



**MINUTES of
CENTRAL AREA PLANNING COMMITTEE
28 JULY 2021**

PRESENT

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

172. CHAIRMAN'S NOTICES

The Chairman welcomed everyone present and went through some general housekeeping arrangements for the meeting.

173. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M S Heard and B B Heubner.

174. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 1 July 2021 be approved and confirmed.

175. DISCLOSURE OF INTEREST

Councillor S P Nunn referred to Agenda Item 8 21/00/297/HOUSE & 21/00298/LBC – Joshua, 4 Silver Street, Maldon, Essex and how following a suggestion from a resident that he had an interest in this item of business he had sought advice from the Monitoring Officer. He declared in the interest of transparency that he was acquainted with the applicant.

Councillor K M H Lagan disclosed a non-pecuniary interest in Agenda Item 5 21/00269/FUL – McDonald's, Fullbridge, Essex, CM9 4LE as he had eaten at the restaurant.

176. 21/00339/FUL- QUEST MOTORS, WYCKE HILL BUSINESS PARK, MALDON

Application Number	21/00339/FUL
Location	Quest Motors, Wycke Hill Business Park, Maldon

Proposal	Erection of a mixed-use development comprising Class B2 (including autocentre with vehicle repair, MOT testing, servicing and associated operations) and/or Class B8 and/or Class B8 with ancillary showroom and Class E (drive-thru coffee shop) uses together with access, servicing, car parking and associated works
Applicant	Barkby Real Estate Developments Ltd
Agent	Karen Calkin – Firstplan
Target Decision Date	02.08.2021
Case Officer	Kathryn Mathews
Parish	TOWN COUNCIL MALDON
Reason for Referral to the Committee / Council	Major Application

Following a request from the Chairman it was agreed that the order of business would be amended and this application considered first.

The Chairman proposed that the application be deferred. He referred to how the recommendation detailed in the Officers' report had been updated through the Members' Update (circulated the day before this meeting) and felt that it was unfair for the applicant to receive such late information. The Chairman explained that he therefore wanted to defer consideration of this application to the next meeting of this Committee to allow time for the applicants to resolve the issue that was raised. This proposal was duly seconded.

The Lead Specialist: Development Management explained to the Committee the reason behind Officers' change of recommendation which related to unresolved parking bay sizes and lorry parking issues, as set out on the Members' Update. It was noted that applicant was willing to seek a resolution to the issues raised.

The Chairman then put the proposal to the Committee and this was duly agreed.

RESOLVED that this application be **DEFERRED** to the next meeting of the Central Area Planning Committee.

177. 21/00269/FUL- MCDONALD'S, FULLBRIDGE, ESSEX, CM9 4LE

Application No:	21/00269/FUL
Location:	McDonald's Fullbridge Essex CM9 4LE
Proposal:	Reconfiguration of drive thru lane to accommodate side-by-side ordering. including associated works to the site. Alterations to elevations to include a new "Folded Roof" concept, minor extensions to the cash and presenter booths. Relocation of the shopfront entrance with new sliding door fitted. The installation of 2 no. digital Customer Order Displays (COD) with overhead Canopies and a Goal Post height restrictor.
Applicant	McDonald's Restaurants Limited
Agent	Mrs Sarah Carpenter - Planware Limited
Target Decision Date	10 th June 2021 - EoT until 4 th August 2021
Parish	MALDON
Case Officer:	Amit Patel
Reason for referral to Committee:	Councillor call-in by Councillor C Mayes Policies: D1, D2, D3 D6, D5, E1, E2, N1

Members were reminded that planning permission, which included two drive thru lanes, had been granted in 2016 with some elements already carried out on the site.

During the debate that ensued a number of concerns were raised by Members, these included potential increase in traffic around the site, the proposed cladding, car parking and the site being in a flood zone.

Councillor C Morris proposed that the application be refused, contrary to Officers recommendation, for reasons relating to lack of car parking and flood. This proposal was duly seconded. Upon a vote being taken the motion was declared lost.

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

Councillor C Swain proposed that the Officers' recommendation of approval be agreed. This proposal was duly seconded, and the voting was as follows:

For the recommendation:

Councillors K M H Lagan, S P Nunn, Mrs J C Stilts and C Swain.

