



**MINUTES of
PLANNING AND LICENSING COMMITTEE
2 MARCH 2017**

PRESENT

Vice-Chairman (in the Chair)	Councillor A K M St. Joseph
Councillors	E L Bamford, H M Bass, B S Beale MBE, R G Boyce MBE, CC, P G L Elliott, M S Heard, S J Savage and Mrs M E Thompson
Ex-Officio Non- Voting Member	Councillor M F L Durham
Substitute Member	Councillor Miss M R Lewis

1043. CHAIRMAN'S NOTICES (PLEASE SEE OVERLEAF)

The Chairman drew attention to the list of notices published on the back of the agenda.

1044. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Mrs P A Channer, CC. In accordance with notice duly given Councillor Miss M R Lewis was attending as a substitute for Councillor Channer.

1045. MINUTES OF THE LAST MEETING

RESOLVED:

- (i) that the Minutes of the meeting of the Committee held on 19 January 2017 be received.

Minute No. 885 – Minutes of the Last Meeting

Councillor S J Savage asked when the information regarding the Dawn Sailing Barge referred to in Minute 705 of the Minutes of 17 November 2016 would be provided. The Chief Executive confirmed that the Director of Customers and Community had been asked to provide this and it would be circulated soon.

Minute 893 – Proposal to Establish a Strategic Housing Board

Councillor Miss M R Lewis confirmed that it had been agreed that the Leader and Deputy Leader of the Council would be appointed to the Board, together with two Members from each of the programme Committees.

Minute 897 – Update on the Operation of the Burnham-on-Crouch Tourist Information Centre

Councillor Savage requested that for the sake of clarity the abbreviation BTIC be used for Burnham-on-Crouch Tourist Information Centre, so that it was not confused with the Maldon Tourist Information Centre.

Minute 903 – Review of Slipway and Launching Facility

Councillor Lewis requested that the Minute be redrafted to include more information. Members debated this and Councillor R G Boyce MBE, CC then proposed that the Minute remain as drafted. This was due to this agenda item being a Private and Confidential matter and that it was not appropriate for further information to be in the public domain. The proposal was seconded and upon a vote it was carried.

Councillor Lewis requested that her objection to this Minute be recorded.

RESOLVED:

- (ii) that the Minutes of the meeting of the Committee held on 19 January 2017 be confirmed.

1046. DISCLOSURE OF INTEREST

Councillor S J Savage disclosed a non-pecuniary interest in Agenda Item 12 – Response to Natural England – England Coastal Path, Maldon to Salcott Section as he lived in the vicinity of one of the areas. As there was no map he did not know the accuracy of this declaration and it may be altered when that item was discussed.

Councillor R G Boyce MBE, CC disclosed a non-pecuniary interest in Agenda Item 9 – Community Led Housing Programme as he was the Chairman of an Almshouse Trust.

Councillor Savage then declared that he would do the same in relation to Agenda Item 9 – Community Led Housing Programme – as he was also a Member of an Almshouse Trust.

1047. PUBLIC PARTICIPATION

No requests had been received.

1048. FUL/MAL/16/01419 AND LBC/MAL/1420 VAULTY MANOR, GOLDHANGER ROAD, HEYBRIDGE

The Committee considered the report of the Interim Head of Planning Services and determined the following planning application, having taken into account all representations and consultation replies received.

Application Number	FUL/MAL/16/01419
Location	Vaulty Manor Goldhanger Road Heybridge Essex
Proposal	Wedding gazebo within the enclosed garden of Vaulty Manor
Applicant	Mr Colin Downie - Osea Leisure Park
Agent	Geoffrey Vale - Geoffrey Vale Chartered Architect
Date Valid	6 December 2016
Target Decision Date	7 March 2017
Case Officer	Yee Cheung, TEL: 01621 876220
Parish	GOLDHANGER
Reason for Referral to the Committee / Council	The planning application and Listed Building Consent both fall under the parishes of Goldhanger and Heybridge and therefore would need to be considered by Members at the North Western Area Planning Committee and Central Area Planning Committee.

