



**MINUTES of
SOUTH EASTERN AREA PLANNING COMMITTEE
14 AUGUST 2017**

PRESENT

Chairman	Councillor R P F Dewick
Vice-Chairman	Councillor A S Fluker
Councillors	Mrs B F Acevedo, B S Beale MBE, R G Boyce MBE, Mrs P A Channer, CC, Mrs H E Elliott, P G L Elliott, M W Helm and R Pratt, CC

311. CHAIRMAN'S NOTICES

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

312. APOLOGY FOR ABSENCE

An apology for absence was received from Councillor N R Pudney.

313. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 17 July 2017 be approved and confirmed.

314. DISCLOSURE OF INTEREST

Councillor Mrs P A Channer CC declared:

- a non-pecuniary interest as she was also a Member of Essex County Council who was involved in matters such as highways, access etc.;
- a non-pecuniary interest in relation to Agenda Item 10 – HOUSE/MAL/17/00682 - Crouch View Fambridge Road Althorne Essex
- as she knew the Agent;
- in relation to Agenda Item 11 – OUT/MAL/17/00735 - Sunnyside Stoney Hills Burnham-On-Crouch she advised that she would leave the Chamber for the determination of this item. Councillor Mrs Channer had attended an event at a property directly next door to the application property and did not wish to take any part in the decision-making.

Councillor Mrs B E Acevedo declared a non-pecuniary interest in relation to Agenda Item 5- RES/MAL/17/00224 - Land South of 53 Burnham Road, Latchingdon and Agenda Item 6 – RES/MAL/17/00225 - Land East of 53 Burnham Road, Latchingdon as she knew the applicants.

Councillor B S Beale MBE declared that in relation to Agenda Item 11 - OUT/MAL/17/00735 - Sunnyside Stoney Hills Burnham-On-Crouch – he knew the Applicant.

Councillor A S Fluker declared in the interests of openness and transparency:

- In relation to Agenda Item 5 - RES/MAL/17/00224 - Land South of 53 Burnham Road, Latchingdon – he knew the Applicant;
- In relation to Agenda Item 6 - RES/MAL/17/00225 - Land East of 53 Burnham Road, Latchingdon – he knew the Applicant;
- In relation to Agenda Item 9 – FUL/MAL/17/00649 – High Street, Burnham-on-Crouch - he owned a property nearby; and
- In relation to Agenda Item 10 - HOUSE/MAL/17/00682 - Crouch View Fambridge Road Althorne Essex – he knew the Agent.

Councillor R Pratt CC declared a non-pecuniary interest as he was also a Member of Essex County Council.

The Committee received the reports of the Chief Executive and determined the following planning applications, having taken into account all representations and consultation replies received, including those listed on the Members' Update circulated at the meeting.

315. RES/MAL/17/00224 - LAND SOUTH OF 53 BURNHAM ROAD, LATCHINGDON

Application Number	RES/MAL/17/00224
Location	Land South of 53 Burnham Road, Latchingdon
Proposal	Reserved Matters application consisting access, layout, landscape, appearance & scale following outline planning approval OUT/MAL/13/00679 (Outline planning application with all matters reserved for the construction of 10 dwellings with associated off-street parking).
Applicant	Mr Robin Levy
Agent	Mr C Wragg - Arcady Architects Ltd
Target Decision Date	30.05.17 (E.O.T agreed until 18.08.17)
Case Officer	Julia Sargeant, TEL: 01621 875851
Parish	LATCHINGDON
Reason for Referral to the Committee / Council	Parish Trigger

The Officer presented the report for both this application and for Agenda Item 6 at the same time.

Members expressed surprise that the Highways Authority had not raised any objection to this application as they were of the opinion that the proposed entrance would become a crossroads that may have implications for highways safety. However, it was acknowledged that the Highways Authority were the experts.

There was also some concern regarding the amount of affordable housing and Members were of the opinion that if these applications had been submitted as one application, then there would have been a requirement for more affordable housing.

