What is the site area?

1,496.00

sq.metres

22. Industrial or Commercial Processes and Machinery

Please describe the activities and processes which would be carried out on the site and the end products including plant, ventilation or air conditioning. Please include the type of machinery which may be installed on site:

Normal household appliances such as dishwasher and washing machines will be in use.

Is the proposal for a waste management development?

☐ Yes ☒ No

If this is a landfill application you will need to provide further information before your application can be determined. Your waste planning authority should make clear what information it requires on its website.

23. Hazardous Substances

Is any hazardous waste involved in the proposal?

☐ Yes ☒ No

A. Toxic substances

Amount held on site

Tonne(s)

23. Hazardous Substances

B. Highly reactive/explosive substances

Amount held on site

Tonne(s)

C. Flammable substances (unless specifically named in parts A and B)

Amount held on site

Tonne(s)

24. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

☒ Yes ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

☐ The agent ☒ The applicant ☐ Other person

25. Certificates (Certificate A)

Certificate of Ownership - Certificate A

Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/the applicant was the owner (owner is a person with a freehold interest or leasehold interest with at least 7 years left to run) of any part of the land to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding ("agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act).

Title: First name: Surname:

Person role: Declaration date: ☒ Declaration made

26. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.



Date

Response to Planning Applications to be determined by Maldon District Council



Response from: Althorne Parish Council _____

Planning Application Reference: FUL/Mal/17/01010 _____

Our views on the above application are:

Please tick the appropriate box

1. We recommend the granting of planning permission, for the reasons listed below:

☐

or

2. We recommend the refusal of planning permission, for the reasons listed below:

☐

Outside of the village envelope
Unsustainable

or

3i. We have no comment

☐

3ii. We raise no objection but wish to make the following comment:

☐

***Reasons for response (Please include the relevant policy in the Submission version of the Local Development Plan i.e. Policy D1 – Design Quality and built Environment, Policy S8 Settlement Boundaries and the Countryside)**

Signed: Joanna Jeffery Parish Clerk _____

Date: 19th October 2017 _____

Amex 5

Re 6 November 2017

Ref MAL/17/01010 Land Adjacent to fiddlers Rest the Endway, Althorne

This is a rehash of a previous application in 2012, which was refused by Maldon District Council. It went to Appeal, but was dismissed the Planning Inspectorate in 2013.

As the earlier application was made under the planning policies of the 2005 Local Replacement Plan it could be argued that the more simplified policies of the 2017 Local Development Plan may make the development permissible.

However, the Planning Inspectorate decision was made under the guidance of the National Planning Policy Framework. This was mandated by the 2011 Localism Act and remains the core planning guidance for local authorities. The Officer's Report details the NPPF and LDP policies opposing the application.

Althorne has approximately five recent decisions dismissing planning appeals on the grounds of a non-sustainable location and reference to the harm to the local rural environment.

As Chairman of the Parish Council I was unaware of the level of local support, until reviewing by the admirably brief template notes submitted. Never the less, I feel impelled to oppose this application. Support would overturn MDC and Planning Inspectorate decisions and open the floodgates to a backlog of developer proposals.

Your support will lead to refused applications being re-submitted, and new speculative proposals overwhelming the Planning Department and leading to unrestrained development in the District.

Althorne Parish Council opposes this application.

Annex 6

Re 4 December 2017

Ref MAL/17/01010 Land Adjacent to fiddlers Rest the Endway, Althorne

May I refer to the officer's report in Agenda Item No 5, paragraph 6.1.9. This states there is a limited service of 5/6 buses during the week along the Endway. At a recent Althorne parish council meeting I consulted with the Transport Representative, who is also a member of the Dengie Bus Users Group. He was of the opinion that there is no scheduled X31 bus service along the Endway.

This application, which was publicised in the Burnham Standard, because it fell outside Maldon LDP polices, is similar to a previous application made in 2012, which also was refused by Maldon District Council. It went to an Appeal, which was dismissed by the Planning Inspectorate in 2013.

The Planning Inspectorate decision was made under the guidance of the National Planning Policy Framework, mandated by the 2011 Localism Act. It remains the core local authority planning guidance and is the primary reference for the MDC Local Development Plan. The Officer's Report details the relevant NPPF and LDP policies for opposing this application.

Appendix 1 in his report lists over twenty recent planning applications in Althorne, virtually all of which were refused by MDC's Planning Department. Of those, ten went to Appeal and all were dismissed by the Inspectorate on the grounds of a non-sustainable location and reference to the harm to the local rural environment.

As a matter of principle you should not support for this application, which inevitably will lead to refused applications being resurrected and new speculative proposals being submitted, leading to unrestrained development in the District in opposition to LDP policies.

I urge you to refuse this application.

Comment

Dewick: the LDP is strangling the smaller villages due to a lack of rural housing allocation. Althorne is being throttled by MDC given the number of refused planning applications see Appendix 1.

We need to understand the definition of windfall allowances. This application did not qualify. The officer strongly defended the LDP and P Channer as chair of the Planning Committee felt obliged to oppose to protect the integrity of the LDP.

Vote: Boyce, Helm in favour; Channer and H & P Elliot opposed. Beale, Dewick, Fluker, Pratt and Pudney did not vote, but no abstentions recorded. Avcedo not present. Application refused on a simple majority.

