



Minutes of the meeting of the Development Management Committee held on 25 June 2024 when there were present:-

Chair: Cllr K Bowker
Vice-Chair: Cllr P Greig

Cllr M Cortes
Cllr G Howlett
Cllr J Huntman
Cllr D Jones

Cllr R Lillis
Cllr R Savage
Cllr G Watson

SUBSTITUTE MEMBERS

Cllr M Fuller - for Cllr C Sach

VISITING MEMBERS

Cllrs S Ainsley, T Copsey, M Dearson, L Dixon, A Edwards, W Gibson and D Macpherson.

APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr C Sach.

OFFICERS PRESENT

S Garner - Assistant Director, Development Services
S Worthington - Democratic Services Manager
D Bland - Legal Executive

PUBLIC SPEAKERS

R Albone
M Howard
Cllr A Edwards (Ward Member)

51 DECLARATIONS OF INTEREST

There were none.

52 MINUTES

The Minutes of the meeting held on 9 April 2024 were agreed as a correct record and signed by the Chair.

53 23/0241/OUT - LAND EAST OF CHASE MEWS, WEST OF NO. 310 THE CHASE AND NORTH OF THE CHASE, BENFLEET

The Committee considered an application for the erection of up to 47 dwellings including all associated works, including a new access onto The Chase (all matters reserved except for access).

It was noted that design and layout would be a matter for any forthcoming reserved matters planning application; this outline application related to the principle of the development and access only.

An addendum to the report included some late consultation responses from Essex Badger Protection Group and members of the public and a full ecology response from Place Services. It was further noted that, should the application be approved, it would be referred to the Secretary of State for approval, as it was contrary to the Development Plan in accordance with The Town and Country Planning (Consultation) (England) Direction 2021.

In response to a Member question as to why the risk to wildlife posed by the application was given limited weight, officers advised that satisfactory mitigation was proposed to protect badgers and other wildlife on site. It was further confirmed, in response to a supplementary question relating to the consultation response from the Essex Badger Protection Group, that condition 9 addressed this. Responding to a further question as to whether badgers would still be able to migrate east to west across the site, it was emphasised that such matters would be addressed by condition 9 and the detail of this would be included in any future reserved matters application which would determine the detailed layout and design of the site.

Officers advised, in response to a Member question relating to weighting of harm to the Green Belt that this was judged on the basis of the impact of the proposed development on the openness of the Green Belt; on whether the proposed development would result in increasing the unrestricted sprawl of large built up areas; would increase the likelihood of neighbouring towns merging into each other; would negatively impact on the setting and special character of historic towns; and would not have a positive impact on urban regeneration by encouraging the recycling of derelict and other urban land.

In response to a Member query as to whether Green Belt land had to be connected to other green areas and whether the public not being able to access Green Belt land meant the Green Belt land therefore ceased to act as Green Belt, officers confirmed that this was not the case.

Officers confirmed that references in paragraphs 11.64 and 11.65 of the report to the land being used for the keeping of horses were erroneous.

In response to a Member question as to what evidence existed that confirmed the reference in paragraph 11.31 of the report relating to acute housing shortage, officers advised that there had been an under delivery of new housing over a number of years; the standard methodology relating to councils having a 5-year housing supply was the most up to date information available which had been tested.

Officers confirmed, in response to a Member question as to whether there were different degradations of Green Belt land, that it was important to assess Green Belt land on an individual basis; in this particular case officers considered that a single field in the middle of surrounding urban development did not serve to prevent encroachment on the countryside.

Officers advised, in response to a Member enquiry relating to paragraph 11.79 of the report, that the Hart Road development would be visible from the site as it included elevations of up to 2½ storeys.

Responding to a Member question about the brook on site, officers advised that the site was not within a flood zone. Surface water was proposed to be stored in an attenuation pond; condition 12 addressed surface water on site. In response to a supplementary question as to whether the siting of this would be next to a proposed children's play area, officers emphasised that this was an outline application with indicative plans and the detail of this would be included in any future reserved matters application which would determine the detailed layout and design of the site..