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

- 1 The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice as well as the submitted detailed specifications.
- 2 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.
- 3 Prior to first occupation of the development, the access arrangements as shown in Drawing no 47691/C/23 Rev C shall be fully implemented. This should include the provision of pedestrian dropped kerbs and tactile paving across the bellmouth in line with existing pedestrian desire lines, the exact location details to be submitted to and approved in writing by the local planning authority prior to the commencement of any development. The works shall be carried out in accordance with the details agreed and retained as such thereafter.
- 4 Prior to first occupation of the proposed development, the vehicle parking and turning areas, as indicated on the approved plans, shall be implemented and maintained as such unless otherwise agreed with the local planning authority.
- 5 No development shall commence until fencing/ground protection to protect the trees and hedges/shrubs to be retained (as well as those adjoining the site) has been erected in accordance with BS5837:2012, details of which shall have been submitted to the local planning authority for written approval. The protective fencing shall be erected before the commencement of any clearing, demolition and building operations and shall be retained until all equipment, machinery and surplus materials have been removed from the site. The protective fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced protection zone nothing shall be stored or placed, no fires lit, no vehicle shall gain access, ground levels shall not be altered, no excavation shall be made and no structure shall be erected. If within five years from the completion of the development a retained tree, shrub or hedge within the site is removed, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement tree, shrub or hedge shall be planted within the site of such species and size and shall be planted at such time, as specified in writing by the local planning authority.
- 6 Notwithstanding the details submitted no development shall commence until the provision and subsequent retention of soft landscape works on the site have been submitted to and approved in writing by the local planning authority. These details shall include:
 - 1) Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers/densities.
 - 2) Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes, seeding

rates, planting methods, mulching, plant protection, staking and/or other support

3) Details of the aftercare and maintenance programme

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development unless otherwise agreed in writing by the local planning authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the local planning authority gives its written consent to any variation

- 7 Prior to the first occupation of the dwelling on plot 10 hereby permitted, the first floor window(s) in the north facing elevation shall be glazed with opaque glass and of a non-openable design with the exception of a top hung fanlight (which shall be at least 1.7m above internal floor level) and shall be retained as such thereafter.
- 8 Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking or re-enacting that Order) the garages and carports hereby permitted as part of the development shall be used only for the parking of a motor car in connection with the residential use of the properties.
- 9 Prior to any construction on site taking place, with the exception of forming the site entrance, the drainage basin and temporary filter drain shall be installed to capture surface water from the site with surface water from the basin pumped out at no higher than the 1 in 1 greenfield rate. It should be ensured that the basin is working at a maximum optimum level in terms of storage capacity and water quality during and after the construction of the development.
- 10 No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. The requirements of the Maintenance Plan shall be fully implemented in accordance with the approved details. The applicant or any successor in title must maintain yearly logs of maintenance of the SuDS. These must be available for inspection upon a request by the Local Planning Authority.
- 11 No dwelling shall be occupied until a scheme detailing ecological enhancements has been submitted to and approved by the local planning authority. Such details shall include ecological enhancements including the provision of mammal/wildlife doors within boundary fencing and bird/bat boxes. The ecological enhancements as agreed shall be implemented as approved and retain as such thereafter for a minimum period of five years from the date of completion of the development.

316. RES/MAL/17/00225 - LAND EAST OF 53 BURNHAM ROAD, LATCHINGDON

Application Number	RES/MAL/17/00225
Location	Land East of 53 Burnham Road, Latchingdon
Proposal	Reserved Matters application consisting access, layout, landscape, appearance & scale following outline approval OUT/MAL/14/01227 (Outline planning application with all matters reserved for residential development).
Applicant	Mr Robin Levy
Agent	Mr C Wragg - Arcady Architects Ltd
Target Decision Date	26.05.17 (E.O.T agreed until 18.08.17)
Case Officer	Julia Sargeant, TEL: 01621 875851
Parish	LATCHINGDON
Reason for Referral to the Committee / Council	Parish Trigger

This application was considered together with application RES/MAL/17/00224 above.

