



**MINUTES of
CENTRAL AREA PLANNING COMMITTEE
12 DECEMBER 2018**

PRESENT

Vice-Chairman
(in the chair)

Councillor Miss M R Lewis

Councillors

Miss A M Beale, I E Dobson, M S Heard, S J Savage,
Mrs N G F Shaughnessy and Rev. A E J Shrimpton

690. CHAIRMAN'S NOTICES

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

691. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors B E Harker, A T Cain, Mrs B D Harker, M R Pearlman, and Mrs P A Channer, CC.

692. MINUTES OF THE LAST MEETING

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 14 November 2018 be received.

Minute No. 595 – Disclosure of Interests

That the fourth paragraph be edited to include the amendment, shown as underlined:

“Councillor S J Savage declared a non-pecuniary interest in Agenda Item 5, FUL/MAL/18/00699 - Blackwater Leisure Centre, Maldon as he lives in close proximity to the existing Watership Down premises.”

RESOLVED

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 14 November 2018 be confirmed.

693. DISCLOSURE OF INTEREST

Councillor Miss M R Lewis declared a non-pecuniary interest in Agenda Item 7, FUL/MAL/18/01286 – Rear of 119 High Street, Maldon, Essex, as she knows the applicant.

Councillor S J Savage declared a non-pecuniary interest in Agenda Item 6, FUL/MAL/18/01174 – Connect House, Quayside Industrial Estate, Bates Road, Maldon, Essex, as he resides within the emission fallout area of the chimneys.

Councillor M S Heard declared a non-pecuniary interest in Agenda Item 7, FUL/MAL/18/01286 – Rear of 119 High Street, Maldon, Essex, as he knows the applicant.

Councillor N G F Shaughnessy declared a non-pecuniary interest in Agenda Item 7, FUL/MAL/18/01286 – Rear of 119 High Street, Maldon, Essex, as she knows the applicant.

694. FUL/MAL/18/00975 - BEELEIGH ABBEY, ABBEY TURNING, MALDON, ESSEX, CM9 6LL

Application Number	FUL/MAL/18/00975
Location	Beeleigh Abbey, Abbey Turning, Maldon, Essex, CM9 6LL
Proposal	Construction of an aluminium framed ornamental glasshouse.
Applicant	Christopher Foyle
Agent	Mr Michael Dyson – Laurie Wood Associates
Target Decision Date	19.12.2018
Case Officer	Louise Staplehurst
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Major Application

A Members' Update had been submitted advising of Historic England's response which was received post publication of the report.

A brief discussion ensued in which the ward Member confirmed their concurrence with the Officers recommendation.

The Chairman put the Officers recommendation of approval to the Committee and upon a vote being taken the application was approved.

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

- 1 The proposed development 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: VPF 5543/M 1 OF 3, VPF 5543/M 2 OF 3, VPF 5543/M 3 OF 3, 258-01 rev C, 258-02 rev E.

- 3 The materials used in the construction of the glasshouse hereby approved shall be as set out within the application form/plans hereby approved.

695. FUL/MAL/18/01174 - CONNECT HOUSE, QUAYSIDE INDUSTRIAL ESTATE, BATES ROAD, MALDON, ESSEX, CM9 5FA

Application Number	FUL/MAL/18/01174
Location	Connect House, Quayside Industrial Estate, Bates Road, Maldon, Essex, CM9 5FA
Proposal	Change of use of Connect House from industrial warehousing (Use Class B2) to short term operating reserve and peak power ('STOR') embedded generating plant (sui generis) together with external alterations to Connect House including demolition of the eastern section of the building and the internal building service area on the western elevation; erection of an external chimney with 6 integrated exhaust stacks, auxiliary equipment, 6 radiator cooling units, HV switchboard enclosure, gas kiosk, substations, acoustic barrier and security fence and associated works.
Applicant	Blackwater Power Ltd
Agent	Lichfields
Target Decision Date	04.12.2018 – requested EOT to 17.12.2018
Case Officer	Kathryn Mathews
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Call-in by Councillor Rev. A E J Shrimpton for the reason of public interest

Following the Officer's presentation, Mr Chris Wickins, the Applicant, addressed the Committee.

