



**MINUTES of
CENTRAL AREA PLANNING COMMITTEE
25 JULY 2018**

PRESENT

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

295. CHAIRMAN'S NOTICES

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

296. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor I E Dobson.

297. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 27 June 2018 be approved and confirmed.

298. DISCLOSURE OF INTEREST

Councillor Mrs P A Channer, CC declared a non-pecuniary interest as she was a Member of Essex County Council, a consultee on planning application matters with respect generally to highways, matters of access and education primarily.

299. FUL/MAL/18/00500 - THE CUPS PUBLIC HOUSE, 214 WANTZ ROAD, MALDON, ESSEX, CM9 5DG

The Group Manager for Planning Services provided an update on a revision of the National Planning Policy Framework (NPPF) that was published on 24 June 2018. Members were taken through the report in relation to the NPPF, and advised of changes made from the original to the revised document.

Members were advised that the Local Development Plan (LDP) continues to remain consistent with the NPPF.

Following the presentation of the report, Jean Jackson, a neighbour to the The Cups Public House, spoke in support of the application.

The Committee was advised by the Group Manager for Planning Services that since the report was published, consultation from Essex Highways had been received in support of the application.

Members discussed the application, and commended the developer in taking time to approach and speak with neighbours to the site.

In response to Members questions, The Group Manager for Planning Services confirmed that a bats survey is not a requirement of the application but if it pleased members this could be included as a condition. A question was asked about the lack of visitor parking at the time of the previous application, and the Committee was informed that the communal car park would contain one visitor space. It was confirmed that a bin storage area was situated at the front of each property, and that the materials used on the exterior of the property would be defined in the conditions.

There was a short discussion on whether there should be a facility for the charging of electric cars at the development, and Members decided that this was not a requirement of the application.

A discussion concerning Sustainable Urban Drainage (SuDS) occurred and Members questioned whether this had been considered following past drainage issues at the north end of Wantz Road. The Group Manager for Planning Services advised it this would not be reasonable to require the full details at this stage on a scheme of six dwellings. Members were informed that the Officer considered there to be sufficient space to accommodate an appropriate scheme on this site, and this had been required through a condition.

Councillor S J Savage proposed that the application was approved in agreement with the Officers recommendation, this was duly seconded.

RESOLVED that the application is **APPROVED** subject to the following conditions:

- 1 The development hereby permitted shall begin no later than three years from the date of this decision.
REASON: To comply with Section 91(1) of The Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development shall be carried out in accordance with the following approved plans and documents: LP/WR/01/2018; Location Plan; LP/WR/02/2018 - Site Survey; LP/WR/02/2018 - Site Plan; LP/WR/03/2018; LP/WR/05/2018; LP/WR/06/2018; LP/WR/07/2018; LP/WR/08/2018; LP/WR/09/2018; and LP/WR/10/2018.

REASON: For the avoidance of doubt as to the extent of this permission.

3 No development shall take place until samples of the facing material to be used have been submitted to and approved in writing by the local planning authority. The works must then be carried out in accordance with the approved details.

REASON: To ensure that the external materials to be used in the development are acceptable in accordance with Policy D1 of the Maldon LDP and Government advice contained in the NPPF.

4 No development shall take place until full details of both hard and soft landscape works to be carried out have been submitted to and approved in writing by the local planning authority. These details shall include the layout of the hard landscaped areas with the materials and finishes to be used and details of the soft landscape works including 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, 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.

REASON: To ensure the soft and hard landscaping are appropriate and to protect the visual amenity of the area in accordance with policy D1 of the Maldon District LDP and Government advice as contained in the NPPF.

5 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 boundary treatment as approved shall be constructed prior to the first use/occupation of the development to which it relates and be retained as such thereafter.

REASON: To ensure the boundary treatments are appropriate and to protect the visual amenity of the area in accordance with policy D1 of the Maldon District LDP and Government advice as contained in the NPPF.

6 Prior to first occupation of the proposed development, the proposed vehicular access onto Cross Road shall be constructed at right angles to the highway boundary and to a width of 5.0 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.

REASON: To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety and in accordance with policy T2 of the Maldon District LDP.

