



**MINUTES of
CENTRAL AREA PLANNING COMMITTEE
9 SEPTEMBER 2020**

PRESENT

Chairman	Councillor M S Heard
Vice-Chairman	Councillor S P Nunn
Councillors	M R Edwards, K M H Lagan, C Mayes, C Morris, N G F Shaughnessy, Mrs J C Stilts and C Swain
In attendance	Councillors E L Bamford and W Stamp

1. CHAIRMAN'S NOTICES

The Chairman welcomed everyone to the meeting and took Members through some general housekeeping issues together with the etiquette for the meeting. He then asked Officers present to introduce themselves.

This was followed by a roll call of all Members present.

2. APOLOGIES FOR ABSENCE

There were none.

3. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 15 July 2020 be approved and confirmed.

4. DISCLOSURE OF INTEREST

Councillor C Morris declared a non-pecuniary interest in Agenda Item 5 19/01164/FUL Mill Beach Public House, Goldhanger Road, Heybridge as his family owns a holiday caravan on one of the holiday parks, he often uses that part of the sea wall and had been in conversation with a few people regarding the application.

Councillor M R Edwards declared a non-pecuniary interest in Agenda Item 5 19/01164/FUL Mill Beach Public House, Goldhanger Road, Heybridge as a member of Heybridge Parish Council.

5. **19/01164/FUL - MILL BEACH PUBLIC HOUSE, GOLDHANGER ROAD, HEYBRIDGE, ESSEX**

Application Number	19/01164/FUL
Location	Mill Beach Public House, Goldhanger Road, Heybridge, Essex, CM9 4RA
Proposal	Demolition of existing and erection of a replacement public house (class A4), with a first-floor apartment, and change of use of land for the siting of 12 holiday lodge caravans.
Applicant	Bedlars (Goldhanger) LLP
Agent	Miss Michaela Kekerri - Avison Young
Target Decision Date	11.09.2020 (EOT until this date)
Case Officer	Julia Sargeant
Parish	HEYBRIDGE
Reason for Referral to the Committee / Council	Member Call In Not Delegated to Officers

It was noted from the Members' Update that a further letter of support, comment and objection had been received.

Following the Officer presentation Members were advised that one public participation submission had been received from the Applicant and in accordance with the public participation scheme this was duly read out.

The Chairman moved the Officers' recommendation that planning application 19/01164/FUL - Mill Beach Public House, Goldhanger Road, Heybridge be approved and this was duly seconded by Councillor C Morris.

Members discussed the proposal and the general consensus was one of support. In response to requests for additional conditions, Members were advised that:

- an Historical Assessment had been carried out and the Council was satisfied that the loss of the historic aspect would not stand up as a reason for refusal.
- proposed condition 23 covered the whole of the site covering a number of matters including permeability of the parking area.

In response to concern raised, the Senior Planning Officer – Major Applications advised there was a proposed condition relating to bat and bird boxes and she suggested that the inclusion of native species and some wildlife friendly planting could be incorporated into a condition if Members were mindful to approve the application. This was duly agreed.

The Chairman then put the duly seconded Officer's recommendation of approval with the amendments to conditions regarding native species and wildlife friendly planting to the Committee. Upon a vote being taken this was approved.

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

- 1 The development hereby permitted shall begin no later than three years from the date of this decision.