Application Number	LBC/MAL/16/01420
Location	Vaulty Manor Goldhanger Road Heybridge Essex
Proposal	Wedding gazebo within the enclosed garden of Vaulty Manor
Applicant	Mr Colin Downie - Osea Leisure Park
Agent	Geoffrey Vale - Geoffrey Vale Chartered Architect
Date Valid	6 December 2016
Target Decision Date	31 January 2017
Case Officer	Yee Cheung, TEL: 01621 876220
Parish	GOLDHANGER
Reason for Referral to the Committee / Council	As above.

Following the presentation of the report, the Interim Head of Planning Services advised that this application had been recommended for approval by both the North Western Area Planning Committee and the Central Area Planning Committee and was being brought to the Planning and Licensing Committee for determination. The Interim Head of Planning Services recommended that Condition 4 of FUL/MAL/16/01419 be deleted.

RESOLVED that this application be **APPROVED** subject to the following conditions:

FUL/MAL/16/01419:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.
- 3 No development shall take place until written details or samples of all materials to be used in the construction of the external surfaces of the development hereby

permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the materials and details as approved.

LBC/MAL/16/01420:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.

1049. DENGIE GATEWAY PROJECT UPDATE

The Public Relations and Dengie Gateway Project Officer gave a presentation to the Committee outlining the Dengie Gateway Project and the areas that this encompasses. He drew attention to the following:

- That improvements to the social media profile had already been made;
- There were new websites for both tourism and the Saltmarsh 75;
- There was a Sense of Place project toolkit and group pack and that work had been done with the Crouch Coastal Community Team;
- That improvements had been made to the reception area at the Council's offices;
- The Sense of Place website was currently under construction;
- The destination marketing strategy was in progress with the tourism marketing strategy for the next five years aiming to strengthen links with partners;
- Way-marking and branding including information hubs would be installed within the next few months around the District;
- The Coastal Path Initiative would be monitored and promoted;
- There was a forthcoming Tourism Summit in April 2017.

Councillor A K M St. Joseph declared an interest in this item as he owned part of the coast. He then advised that whilst MDC had claimed ownership of the coastal trail for MDC, as the land over which the trail ran was already owned, then MDC may consider working in partnership with those that did actually own the land. .

Members requested that Officers bear in mind the date of the Maldon Mud Race and that, if possible, the information hubs could be in place by then as there would be an influx of visitors to the District.

In response to a question the Public Relations and Dengie Gateway Project Officer confirmed that all of the websites had links from the Maldon District Council website.

The Chairman requested that the Public Relations and Dengie Gateway Project Officer pass on the thanks of the Committee to the team for their work.

The Public Relations and Dengie Gateway Project Officer was asked to investigate the possibility of promoting the district through links to novels etc. that were set in the District, in a similar way to how Whitby was promoted using links to Dracula.

1050. ECONOMIC DEVELOPMENT UPDATE

The Committee considered the report of the Chief Executive which updated Members on key issues in strengthening and encouraging development of the local economy. The Chief Executive drew attention to the proposal from the Heritage Marine Foundation to develop heritage marine apprenticeships. This linked to the District's maritime skills agenda and the Committee was being asked to provide endorsement in principle.

Coastal Community Teams (CCT)

Members were very much in support of developing apprenticeships in the District and in response to a question, the Chief Executive confirmed that support being asked for was not financial, but rather by way of a letter to say that the Council endorsed the project as it supported delivery of its Skills Strategy and helped to protect and promote the heritage assets.

Business Engagement

Councillor H M Bass drew Members' attention to the recent Chairman's Business Awards which was an excellent and well-organised event.

Bradwell Legacy Partnership (BLP)

Members raised questions regarding the Wine Region project and the Chief Executive advised that she had agreed to meet with wine producers to understand how this had been pitched to Magnox. Contact would be made with Magnox so that we can better understand their criteria for assessing eligibility for funding. However, there was the possibility of different routes for funding.

The Chief Executive advised Members that a number of projects were being worked on, including:

- Enterprise Centre Dengie Enterprise Support
- Secretariat for the Coastal Team and BLP
- Continuing to promote the Wine Region.

RESOLVED:

- (i) That the contents of the report be noted.

RECOMMENDED:

- (ii) That the Council provide, in principle, support to the Heritage Marine Foundation's maritime apprenticeship project, subject to all necessary planning and environmental requirements being met.

1051. COMMUNITY LED HOUSING PROGRAMME

The Committee considered the report of the Director of Customers and Community presenting proposals for a Community Led Housing Programme for the District.