7 No unbound materials shall be used in the surface treatment of either of the proposed vehicular accesses throughout.
 REASON: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety and in accordance with policy T2 of the Maldon District LDP.

8 The existing access or any part of an access (dropped kerb) rendered redundant or unnecessary by this development shall be suitably and permanently closed to the satisfaction of the Local Planning Authority, incorporating the re-instatement to full height of the highway verge / footway / kerbing to the specifications of the Highway Authority, immediately the proposed new accesses are brought into use.
 REASON: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway and to prevent indiscriminate access and parking on the highway, in the interests of highway safety and in accordance with policy T2 of the Maldon District LDP.

9 Prior to the first occupation of the development hereby permitted details of the car parking spaces to be provided shall be submitted to and approved in writing by the local planning authority. The car parking spaces shall be carried out in accordance with the agreed details and shall not be used for any purpose other than the parking of vehicles related to the use of the development thereafter.
 REASON: To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety and in accordance with policies D1 and T2 of the Maldon District LDP.

10 No development shall take place, including any ground works or works of demolition, until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and under body washing facilities

 REASON: To ensure that on-street parking of these vehicles in the adjoining streets does not occur, in the interests of highway safety and in accordance with policies D1 and T2 in accordance with policy T2 of the Maldon District LDP.

11 Prior to the commencement of the development details of the surface water and foul water drainage scheme to serve the development shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full prior to the first occupation of the development.
 REASON: To avoid the risk of water flooding and pollution in accordance with policy D2 of the Maldon District LDP.

12 No development including any site clearance or groundworks of any kind shall take place within the site until the applicant or their agents; the owner of the site or successors in title has submitted an archaeological assessment by an accredited archaeological consultant to establish the archaeological significance of the site. Such archaeological assessment shall be approved by the local planning authority and will inform the

implementation of a programme of archaeological work. The development shall be carried out in a manner that accommodates such approved programme of archaeological work.

REASON: To protect the site which is of archaeological interest in accordance with Policy D3 of the Maldon District LDP and Government advice contained in the NPPF.

13 No development or demolition/conversion of any kind shall take place within the site until the applicant or their agents; the owner of the site or successors in title, has secured the implementation of a programme of archaeological recording from an accredited archaeologist or historic building specialist in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The development shall be carried out in a manner that accommodates the approved programme of archaeological work.

REASON: To protect the site which is of archaeological interest in accordance with Policy D3 of the Maldon District LDP and Government advice contained in the NPPF.

14 Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no extensions or separate buildings (other than ancillary outbuildings not exceeding 10 cubic metres in volume) shall be erected within the site without planning permission having been obtained from the local planning authority.

REASON: To ensure that the private amenity space for Plots 1, 2, 3, 4, 5 and 6 remains of an appropriate size and useable for the future occupiers of the site in accordance with policy D1 of the Maldon District LDP.

15 Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no dormer window or other form of addition or roof lights or openings shall be constructed in the roof slope of the development hereby permitted without planning permission having been obtained from the local planning authority.

REASON: To protect the existing amenity of neighbouring residential properties in accordance with policy D1 of the Maldon District LDP.

16 No development shall take place including any demolition or clearance works, until a survey of the buildings on site has been undertaken to determine whether bats are present, the results of which shall be submitted to and approved in writing by the local planning authority. If bats are found to be present, no demolition work shall take place until an acceptable mitigation scheme has been approved in writing by the local planning authority. The development shall commence and proceed only in accordance with the approved mitigation scheme.

REASON: To ensure the suitable protection and mitigation of ecological interests at the site, in accordance with policies D1 and N2 of the Maldon District Local Development Plan and the National Planning Policy Framework.

17. A scheme for the provision of six bat boxes, one per dwelling, shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented prior to first occupation of any dwelling hereby approved and shall be retained in perpetuity.

REASON: To ensure the suitable protection and mitigation of ecological

interests at the site, in accordance with policies D1 and N2 of the Maldon District Local Development Plan and the National Planning Policy Framework.

There being no further items of business the Chairman closed the meeting at 8.05 pm.

B E HARKER
CHAIRMAN