



**MINUTES of
CENTRAL AREA PLANNING COMMITTEE
27 JUNE 2018**

PRESENT

Chairman	Councillor B E Harker
Vice-Chairman	Councillor Miss M R Lewis
Councillors	Miss A M Beale, A T Cain, I E Dobson, Mrs B D Harker, M S Heard, M R Pearlman, S J Savage, Mrs N G F Shaughnessy and Rev. A E J Shrimpton
Ex-Officio Non- Voting Member	Mrs P A Channer, CC

209. CHAIRMAN'S NOTICES

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

210. APOLOGIES FOR ABSENCE

There were none.

211. MINUTES OF THE LAST MEETING

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 30 May 2018 be received.

Minute No. 115. – FUL/MAL/18/00342 – 99 Wood Road, Heybridge, Essex, CM9 4AS

The word 'meter' has the American spelling and should read 'metre'.

RESOLVED

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 30 May 2018 be confirmed.

212. DISCLOSURE OF INTEREST

Councillor Mrs P A Channer, CC, disclosed a non-pecuniary interest in all items with matters relating to highways, access and education, as a County Councillor for Essex County Council.

Councillor I Dobson disclosed a non-pecuniary interest in Agenda Item 9, FUL/MAL/18/00579 – 15 Suffolk Road, Maldon, as he knew the applicant.

It was noted that all Members held a non-pecuniary interest in Agenda Item 6, FUL/MAL/18/00480 – Kiosk Adjacent to The Splash Park, The Promenade Park, Maldon, Essex, and Agenda Item 7, FUL/MAL/18/00481 - Bungee Trampolines (Valley Area), The Promenade Park, Park Drive, Maldon, Essex, due to the land being owned by Maldon District Council.

213. FUL/MAL/18/00416 - LAND AT STOCK CHASE, HEYBRIDGE, ESSEX

Application Number	FUL/MAL/18/00416
Location	Land at Stock Chase Heybridge Essex
Proposal	Erection of two detached bungalows
Applicant	Mr Nick Barnes - Milbarn Construction
Agent	Mr Matthew Letten - Spectrum Town Planning
Target Decision Date	13.07.2018
Case Officer	Kathryn Mathews TEL: 01621 875805
Parish	HEYBRIDGE WEST
Reason for Referral to the Committee / Council	Member Call In – Councillor Ian Dobson – due to the public interest in the site

The Officer presented the report to the Committee, and attention was drawn to the Members' Update.

The application was discussed and Members were pleased with the improvement of the area. It was noted that parking in the vicinity was at a premium and that offered with the property was considered generous.

Members queried whether the study room could be considered a second bedroom, and raised concern over the lack of storage in the property. The Group Manager for Planning Service advised that there was no minimum space for storage required and it would be difficult to refuse an application on this matter unless there was a clear shortfall.

The Committee raised concern over drainage at the site due to its current condition and were pleased that the application would be addressing this issue.

Upon a vote being taken the application be **APPROVED** in accordance with the Officer's recommendation.

RESOLVED that the 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 and specifications:
PROPOSED SITE PLAN SC/18/01 REV.A;
SOFT LANDSCAPING PLAN NR.723.01 REV.A
EXISTING AND PROPOSED SITE PLAN SC/18/P101 REV.A
PLOT 1 & 2 PROPOSED ELEVATIONS SC/18/P103 REV.A
PLOT 1 & 2 PROPOSED PLANS SC/18/P102
BLOCK PLAN & LOCATION PLAN SC/18/OM
SITE SET UP PLAN SC/18/02 CONSTRUCTION
METHOD STATEMENT
DETAILS OF EXTERNAL MATERIALS (BRICKS, TILES AND PAVING)
SOFT LANDSCAPING & PLANTING SPECIFICATION
- 3 The hard landscape works, as shown on drawing PROPOSED SITE PLAN SC/18/01 REV.A, 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, as shown on drawing SOFT LANDSCAPING PLAN NR.723.01 REV.A and SOFT LANDSCAPING & PLANTING SPECIFICATION, 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 that 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.
- 4 The car parking spaces hereby approved shall be provided prior to the first beneficial occupation of the dwellings hereby permitted and shall be permanently retained thereafter for the parking of private motor vehicles solely for the benefit of the occupants of the dwellings hereby approved and their visitors and for no other purpose.
- 5 The foul drainage scheme, shown on drawing SC/18/01 REV.A; shall be implemented prior to the first occupation of the development.
- 6 No development shall take place until details of the surface water drainage scheme to serve the development have 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.
- 7 The approved Construction Method Statement received on 7 June 2018 shall be adhered to throughout the construction period.
- 8 Notwithstanding the provisions of Schedule 2 Part 1 Classes B and C of the

Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order), there shall be no alterations or additions to the roofs of the dwellings.