Against the recommendation:

Councillors Miss A M Beale, C Mayes, C Morris and N G F Shaughnessy.

Abstention:

Councillor M R Edwards.

There being an equality of votes the Chairman exercised his casting vote in support of the proposal.

RESOLVED that this 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 specifically referenced on this decision notice.
 - 19507_763_01
 - 19507_763_03
 - 19507_763_05 REV.C
 - 19507_763_06 REV.B
 - 19507_763_50 REV.D
 - 19507_763_300 REV.D
3. The external surfaces and fenestration of the development hereby approved shall be constructed of materials and finish as detailed within the application form and retained as such thereafter.
4. The measures for securing the resilience of the development against the effects of a flood event contained within the flood resilience and resistance statement which was submitted as part of the planning application and forms part of this permission, shall be fully implemented and put in place prior to the first use of the development and retained as such thereafter.
5. No development shall take place, including any ground works or demolition, until a construction management plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The plan shall provide for:
 - a) The parking of vehicles of site operatives and visitors
 - b) Loading and unloading of plant and materials
 - c) Storage of plant and materials used in constructing the development
 - d) Wheel and underbody washing facilities

6. Prior to use of the new layout of the development, the onsite vehicle parking shall be provided as shown in principle on planning drawing no.300 rev D.
7. Prior to use of the new layout of the development, the cycle parking shall be provided in accordance with the mdc parking standards. The approved facility shall be secure, convenient, covered and retained at all times.
8. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
9. There shall be no discharge of surface water onto the highway.
10. No works above slab level of the drive thru shall be carried out, until full details of the soft landscaping, shall be submitted to the local planning authority and agreed in writing. The details shall include, existing and proposed soft landscaping within the site and screening to the bin store area. The development shall then be implemented in accordance with the approved details and retained.

178. 21/00270/ADV - MCDONALD'S, FULLBRIDGE, ESSEX CM9 4LE

Application No:	21/00270/ADV
Location:	McDonald's Fullbridge Essex CM9 4LE
Proposal:	Application for advertisement consent for the installation of 4No. Fascia signs
Applicant:	McDonald's Restaurants Limited
Agent:	Mrs Sarah Carpenter - Planware Limited
Application Expiry Date:	10 June 2021 - EoT until 4th August 2021
Parish:	MALDON
Case Officer:	Amit Patel
Reason for referral to Committee:	Councillor call in by Councillor C Mayes Policies: D6, D1

Councillor C Morris proposed that the application be refused, contrary to Officers' recommendation for reasons relating to highways and for being intrusive and incongruous. This proposal was duly seconded.

Following advice from the Lead Specialist – Development Management, the reasons for refusal were amended to be that the signage proposed was visually intrusive causing harm to the area.

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

The Chairman put the proposal in the name of Councillor Morris to the Committee and the voting was as follows:

For the recommendation:

Councillors C Mayes, C Morris and Mrs J C Stilts.

Against the recommendation:

Councillors Miss A M Beale, S P Nunn and C Swain.

Abstention:

Councillors M R Edwards, K M H Lagan and N G F Shaughnessy.

There being an equality of votes the Chairman exercised his casting vote against the proposal. The motion was therefore declared lost.

Councillor C Swain proposed that advertisement consent be granted in accordance with the Officers recommendation. This proposal was duly seconded and the voting was as follows:

For the recommendation:

Councillors Miss A M Beale, S P Nunn and C Swain.

Against the recommendation:

Councillors K M H Lagan, C Mayes, C Morris and Mrs J C Stilts.

Abstention:

Councillors M R Edwards and N G F Shaughnessy.

The motion was therefore declared lost.

Following some discussion, Councillor Morris proposed that determination of this application be deferred to the District Planning Committee. This proposal was duly seconded, and the voting was as follows:

For the recommendation:

Councillors Miss A M Beale, K M H Lagan, C Mayes, C Morris, N G F Shaughnessy and Mrs J C Stilts.

Against the recommendation:

Councillor S P Nunn.

Abstention:

Councillors M R Edwards and C Swain.

RESOLVED that this application be **DEFERRED** to the **DISTRICT PLANNING COMMITTEE** for determination.

