



**MINUTES of
DISTRICT PLANNING COMMITTEE
8 OCTOBER 2020**

PRESENT

Vice-Chairman Councillor Mrs P A Channer, CC
(in the Chair)

Councillors E L Bamford, M G Bassenger, Miss A M Beale,
B S Beale MBE, V J Bell, R G Boyce MBE, M R Edwards,
Mrs J L Fleming, M S Heard, M W Helm, A L Hull,
K W Jarvis, K M H Lagan, C Mayes, C Morris, S P Nunn,
N G F Shaughnessy, R H Siddall, W Stamp, Mrs J C Stilts,
C Swain, Mrs M E Thompson and Miss S White

1253. CHAIRMAN'S NOTICES

The Chairman welcomed everyone to this remote meeting of the District Planning Committee, held under new regulations which had come into effect in response to the COVID-19 situation. The Chairman then went through some general housekeeping arrangements for the meeting.

A roll call of those Members present was taken.

1254. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R G Boyce MBE, R P F Dewick, M F L Durham CC, C P Morley and N Skeens.

1255. MINUTES - 13 AUGUST 2020

RESOLVED that the Minutes of the meeting of the District Planning Committee held on 13 August 2020 be approved and confirmed.

1256. MINUTES - 20 AUGUST 2020

RESOLVED that the Minutes of the special meeting of the District Planning Committee held on 20 August 2020 be approved and confirmed.

1257. DISCLOSURE OF INTEREST

Councillor Mrs P A Channer disclosed a non-pecuniary interest as a Member of Essex County Council who were consulted on a number of areas in relation to planning applications which included flooding as Lead Local Flood Authority.

1258. 20/00846/RES - LAND NORTH WEST OF 2 MALDON ROAD, BURNHAM-ON-CROUCH

Application Number	20/00846/RES
Location	Land North West of 2 Maldon Road, Burnham-on-Crouch
Proposal	Reserved matters application for the approval of appearance & landscaping on approved planning application 18/00443/OUT (Create retirement community consisting of 103No. one, two and three-bedroom bungalows (class C.3), 70 bedroom two-storey care home building (class C.2) and 55 bedroom two-storey assisted living apartment building (class C.3) including affordable housing. Erect ancillary community centre, 8No. shops (class A.1) with 8No. key workers apartments over in two-storey building, two-storey medical centre (GP, dental, optician, and dispensing chemist), and construct single-storey office and Maintenance Buildings. Lay Out Amenity and Sports Facilities Including Outdoor Swimming Pool, tennis courts, allotments and open spaces. Lay out estate roads, footpaths and surface water drainage infrastructure including swales and detention Basin. Form vehicular and pedestrian accesses onto B1010 Maldon Road and Tinkers Hole, and create associated hard and soft landscaping)
Applicant	Mr Ian Holloway – Think Green Land Limited
Agent	Mr Stewart Rowe – The Planning & Design Bureau Limited
Target Decision Date	19.11.2020
Case Officer	Kathryn Mathews
Parish	BURNHAM NORTH
Reason for Referral to the Committee / Council	Major Application This application is presented to Members as it is of strategic and corporate merit and because there is a Planning Performance Agreement in place.

It was noted from the Members' Update that consultation responses had been received from Essex County Council Adult Social Care and the Tree Consultant. Amendments to proposed conditions 2, 4 and 5 and an additional suggested condition 20 were also detailed.

Councillor A L Hull declared a non-pecuniary interest in this application as her partner had worked for the original owner of the land.

The Chairman advised Members that under the Council's public participation scheme one submission had been received from the Agent, Mr Rowe. In line with the public participation scheme she had reviewed the submission and the Lead Specialist Development Management proceeded to read out the submission received. The

Chairman then moved the Officers' recommendation of approval subject to the conditions detailed within the report and Members' Update. This was duly seconded.

Members were reminded that all matters relating to the principle of development, access and location had all been considered and agreed as part of the related outline planning application. Case law was clear that Members could not go back and revisit those matters.