The Strategic Housing Manager advised Members that this report had also been presented to the Community Services Committee on 28 February 2017. The recently established Strategic Housing Board would provide a framework for more detailed planning and monitoring of this programme by Members and Officers.

Members suggested that some of the Parish Councils be invited to the proposed seminar, particularly those that are preparing neighbourhood plans.

It was brought to the attention of the Committee that Chelmsford have an initiative for converting containers into housing and a request was made that a proposal for a similar initiative be put on to the Agenda for a consideration at a future meeting. The Chairman confirmed that this would be put forward for consideration by the Strategic Housing Board.

RESOLVED:

- (i) that the draft programme for the Council's Community led Housing (CLH) as detailed in APPENDIX 1 to the report, be approved;
- (ii) that a seminar be held for community groups to promote the concept of CLH and consult on the Council's draft programme.

1052. STRATEGIC DESIGN CODES - NORTH HEYBRIDGE GARDEN SUBURB

The Committee considered the report of the Interim Head of Planning Services which sought approval of the Strategic Design Codes as a basis for the determination of planning applications for development within the North Heybridge Garden Suburb. Reserved Matters applications were anticipated shortly following resolution to grant approval of outline applications subject to signed Section 106 (S106). The determination of Reserved Matters applications was conditional on the prior approval of the Strategic Design Codes.

The Urban Design Officer drew Members' attention to the table set out in section 3.2 of the report and advised that Site s2(f) was actually a detailed application. The Urban Design Officer outlined the Structure Plan in **APPENDIX 1** to the report together with the Strategic Design Codes and the Design Guidance.

The Chief Executive requested that delegated authority be given to the Chairman of the Planning and Licensing Committee together with Ward Members, in consultation with the Interim Head of Planning Services in order to address some outstanding issues with the developer.

RESOLVED:

- (i) That the North Heybridge Garden Suburb Strategic Design Codes (**APPENDIX 1** to the report) be approved for Development Management purposes in the determination of planning applications within the Garden Suburb;

- (ii) That the Interim Head of Planning Services be authorised in consultation with the Chairman of the Planning and Licensing Committee, together with the relevant Ward Members, to negotiate the outstanding issues with Countryside prior to finalising the Design Codes.

1053. DRAFT MALDON DISTRICT DESIGN GUIDE AND PROPOSED PUBLIC CONSULTATION

The Committee considered the report of the Interim Head of Planning Services which sought approval for the Draft Maldon District Design Guide as set out at **APPENDIX A** to the report, to go out to public consultation.

Members thanked the Urban Design Officer for her work on both this and the Strategic Design Codes.

There had been some amendments made following the Members' Seminar on 1 March 2017 and the Urban Design Officer confirmed that these would be circulated to Members.

RESOLVED:

- (i) That the Draft Maldon District Design Guide be approved for public consultation.

1054. RESPONSE TO NATURAL ENGLAND - ENGLAND COASTAL PATH, MALDON TO SALCOTT SECTION

The Committee considered the report of the Director of Customers and Community presenting recommendations to be incorporated into a formal letter of response to Natural England regarding the creation of the first of three sections of the England Coastal Path through the Maldon District.

Councillor Savage advised that his previously declared non-pecuniary interest in this Agenda item was valid as he lived on part of the proposed route.

The Countryside and Coast Manager advised Members that the maps shown at the meeting were in draft form and were not in the public domain and not finalised.

In response to a question, the Countryside and Coast Manager advised Members that Natural England were using a phased approach to the Coastal Path and that was the reason why Officers were dealing with it in sections. Further information would be circulated to Members of the Planning and Licensing Committee as and when received by the Countryside and Coast Manager.

Concerns were raised about the on-going maintenance of the Coastal Path and the Countryside and Coast Manager advised Members that he was of the understanding that there would be an impetus on users to be responsible.

It was suggested by Members that recommendation (v) be amended to say Burnham-on-Crouch to South Woodham Ferrers, rather than Burnham-on-Crouch to Wallasea, as this was considered to be potentially confusing.

Councillor E L Bamford proposed deferral of this item so that concerns could be discussed between the Chairman of the Planning and Licensing Committee and Officers. However, the deadline for this part of the proposal was before the next meeting of the Planning and Licensing Committee and a decision needed to be made. This proposal was not seconded.

