

APOLOGIES Committee Services  
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DIRECTOR OF STRATEGY,  
PERFORMANCE AND GOVERNANCE  
Paul Dodson

11 January 2022

Dear Councillor

You are summoned to attend the meeting of the;

**DISTRICT PLANNING COMMITTEE**

on **WEDNESDAY 19 JANUARY 2022 at 7.30 pm**


in the **Council Chamber, Maldon District Council Offices, Princes Road, Maldon.**

Please Note: Due to current social distancing restrictions the Council is limited on the number of physical attendees in a meeting. Therefore, members of the public wishing to speak under the Public Participation Protocol are requested to attend remotely via Microsoft Teams. Members of the press are advised to view the meetings via the Council's YouTube channel - <https://www.maldon.gov.uk/watchlive> where all meetings are streamed live.

To register your request to speak please submit a [Public Access form](#) (to be submitted by 12noon on the working day before the Committee meeting).

A copy of the agenda is attached.

Yours faithfully



Director of Strategy, Performance and Governance

COMMITTEE MEMBERSHIP:

CHAIRMAN	Councillor M S Heard	
VICE-CHAIRMAN	Councillor C Mayes	
COUNCILLORS	M G Bassenger	J V Keyes
	Miss A M Beale	K M H Lagan
	B S Beale MBE	C P Morley
	V J Bell	S P Nunn
	R G Boyce MBE	N G F Shaughnessy
	Mrs P A Channer	R H Siddall
	R P F Dewick	N J Skeens
	M F L Durham, CC	W Stamp, CC
	M R Edwards	E L Stephens
	Mrs J L Fleming, CC	Mrs J C Stilts
	A S Fluker	C Swain
	M W Helm	Mrs M E Thompson
	B B Heubner	Miss S White
	A L Hull	1 vacancy





**AGENDA  
DISTRICT PLANNING COMMITTEE**

**WEDNESDAY 19 JANUARY 2022**

1. **Chairman's Notices (please see below)**

2. **Apologies for Absence**

3. **Minutes of the last meeting** (Pages 3 - 10)

To confirm the Minutes of the meeting of the District Planning Committee held on 2 December 2021 (copy enclosed).

4. **Disclosure of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, other Pecuniary Interest or Non-Pecuniary Interests relating to items of business on the agenda having regard to paragraphs 6 – 8 of the Code of Conduct for Members.

(Members are reminded that they are also required to disclose any such interest as soon as they become aware should the need arise through the meeting.)

5. **Any other items of business that the Chairman of the Committee decides are urgent**

6. **Exclusion of the Public and Press**

To resolve that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

7. **Appeal Update** (Pages 11 - 82)

To consider the report of the Director of Service Delivery, (copy enclosed).

**NOTICES**

**Recording of Meeting**

Please note that the Council will be recording and publishing on the Council's website any part of this meeting held in open session.

**Fire**

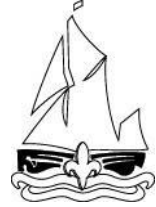
In the event of a fire, a siren will sound. Please use the fire exits marked with the green running man. The fire assembly point is outside the main entrance to the Council Offices. Please gather there and await further instruction.

**Health and Safety**

Please be advised of the different levels of flooring within the Council Chamber. There are steps behind the main horseshoe as well as to the side of the room.

**Closed-Circuit Televisions (CCTV)**

Meetings held in the Council Chamber are being monitored and recorded by CCTV.



**MINUTES of  
DISTRICT PLANNING COMMITTEE  
2 DECEMBER 2021**

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**PRESENT**

Chairman                      Councillor M S Heard

Vice-Chairman              Councillor C Mayes

Councillors                  Miss A M Beale, V J Bell, Mrs P A Channer,  
M F L Durham, CC, M R Edwards, Mrs J L Fleming, CC,  
M W Helm, B B Heubner, K W Jarvis, J V Keyes,  
K M H Lagan, A S Fluker, C P Morley, S P Nunn,  
N G F Shaughnessy, R H Siddall, E L Stephens,  
Mrs M E Thompson and Miss S White

In attendance                Councillor C Morris

**398. CHAIRMAN'S NOTICES**

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

**399. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors M G Bassenger, R G Boyce MBE, A L Hull, W Stamp and C Swain.

**400. DISCLOSURE OF INTEREST**

In response to some disturbance, the Chairman moved that Councillor C Morris be not heard and this was duly agreed.