RESOLVED that this application be **APPROVED**, subject to updated legal agreement in relation to Affordable Housing (13 units and commuted sum for £23,600) and subject to the following conditions:

1. The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice as well as the submitted detailed specifications.
2. Prior to first occupation of the development, the access arrangements as shown in Drawing no 47691/C/23 Rev A shall be fully implemented. This should include the provision of pedestrian dropped kerbs and tactile paving across the bellmouth in line with existing pedestrian desire lines, the exact location details to be submitted to and approved in writing by the local planning authority prior to the commencement of any development. The works shall be carried out in accordance with the details agreed and retained as such thereafter.
3. Prior to first occupation of the proposed development, the vehicle parking and turning areas, as indicated on the approved plans, shall be implemented and maintained as such unless otherwise agreed with the local planning authority.
4. No development shall commence until fencing/ground protection to protect the trees and hedges/shrubs to be retained (as well as those adjoining the site) has been erected in accordance with BS5837:2012, details of which shall have been submitted to the local planning authority for written approval. The protective fencing shall be erected before the commencement of any clearing, demolition and building operations and shall be retained until all equipment, machinery and surplus materials have been removed from the site. The protective fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced protection zone nothing shall be stored or placed, no fires lit, no vehicle shall gain access, ground levels shall not be altered, no excavation shall be made and no structure shall be erected. If within five years from the completion of the development a retained tree, shrub or hedge within the site is removed, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement tree, shrub or hedge shall be planted within the site of such species and size and shall be planted at such time, as specified in writing by the local planning authority.
5. Notwithstanding the details submitted no development shall commence until the provision and subsequent retention of soft landscape works on the site have been

submitted to and approved in writing by the local planning authority. These details shall include:

- 1) Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers/densities.
- 2) Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes, seeding rates, planting methods, mulching, plant protection, staking and/or other support
- 3) Details of the aftercare and maintenance programme

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development unless otherwise agreed in writing by the local planning authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the local planning authority gives its written consent to any variation

6. Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking or re-enacting that Order) the garages and carports hereby permitted as part of the development shall be used only for the parking of a motor car in connection with the residential use of the properties.
7. Prior to any construction on site taking place, with the exception of forming the site entrance, the drainage basin and temporary filter drain shall be installed to capture surface water from the site with surface water from the basin pumped out at no higher than the 1 in 1 greenfield rate. It should be ensured that the basin is working at a maximum optimum level in terms of storage capacity and water quality during and after the construction of the development.
8. No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. The requirements of the Maintenance Plan shall be fully implemented in accordance with the approved details. The applicant or any successor in title must maintain yearly logs of maintenance of the SuDS. These must be available for inspection upon a request by the Local Planning Authority.
9. No dwelling shall be occupied until a scheme detailing ecological enhancements has been submitted to and approved by the local planning authority. Such details shall include ecological enhancements including the provision of mammal/wildlife doors within boundary fencing and bird/bat boxes. The ecological enhancements as agreed shall be implemented as approved and retain as such thereafter for a minimum period of five years from the date of completion of the development.
10. Notwithstanding the details submitted no development shall commence until details of the proposed Local Area of Play (LAP) together with a timetable for implementation and arrangements for the future management and maintenance have been submitted to and approved in writing by the Local Planning Authority. Such details shall include all landscaping, ground surfacing, enclosure of the area, seating, and refuse facilities and safety notices. The LAP shall be implemented and shall be made available for public use in accordance

with the approved timetable for implementation unless otherwise agreed through a variation of condition application by the Local Planning Authority. The LAP shall be permanently maintained in accordance with the approved details and retained for such purposes thereafter.

11. The areas of public open space shall be laid out and landscaped in accordance with a detailed scheme and timetable for implementation to include details of future management and maintenance that shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of development. The open space shall be made available for public use in accordance with the approved timetable for implementation unless otherwise agreed through a variation of condition application by the Local Planning Authority. The amenity space shall be permanently maintained in accordance with the approved details and retained for such purposes thereafter.

