



**MINUTES of
CENTRAL AREA PLANNING COMMITTEE
31 MARCH 2021**

PRESENT

Chairman	Councillor M R Edwards
Vice-Chairman	Councillor Mrs J C Stilts
Councillors	Miss A M Beale, M S Heard, K M H Lagan, C Mayes, C Morris, S P Nunn, N G F Shaughnessy and C Swain

359. CHAIRMAN'S NOTICES

The Chairman welcomed everyone to the remote meeting, held under new regulations which came into effect on 4 April 2020 in response to the COVID-19 pandemic. He took Members through some general housekeeping issues, together with the etiquette for the meeting and then asked Officers and Councillors in attendance to introduce themselves.

This was followed by a roll call of all Committee Members present.

360. APOLOGIES FOR ABSENCE

There were none.

361. MINUTES OF THE LAST MEETING

RESOLVED by assent that the Minutes of the meeting of the Committee held on 24 February 2021 be approved and confirmed.

362. DISCLOSURE OF INTEREST

Councillor Mrs J C Stilts disclosed a non-pecuniary interest in Agenda Item 6 - 21/00064/HOUSE – 21 Essex Road, Maldon as she knew one of the neighbours who had objected.

Councillor M S Heard disclosed a non-pecuniary interest in Agenda Item 6 - 21/00064/HOUSE – 21 Essex Road, Maldon as he knew the neighbours of 21 Essex Road.

Councillor S P Nunn disclosed a non-pecuniary interest in Agenda Item 5 - 20/01315/FUL – Land Adjacent Heybridge House Industrial Estate, Bates Road, Maldon as he had received contact from local residents but had expressed no personal opinion in response.

Councillor C Morris disclosed a non-pecuniary interest in Agenda Item 5 - 20/01315/FUL – Land Adjacent Heybridge House Industrial Estate, Bates Road, Maldon as he knew the applicant.

Councillor K M H Lagan disclosed a non-pecuniary interest in Agenda Item 6 - 21/00064/HOUSE – 21 Essex Road, Maldon as a relative lived on Essex Road.

Councillor C Mayes disclosed a non-pecuniary interest in Agenda Item 5 - 20/01315/FUL – Land Adjacent Heybridge House Industrial Estate, Bates Road, Maldon as she knew both the applicant and agent.

363. 20/01315/FUL - LAND ADJACENT HEYBRIDGE HOUSE INDUSTRIAL ESTATE, BATES ROAD, MALDON, ESSEX

Application Number	20/01315/FUL
Location	Land Adjacent Heybridge House Industrial Estate, Bates Road, Maldon, Essex
Proposal	Construction of open sided storage barn (resubmission of 20/00388/FUL)
Applicant	Mr R Smith
Agent	Mr P Calder – Real8
Target Decision Date	06.04.2021
Case Officer	Kathryn Mathews
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Major application Member call-in – Councillor C Mayes for the following reasons: D1 (3.2; 3.5. 3.7); D2 (3.11; 3.14; 3.15; 3.17) E1 (4.6; 4.13) H4 (5.27) N2 (6.15)

A Members' Update had been circulated prior to the meeting that detailed a consultation response received from Environmental Health confirming their objection to the proposed plans. A verbal update was given that the Agent had submitted further correspondence that afternoon regarding surface water drainage details, but it was too late for these details to be considered as part of the proposal.

Following the Officer's presentation, an Objector, Angela McCulloch and the Agent, Paul Calder addressed the Committee.

A discussion ensued where the overarching concern was the siting of the application in the functional flood zone. The Officer explained that the failure to meet the requirements of the Sequential Test was due to there being available sites in the District outside of the highest risk Flood Zone 3b where permission could be obtained for Class B8 employment development. Concerns were also raised by Members as to the impact of the development on existing ecology, archaeology and potential harm to occupiers of neighbouring residential properties from noise and odours.

There being no further discussion the Chairman moved the Officer's recommendation to refuse the application for the reasons as detailed in Section 8 of the report. This was seconded by Councillor S P Nunn.

The Chairman put the Officer's recommendation to the Committee and upon a vote being taken it was agreed.

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

- 1 The applicant has failed to meet the requirements of the flood risk Sequential Test and, therefore, the proposal is unacceptable on flood risk grounds, contrary to Policies S1 and D5 of the approved Maldon District Local Development Plan and the NPPF.
- 2 It has not been demonstrated to the satisfaction of the local planning authority that an adequate means of surface water drainage would be provided and that the development would not result in an increase in flood risk, contrary to Policy D5 of the approved Maldon District Local Development Plan and the NPPF.
- 3 The development (which consists of a large, open-sided building to be used for storage and distribution purposes, given its proximity to the curtilage of a dwellinghouse) has the potential to cause harm to the occupiers of existing, residential properties, particularly due to noise disturbance, contrary to Policies D1 and D2 of the Maldon District Approved Local Development Plan, the NPPF and the Maldon District Design Guide SPD.

364. 21/00064/HOUSE - 21 ESSEX ROAD, MALDON, CM3 2HQ

Application Number	21/00064/HOUSE
Location	21 Essex Road, Maldon, CM3 2HQ
Proposal	Single storey front, rear & side extensions
Applicant	Mr & Miss Hughes & Prest
Agent	Mr John Frith
Target Decision Date	19.03.2021
Case Officer	Hayleigh Parker-Haines
Parish	MALDON WEST
Reason for Referral to the Committee / Council	Member call in from Councillor N G F Shaughnessy Reason: D1 and H4

A Members' Update had been circulated prior to the meeting that detailed a consultation response received from the Tree Consultant requesting the addition of an informative to safeguard the Maple tree.

Following the Officer's presentation, the Applicant, Lorraine Prest addressed the Committee.

Councillor N G F Shaughnessy, having called in the application expressed concern regarding the application obscuring upper windows on the conservatory of no19. Block plans and photographs were shown by Officers and explanation given that only a small part of the sloping roof of the extension would be adjacent to the conservatory, thereby having limited impact on neighbouring conservatory windows.

There being no further discussion the Chairman moved the Officer's recommendation to approve the application subject to conditions. This was seconded by Councillor C Swain.

The Chairman put the Officer's recommendation to the Committee and it was agreed by assent.

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.
REASON To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out and retained in accordance with the following approved plans and documents:
TQRQM20294134614496, FBD00216/03 REV A, FBD00216/01 and FBD00216/02 REV C
REASON To ensure that the development is carried out and retained in accordance with the details as approved.
- 3 The materials used in the construction of the development hereby approved shall be as set out within the application form/plans hereby approved.
REASON In the interest of the character and appearance of the area in accordance with policy D1 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework

The meeting closed at 7.20 pm.

M R EDWARDS
CHAIRMAN