**RESOLVED** that Councillor C Morris be not heard.

Some further discussion ensued between the Chairman and Councillor Morris. The Chairman advised Councillor Morris that if he continued with this misconduct by persistently disregarding the ruling of the Chairman or behaving badly, irregularly or improperly he would need to leave the meeting.

Councillors M F L Durham and Mrs E L Fleming declared a non-pecuniary interest as a Member of Essex County Council who were statutory consultees on matters relating to highways and drainage etc.

**401. MINUTES OF THE LAST MEETING**

**RESOLVED** that the Minutes of the meeting of the District Planning Committee held on 30 September 2021 be approved and confirmed.

**402. 21/00788/FUL - LAND AT BROAD STREET GREEN ROAD, MAYPOLE ROAD AND LANGFORD ROAD, HEYBRIDGE, ESSEX**

<b>Application Number</b>	<b>21/00788/FUL</b>
<b>Location</b>	Land At Broad Street Green Road, Maypole Road And Langford Road, Heybridge, Essex
<b>Proposal</b>	Formation of temporary access points for construction traffic from Maypole Road and Broad Street Green Road.
<b>Applicant</b>	Mr D Moseley
<b>Agent</b>	Kevin Coleman - Phase 2 Planning & Development Ltd
<b>Target Decision Date</b>	30.09.2021 (Extension of time agreed: 08.12.2021)
<b>Case Officer</b>	Anna Tastsoglou
<b>Parish</b>	<b>HEYBRIDGE EAST</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In by Councillor Michael Edwards Reason: Policies N1 and N2 and deviation from the construction accesses allowed on appeal under the terms of application 15/00419/OUT

Councillor Miss A M Beale pointed out that the report and Members' Update referred to the Parish as Heybridge East but it was Heybridge West. This was noted.

It was noted from the Members' Update that this application related to one of the Garden Suburbs (S2(d)) included in Policy S2 of the Local Development Plan, and therefore defaults to this District Planning Committee for consideration. The Update also detailed a consultation response from Environmental Health, further site history and a proposed amendment to condition 8 following recent approval of an application related to this site.

Following the Officers' presentation, the Agent - Mr Coleman and an objector – Mr Sismey addressed the Committee.

At this point the Chairman advised that under Rule 19 he was using his discretion to hear another submission and allowing Councillor C Morris to speak as he was a District Councillor for this area. Councillor Morris then proceeded to speak during which he raised some concerns regarding the site.

A debate ensued, during which a number of Members raised a number of points and in response the following information was provided by Officers:

- It was clarified that any future Reserved Matters application in relation to this site would be brought to this Committee for determination.
- Members were advised that a traffic management plan had already been approved through an earlier discharge of condition application in relation to this site.
- The purpose of the temporary accesses is to allow construction of the main site junctions and alleviate any possible congestion to the adjacent highway. When no longer required, or by 4 November 2023, they would be removed and the land restored to its former condition. This is secured by planning condition.
- Questions were raised regarding the location plan and red line highlighting the site and Officers confirmed that the red line was clearly around the access point and there was no risk to the Council.
- The applicant was under legal arrangement with the Highways Authority.
- Officers explained how a number of conditions from the original permission of the hybrid application 14/00419/OUT would relate to this application.

- It would be unreasonable to include a condition requiring a bridleway when planning permission was sought for access only.

At this point Councillor A S Fluker proposed that should Members be mindful to grant permission, an additional condition be added, stating that the developer has to keep the highway clear, 150m either side of the junction for all dust, debris and detritus. He commented that this would assist in serving the local community. This proposal was duly seconded and agreed.

The Chairman put the Officers proposal of approval with the additional condition as proposed by Councillor Fluker to the Committee. This was duly seconded and upon a vote being taken was agreed.