A lengthy debate ensued, during which Officers provided further clarification in respect of the following points:

- The requirement for bus stops and footpaths formed part of the outline application.
- The removal of Permitted Development Right through the proposed conditions were to ensure that back to back distances between dwellings and the design and character of the development were maintained. The Lead Specialist Place provided further clarification on Permitted Development and how this related to the proposed amenity spaces.
- Solar panels were proposed for the independent living units and care home. In response to concerns raised the Officer advised that if Members felt it desirable additional solar panels could be secured by condition.
- The difference in roof heights as set out in paragraph 5.4.12 of the Officers' report were discussed and the Lead Specialist Place clarified that the principle of having buildings of certain story height had been agreed at outline stage. Some concern was raised regarding the proposed pitched rooves. In response the Officer provided further clarification and advised against any objection to the principle of pitched rooves.
- It was confirmed that matters relating to cladding safety were not for consideration and would form part of the Building Control regulations.
- In response to a query regarding the bridleway, Members were informed that this formed part of the Section 106 agreement relating to the outline application which specified introduction of the bridleway following completion of the 80th dwelling.

In accordance with Procedure Rule No. 13 (3) Councillor C Morris requested a recorded vote. This was duly seconded.

Councillor M S Heard referred to solar panels and renewable energy. He then proposed that an increase in the solar panels on the site was required so that six-panel system was agreed for each individual premises be agreed. In response the Lead Specialist Place, advised that a condition could be added to require additional solar panels or a scheme to be detailed, but he had concern about a specific requirement. The proposal was amended accordingly and duly seconded.

The Chairman then put this amendment to the recommendation to the Committee. The Lead Specialist Place suggested that the wording of the condition be delegated to Officers in consultation with the Chairman of the Committee and this was agreed. A recorded vote was taken, and the result was as follows:

For the recommendation:

Councillors E L Bamford, M G Bassenger, Miss A M Beale, B S Beale, V J Bell, M R Edwards, Mrs J L Fleming, M S Heard, M W Helm, A L Hull, K M H Lagan, C Mayes, C Morris, S P Nunn, N G F Shaughnessy, R H Siddall, W Stamp, J Stilts, C Swain, Mrs M E Thompson and Miss S White.

Against the recommendation:

None

Abstention:

Councillor Mrs P A Channer.

The amendment was therefore agreed. The Chairman then put the amended recommendation (including the amendments and additional condition as set out in the Members' Update and additional condition regarding solar panels) to the Committee. A recorded vote was taken, and the result as follows:

For the recommendation:

Councillors E L Bamford, Miss A M Beale, B S Beale, V J Bell, M R Edwards, Mrs J L Fleming, M S Heard, M W Helm, A L Hull, S P Nunn, N G F Shaughnessy, C Swain, Mrs M E Thompson and Miss S White.

Against the recommendation:

Councillors M G Bassenger, K M H Lagan, C Mayes, C Morris, R H Siddall and W Stamp,

Abstention:

Councillors Mrs P A Channer and J Stilts.

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

1. The development hereby permitted shall be begun before the expiration of two years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 6765-S-1101-P1 – Site Location Plan;
 - 6765-S-1102-P2 - Proposed Site Plan - Ground Floor;
 - 6765-S-1103-P2 - Proposed Site Plan - Roof Plan;
 - 6765-S-1104-P2 - Layout Mix Plan;
 - 6765-S-1105-P1 - Site Plan – Refuse Plan;
 - 6765-S-1110-P2 - Proposed Site Plan Q1-4;
 - 6765-S-1111-P1 - Proposed Site Plan Q2-4;
 - 6765-S-1112-P2 - Proposed Site Plan Q3-4;
 - 6765-S-1113-P1 - Proposed Site Plan Q4-4;
 - 6765-S-1120-P1 - Ground Floor Site Plan Independent Living
 - 6765-S-1121-P1 - Ground Floor Site Plan - Shops & Northern Lake;
 - 6765-S-1122-P1 - Ground Floor Site Plan - Care Home;
 - 6765-S-1123-P1 - Ground Floor Site Plan - Community Hub;
 - 6765-S-1124-P1 - Ground Floor Site Plan – Site Office;

