



**MINUTES of
CENTRAL AREA PLANNING COMMITTEE
27 JANUARY 2022**

PRESENT

Vice-Chairman Councillor Mrs J C Stilts
(in the chair)

Councillors Miss A M Beale, M R Edwards, M S Heard, B B Heubner,
K M H Lagan, C Mayes, S P Nunn, N G F Shaughnessy and
C Swain

472. CHAIRMAN'S NOTICES

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

473. APOLOGIES FOR ABSENCE

There were none.

474. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 15 December 2021 be approved and confirmed.

475. DISCLOSURE OF INTEREST

There were none.

476. 21/01025/FUL - LAND WEST OF SOUTH BANK, CROMWELL LANE, MALDON, ESSEX

Application Number	21/01025/FUL
Location	Land West of South Bank, Cromwell Lane, Maldon, Essex
Proposal	Single storey 3 bedroom dwelling
Applicant	Messrs Peter and Ben Hemmersley
Agent	Mark Jackson - Mark Jackson Planning
Target Decision Date	28.01.2022
Case Officer	Kathryn Mathews
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Departure from approved Maldon District Local Development Plan and Officers recommend that permission be granted.

Following the Officer's presentation, the Agent, Mr Jackson addressed the Committee.

In response to comments raised, the Specialist – Development Management and Senior Specialist Coordinator – Development Management provided the Committee with the following information:

- A condition regarding the archaeology of the site had been included following consultation and recommendation from Essex County Council (ECC) Archaeology.
- No visibility splays were recommended by the Highways Authority as the site was on a private unadopted road over which it had no jurisdiction. In respect of visibility splays the Officer commented on the public right of way across the frontage of the site and advised that if minded to approve the application, Members could add a condition requiring details of that access point to be submitted for approval which would include visibility splays and surfacing
- A condition requiring details of ground levels and finished floor levels had been proposed to ensure there was no deviation from what was proposed and offered protection in terms of the movement of spoil and ground level changes within the site.
- A proposed condition to cover ecology and biodiversity had been included.
- Electric vehicle charging points were not shown in the application but there was a proposed condition requiring details of them to be submitted and approved.
- The quality of life for the occupiers of the proposed dwelling in relation to natural light would be satisfactory.

Councillor K M H Lagan proposed that, if Members were mindful to approve the application, an additional condition regarding the submission of visibility splays for approval based on safety grounds be added.

The proposal from Councillor Lagan was duly seconded and the Committee agree to add this to the list of proposed conditions.

Councillor C Mayes proposed that the application be approved, subject to the conditions detailed in the report with the additional condition agreed. This proposal was duly seconded and agreed by asset.

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 as follows:
 - PL01rev.A
 - PL02
 - PL03
 - PL04rev.A
 - PL05rev.A
 - PL06rev.A
 - PL07rev.A
 - PL08rev.A
 - Arboricultural Impact Assessment
- 3 No development above slab level shall take place until written details or samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the materials and details as approved.

- 4 No development above slab level shall commence until details of the siting, height, design and materials of the treatment of all boundaries including gates, fences, walls, railings and piers have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be constructed as approved prior to the first occupation of the development and be retained as such thereafter.
- 5 The parking spaces and means of access proposed shall be constructed, surfaced, laid out and made available for use in accordance with the approved scheme along with the provision of an electric vehicle charging point prior to the occupation of the dwelling and retained as such thereafter.
- 6 No development shall take place above slab level 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.
- 7 Prior to the occupation of the dwelling hereby permitted, a schedule of land management for the site shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of proposals for the management of the application site, including land maintenance. The site shall be maintained in accordance with the approved details.
- 8 No development shall take place until details of the existing and proposed ground levels and finished floor levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried-out in accordance with the approved details.
- 9 No development shall take place, including any works of demolition, until a Construction Method Statement 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:
 - The parking of vehicles of site operatives and visitors
 - Loading and unloading of plant and materials
 - Storage of plant and materials used in constructing the development
 - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - Wheel washing facilities
 - Measures to control the emission of dust and dirt during construction
 - A scheme for recycling/disposing of waste resulting from demolition and construction works
- 10 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) 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 without planning permission having been obtained from the Local Planning Authority.

11 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Low Impact EclA (Hybrid Ecology Ltd, November 2021) submitted with the planning application.

