

APOLOGIES Committee Services
Tel. 01621 875791

Council Chamber 01621 859677

CHIEF EXECUTIVE'S OFFICE
CHIEF EXECUTIVE
Fiona Marshall

07 December 2016

Dear Councillor

You are summoned to attend the;


MEETING OF THE MALDON DISTRICT COUNCIL

on **THURSDAY 15 DECEMBER 2016 at 7.30 pm.**

in the Council Chamber. Maldon District Council Offices, Princes Road, Maldon.

A copy of the agenda is attached.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'F. R. Marshall', enclosed within a large, hand-drawn oval.

Chief Executive

THIS PAGE IS INTENTIONALLY BLANK



AGENDA COUNCIL

THURSDAY 15 DECEMBER 2016

1. Chairman's notices
2. Apologies for absence
3. **Minutes - 27 October 2016** (Pages 9 - 20)

To confirm the Minutes of the meeting of the Council held on 27 October 2016 (copy enclosed).

4. **Declarations of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, other Pecuniary Interests or Non-Pecuniary Interests relating to items of business on the agenda having regard to paragraphs 6 - 8 inclusive of the Code of Conduct for Members.

(Members are reminded that they are also required to disclose any such interests as soon as they become aware should the need arise throughout the meeting).

5. **Public Questions**

To receive questions from members of the public, of which prior notification in writing has been received (no later than noon on the Tuesday prior to the day of the meeting).

6. **Chairman's Announcements**

7. Questions in accordance with Procedure Rule 6 (3) of which notice has been given

8. **Recommendations of Committees for Decision by the Council** (Pages 21 - 68)

- (i) To consider the report of the Director of Resources (copy enclosed).

Please note: Where appropriate this report contains links to the relevant Committee agenda, reports and Minutes.

(ii) **Minutes of meetings of Committees**

To note that since the last meeting of the Council, up until Wednesday 7 December 2016 (Council agenda dispatch) the following Committees have met, and to receive any questions in accordance with Council and Committee Procedure Rule 6 (2).

Minutes reported to the last meeting and now published:

Overview and Scrutiny Committee	5 October
South Eastern Area Planning Committee	10 October

Community Services Committee*	11 October
Overview and Scrutiny Committee (acting as the Crime and Disorder Committee)	12 October
Appointments Committee	14 October

Minutes published:

Central Area Planning Committee	19 October
North Western Area Planning Committee	31 October
South Eastern Area Planning Committee	7 November
Planning and Licensing Committee**	17 November
Overview and Scrutiny Committee	23 November

Minutes NOT finalised for publication:

Community Services Committee	22 November
North Western Area Planning Committee	28 November
Finance and Corporate Services Committee**	29 November
South Eastern Area Planning Committee	5 December

* Please note that the these Minutes contain recommendations previously dealt with by the Council at its last meeting.

** Please see item (i) above as these Minutes contain recommendations to the Council.

9. **FUL/MAL/16/00872 - Topsail Charters Limited, Cooks Boatyard, The Hythe, Maldon** (Pages 69 - 86)

To determine the above planning application in the light of a recommendation from the Central Area Planning Committee held on 14 December 2016 (report Director of Planning and Regulatory Services enclosed).

10. **Schedule of Meetings 2017 / 18** (Pages 87 - 90)

To consider the report of the Chief Executive, (copy enclosed).

11. **Appointment of Independent Person(s)** (Pages 91 - 92)

To consider the report of the Monitoring Officer, (copy enclosed).

12. **Venue of Meetings of the South Eastern Area Planning Committee** (Pages 93 - 96)

To consider the report of the Interim Director of Resources, (copy enclosed).

13. **Proceeds of Crime Act 2002** (Pages 97 - 100)

To consider the report of the Chief Executive, (copy enclosed).