- 6765-B-1201-P1 – Bungalow Type 1-A-P Floor and Roof Plans & 3D Views;
- 6765-B-1202-P1 – Bungalow Type 1-B-P Floor and Roof Plans & 3D Views;
- 6765-B-1203-P1 – Bungalow Type 2-A-P Floor and Roof Plans & 3D Views;
- 6765-B-1204-P1 – Bungalow Type 2-B-P Floor and Roof Plans & 3D Views;
- 6765-B-1205-P1 – Bungalow Type 3-A-P Floor and Roof Plans & 3D Views;
- 6765-B-1301-P1 – Bungalow Type 1-A-P Elevations;
- 6765-B-1302-P1 – Bungalow Type 1-B-P Elevations;
- 6765-B-1303-P1 – Bungalow Type 2-A-P Elevations;
- 6765-B-1304-P1 – Bungalow Type 3-B-P Elevations;
- 6765-B-1305-P1 – Bungalow Type 3-A-P Elevations;
- 6765-CH-1201-P1 – Care Home – Proposed Ground Floor Plan;
- 6765-CH-1202-P1 – Care Home – Proposed First Floor Plan;
- 6765-CH-1203-P1 – Care Home – Proposed Roof Plan;
- 6765-CH-1301-P1 – Care Home – Proposed Elevations 1-3;
- 6765-CH-1302-P1 – Care Home – Proposed Elevations 2-3;
- 6765-CH-1303-P1 – Care Home – Proposed Elevations 3-3;
- 6765-CH-1304-P1 – Care Home – Proposed Elevation Treatment;
- 6765-CO-1201-P1 - Community Hub – Proposed Floor Plans;
- 6765-CO-1301-P1 - Community Hub – Proposed Elevations 1-2;
- 6765-CO-1302-P1 - Community Hub – Proposed Elevations 2-2;
- 6765-IL-1201-P1 – Independent Living – Proposed Ground Floor Plan;
- 6765-IL-1202-P1 – Independent Living – Proposed First Floor Plan;
- 6765-IL-1203-P1 – Independent Living – Proposed Roof Plan;
- 6765-IL-1301-P1 – IL-Block 1 Elevations (1 & 2);
- 6765-IL-1302-P1 – IL-Block 1 Elevations (3 & 4);
- 6765-IL-1303-P1 – IL-Block 2 Elevations (1 & 2);
- 6765-IL-1304-P1 – IL-Block 2 Elevations (3 & 4);
- 6765-IL-1305-P1 – IL-Block 3 Elevations (1 & 2);
- 6765-IL-1306-P1 – IL-Block 3 Elevations (3 & 4);
- 6765-IL-1307-P1 – IL-Blocks 1, 2, 3 Street Elevations;
- 6765-M-1201-P1 – Medical Centre – Proposed Floor Plans;
- 6765-M-1301-P1 – Medical Centre – Proposed Elevations;
- 6765-O-1201-P1 - Site Office – Plans and Elevations;
- 6765-O-1202-P1 - Maintenance Shed – Floor Plans;
- 6765-O-1203-P1 – Security Office – Plans and Elevations;
- 6765-O-1302-P1 – Maintenance Shed - Proposed Elevations;
- 461 P01 Rev H – Shops and Apartments Plans and Elevations;

- 461 P02 Rev F – Shops and Apartments Site Plan;
 - 191450-003 Site Layout Swept Paths.
 - 1925_WWA_XX-RP_L-0601 – Landscape Specification and Management Plan;
 - 1925_WWA_XX-XX-DR-L-0100 PL05 – Landscape Masterplan;
 - 1925_WWA_XX-XX-DR-L-0101 PL02 – NW Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0102 PL04 – N Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0103 PL03 – NE Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0104 PL03 – W Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR_L-0105 PL03 – Central Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0106 PL03 – E Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0107 PL02 – SW Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0108 PL03 – S Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0109 PL03 – SE Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0111 PL02 –Landscape Reference Plan;
 - 1925_WWA_XX-XX-DR-L-0300 PL02 – NW Planting Plan;
 - 1925_WWA_XX-XX-DR-L-0301 PL04 – N Planting Plan;
 - 1925_WWA_XX-XX-DR-L-0302 PL03 – NE Planting Plan;
 - 1925_WWA_XX-XX-DR-L-0303 PL03 – W Planting Plan;
 - 1925_WWA_XX-XX-DR-L-0304 PL03 – Central Planting Plan;
 - 1925_WWA_XX-XX-DR-L-0305 PL03 – E Planting Plan;
 - 1925_WWA_XX-XX-DR-L-0306 PL02 – SW Planting Plan;
 - 1925_WWA_XX-XX-DR-L-0307 PL03 – S Planting Plan;
 - 1925_WWA_XX-XX-DR-L-0308 PL03 – SE Planting Plan.
3. The development shall be implemented in accordance with the dwelling mix hereby approved, which is as follows:

Market housing:

- 30 No. one-bedroom bungalows
- 52 No. two-bedroom bungalows
- 21 No. three-bedroom bungalows
- 8 No. two-bedroom flats
- A mixture of 5No. one and two-bedroom independent living units

Affordable housing:

- A mixture of 50 one and two-bedroom independent living units
4. The boundary treatments for the development hereby permitted shall be carried out in accordance with the details and with materials as shown on plans listed below prior to the occupation of any of the dwellings and shall be retained as approved thereafter:
- 1925_WWA_XX-RP_L-0601 – Landscape Specification and Management Plan;
 - 1925_WWA_XX-XX-DR-L-0100 PL05 – Landscape Masterplan;

- 1925_WWA_XX-XX-DR-L-0101 PL02 – NW Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0102 PL04 – N Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0103 PL03 – NE Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0104 PL03 – W Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR_L-0105 PL03 – Central Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0106 PL03 – E Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0107 PL02 – SW Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0108 PL03 – S Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0109 PL03 – SE Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0111 PL02 –Landscape Reference Plan;
 - 1925_WWA_XX-XX-DR-L-0300 PL02 – NW Planting Plan;
 - 1925_WWA_XX-XX-DR-L-0301 PL04 – N Planting Plan;
 - 1925_WWA_XX-XX-DR-L-0302 PL03 – NE Planting Plan;
 - 1925_WWA_XX-XX-DR-L-0303 PL03 – W Planting Plan;
 - 1925_WWA_XX-XX-DR-L-0304 PL03 – Central Planting Plan;
 - 1925_WWA_XX-XX-DR-L-0305 PL03 – E Planting Plan;
 - 1925_WWA_XX-XX-DR-L-0306 PL02 – SW Planting Plan;
 - 1925_WWA_XX-XX-DR-L-0307 PL03 – S Planting Plan;
 - 1925_WWA_XX-XX-DR-L-0308 PL03 – SE Planting Plan;
5. The hard and soft landscape works shall be carried out in accordance with the details contained within approved plans listed below, prior to the occupation of any of the dwellings or prior to the first use of the buildings hereby approved within the relevant phase of development:
- 1925_WWA_XX-RP_L-0601 – Landscape Specification and Management Plan;
 - 1925_WWA_XX-XX-DR-L-0100 PL05 – Landscape Masterplan;
 - 1925_WWA_XX-XX-DR-L-0101 PL02 – NW Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0102 PL04 – N Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0103 PL03 – NE Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0104 PL03 – W Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR_L-0105 PL03 – Central Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0106 PL03 – E Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0107 PL02 – SW Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0108 PL03 – S Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0109 PL03 – SE Landscape Layout Plan;
 - 1925_WWA_XX-XX-DR-L-0111 PL02 –Landscape Reference Plan;
 - 1925_WWA_XX-XX-DR-L-0300 PL02 – NW Planting Plan;
 - 1925_WWA_XX-XX-DR-L-0301 PL04 – N Planting Plan;
 - 1925_WWA_XX-XX-DR-L-0302 PL03 – NE Planting Plan;
 - 1925_WWA_XX-XX-DR-L-0303 PL03 – W Planting Plan;

- 1925_WWA_XX-XX-DR-L-0304 PL03 – Central Planting Plan;
- 1925_WWA_XX-XX-DR-L-0305 PL03 – E Planting Plan;
- 1925_WWA_XX-XX-DR-L-0306 PL02 – SW Planting Plan;
- 1925_WWA_XX-XX-DR-L-0307 PL03 – S Planting Plan;
- 1925_WWA_XX-XX-DR-L-0308 PL03 – SE Planting Plan;

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 replacement for it, is removed, uprooted or destroyed or 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 at the same place, unless the local planning authority gives its written consent to any variation.