12 No development above slab level shall take place until a Biodiversity Enhancement Strategy has been submitted to and approved in writing by the local planning authority following the recommendations made within the Low Impact EclA (Hybrid Ecology Ltd, November 2021). The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance.

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

13 The dwelling hereby permitted shall not be occupied until a lighting design scheme for biodiversity has been submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme and maintained thereafter in accordance with the scheme. No other external lighting shall be installed without prior consent from the local planning authority.

14 No development works above ground level shall occur until details of the surface water drainage scheme to serve the development has been submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development. The scheme shall ensure that for a minimum:

- 1) The development should be able to manage water on site for 1 in 100 year events plus 40% climate change allowance.
- 2) Run-off from a greenfield site for all storm events that have a 100% chance of occurring each year (1 in 1 year event) inclusive of climate change should be no higher than 10/l/s and no lower than 1/l/s. The rate should be restricted to the 1 in 1 greenfield rate or equivalent greenfield rates with long term storage (minimum rate 1l/s) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield).

In order to satisfy the soakaway condition details of the area to be drained, infiltration rate (as determined by BRE Digest 365), proposed length, width and depth of soakaway, groundwater level and whether it will be rubble filled will be required. Where the local planning authority accepts discharge to an adopted sewer network, written confirmation from the statutory undertaker that the discharge will be accepted will be required.

15 No development works above ground level shall occur until details of the foul drainage scheme to serve the development has been submitted to and agreed

- in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development.
- 16 No development (including any site clearance or groundworks of any kind) shall take place within the site until an archaeological assessment by an accredited archaeological consultant to establish the archaeological significance of the site has been submitted to and approved in writing by the local planning authority. If the approved assessment concludes that a programme of archaeological work is required, no development (including any site clearance or groundworks of any kind) shall take place until a programme of archaeological work has been completed in accordance with details which shall first have been submitted to and approved in writing by the local planning authority. The archaeological work will comprise archaeological trial-trenching of the proposed development area, followed by full excavation if archaeological features are identified. All fieldwork should be conducted by a professional recognised archaeological contractor.
- 17 No development shall take place until details of arboricultural supervision visits to ensure the tree protection measures as set out in the Arboricultural Impact Assessment are set-up and maintained, along with details of any tree management works to be undertaken and when have been submitted to and approved in writing by the local planning authority. The development shall be carried-out in accordance with the approved details.
- 18 The public's rights and ease of passage over public footpath 4 (Maldon) shall be maintained free and unobstructed at all times.
- 19 The dwelling hereby permitted shall not be beneficially occupied until visibility splays either side of the proposed vehicular access to the site from Cromwell Lane have been provided in accordance with details which shall have been submitted to and approved in writing by the local planning authority. The visibility splays shall be retained, as approved, thereafter

477. TO APPOINT A CHAIRMAN FOR THE COMMITTEE

Councillor Mrs J C Stilts advised that whilst she had chaired the last few meetings of this Committee she was doing so in her capacity as Vice-Chairman and therefore appointment of a Chairman was required.

Councillor S P Nunn proposed that Councillor K M H Lagan be nominated to the position of Chairman of this Committee. This proposed was duly seconded.

Councillor C Mayes proposed that Councillor Mrs Stilts be nominated to the position of Chairman of this Committee. This proposal was duly seconded.

In accordance with Procedure Rule No. 13 (3) Councillor S P Nunn requested a recorded vote.

At this point Councillor Mrs Stilts advised that she was resigning from her position as Vice-Chairman of this Committee.

There were no other nominations. Members were advised that they needed to vote for either Councillor Lagan or Councillor Mrs Stilts as the nominated Members or chose to abstain. The voting was as follows:

For Councillor K M H Lagan:

Councillors Miss A M Beale, M S Heard, B B Heubner, K M H Lagan, S P Nunn, N G F Shaughnessy and C Swain.

For Councillor Mrs J C Stilts:

Councillors M R Edwards, C Mayes and Mrs J C Stilts.

Abstention:

There were none.

The Chairman declared that Councillor Lagan was elected as Chairman of this Committee and congratulated him on this appointment.

In response to a question regarding appointment of a Vice-Chairman, it was clarified that this would be carried out at the next meeting of the Committee.

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

MRS J C STILTS
CHAIRMAN