In response to a Member question as to why substantial weight was given to affordable housing when the Housing Manager had stated that the housing proposed in the application wouldn't meet current housing needs, officers stated that the fact that 40% of the dwellings proposed on site would be affordable was what had been given considerable weight.

Officers confirmed that if the application was refused and appealed by the applicant, or recommended for approval, it could be determined by the Secretary of State.

Cllr K Bowker moved a Motion, seconded by Cllr P Greig, that the recommendation for approval, as set out in the officer report and in the addendum, be agreed.

During debate, Members queried why the Council had not conducted its own ecological study. Officers emphasised that qualified ecologists had looked at the application. Natural England would have to be satisfied that mitigation was satisfactory in respect of badgers on the site in order to issue a licence to the applicants.

Members expressed concern about the removal of an existing hedgerow at the southern end of the site. Officers confirmed that the hedge would have to be removed for the proposed access to be provided; however, this would have to be replaced with other landscaping as part of any proposed conditions.

Members were also concerned about the impact of the proposed development on GP services; officers advised that Appendix 1 to the report provided details of proposed Section 106 contributions. The NHS was consulted on the application and a contribution calculation had been made based on the number of new residents and the impact of the proposed development on existing health services.

Members reiterated concern that considerable weight was being given to the proposed contribution of 40% affordable housing within the application despite the Housing Department stating that the mix of affordable dwelling types proposed were not those currently needed. Officers emphasised that it was at the reserved matters stage that mix of dwellings would be finalised.

Members made reference to the tilted balance Green Belt argument and stated that in their view the weight being given to the provision of 40% affordable housing proposed within the application did not outweigh the harm to the Green Belt that the proposed development would cause, particularly on ecology, wildlife and nature. In Members' view the site acted as a buffer, protecting the Green Belt to the left and right.

The Motion was unanimously lost on a show of hands.

A Motion was moved by Cllr R Lillis and seconded by Cllr P Greig that the application should be refused on the grounds that the proposal constituted inappropriate development within the Green Belt and that there were no special circumstances that outweighed the harm caused by the proposed development to a site that served to restrict urban sprawl separating the settlements of Hadleigh and Thundersley. Furthermore, preservation of nature on the site was material that should be afforded great weight; the site acted as a buffer zone for ecology and wildlife.

A Motion without notice was moved by Cllr K Bowker, seconded by Cllr P Greig and unanimously approved by Members on a show of hands that the meeting should be extended for 30 minutes to allow time for the application to be determined.

The meeting was adjourned for 10 minutes.

During debate of the Motion, reference was made to the variety of wildlife present on site and to the fact that the badger sett was far larger than Members had anticipated. Members considered that the detrimental impact on wildlife that the proposed development would have was a material consideration that should be given great weight. It was further emphasised that the loss of this parcel of land would significantly reduce ecological

networks in that area and would result in increasing urban sprawl and eroding separation of the settlements of Hadleigh and Thundersley.

The Motion was unanimously approved on a show of hands.

Resolved

That the application be refused for the following reasons:-

- (1) The proposal represents inappropriate development in the Green Belt, as defined in the National Planning Policy Framework (NPPF). The development does not meet any of the exceptions set out within the NPPF and therefore the proposed development is contrary to Government advice and very special circumstances do not exist to outweigh the harm caused by development on a site which restricts urban sprawl and serves to separate the settlements of Hadleigh and Thundersley.
- (2) Preservation of nature on the site is a material consideration that should be given great weight and, in applying great weight, the harm to nature justifies the development not being granted. This Green Belt site acts as a buffer zone for ecology and wildlife and serves to preserve nature between Hadleigh and Thundersley.

The meeting closed at 9.17 pm.

Chair

Date

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