**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 temporary access points for construction traffic hereby permitted shall be removed and the land restored to its former condition in accordance with a scheme of work to be submitted to and approved in writing by the local planning authority on or before 4 November 2023. The submitted scheme of works shall include, but not limited to, a landscaping scheme focusing on native planting which would enhance seasonal amenity and ecological net gain.
- 3 The development hereby permitted shall be carried out in complete accordance with approved drawings: F00134 RJL NA NA DR C 0906; F00134 RJL NA DR C 0907; F00134 RJL NA DR C 0908; F00134 RJL NA DR C 0909; F00134 RJL NA DR C 0910; F00134 RJL NA DR C 0911; F00134 RJL NA DR C 0912 and F00134 RJL NA DR C 0913.
- 4 Prior to the first use of the accesses the visibility splays of 2.4m x 120m, as shown on Richard Jackson drawings no. 0906 & 0907, shall be provided clear to ground level, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be maintained for the duration of the construction accesses.
- 5 Prior to the first use of the new construction access on Maypole Road, the existing farm access to the north of the proposal, shall be permanently closed off, with the highway verge being fully reinstated. All details to be agreed with the Highway Authority.
- 6 The development hereby approved shall be implemented in accordance with the Arboricultural Impact Assessment Report, dated July 2021 (Ref no.: SHA 1012), which is attached to and forms part of this permission.
- 7 Notwithstanding condition 6, the trees and hedges identified for retention within the Arboricultural Impact Assessment Report, dated July 2021 (Ref no.: SHA 1012) which is attached to and forms part of this permission shall be protected during the course of the development. The trees and/or hedges shall be protected by measures which accord with British Standard 5837:2012 (Trees in Relation to Construction). The protective fencing and ground protection shall be erected before the commencement of any clearing, demolition and building operations and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced protection zone(s) no materials shall be stored, no rubbish dumped, no fires lit, and no buildings erected inside the fence, nor shall any change in ground level be made within the fenced area unless otherwise first agreed in writing by the local planning authority. If within five years from the completion of the development a tree or hedge shown to be retained is removed, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement shall be planted within the site of such species and size, and shall be planted at such time, as specified in writing by the local planning authority.

- 8 The construction and use of the temporary construction access points hereby permitted shall only be undertaken in accordance with the details approved as part of application 21/05134/DET.
- 9 The public highway shall be kept clear from mud and debris during construction and use of the temporary vehicular access points hereby approved. In the event that any dirt/dust/mud is carried onto the public highway, a road sweeper or an equivalent mechanism shall be immediately commissioned in order to clear away any dirt/dust/mud/debris.

**403. ADJOURNMENT OF THE MEETING**

**RESOLVED** that the meeting be adjourned for a short break at 8:43pm.

**404. RESUMPTION OF BUSINESS IN OPEN SESSION**

**RESOLVED** that the meetings resumes at 8:48pm in open session.

**405. 21/00889/RES - LAND SOUTH OF WYCKE HILL AND LIMEBROOK WAY (WESTERN), MALDON, ESSEX**

<b>Application Number</b>	<b>21/00889/RES</b>
<b>Location</b>	Land South Of Wycke Hill And Limebrook Way (Western) Maldon Essex
<b>Proposal</b>	Reserved matters application for the approval of appearance, landscaping, layout & scale for Phase 2 of the Western Parcel of outline planning permission 20/00074/FUL comprising the construction of 210 residential dwellings (Use Class C3), new public open space and car parking. (Description of most recent outline planning permission 20/00074/FUL: <i>Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.))</i> )
<b>Applicant</b>	Crest Nicholson (Eastern)
<b>Agent</b>	Mr Taylor Vernon – Savills
<b>Target Decision Date</b>	13.12.2021
<b>Case Officer</b>	Kathryn Mathews
<b>Parish</b>	<b>MALDON WEST</b>
<b>Reason for Referral to the Committee / Council</b>	Strategic site within the strategic submitted Local Development Plan Major Application

It was noted from the Members' Update that consultation responses had been received from Essex County Council Highways, the Tree Consultant and that the applicant had undertaken to revise the planting plans in-line with the Tree Consultant's advice..

Following the Officers' presentation, Mr Orr on behalf of the Agent addressed the Committee.

Members discussed the proposal in depth and in response to some comments made Officers provided further clarifications regarding the housing mix and how this related to the Section 106 agreement attached to the outline planning permission, road widths and management of the open spaces proposed.

The Chairman put the Officers recommendation of approval to the Committee, this was duly seconded and upon a vote being taken was agreed. Councillor K M H Lagan requested that his dissent to this be noted.