6. The development shall be undertaken in accordance with the terms and specifications contained within the Landscape Specification and Management Plan (Wynee Wiliams Associates, December 2019), which is attached to and forms part of this permission.
7. Prior to the commencement of development, precise written details of the proposed phasing of development, supported by a detailed phasing plan, shall be submitted to and be approved in writing by the Local Planning Authority. The development shall proceed in compliance with the phasing schedule as approved.
8. No development above ground level relating to each individual phase of the development, to be agreed as part of condition 7, shall take place until samples of the external finishing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and be retained as such in perpetuity.
9. Notwithstanding the provisions of Class A, B, C, D, E and F of Part 1 of Schedule 2 and Class A of Part 2 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no garages, extensions, separate buildings, gates, walls, fencing or hardstanding shall be erected within the site without planning permission having been obtained from the local planning authority.
10. Prior to the occupation of the dwellings or buildings hereby permitted relating to each individual phase of the development, to be agreed under the terms of condition 7, the vehicle parking relating to that phase shall be hard surfaced, sealed and marked out in parking bays in accordance with the plans and details hereby approved. The vehicle parking areas shall be retained in this form in perpetuity. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.
11. The uses hereby permitted shall only be undertaken between the following hours:
 - A1 shops 07:30 hours – 21:00 hours Monday to Saturday, 08:00 hours – 18:00 hours Sundays and Bank Holidays
 - A3 Restaurants and Cafes - 07:30 hours – 23:00 hours Monday to Saturday, 08:00 hours – 22:00 hours Sundays and Bank Holidays
 - A5 Hot Food takeaways 11:00 hours – 22:00 hours Monday to Saturday, 11:00 hours – 22:00 hours Sundays and Bank Holidays
 - Community Centre - 07:30 hours – 23:00 hours Monday to Saturday, 08:00 hours – 22:00 hours Sundays and Bank Holidays

- No customers or visitors shall be present upon the premises outside the permitted hours.
12. No goods, materials, plant, machinery, skips, containers, packaging or other similar items shall be stored or kept outside of the maintenance building hereby approved.
 13. No repairs or maintenance works relating to the maintenance building shall be undertaken outside of the building.
 14. The maintenance building shall be used for purposes ancillary to the wider retirement community hereby approved and for no other purpose.
 15. Prior to the first occupation of the dwellings or the first use of the buildings hereby approved relating to each individual phase of the development, to be agreed under the terms of condition 7, the detail relating to waste management contained within the submitted Planning Statement (19th August 2020) and the refuse points as shown on plans 6765-S-1105-P1 and 191450-003 shall be fully implemented and retained.
 16. Details of the number, location and design of cycle parking spaces, vehicle charging points and mobility scooter storage shall be submitted to and agreed in writing by the local planning authority. The cycle parking spaces, vehicle charging points and mobility scooter storage shall be provided in accordance with the approved details before the associated phase of the development, subject to condition 7, is occupied and retained as such thereafter.
 17. The public's rights and ease of passage over public footpath no 1 (Burnham-on-Crouch) shall be maintained free and unobstructed at all times. Any works, maintenance or improvements to the footpath shall be pre-agreed with the Highway Authority, Essex County Council.
 18. No more than one Master Antenna/satellite dish shall be provided on the roof of each of the three blocks making up the Independent Living Unit to serve the 55 units. No individual satellite dishes or antenna shall be provided per flat.
 19. No external plant or machinery shall be used unless and until details of the equipment have been submitted to and approved by the Local Planning Authority. Any measures required by the Local Planning Authority to reduce noise from the plant or equipment shall be completed prior to the plant being operational and retained as such at all times thereafter.
 20. Prior to the carrying-out of the soft landscaping scheme in accordance with condition 5, details of root deflectors and the exact locations of trees with berries shall be submitted to and approved in writing by the local planning authority. The soft landscaping shall be carried-out in accordance with these additional approved details.
 21. [Subject to Chairman's agreement] There shall be no building constructed above slab level unless and until a scheme for the provision of solar panels throughout the development has been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details.

The meeting closed at 7.39 pm.

MRS P A CHANNER CC
CHAIRMAN