A discussion ensued where Members raised concerns over the potential impact on air quality within the district, the use of fossil fuels and the height of the acoustic barrier. The Committee commented on the chimneys height with the majority of Members approving of the reduction in height from the original plan.

Councillor Rev. A E J Shrimpton proposed that the application be refused, contrary to the Officer's recommendation. This was duly seconded by Councillor S J Savage.

The Committee discussed how the site would mitigate any shortfall in energy for the surrounding area, noting that it would only be operational when required. Consideration was given to the impact on residents and the industrial area. One Member queried whether the application was in keeping with European Union (EU) directives.

Councillor I E Dobson that a recorded vote was taken.

The Group Manager Planning Services advised that the National Planning Policy Framework (NPPF) encourages the use of renewable energy but does not object to the use of fossil fuels, and directed Members attention to the comments on the air quality within the report. It was confirmed that compliance with EU directives would be the applicant's responsibility.

Members thanked Blackwater Power Ltd for the prospect of preventing power outages.

The Vice-Chairman put the proposal of refusal, contrary to the Officer's recommendation, to the Committee.

In favour: Councillors S J Savage and Rev. A E J Shrimpton.

Against: Councillors M S Heard, N G F Shaughnessy, Miss A M Beal, I E Dobson and Miss M R Lewis.

The Vice-Chairman put the Officers recommendation of approval to the committee.

In favour: Councillors N G F Shaughnessy, M S Heard, Miss A M Beal, I E Dobson and Miss M R Lewis.

Against: Councillors S J Savage and Rev. A E J Shrimpton.

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: PL_MA_001rev.01, PL_MA_002.rev.5, PL_MA_BP_005rev.04, PL_MA_SE_006rev.04, PL_MA_PBP_007rev.03 received on 27/11/18, PL_MA_NSE_008rev.00, Flood Risk Assessment & Drainage Strategy 619874-MLM-ZZ-XX-RP-C-0001 by MLM Group dated 27/09/2018, Air Quality Assessment 776933-MLM-ZZ-XX-RP-J-0001 by MLM Group dated 26/11/2018, Acoustic Technical Report ref.102509-MLM-ZZ-XX-RP-U-0001 by MLM Group dated 27/09/2018, Tree Survey and Impact Assessment 1111-KC-XX-YTREE-TreeSurvey-and-ImpactAssessment-RevA dated September 2018, 1111-KC-XX-YTREE-TCP01rev0, 1111- KC_XX_YTREE_TPP01rev.A.
3. Details of all external plant and machinery to be installed at the site shall be submitted to and approved in writing by the Local Planning Authority prior to their use. The plant and machinery shall be installed and operated in accordance with the approved details and retained as such in perpetuity.
4. The development shall not be occupied until a Flood Warning and Evacuation Plan has been submitted to and approved by the Local Planning Authority. The Flood Warning and Evacuation Plan shall be made available for inspection by all occupiers and customers to the site and shall be displayed in a visible location all times thereafter.
5. Details of all external illumination of the site including the luminance and spread of light and the design and specification of the light fittings shall be submitted to and approved in writing by the Local Planning Authority. All illumination within the site shall be retained in accordance with the approved details. There shall be no other lighting of the external areas of the site unless otherwise agreed in writing by the Local Planning Authority.
6. Prior to the commencement of the use hereby permitted, provision shall be made for the storage of three bicycles within the site in accordance with details which have been submitted to and gained the prior written approval of the Local Planning Authority. The approved facility shall be secure, convenient, covered, maintained free from obstruction and retained thereafter. The storage shall be retained as approved in perpetuity.
7. The use hereby permitted shall not commence until details of flood resilience / resistance measures to be incorporated into the development have been

submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and retained as such thereafter.

8. Any gates / barriers provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the highway boundary.
9. Prior to commencement of the development, the areas within the curtilage of the site for loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.
10. All measures set out within the noise assessment, including all acoustic fencing, shall be in place prior to the first beneficial use of the building hereby approved and shall be retained as such in perpetuity.