317. HOUSE/MAL/17/00510 - 61 NIPSELLS CHASE, MAYLAND

Application Number	HOUSE/MAL/17/00510
Location	61 Nipsells Chase Mayland Essex CM3 6EH
Proposal	Single storey side extension
Applicant	Mrs Kerry Prout
Agent	Barry Powell
Target Decision Date	EOT 15.08.2017
Case Officer	Devan Lawson, TEL: 01621 875845
Parish	MAYLAND
Reason for Referral to the Committee / Council	Parish Trigger

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

- 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 approved drawing: 648/2.
- 3 The external surfaces of the development hereby approved shall be constructed of materials and finish to match the existing dwelling.

318. HOUSE/MAL/17/00549 - 51 MOUNTVIEW CRESCENT , ST LAWRENCE

Application Number	HOUSE/MAL/17/00549
Location	51 Mountview Crescent St Lawrence Essex CM0 7NT
Proposal	Single storey rear extension
Applicant	Mr M Bedingfield
Agent	Mr Allan Taylor - Blue Door Solutions Ltd
Target Decision Date	EOT: 18.08.2017
Case Officer	Mahsa Kavyani, TEL: 01621 875744
Parish	ST LAWRENCE
Reason for Referral to the Committee / Council	Councillor / Member of Staff

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

- 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, S1MC/3/17—2C.
- 3 The external surfaces of the development hereby approved shall be constructed of materials and finish as detailed within the application.

319. FUL/MAL/17/00649 - HIGH STREET, BURNHAM-ON-CROUCH

Application Number	FUL/MAL/17/00649
Location	High Street, Burnham-On-Crouch
Proposal	Change of use of part of the Burnham On Crouch High Street to a weekly retail market. Every Tuesday until 31 August 2019. Operational times 07.00-15.00.
Applicant	Maldon District Council - Mr Richard Holmes
Target Decision Date	01.08.2017 EOT 16.08.2017
Case Officer	Nicola Ward, TEL: 01621 875864
Parish	BURNHAM SOUTH
Reason for Referral to the Committee / Council	Member Call In Maldon District Council Application

Following the Officer's presentation of the report, Members debated this application and whilst they were in favour of the Market in principle, they did have some concerns regarding noise and rubbish.

In response to questions, the Group Manager for Planning Services advised:

- There was a condition (Condition 3) regarding amplified sound that would address concerns regarding noise;
- Rubbish and parking both fell under different legislation and was not something that could be dealt with by planning.

Members were also concerned that the restriction on stalls at condition 4 did not go far enough and requested if this could be extended to five stalls. The Committee was advised that the request regarding the restriction had come from the Highways Authority who was concerned with vehicle traffic. Any concerns regarding canopies overhanging the footpath should be raised with market officers, as this was not specifically a planning issue.

Councillor B S Beale, MBE proposed that this application be deferred to gain clarity. This proposal was not seconded.

Councillor R G Boyce, MBE then proposed that this application be approved with a rider sent to the Director of Customers and Community that this Committee has concerns regarding issues that could not be controlled by planning, but could be addressed elsewhere.

Councillor B S Beale, MBE requested that his vote against approval of this application be recorded.

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

1. The use hereby permitted shall be discontinued on or before 31 August 2019 unless before that date a formal planning application for the continuation of such use has been approved by the local planning authority.
2. The Maldon retail market hereby permitted shall operate only between the hours 07:30 to 15:00 on Tuesdays only with no setting up of any stall prior to 07:00. All stalls and related equipment shall be removed from the site prior to 15:30 hours on each day.
3. There shall be no amplified sound used within the market as outlined in red on the location plan which forms part of this permission, or by any stall, stall owner or operator at any time.
4. Notwithstanding the layout of market stalls shown on drawing number ATS/552/02/A, no market stalls shall be erected/sited in the position where the two westernmost stalls are shown on that plan.

