



**MINUTES of
CENTRAL AREA PLANNING COMMITTEE
30 MAY 2018**

PRESENT

Chairman	Councillor B E Harker
Vice-Chairman	Councillor Miss M R Lewis
Councillors	Miss A M Beale, I E Dobson, Mrs B D Harker, M S Heard, M R Pearlman, S J Savage and Rev. A E J Shrimpton

110. CHAIRMAN'S NOTICES

The Chairman drew attention to the list of notices published on the back of the agenda.

111. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs N G F Shaughnessy and Mrs P A Channer, CC.

112. MINUTES OF THE LAST MEETING

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 18 April 2018 be received.

Minute No. 1016 – Minutes of the Last Meeting

Councillor S J Savage requested that Minute no. 847 HOUSE/MAL/18/00062 – 2 New Rose Cottages, London Road, Maldon be amended to read ‘...; as he was a Maldon East ward member and not a Maldon North ward member...’

**Minute No.1018 – FUL/MAL/18/0061 – GRAVEL PITS, HALL ROAD,
HEYBRIDGE, ESSEX**

Members requested confirmation that the minutes for this item were correct. Upon review the results of the item should be amended to the following:

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

1. The information which has been submitted as part of the application fails to demonstrate that the proposal would not have a direct, adverse effect on the interest features of the local, national and European designated sites at and

within the vicinity of the site and protected species. The development proposal cannot be deemed necessary for reasons of overriding public interest. The proposal is, therefore, contrary to Policies S1, S8, D1, N1 and N2 of the Maldon District Approved Local Development Plan, the NPPF and NPPG.

2. The proposal would result in harm to the character and appearance of the area through a loss of vegetation and the increased provision and formalization of the car parking area required. Moreover, insufficient information has been provided to demonstrate that the proposed toilet/shower block would not cause harm the character and appearance of the site and the surrounding area. Therefore, the proposal would fail to protect, conserve and enhance the rural character and appearance of the locality, contrary to Policies S1, S8 and D1 of the Maldon District Approved Local Development Plan and the NPPF.
3. The car parking proposed on site is considered to be insufficient, failing to accommodate the demand generated by the proposed use of the site which in turn will lead to cars parking within Battle Rise and adjoining streets causing conditions of obstruction, congestion and inconvenience to other road users, failing to accord with policies D1 and T2 of the Maldon District Replacement Local Plan.
4. The proposal would introduce noise and disturbance, in close proximity to existing residential properties, at unsociable times of the day, causing material harm to the amenity of the occupiers of residential properties in Battle Rise, Northey View and adjoining streets, contrary to Policy D1 of the Maldon District Approved Local Development Plan and the NPPF.

Minute No. 1021. – FUL/MAL/18/00187 – LAND AT MALDON WYCKE, SPITAL ROAD, MALDON, ESSEX

To be amended to read as follows ‘...Mr Steven Osbourne, the Applicant and Director of Lancet Property Ltd, addressed the committee.’

Minute No. 1024 – FUL/MAL/18/0290 – UNITS 1 AND 2 OLD MALTINGS

Paragraph three, ‘...would also affect ecological development...’ should read ‘...would also affect economic development’.

RESOLVED

- (ii) that subject to the above amendments the Minutes of the meeting of the Committee held on 18 April 2018 be confirmed.

113. DISCLOSURE OF INTEREST

There was none.

The Committee received the reports of the Director of Planning and Regulatory Services and determined the following planning applications, having taken into account all representations and consultation replies received, including those listed on the Members’ Update circulated at the meeting.

114. FUL/MAL/18/00305 AND LBC/MAL/18/00306 - BARN AT MALDON WYCKE, SPITAL ROAD, MALDON, ESSEX

Application Number	FUL/MAL/18/00305
Location	Barn At Maldon Wycke Spital Road Maldon Essex
Proposal	Conversion of barn into one residential dwelling with alterations and a new car port.
Applicant	M Crook - Lancet Property Ltd
Agent	Paula Robertson - Plater Claiborne Architecture + Design
Target Decision Date	05.06.18
Case Officer	Kathryn Mathews, TEL: 01621 875805
Parish	MALDON WEST
Reason for Referral to the Committee / Council	Departure from Local Development Plan 2017

Application Number	LBC/MAL/18/00306
Location	Barn At Maldon Wycke Spital Road Maldon Essex
Proposal	Works associated with conversion of barn into one residential dwelling with alterations
Applicant	M Crook - Lancet Property Ltd
Agent	Paula Robertson - Plater Claiborne Architecture + Design
Target Decision Date	05.06.18
Case Officer	Kathryn Mathews, TEL: 01621 875805
Parish	MALDON WEST
Reason for Referral to the Committee / Council	Linked to FUL/MAL/18/00305

Following the Officer's report, attention was drawn to the Members' Update and the objector's comments were noted.