179. 21/00271/ADV - MCDONALD'S, FULLBRIDGE, ESSEX CM9 4LE

Application No:	21/00271/ADV
Location:	McDonald's Fullbridge Essex CM9 4LE
Proposal:	Application for advertisement consent for the installation of 5No. new digital freestanding signs and 1No. 15" Digital booth screen.
Applicant:	McDonald's Restaurants Limited
Agent:	Mrs Sarah Carpenter - Planware Limited
Application Expiry Date:	10 June 2021 - EoT until 4th August 2021
Parish:	MALDON
Case Officer:	Amit Patel
Reason for referral to Committee:	Councillor call in by Councillor C Mayes. Policies: D6, D1

Councillor C Morris proposed that this application be deferred to the District Planning Committee for determination. This proposal was duly seconded.

In response to a question from the Chairman, the Officer advised that the advertisements proposed were associated with the proposal the subject of application 21/00269/FUL which the Committee had resolved to grant planning permission for earlier at this meeting.

Following further discussion and in accordance with Procedure Rule No. 13 (3) Councillor C Morris requested a recorded vote.

The Chairman then put the proposal in the name of Councillor Morris to the Committee and the voting was as follows:

For the recommendation:
Councillors C Mayes and C Morris.

Against the recommendation:
Councillors K M H Lagan, S P Nunn, Mrs J C Stilts and C Swain.

Abstention:
Councillors Miss A M Beale, M R Edwards and N G F Shaughnessy.

The motion was declared lost.

Councillor Mrs Stilts proposed that the application be refused, contrary to Officers' recommendation for reasons of visual clutter and overdevelopment of the advertisement sites. This proposal was duly seconded and upon a vote being taken the voting was as follows:

For the recommendation:
Councillors M R Edwards, C Mayes, C Morris, N G F Shaughnessy and Mrs J C Stilts.

Against the recommendation:
Councillors K M H Lagan, S P Nunn and C Swain.

Abstention:
Councillor Miss A M Beale.

RESOLVED that this application be **REFUSED** for the following reason

1. As a result of the number and size of the advertisements proposed and the limited size of the application site, the proposal would result in visual clutter and an excess of advertisements on this site, thereby harming the character and appearance of the site and the surrounding area contrary to Policies D1 and D6 of the approved Maldon District Local Development Plan.

180. 21/00297/HOUSE & 21/00298/LBC- 4 SILVER STREET, MALDON, ESSEX, CM9 4QE

Application Number	21/00297/HOUSE & 21/00298/LBC
Location	Joshua, 4 Silver Street, Maldon, Essex, CM9 4QE
Proposal	Restoration and alterations to exterior and interior of the existing house.
Applicant	Mr & Mrs Bresler - Eleven Cromwell Hill Ltd
Agent	Mr Simon Plater - Plater Claiborne Architecture And Design
Target Decision Date	30.07.2021
Case Officer	Louise Staplehurst
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Member Call In by Councillor C Mayes Reason: D1, D2, D3, H4, I2, S12

It was noted from the Members' Update that an additional condition to application 21/0097/HOUSE was proposed.

Following the Officers' representation an objector, Mrs Wood and a supporter, Mr Smye (on behalf of the Maldon Society) addressed the Committee.

Councillor C Morris proposed that the application be deferred to allow for a site visit to take place, referring to the number of letters of objection received. This proposal was duly seconded. The Lead Specialist – Development Management advised that whilst a site visit could be requested consideration would be required to ensure the site visit was within safety regulations etc.

During the debate that followed a number of Members raised questions and some concern regarding aspects of the proposed development and its impact on the listed building and surrounding area.

Councillor Morris repeated his earlier proposal for a site visit referring to it being a finely balanced decision and a site visit would aid this. The reason for the site visit was agreed that there were certain aspects of the proposal which give concern regarding possible damage to the status of the Grade 2* listed building.

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

The Chairman put the proposal in the name of Councillor Morris to the Committee and the voting was as follows:

For the recommendation:

Councillors Miss A M Beale, M R Edwards, C Mayes, C Morris, N G F Shaughnessy and C Swain.

Against the recommendation:

Councillors K M H Lagan and S P Nunn.

Abstention:

Councillor Mrs J C Stilts.

RESOLVED that determination of applications 21/00297/HOUSE and 21/00298/LBC be **DEFERRED** pending a site visit.

There being no other items of business the Chairman closed the meeting at 9.07 pm.

M R EDWARDS
CHAIRMAN