320. HOUSE/MAL/17/00682 - CROUCH VIEW, FAMBRIDGE ROAD, ALTHORNE

Application Number	HOUSE/MAL/17/00682
Location	Crouch View Fambridge Road Althorne Essex
Proposal	New outbuilding to replace existing pole barn.
Applicant	Mr Leonard Lewis
Agent	Mr Anthony Cussen - Cussen Construction Consultants
Target Decision Date	14 August 2017
Case Officer	Hannah Bowles, TEL: 01621 875733
Parish	ALTHORNE
Reason for Referral to the Committee / Council	Member Call In

Following the Officer's presentation of the report, Mr L Lewis, the Applicant, addressed the Committee.

Members were of the opinion that the proposed building would have less impact than the barn that is currently in place and would not be seen from the road. The new proposal was attractive and could only be seen by the Applicant from their garden. Also, the footprint would be largely the same as the barn that is currently there.

Councillor Mrs B E Acevedo proposed that this application be approved contrary to the Officer's recommendation and this was duly seconded.

In response to a question, the Officer confirmed that this application was refused under delegated power.

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

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 commence until full details of the materials to be used in the external surfaces of the development hereby approved have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details as approved.

4. The building hereby permitted shall only be used for those purposes incidental to the use of the dwelling house to which it relates and not for any commercial or business purpose or as annexe accommodation.

321. **OUTMAL1700735 - SUNNYSIDE, STONEY HILLS, BURNHAM-ON-CROUCH**

Application Number	OUT/MAL/17/00735
Location	Sunnyside Stoney Hills Burnham-On-Crouch
Proposal	Outline planning application for the demolition of existing garage and erection of 2 dwelling houses on land to the west of Sunnyside and associated access from Stoney Hills.
Applicant	Mr & Mrs Levins
Agent	Mrs Lisa Skinner - Bidwells
Target Decision Date	25.08.2017
Case Officer	Hannah Bowles
Parish	SOUTHMINSTER
Reason for Referral to the Committee / Council	Member Call In Departure from the Local Plan 2005

Following her earlier declaration, Councillor Mrs P A Channer, CC left the Chamber for the determination of this item.

In response to a question, the Group Manager for Planning Services confirmed that this application would have come to Committee if it had not been called in as it was a departure from the Local Plan.

Councillor Mrs H E Elliott, a Ward Member, proposed that this application be approved, even though she did not agree with the development of Stoney Hills, as there was little alternative for Members.

In response to another question, the Group Manager for Planning Services advised Members that “windfall” is a dwelling that is granted planning permission but does not form part of the Local Development Plan (LDP). Furthermore, when considering windfall sites there is a need to demonstrate harm in order to refuse such an application. Monitoring of such sites is carried out annually by the policy team and they take into account what has been built.

Concern was raised about work taking place on sites within Stoney Hills on Saturday afternoons and on Sundays and Bank Holidays. However, the Group Manager for Planning Services advised that Government guidance is that was not a planning issue and should be dealt with by Environmental Health who was better placed to deal with such matters. It was requested that a condition regarding working hours be included.

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

- 1 Details of the access, appearance, landscaping, layout and scale (hereinafter called “the reserved matters”) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

The development hereby permitted shall be begun within two years from the date of the final approval of the reserved matters. The development shall be carried out as approved.

- 2 The development shall be undertaken in accordance with the terms and specifications contained within the Ecology Report which is attached to and forms part of this permission.
- 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.
- 4 As part of the reserved matters details of the siting, height, design and materials of the treatment of all boundaries including gates, fences, walls, railings and piers shall be submitted to and approved in writing by the Local Planning Authority. The screening as approved shall be constructed prior to the first use / occupation of the development to which it relates and be retained as such thereafter.
- 5 The landscaping details referred to in Condition1 shall provide full details and specifications of both hard and soft landscape works which shall be submitted to and approved in writing by the Local Planning Authority. Such details shall be submitted concurrently with the other reserved matters. These landscaping details shall include the layout of the hard landscaped areas with the materials and finishes to be used together with details of the means of enclosure, car parking layout, vehicle and pedestrian accesses.