Members queried whether the application was also for the addition of a carport as one had already been built on site. It was noted that Members would have liked images to show where this was built in relation to the application.

The Group Manager for Planning Service advised that it was not illegal to undertake work without planning permission, and apply for this in retrospect.

The Chairman put the Officer's recommendation for approval to the Committee and upon a vote being taken this was duly agreed.

FUL/MAL/18/00305:

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.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 1609.06, 1610.loc01, 1609.sur02, 1609.sur03, 1609.sur05, 1609.sur04, 1609.091609.08, 1609.07, Design and Access Statement, Bat Survey, Phase 1 Habitat Survey and Protected Species Scoping Assessment, Tree Survey.
- 3 No development shall take place until samples of the weatherboarding, louvres and roof tiles to be used in the construction of the external surfaces of the development hereby permitted have been submitted to the Local Planning Authority for approval in writing. The development shall be carried out in accordance with the approved materials.
- 4 No development shall take place until details of surface water and foul drainage schemes for the development have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed and retained in accordance with the approved details.
- 5 No development shall take place until a scheme of ecological mitigation measures in relation to bats has been submitted to and approved in writing by the Local Planning Authority. The details shall include a timetable for the implementation of the mitigation measures. The development shall be undertaken in full accordance with the approved scheme and timetable, and shall be retained in perpetuity in accordance with the approved details.
- 6 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. Such archaeological assessment will inform the implementation of a programme of archaeological work.
- 7 No development or demolition/conversion of any kind shall take place within the site until the implementation of a programme of archaeological recording from an accredited archaeologist or historic building specialist has been secured in accordance with a written scheme of investigation which has been submitted to and gained the prior written approval of the Local Planning Authority. The development shall be carried out in a manner that accommodates the approved programme of archaeological work.
- 8 No development shall take place until a tree protection method statement has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried-out in accordance with the approved details.
- 9 No fencing, walls, gates or other means of enclosure shall be erected within the site unless details have first been submitted to and gained the prior written approval of the Local Planning Authority.
- 10 The car port building hereby permitted shall only be used for purposes incidental to the residential use of the dwellinghouse hereby permitted and no other at any time.
- 11 Full details of the provision and subsequent retention of both hard and soft landscape works on the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

Soft Landscape Works

- 1) Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers / densities.
- 2) Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes, seeding rates, planting methods, mulching, plant protection, staking and/or other support.
- 3) Details of the aftercare and maintenance programme.

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 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.

Hard landscape works

- 4) Details of walls with brick types, construction design and dimensions
- 5) Details of paved surfacing, with materials finishing and edgings

The hard landscape works shall be carried out as approved prior to the first use / occupation of the development hereby approved and retained and maintained as such thereafter.

- 12 The dwellinghouse hereby permitted shall not be occupied until the proposed parking has been provided in accordance with the approved details.
- 13 Prior to the occupation of the dwelling hereby approved, details of the proposed bin/recycling store shall be submitted to and approved in writing by the Local Planning Authority. Subsequently the approved bin/recycling store shall be provided at the site in accordance with the approved plans prior to the first occupation of the dwelling hereby approved and retained in perpetuity.

LBC/MAL/18/00306:

RESOLVED that **LISTED BUILDING CONSENT** be **GRANTED** 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 accordance with the following approved plans and documents: 1609.06, 1610.loc01, 1609.sur02, 1609.sur03, 1609.sur05, 1609.sur04, 1609.09, 1609.08, 1609.07, Design and Access Statement.
- 3 No development shall take place until samples of the weatherboarding, louvres and roof tiles to be used in the construction of the external surfaces of the development hereby permitted have been submitted to the Local Planning Authority for approval in writing. The development shall be carried out in accordance with the approved materials.
- 4 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. Such archaeological assessment will inform the implementation of a programme of archaeological work. The development shall be carried out in accordance with the approved assessment.

- 5 No development or demolition/conversion of any kind shall take place within the site until the implementation of a programme of archaeological recording from an accredited archaeologist or historic building specialist has been secured in accordance with a written scheme of investigation which has been submitted to and gained the prior written approval of the Local Planning Authority. The development shall be carried out in a manner that accommodates the approved programme of archaeological work.
- 6 No development shall take place until large-scale plan-drawings of the central bay's first-floor structure, illustrating the extent of the floor structure to be removed in order to accommodate the new stairs, has been submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details.
- 7 No development shall take place until details of the rooflights to be used have been submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details.

115. FUL/MAL/18/00342 - 99 WOOD ROAD, HEYBRIDGE, ESSEX, CM9 4AS

Application Number	FUL/MAL/18/00342
Location	99 Wood Road Heybridge Essex CM9 4AS
Proposal	Change of use to florist shop
Applicant	Mrs Sarah Smith
Agent	N/A
Target Decision Date	4 June 2018
Case Officer	Louise Staplehurst, TEL: 01621 875706
Parish	HEYBRIDGE WEST
Reason for Referral to the Committee / Council	Council Owned Land

Members received the Officer's report and attention was drawn to the Members' Update. Following the Officer's presentation Sarah Smith, the Applicant, addressed the Committee.