The Chief Executive requested that the recommendations be delegated to the Interim Head of Planning Services in consultation with the Chairman and Vice-Chairman of the Planning and Licensing Committee, together with the Ward Members and the Chief Executive. Councillor R G Boyce MBE, CC made a formal proposal in this regard which was duly seconded.

The Countryside and Coast Manager reiterated to Members that the maps were not currently in the public domain.

RESOLVED:

- (i) that the guiding principles set out in section 3.3 of this report be agreed and, where necessary, incorporated into a response to Natural England consultation on the proposed route (Maldon to Salcott) of the English Coastal Path (ECP);
- (ii) that for land owned by Maldon District Council (MDC), the route of the ECP follows the proposed / mapped Natural England route, with boundary restrictions and exclusions as specified in the body of this report;
- (iii) that a voluntary dedication agreement of ECP route through land 'excluded' from the Marine & Coastal Access Act 2009; specifically the proposed short section connecting Promenade Park to Hythe Quay on riverward side of Cooks Boatyard and a second section through the Downs, Downs Road, be agreed;
- (iv) that for land not owned by MDC but falling within the District Area, the proposed / mapped route be considered to be favourable;
- (v) that subject to (i) to (iv) above and in consultation with the Chairman of the Planning and Licensing Committee, the Director of Customers and Community be authorised to respond to Natural England's consultation on the ECP Maldon to Salcott proposed route and the subsequent two further sections of the ECP within the Maldon District (Maldon to Burnham-on-Crouch and Burnham-on-Crouch to South Woodham Ferrers), subject to the detail of the route proposals and in good time for the submission of their reports to the Secretary of State.

1055. COMMUNITY INFRASTRUCTURE LEVY

The Committee received the report of the Interim Head of Planning Services providing an update on the Community Infrastructure Levy (CIL).

RESOLVED that a review of the Community Infrastructure Levy Charging Schedule and Evidence Base be undertaken to test its suitability for Examination and, if required, Officers, in consultation with the Chairman of Planning and Licensing Committee, commission further work on the Charging Schedule and Evidence Base for consideration at Examination.

1056. APPROVAL OF WOODHAM WALTER CONSERVATION AREA DESIGNATION ARTICLE 4(1) DIRECTION AND CHARACTER STATEMENT

The Committee considered the report of the Interim Head of Planning Services which set out the results of an 8-week public consultation on the proposal to designate a conservation area in the village of Woodham Walter and sought approval of recommendations set out in the report.

Councillor Savage declared a non-pecuniary interest in this Agenda item as he lived in an Article 4 area.

Councillor M F L Durham congratulated the Conservation Officer on the work done.

RESOLVED:

- (i) that designation of the conservation area in Woodham Walter be approved;
- (ii) that an article 4(1) direction be introduced to withdraw certain permitted development rights from a selection of historic houses in the area;
- (iii) that the Woodham Walter conservation area character statement (**APPENDIX 1** to the report) be adopted as background evidence to inform future Development Control decisions affecting the conservation area.

1057. WOODHAM WALTER VILLAGE DESIGN STATEMENT

The Committee considered the report of the Interim head of Planning Services which sought approval to endorse a Village Design Statement (VDS) for Woodham Walter (**APPENDIX 1** to the report) to be used as a material consideration on planning decisions.

The Interim Head of Planning Services pointed out to Members that the document had been prepared by Woodham Walter Parish Council and that some matters were currently being discussed with Woodham Walter Parish Council. He requested that delegated authority be given to the Interim Head of Planning Services, together with the Chairman of the Planning and Licensing Committee, the Leader of the Council and Ward Members to agree modifications to the VDS.

Councillor M F L Durham, a Ward Member, raised concerns about the Committee endorsing the VDS and reiterated that there were some outstanding issues. There was an overarching Maldon District Design Guide and this should be checked to ensure there were no conflicting elements with the VDS. Councillor Durham requested that this document be brought back to this Committee for wider discussion, rather than being delegated.

The Interim Head of Planning Services suggested that the initial recommendation be kept, but that Ward Members be included and that a further recommendation be made that it be brought back to the Planning and Licensing Committee for endorsement once it had been modified.