- 9 The development shall only be undertaken in full compliance with the approved details, as shown on drawing SC/18/02, for the protection of persons using the public footpath adjacent to the site during the construction period.

214. FUL/MAL/18/00480 - KIOSK ADJACENT TO THE SPLASH PARK, THE PROMENADE PARK, MALDON, ESSEX

Application Number	FUL/MAL/18/00480
Location	Kiosk Adjacent to The Splash Park The Promenade Park Maldon Essex
Proposal	Use of land for the temporary siting of a mobile food and drink kiosk
Applicant	Mr J Smith - S J Caterers
Agent	Mr Matthew Williams - Brimble, Lea & Partners
Target Decision Date	11 July 2018
Case Officer	Yee Cheung TEL: 01621 876220
Parish	MALDON EAST
Reason for Referral to the Committee / Council	Council Owned Land

It was noted that a Members' Update had been received.

The Officer changed their recommendation from approved, and requested that the application given to be deferred to allow the applicant more time following the response from the Environment Agency in the Members' Update.

Following receipt of the Environment Agency's concerns over flood risk it was considered that issues at the site had not been fully explored.

Councillor Miss M R Lewis proposed that the application be refused for the reasons stated above, and this was duly seconded by Councillor Dobson.

A lengthy discussion was held where Members stated they were disappointed that the application was retrospective. It was noted that some Members deemed the building to be incongruous with the surrounding area.

Councillor A T Cain requested that a recorded vote was taken on both the request to defer and the reasons for refusal. This was duly seconded.

A vote on the Officers recommendation for deferral was taken:

Members In favour of deferral: Councillors Savage and Cain.

Members against deferral: Councillors Miss A M Beal, Dobson, Mrs B D Harker, M S Heard, Lewis, M R Pearlman, Mrs N G F Shaughnessy, and Rev. A E J Shrimpton.

Members abstaining from voting: Councillor B E Harker.

Following the refusal of a deferral by the Committee, Members then voted on the refusal of the application.

Members in favour of refusal: Councillors Miss Beal, Dobson, Mrs Harker, Heard, Lewis, Pearlman, Mrs Shaughnessy, Savage, and Rev. Shrimpton.
 Members against refusal: Councillor Cain.
 Members abstaining from voting: Councillor B E Harker.

Upon a vote being taken the application was refused contrary to the Officers recommendation.

RESOLVED that the application be **REFUSED**, for the following reasons:

1. The application site is located in tidal Flood Zone 3b which has the highest risk of flooding but the Flood Risk Assessment submitted does not provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. Therefore, the development is contrary to the National Planning Policy Framework, the National Planning Practice Guide, and Policy D5 of the Maldon District Approved Local Development Plan.

215. FUL/MAL/18/00481 - BUNGEE TRAMPOLINES (VALLEY AREA), THE PROMENADE PARK, PARK DRIVE, MALDON, ESSEX

Application Number	FUL/MAL/18/00481
Location	Bungee Trampolines (Valley Area) The Promenade Park Park Drive Maldon Essex
Proposal	Use of land for the provision of mobile play equipment (e.g. 4- person bungee trampoline) -
Applicant	Mr J Smith - S J Caterers
Agent	Mr Matthew Williams - Brimble, Lea & Partners
Target Decision Date	11 July 2018
Case Officer	Yee Cheung TEL: 01621 876220
Parish	MALDON EAST
Reason for Referral to the Committee / Council	Council Owned Land

It was noted that a Members' Update had been received from the Environment Agency.

The Officer requested that the application be deferred, to allow the applicant more time to submit additional information. This was to address the objection raised by the Environment Agency as set out in the Members' Update.

Members discussed the application. It was noted that the design was considered incongruous with the surrounding area, contrary to Policy D3 of the Local Development Plan (LDP), and concerns on flood risk were also raised.

Councillor Lewis proposed that the application be refused for the reasons mentioned above. This was duly seconded.

The Committee took a recorded vote on the refusal of the application.
 Members voting in favour of refusing the application: Councillors Miss A M Beal, I E Dobson, Mrs B D Harker, M S Heard, Miss M R Lewis, M R Pearlman, S J Savage, Mrs N G F Shaughnessy, Rev. A E J Shrimpton.
 Members voting against refusing the application: Councillor A T Cain.