The application was discussed and Members said they were pleased that this represented investment in Heybridge. Concern was raised on access, parking, highway and safety elements at the site, and it was noted that clarification on Condition 3 in regard to restrictions on deliveries was provided in the Members' Update.

Councillor Miss M R Lewis proposed that the application be approved in accordance with the Officer's recommendation with the amendment to Condition 4 to allow for display of goods outside of the shop. The Group Manager of Planning Services suggested that a condition allowing display of goods to an area of one metre¹ to the

¹ Minute No. 120 (27 June 2018)

front of the property could be provided. This was duly seconded by Councillors Miss A M Beale and I E Dobson.

Upon a vote being taken this was duly agreed with one Member abstaining.

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.
- 2 The development hereby permitted shall be carried out in complete accordance with the following documents: ATS/560/01, ATS/560/02, ATS/560/06.
- 3 Deliveries to and from the site shall only be undertaken between 08:00 hours and 18:00 hours on weekdays and between 08:00 hours and 13:00 hours on Saturdays and not at any time on Sundays and Public Holidays.
- 4 Notwithstanding a 1 metre² deep display area to the front of the principal elevation containing a shop window, no goods, materials, plant, machinery, skips, containers, packaging or other similar items shall be stored or kept outside of the building. Within the display area, only products and good associated with the lawful use of the site may be displayed. The display area shall be kept clear at times when the premises are not open to members of public.
- 5 No machinery shall be operated and no process shall be undertaken outside of the building.
- 6 Prior to first use of the building for the purposes hereby approved, details of a refuse storage scheme shall be submitted to and approved in writing by the Local Planning Authority. The measures set out within the approved scheme shall be implemented prior to the first use of the building hereby approved and retained at all times.
- 7 No means of external illumination of the site shall be installed unless otherwise agreed in writing by the Local Planning Authority.

116. ADV/MAL/18/00344 - 99 WOOD ROAD, HEYBRIDGE, ESSEX, CM9 4AS

Application Number	ADV/MAL/18/00344
Location	99 Wood Road Heybridge Essex CM9 4AS
Proposal	Fascia sign and window adverts.
Applicant	Mrs Sarah Smith
Agent	N/A
Target Decision Date	4 June 2018
Case Officer	Louise Staplehurst, TEL: 01621 875706
Parish	HEYBRIDGE WEST
Reason for Referral to the Committee / Council	Council Owned Land

The Officer presented the report to the Committee.

Following a brief discussion on advertising consent a vote was taken and the application was approved in accordance with the Officer's recommendation.

² Minute No. 120 (27 June 2018)

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

- 1 The express consent hereby granted shall be for a period of five years beginning from the date hereof.
- 2 No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- 3 No advertisement shall be sited or displayed so as to:
 - (a) Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military),
 - (b) Obscure or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air, or
 - (c) Hinder the operation of any device used for the purposes of security or surveillance or for the measuring the speed of any vehicle.
- 4 Any advert displayed, and any site used for the display of advertisements shall be maintained in a condition that does not impair the visual amenity of the site.
- 5 Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
- 6 Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

117. HOUSE/MAL/18/00411 - 25 VICTORIA ROAD, MALDON, ESSEX, CM9 5HE

Application Number	HOUSE/MAL/18/00411
Location	25 Victoria Road Maldon Essex CM9 5HE
Proposal	Proposed rear dormer
Applicant	Mr Sam Firman
Agent	Mr Alfred Coot - A G Coot Design
Target Decision Date	12 June 2018
Case Officer	Louise Staplehurst, TEL: 01621 875706
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	Member Call In by Councillor Rev. A E J Shrimpton – in the public interest

Members received the Officer's presentation in respect of the application.

Councillor Rev. A E J Shrimpton proposed that the application be approved contrary to the Officer's recommendation as the dormer would not be visible from the road, nor the car park, due to the extension on the neighbouring property blocking the view. This was duly seconded.

Members discussed this further and agreed that the architectural style was not in keeping with the neighbourhood scene and contrary to the recommendations of the Conservation Officer. Councillor M R Pearlman proposed that the application be refused in accordance with the Officer's recommendation.

Upon a vote being taken the application was refused in accordance with the Officer's recommendation.

RESOLVED that the application be **REFUSED**, for the following reason:

1. The proposed dormer, by reason of its scale and design, is considered to be an incongruous addition which would be detrimental and harmful to the character and appearance of the existing dwelling and the Maldon Conservation Area, contrary to policies D1 and D3 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.

There being no further items of business the Chairman closed the meeting at 8.02 pm.

B E HARKER
CHAIRMAN