RESOLVED:

- (i) that the Interim Head of Planning Services be authorised to agree modifications to the Woodham Walter Village Design Statement (VDS) (**APPENDIX 1** to the report); in consultation with the Chairman of the Planning and Licensing Committee, the Leader of the Council and the Ward Members;
- (ii) that subject to (i) above, the modified Woodham Walter Village Design Statement (VDS) be considered by the Planning and Licensing Committee and endorsed by it as a material consideration on planning decisions.

1058. A12 CHELMSFORD TO A120 WIDENING: HIGHWAYS ENGLAND CONSULTATION

The Committee considered the report of the Interim Head of Planning Services setting out the Council's draft response to the consultation on the A12 Chelmsford to A120 widening, which sought approval of the response.

The Interim Strategic Planning Policy Manager advised Members that the closing date for a response was 1 March 2017. He drew attention to the six benefits of the proposals as set out in section 3.3 of the report and that Option 2 of the four options identified by Highways England was the preferred option (section 3.4.2 of the report).

The Interim Strategic Planning Policy Manager advised Members that Officers had expected Option 2 to include a link road to the B1019 and recommended that the Council's response should include that the scheme should provide adequate access to the B1019 that bypasses Hatfield Peverel and provide a stronger link to Maldon to assist economic growth in the District.

In response to concerns raised by Members, the Interim Strategic Planning Policy Manager confirmed that Officers would make the point that Maldon District Council expected grade separated junctions to be included on the line of the new A12 route and servicing Maldon District.

Officers were requested to make amendments to the wording in the draft response to make our responses more robust.

Members thanked Officers for the work they have done, in particular in relation to traffic not going through Kelvedon.

RESOLVED that the response to the A12 Chelmsford to A120 widening consultation, as set out in **APPENDIX 1** to the report be approved, subject to the amendments to be made following the meeting of the Planning and Licensing Committee.

1059. PLANNING POLICY UPDATE

The Committee received the report of the Interim Head of Planning Services providing an update on the Local Development plan, progress of supplementary planning documents and the Housing White Paper.

The Interim Strategic Planning Policy Manager advised the Committee that the Secretary of State had issued the Housing White Paper and that, in due course, a report would be made to this Committee on the Council's response to it.

Councillor M F L Durham advised the Committee that at a Conference attended by the Leader and himself the Minister had advised that matters have moved on from the Housing White Paper and that a standard calculation was needed to fill the gap in the revised National Planning Policy Framework (NPPF). There would also be a need for all authorities to recalculate their Objectively Assessed Need (OAN). Furthermore, there were plans to introduce charges for appeals, which would hopefully cut down on the amount of appeals.

RESOLVED that the report be noted and that matters for decision will be brought to this Committee for consideration at the appropriate time.

1060. ANY OTHER ITEMS OF URGENT BUSINESS - PLANNING APPLICATION FEES - AN OFFER FROM GOVERNMENT

The Committee considered the report of the Interim Director of Resources which sought approval to accept an offer from Government to increase planning fees by 20% from July 2017, on the basis that the Council commits to invest this additional income directly into the planning service.

This item had been brought forward for consideration with the agreement of the Chairman as a response was required to a request from Simon Gallagher, Director of Planning at the Department for Communities and Local Government (DCLG) by Monday 13 March 2017.

The Interim Head of Planning Services outlined the offer to the Committee and advised that the Government recognised the difficulties that planning departments were currently experiencing meeting housing applications and welcomed the offer. The reason for the short timetable for response was that it was necessary to create a Statutory Instrument which would name all authorities that were party to it.

The Chief Executive advised the Committee that she had met with the Interim Head of Planning Services and the Group Manager for People, Policy and Performance to discuss the difficulties with recruitment and retention of staff in Planning Services and a number of options were being explored.

RECOMMENDED:

- (i) that the Finance and Corporate Services Committee support acceptance of the Government's offer to increase planning fees by 20% from July 2017, with a commitment to invest this additional fee income directly into the planning service;

- (ii) that the Finance and Corporate Services Committee recommends that the Council accept the Government's offer to increase planning fees by 20% from July 2017, with a commitment to invest this additional fee income directly into the planning service.

There being no further items of business the Chairman closed the meeting at 9.35 pm.

A K M ST. JOSEPH
CHAIRMAN

- (a)
- (b)