The details of the soft landscape works shall include schedules of shrubs and trees to be planted, noting the species, stock size, proposed numbers / densities and details of the planting scheme's implementation, aftercare and maintenance programme.

The hard landscape works shall be carried out as approved prior to the beneficial occupation of the development hereby approved unless otherwise first agreed in writing by the Local Planning Authority.

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development, unless otherwise first agreed in writing by the Local Planning Authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the Local Planning Authority gives its written consent to any variation.

- 6 No equipment, machinery or materials shall be brought to the site for the purposes of the development, until a written statement detailing the retention and protection of trees on the site has been submitted to and approved in writing by the Local Planning Authority. The submitted statement shall include a survey

- and assessment of all trees on the site and shall identify on a scaled drawing those trees to be retained and where arboricultural work is proposed.
- 7 The scheme to be submitted pursuant to the reserved matters shall make provision for car parking within the site in accordance with the Council's adopted car parking standards. Prior to the occupation of the development the parking areas shall be constructed, surfaced, laid out and made available for such purposes in accordance with the approved scheme and retained as such thereafter.
- 8 Development shall not commence until a scheme for the provision and implementation of surface water drainage incorporating Sustainable Urban Drainage Schemes (SuDS) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans and prior to the occupancy of the development.
- 9 Development shall not commencement until details of a foul water drainage scheme to serve the development has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the first occupation of the development.
- 10 No construction works shall occur at the site on Sundays or Bank Holidays. On all other days no construction works shall occur at the site outside of the following times:
Monday to Friday 07:30 to 18:00
Saturday 08:00 to 13:00.

322. OTHER AREA AND PLANNING RELATED MATTERS

The Committee received and noted the report of the Chief Executive on the following matters:

(i) Appeals Lodged

Appeal Start Date: 02/08/2017

Application Number: FUL/MAL/16/00805 (APP/X1545/W/17/3173623)

Site: Land Adjacent To Bradwell Marina, Waterside Road, Bradwell-On-Sea, Essex

Proposal: Proposed change of use of land associated with Bradwell Marina to a static caravan park for holiday use comprising a total of 70 units, associated office and amenity block, vehicular access and visitor car parking, open space and children's playground with seasonal occupation from 1st March until 31st October each calendar year - RESUBMISSION of application ref:

FUL/MAL/15/00142

Appeal by: Mr A Thurtle – Port Flair Ltd

Appeal against: Refusal

Appeal procedure requested: Informal Hearing

(ii) Appeal Decisions

FUL/MAL/16/01362 (Appeal Ref: APP/X1545/W/17/3172878)

Proposal: Demolition of existing dwellinghouse and erection of 3 new dwellings with garages.

Address: Fogs Folly - 289 Esplanade - Mayland

APPEAL ALLOWED – 26 July 2017

DECISION LEVEL: Delegated

(iii) Appeals Withdrawn

OUT/MAL/16/00302 (Appeal Ref: APP/X1545/W/17/3169969)

Proposal: Residential Development of up to 120 dwellings with associated infrastructure, open spaces and landscaping and community land with access reserved.

Address: Land South Of New Moor Farm And East Of North End,
Southminster, Essex

APPEAL WITHDRAWN – 26 July 2017

A request was made for Members to be provided with a comprehensive list of Section 106 Agreements agreed, those in the pipeline and those that had been delivered. The Chairman advised that such a report was to be presented to the Overview and Scrutiny Committee. Members requested that the report be send to Members of this Committee.

323. DELEGATED PLANNING APPLICATIONS

The Committee received and noted the list of decisions on planning applications taken by the Chief Executive under delegated powers, circulated prior to the meeting for the period 18 July – 11 August 2017.

There being no further items of business the Chairman closed the meeting at 8.28 pm.

R P F DEWICK
CHAIRMAN