



**MINUTES of
CENTRAL AREA PLANNING COMMITTEE
29 JUNE 2022**

PRESENT

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

118. CHAIRMAN'S NOTICES

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

119. APOLOGIES FOR ABSENCE

There were none.

120. MINUTES OF THE LAST MEETING

RESOLVED (by assent) that the Minutes of the meeting of the Committee held on 16 March 2022 be approved and confirmed.

121. DISCLOSURE OF INTEREST

There were none.

122. 21/00540/OUT - LAND AT BLACKWATER TRADING ESTATE, THE CAUSEWAY, MALDON, ESSEX

Application Number	21/00540/OUT
Location	Land At Blackwater Trading Estate, The Causeway, Maldon, Essex
Proposal	Outline planning permission with the matters of access, layout and scale for consideration for the erection of warehouse units (Class B8) with associated vehicle parking & servicing.
Applicant	Aquila EHS Ltd
Agent	Blenheim Consultancy Services Ltd
Target Decision Date	24.09.2021
Case Officer	Anna Tastsoglou
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Major application

In response to a question from the Chairman, the Specialist: Development Management explained that a Grampian condition was a condition applied for works outside of the application site considered necessary to be completed before the erection of the development and without which the development would not be considered acceptable.

A lengthy debate ensued, during which a number of comments and questions were made by Members of the Committee to which Officers provided the following information:

- Provision of electrical charging points were included within condition 14. The introduction of solar panels was raised and Members advised that the Council was unable to enforce solar at the moment because it was not included within the Local Development Plan, however the applicant could be asked to consider this.
- It was noted that following an initial objection from Environmental Health (EH) regarding 24/7 operation of the site Members were advised that the hours of operation had been reduced to 7am – 11pm and were now considered acceptable by EH.
- There was not a condition to propose introduction of an acoustic barrier and this had not been requested by EH. Therefore, Officers did not see there was a reason to impose an acoustic barrier. However should Members be mindful to impose such a barrier Officers suggested that the Committee may wish to consider deferring consideration of the application to allow them to discuss the matter with the applicant as such structures were normally subject to detailed analysis etc. was not something that could be applied by the Committee at this stage. During such a discussion the visual impact would also be raised.
- The application did not include a new attenuation basin.
- The 20m of undeveloped land within the site was to allow the Environment Agency (EA) to access the site carry out improvement works along the flood defences, should these be required in the future.
- Condition 22 sought to secure Sustainable Drainage Systems as requested by the Lead Local Flood Authority and all details of how surface water would be managed on the site would be secured through this condition.
- There were some discussions regarding public footpaths both within and adjacent to the site. Members were advised of plans for a footpath to run along Heybridge Creek, but it was noted this was outside of the application site. In response to a request for a pathway behind the causeway and linking up to the shopping centre and Bates Road Park, Officers explained this could not be conditioned. If Members were considering requesting a contribution to such a footpath outside of the site justification for it would have to be provided along with a planning obligation. The Officer then explained the three tests that had to be met in order to impose a planning obligation. However, such requests were normally secured through the Local Plan and ancillary documents. This had not been investigated by Officers as it was felt not to be triggered by the application.

Councillor K M H Lagan felt that to request attenuation within the site was very important. He proposed that the application be deferred to look at what noise barriers and options were available and how these could be conditioned. This proposal was duly seconded.

It was proposed that a site visit should be undertaken. This proposal was duly seconded.

The Chairman put the proposed deferral to the Committee and upon a vote being taken this was agreed. Members then voted on a site visit and this was duly agreed. In response to the site visit Officers clarified that this was specifically to explore potential noise issues in conjunction with the footpath and sound barriers. This was agreed.

RESOLVED that this application be **DEFERRED** to investigate options for noise barriers and to undertake a site visit.

123. 22/00434/HOUSE - PLUM TREE HOUSE, MUNDON ROAD, MALDON, ESSEX, CM9 6PW

Application Number	22/00434/HOUSE
Location	Plum Tree House, Mundon Road, Maldon, CM9 6PW
Proposal	Single-storey front, side and rear extensions. Addition of dormers to front and rear roof slope. New porch and changes to fenestration.
Applicant	Mr G Watling
Agent	Mr Ralph Massie - Planning2Build
Target Decision Date	26.05.2022
Case Officer	Jade Elles
Parish	MALDON SOUTH
Reason for Referral to the Committee / Council	Member Call In from Councillor Swain by reason of continued problems with property on grounds of Policy D1

It was noted that this application was in the Maldon East Ward and not South as detailed in the report.

In response to comments, the Lead Specialist Development Management explained the consideration given by Officers when making recommendations and explained how concern had been raised regarding the scale of the proposed dormers and the front extension being out of character.

In response to a question regarding the consultation response from the Tree Officer, Members were advised that if they were mindful to approve the application a condition requiring submission of a tree protection method statement would be applied.

Councillor K M H Lagan proposed that the application be approved, contrary to Officers recommendation for reasons that the proposed extension to the front, together with the front dormer windows, by reason of their design, position, height and depth would benefit the area, were not a dominant addition and did not result in demonstrable harm to the character and in line with the existing dwelling and locality, and with Policies D1 and H4 of the Maldon District Local Development Plan. This proposal was duly seconded.

Councillor Mrs J C Stilts proposed that a condition regarding the tree protection method statement be included. This was duly seconded.

The Chairman confirmed that if Members were minded to approve the application standard conditions would be imposed. She then put the proposal in the name of Councillor Lagan to approve the application to the Committee and upon a vote being taken this was agreed. The Committee then voted on the addition of a condition regarding trees and this was duly agreed

RESOLVED that this application be **APPROVED** for the reasons detailed above and conditions (including a condition regarding a tree protection method) to be agreed by Officers in consultation with the Chairman of the Committee.

124. 20/00865/PROW - LAND SOUTH OF WYCKE HILL AND LIMEBROOK WAY, MALDON, ESSEX

Proposal	Diversion of a Public Footpath 14 (PRoW 248) Hazeleigh and Public Footpath 41 (PRoW 253) Maldon
Applicant	Crest Nicholson
Agent	Savills – Taylor Vernon
Case Officer	Kathryn Mathews
Parish	MALDON WEST
Reason for Referral to the Committee / Council	Not Delegated to Officers

In response to questions raised Officers provided further detail regarding the stages relating to a proposal to divert a Public Right of Way (PROW) and it was noted that if the Committee agreed the recommendation, this would enable the proposal to move onto the next stage in the process which would include formal consultation on the diversion proposed.

Some concern was raised that diversion of the PROW was being proposed but Officers clarified that the diverted route would be through a landscaped belt at the edge of the development, the land was within the ownership of the developer and no fencing or screening of the new path was proposed.

Councillor S Swain proposed that the Diversion Order be approved as set out in the recommendation. This was duly seconded and upon a vote being taken was agreed.

RESOLVED that a permanent Diversion Order of the highlighted sections of Public Footpath 14 Hazeleigh and Public Footpath 41 Maldon is **MADE** and, if no relevant objections are received, **CONFIRMED** by Maldon District Council, as ‘competent authority’ under Section 257 of the Town and Country Planning Act 1990.

There being no other items of business the Chairman closed the meeting at 9.06 pm.

C MAYES
CHAIRMAN