Members abstaining from voting: Councillor B E Harker.

Upon a vote being taken the application was refused contradictory to the Officers recommendation.

RESOLVED that the application be **REFUSED** for the following reasons:

1. The application site is located in tidal Flood Zone 3b which has the highest risk of flooding but the Flood Risk Assessment submitted does not provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. Therefore, the development is contrary to the National Planning Policy Framework, the National Planning Practice Guide, and Policy D5 of the Maldon District Approved Local Development Plan.
2. The proposed development would, as a result of its design, siting and size, be an incongruous form of development in this locally designated historic park and garden, out of keeping with its surroundings to the detriment of the character and appearance of the area, contrary to Policies D1 and D3 of the National Planning Policy Framework, NPPG, Maldon District Approved Local Development Plan and the Maldon District Design Guide 2017.

216. FUL/MAL/18/00502 - PARK DRIVE FITNESS AND SQUASH CLUB, PARK DRIVE, MALDON

Application Number	FUL/MAL/18/00502
Location	Park Drive Fitness And Squash Club, Park Drive, Maldon
Proposal	Proposed 3No. padel courts with new glass & fencing panels built over existing tennis court.
Applicant	Mr Peter Alexander - Park Drive Health Club
Agent	Mr P R Harris
Target Decision Date	5 July 2018
Case Officer	Kathryn Mathews, TEL: 01621 875805
Parish	MALDON EAST
Reason for Referral to the Committee / Council	Council Owned Land

Following the Officers presentation, Mr Richard Smith of R T Padel, the Agent, addressed the committee.

The Chairman questioned the hours of use in the report and it was confirmed that the hours of use should read '08:00 hours and 22:00 hours Monday to Friday and between 08:00 hours and 20:00 hours Saturday, Sunday and Public Holidays.'

Councillor I E Dobson informed the Committee that he had a non-pecuniary interest in the application as he was a member of Park Drive Health Club.

The Committee voiced their support and welcomed the application; however some Members raised concerns over potential light pollution being generated. It was noted that this was addressed in Condition 3 of the report.

Upon a vote being taken the application was duly agreed with the Chairman abstaining.

RESOLVED that the application be **APPROVED**, with correction to wording of condition 4:-

- 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 accordance with the following approved plans and documents: 9B 2018; 9C 2018; 9A 2018
- 3 No form of external illumination of the courts hereby permitted shall be provided other than in accordance with details (including the luminance and spread of light; and the design, position and specification of the light fittings) which shall have first been submitted to and approved in writing by the local planning authority. The external illumination shall be retained in accordance with the approved details.
- 4 The courts hereby permitted shall only be used between 08:00 hours and 22:00 hours on Mondays to Fridays and between 08:00 hours and 20:00 hours on Saturdays, Sundays and Public Holidays.

217. HOUSE/MAL/18/00579 - 15 SUFFOLK ROAD, MALDON

Application Number	HOUSE/MAL/18/00579
Location	15 Suffolk Road, Maldon
Proposal	Proposed two storey side extension and front porch extension. Erection of 2.2m high boundary close boarded fence and concrete gravel boards and
Applicant	Mr P Rowden
Agent	Terence Wynn
Target Decision Date	06/07/2018
Case Officer	Louise Staplehurst, TEL: 01621 875706
Parish	MALDON WEST
Reason for Referral to the Committee / Council	Member Call In by Councillor Mark Heard similar to other extensions nearby.

Following the Officers presentation, Mr Phil Rowden, the Applicant, addressed the Committee in support of the application.

The Committee discussed the application, considering the design and its impact on the street scene. Members complimented the consideration taken to have it set back from the road, noting that following the completion of the extension the garden would still be a reasonable size and it would not cause a loss of amenities.

Councillor Mrs N G F Shaughnessy advised the Committee that the Town Council had recommended refusal of the application due to the size and scale of the fence, not the property.

Councillor Heard proposed that the application be approved, contrary to the Officer's recommendations. This was duly seconded and agreed.

RESOLVED that the 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 accordance with the following approved plans and documents: 1247/10.B
- 3 The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
- 4 Prior to the first occupation of the extension hereby permitted, the first floor bedroom window in the southern 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.

There being no further items of business the Chairman closed the meeting at 8.40 pm.

B E HARKER
CHAIRMAN