14. Questions to the Leader of the Council in accordance with Procedure Rule 1 (3) (m)

15. Business by reason of special circumstances considered by the Chairman to be urgent.

Note:

1. The Council operates a facility for public speaking. This will operate only in relation to the consideration and determination of planning applications under Agenda Item No. 9.
2. The Committee may hear from one objector, one supporter, a Parish / Town Council representative, and the applicant / agent. Please note that the opportunity to speak is afforded only to those having previously made previous written representation.
3. Anyone wishing to speak must notify the Committee Clerk or a Planning Officer between 7pm and 7.20pm prior to the start of the meeting.
4. For further information please ring 01621 875791 or 876232 or see the Council's website – www.maldon.gov.uk/committees

* Please note the list of related Background Papers attached to this agenda.

NOTICES**Sound Recording of Meeting**

Please note that the Council will be recording any part of this meeting held in open session for subsequent publication on the Council's website. At the start of the meeting an announcement will be made about the sound recording. Members of the public attending the meeting with a view to speaking are deemed to be giving permission to be included in the recording.

Fire

In event of a fire, a siren will sound. Please use the fire exits marked with the green running man. The fire assembly point is outside the main entrance to the Council Offices. Please gather there and await further instruction.

Health and Safety

Please be advised of the different levels of flooring within the Council Chamber. There are steps behind the main horseshoe as well as to the side of the room.

Closed-Circuit Television (CCTV)

Meetings held in the Council Chamber are being monitored and recorded by CCTV.

BACKGROUND PAPERS (FOR AGENDA ITEM 9)

The Background Papers listed below have been relied upon in the preparation of this report:

1. The current planning applications under consideration and related correspondence.
2. All third party representations and consultation replies received.
3. The following Statutory Plans and Supplementary Planning Guidance, together with relevant Government legislation, Circulars, Advice, Orders, Directions and Guidance:

Development Plans

- Maldon District Replacement Local Plan 2008 – Saved Policies
- Maldon District Local Development Plan 2014-2029 - submitted to the Secretary of State for Examination in Public on 25 April 2014 (as amended).

Legislation

- The Town and Country Planning Act 1990 (as amended)
- Planning (Listed Buildings and Conservation Areas) Act 1990
- Planning (Hazardous Substances) Act 1990
- The Planning and Compensation Act 1991 and The Planning and Compulsory Purchase Act 2004 (as amended)
- The Planning Act 2008
- The Town and Country Planning (General Permitted Development) Order 1995 (as amended)
- The Town and Country Planning (Development Management Procedure) (England) Order 2010
- The Town and Country Planning (Use Classes) Order 1987 (as amended)
- The Town and Country Planning (Control of Advertisements) (England) Regs 2007
- The Town and Country Planning (Environmental Impact Assessment) Regs 2011
- Localism Act 2011
- The Neighbourhood Planning (General) Regulations 2012
- The Town and Country Planning (Local Planning) (England) Regulations 2012
- Growth and Infrastructure Act 2013

Supplementary Planning Guidance and Other Advice

- i) Government policy and guidance
 - National Planning Policy Framework (NPPF) and Technical Guidance
 - Planning Practice Guidance (PPG)
 - Planning policy for traveler sites
 - Planning practice guidance for renewable and low carbon energy
 - Relevant government circulars
- ii) Essex County Council
 - Essex Design Guide 1997
- iii) Maldon District Council
 - Submission Local Development Plan (April 2014) (as amended)
 - Five Year Housing Land Supply Statement 2014/15
 - Planning Policy Advice Note v.4 (October 2015)
 - Infrastructure Delivery Plan (All versions, including update in Council's Hearing Statement)
 - Infrastructure Phasing Plan (January 2015)

- North Heybridge Garden Suburb Strategic Masterplan Framework - 2014
- South Maldon Garden Suburb Strategic Masterplan Framework - 2014
- Vehicle Parking Standards SPD - July 2006
- Accessibility to Buildings SPD – December 2006
- Children’s Play Spaces SPD – March 2006
- Sadd’s Wharf SPD – September 2007
- Heybridge Basin Timber Yard SPD – February 2007
- Developer Contributions Guide - 2010
- Affordable Housing Guide – June 2006
- Heybridge Basin Village Design Statement – November 2006
- Wickham Bishops Village Design Statement - 2010

Copies of all Background Papers are available for inspection at the Maldon District Council Offices, Princes Road, Maldon, Essex CM9 5DL during normal office hours