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

- 1 The development hereby permitted shall be completed and maintained in accordance with the following approved plans and documents:
  - Landscape Design and Access Statement 3210.MA.RP001 August 2021
  - Energy and Sustainability Strategy August 2021
  - Air Quality Assessment August 2021
  - Noise Assessment 10799/01 August 2021
  - Arboricultural Impact Assessment September 2021
  - Flood Risk Assessment ref. 181872-01 August 2021
  - Ecological Conservation Management Plan and Statement August 2021
  - PH2-PL-001 Location plan
  - PH2-PL-002 Rev.B Development layout
  - PH2-PL-003 Rev.A Detailed layout
  - PH2-PL-004 Rev.A Parking Layout
  - PH2-PL-005 Rev.A Garden Areas Layout
  - PH2-PL-006 Rev.A Storey Heights Layout
  - PH2-PL-007 Rev.A Refuse layout
  - PH2-PL-008 Rev.A Colour of materials layout
  - PH2-PL-009 Rev.A HA location plan
  - PH2-WI-002 Working layout Phase 2
  - HA-CR-O1 rev.A Cromer
  - HA-CR-02 rev.B Cromer A
  - HA-HA2B-01 rev.A HA2B
  - HA-HA2B-02 rev.A HA2B A
  - HA-HA3B-01 rev.A HA3B
  - HA-HA3B-02 rev.B HA3B A
  - HA-HA52-01 rev.A HA52
  - HA-HA52-02 rev.B HA52 A
  - HA-HA61-01 rev.A HA61
  - HA-HA61-02 rev.B HA61 A
  - HA-HA61-03 rev.B HA61 B
  - HA-RE-01 rev.A Redgrave

- HA-RE-02 rev.B Redgrave A
- HT-AP1-01 rev.A AP1
- HT-AP1-02 rev.B AP1 A
- HT-AS-01 rev.A Ashstead
- HT-AS-02 rev.A Ashstead A
- HT-AS-03 rev.B Ashstead B
- HT-BU-01 rev.A Buckingham
- HT-BU-02 rev.A Buckingham A
- HT-CH-01 rev.A Chesham
- HT-CH-02 rev.A Chesham A
- HT-CH-03 rev.B Chesham B
- HT-CH-04 rev.A Chesham C
- HT-DO-01 rev.A Dorking
- HT-DO-02 rev.A Dorking A
- HT-FI-01 rev.A Filey
- HT-FI-03 rev.B Filey B
- HT-HA-01 rev.A Hatfield
- HT-HA-02 rev.B Hatfield A
- HT-HA-03 rev.B Hatfield B
- HT-KE-01 rev.A Keswick
- HT-KE-02 rev.B Keswick A
- HT-KE-03 rev.A Keswick B
- HT-MA-01 rev.A Marlborough
- HT-MA-02 rev.A Marlborough A
- HT-MA-04 rev.A Marlborough C
- HT-RO-01 rev.A Romsey
- HT-RO-02 rev.A Romsey A
- HT-RO-03 rev.B Romsey B
- HT-SA-01 rev.A Salcombe
- HT-SA-02 rev.A Salcombe A
- HT-SE-01 rev.A Seaton
- HT-SE-02 rev.A Seaton A
- HT-SE-03 rev.B Seaton B
- HT-ST-01 rev.A Stamford
- HT-ST-02 rev.A Stamford A
- HT-WA-01 rev.A Walton
- HT-WA-02 rev.A Walton A
- HT-WI-01 rev.A Winkfield
- HT-WI-02 rev.B Winkfield A
- HT-WI-03 rev.A Winkfield B
- HT-WN-01 rev.A Windsor
- HT-WN-02 rev.A Windsor A
- GR-01 SG1 & SG2
- GR-02 SG3



- GR-03 DG1
  - GR-04 Cycle store
  - 3210.900 Landscape Illustrative Masterplan
  - 3210.1000 -1011 General Arrangement Plans: Legend, Master and Sheets 1-10
  - 3210.2000 Planting Schedule
  - 3210.2002-2011 Planting Plans Sheets 1-10 (as amended)
  - 3210.7001 Typical Details Edging and Boundaries
  - 181872-007 rev.B Highways General Arrangement
  - 181872-003 Proposed Levels Strategy
2. The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) referenced 181872-01 August 2021. The mitigation measures shall be fully implemented prior to occupation of any of the residential dwellings hereby approved.
  3. The development shall be carried out in accordance with the approved Ecological Conservation Management Plan and Statement August 2021. The mitigation measures shall be fully implemented prior to occupation of any of the residential dwellings hereby approved.
  4. No dwelling hereby permitted shall be occupied until details of the number and location of electric car charging points in accordance with the adopted Vehicle Parking Standards SPD (2018) have been submitted to and approved in writing by the local planning authority. The charging points shall be provided in accordance with the approved details prior to the commencement of the beneficial use of the parking space within which they would be located.

There being no other items of business the Chairman closed the meeting at 9.28 pm.

M S HEARD  
CHAIRMAN

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of the Local Government Act 1972.

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