696. FUL/MAL/18/01286 - REAR OF 119 HIGH STREET, MALDON

Application Number	FUL/MAL/18/01286
Location	Land Rear Of 119 High Street, Maldon, Essex
Proposal	Single storey 1 bedroom dwelling
Applicant	Mrs Judy Smith
Agent	Annabel Brown Architect
Target Decision Date	27 December 2018
Case Officer	Kathryn Mathews
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	The application was referred by Councillor M R Pearlman in the public interest.

The Committee received the Officer's report on the application.

A discussion ensued on the redevelopment of the site, noting that a previous application had been dismissed at appeal. Members questioned whether the application would detract from the Grade 2 listed building at the front of the site.

Councillor Rev. A E J Shrimpton proposed that the application be refused, contrary to the Officer's recommendation. This was duly seconded by Councillor S J Savage.

The Group Manager Planning Services advised the Committee that the reasons for refusal on a prior application at a site would not necessarily be applicable to any new application. Members were informed that the current application mitigates prior concerns raised by the Inspector as this application was for a single story dwelling.

The Committee discussed whether there would be a loss of commercial property from the High Street and whether it was fit for the conservation area. Members commented on whether it would complement surrounding properties and that it was considered visually unobtrusive.

Officers were complimented for considering the surrounding archaeology in their report.

The Chairman put the proposal of refusal to the Committee and upon a vote being taken the proposal was rejected.

The Chairman then put the Officers recommendation of approval to the Committee. Upon a vote being taken this was duly 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: A17509-PP04; A17509A BLOCK PLAN; A17509 -Survey02.
3. All loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.
4. 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.
5. 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 secured the implementation of a programme of archaeological work from an accredited archaeological contractor 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. The archaeological work will comprise trial-trenching of the site, followed by full excavation if archaeological features are identified. All fieldwork should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by Essex County Council.
6. No development shall take place above slab level until a sample of the materials to be used in the construction of the external surfaces of the building have been submitted to the Local Planning Authority for approval in writing. The development shall be carried out in accordance with the approved materials.
7. No development shall take place above slab level until large-scale drawings of all new windows and doors – illustrating elevations at 1:20 and section details (including of glazing bars) at 1:2 - have been submitted to the Local Planning Authority for approval in writing. All external joinery shall be of painted timber only. The development shall be carried out in accordance with the approved materials/details.
8. The development hereby permitted shall be carried-out, as follows:-
 - All weatherboarding shall be of black painted timber and featheredged in profile.

- All brickwork shall be laid in a Flemish bond and all bricks shall be bedded in mortar with a flush external joint profile.
 - All the external doors, fascias, soffits and the louvres on the northern gable shall be of timber only.
9. Details of the materials to be used for all hard surfacing, shall be submitted to and approved in writing by the local planning authority, prior to their use on site. The surfacing shall be completed in accordance with the approved details prior to the commencement of the beneficial use of the building hereby permitted.
 10. Prior to the beneficial occupation of the dwelling hereby permitted, all means of enclosure to be erected shall be installed in accordance with details which shall have been submitted to and gained the prior written agreement of the local planning authority. The means of enclosure shall be retained as permitted in perpetuity.
 11. Once the dwelling hereby permitted is occupied, refuse shall only be stored and collected in accordance with details which shall have been submitted to and gained the prior written consent of the local planning authority. Subsequently refuse shall only be stored and collected in accordance with the approved details.
 12. Prior to the commencement of the use hereby permitted, provision shall be made for the storage of bicycles within the site in accordance with details which have been submitted to and gained the prior written approval of the local planning authority. The approved facility shall be secure, convenient, covered, maintained free from obstruction and retained thereafter. The storage shall be retained as approved in perpetuity.
 13. 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 garages, extensions, or separate buildings (other than ancillary outbuildings not exceeding 10 cubic metres in volume) shall be erected within the site and no dormer window or other form of addition or opening shall be constructed in the roof or gable walls of the building without planning permission having been obtained from the local planning authority.

There being no further items of business the Chairman closed the meeting at 8.25 pm.

COUNCILLOR MISS M R LEWIS
CHAIRMAN