- 2 The development shall be carried out and retained in accordance with the following approved plans and documents: TP(01)01 REV B, TP(01)02 REV B, TP(01)03 REV D, TP(01)04 REV B, TP(01)05 REV B, AY.02B903081.01 REV D, TP(10)01 REV B, TP(10)02 REV B, TP(10)03 REV B, TP(10)20 REV F, TP(10)21 REV F, TP(10)22 REV E, TP(11)01 REV B, TP(11)02 REV B, TP(11)20 REV F, TP(11)21 REV F, TP(12)20 REV D, TP(12)21 REV A, MBTRP-OCT 19.
- 3 Prior to their use in the development hereby approved, full details of the materials to be used in the construction of the external surfaces of the public house, including windows and doors, shall 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.
- 4 No holiday lodges shall be used as a person's sole or main place of residence and shall be used for holiday purposes only.
- 5 No individual unit of holiday accommodation shall be occupied by the same person or persons for a period exceeding 28 days duration.
- 6 The owners/operators of the site shall maintain an up to date register of the names of all owners/occupiers of individual holiday accommodation units on the site together with their dates of arrival and departure, and main home addresses. The register shall be made available at all times for inspection and copying by the local planning authority for recording keeping purposes.
- 7 Notwithstanding the provisions of the Caravan Sites and Control of Development Act 1960, the location and siting of the holiday lodges shall only be in accordance with the approved layout plan AY.02B903081.01 REV D unless otherwise agreed in writing by the Local Planning Authority.
- 8 Notwithstanding the provisions of the Caravan Sites and Control of Development Act 1960, the holiday lodges hereby approved shall be clad in timber or reconstituted wood unless otherwise agreed in writing by the Local Planning Authority.
- 9 The ground floor of the replacement public house hereby permitted shall only be used as a public house and for no other purposes.
- 10 Full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority prior to any works occurring above ground level at the application site. These details shall include, for example:
- i. Proposes finished levels contours;
 - ii. Boundary treatments/Mean of enclosure;
 - iii. Car parking layouts;
 - iv. Other vehicle and pedestrian access and circulation areas;
 - v. Hard surfacing materials;
 - vi. Minor artefacts and structures;
 - vii. Proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc, indicating lines, manholes, supports);
 - viii. Retained historic landscape features and proposals for restoration, where relevant.
 - ix. soft landscaping, including planting plans with schedules of plant species, plant sizes and proposed planting numbers/densities; written specifications (including cultivation and other operations associated with plant and grass establishment) and a programme of implementation and maintenance. The soft landscaping should include the use of native species and wildlife friendly planting.

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the occupation of any part of the development hereby approved 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.

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.

- 11 Prior to any works occurring above ground level at the application site details of the means of refuse storage including details of any bin stores to be provided shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the agreed details and provided prior to the first occupation/use of the development and retained for such purposes at all times thereafter.
- 12 The trees and hedges identified for retention on the approved plan drawing number MBTRP-OCT 19 which 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.
- 13 The pedestrian footway shown along the western boundary of the application site shall be provided and made available for use by members of the public prior to the first occupation/use of the development hereby permitted and shall be retained for such purposes at all times thereafter unless otherwise agreed in writing by the Local Planning Authority
- 14 Prior to the first occupation of the development visibility splays with dimensions of 2.4 metres by 120 metres as measured from and along the nearside edge of the carriageway shall be provided on both sides of the junction of the vehicular access. The area within each splay shall be kept clear of any obstruction exceeding 600mm in height at all times.
- 15 No unbound material shall be used in the surface finish of the vehicular access within a distance of 6.0m from the highway boundary of the site.
- 16 The development shall not be occupied unless and until the vehicular access as shown on the approved plans has been constructed, surfaced and made available for use and shall be provided with a dropped kerb vehicular crossing of the

- footway/highway verge. The access shall be retained as such at all times thereafter.
- 17 Immediately after the access hereby permitted is brought into use, the existing access shall be permanently closed in accordance with details which shall have been previously submitted to and approved in writing by the local planning authority.
- 18 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the nearside edge of the footway/cycleway or where no provision of footway/cycleway is present, the carriageway.
- 19 With the exception of any building or structure required to be provided by conditions on a site licence issued under the Caravan Sites and Control of Development Act 1960, no structures, tents or similar items shall be erected or placed on the site without the prior approval in writing of the Local Planning Authority.
- 20 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
- 21 The development hereby permitted shall not be first occupied until such time as the vehicle parking area and turning space indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, and marked out in parking bays. The vehicle parking area(s) and turning space shall be retained in this form at all times. The vehicle parking area(s) shall not be used for any purpose other than the parking of vehicles that are related to the use of the approved development.
- 22 Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to the Local Planning Authority for approval in writing. These approved schemes shall be carried out before the development is resumed or continued. Following completion of measures identified in the approved remediation scheme, a verification report demonstrating the effectiveness of the remediation scheme carried out must be submitted to the Local Planning Authority for approval in writing.
- 23 No development works above ground level shall occur until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753. If infiltration is feasible then the appropriate level of treatment needs to be provided for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Limiting discharge rates to 2l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change subject to agreement with the relevant third party. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Demonstrate that all storage features can half empty within 24 hours for the 1:30 plus 40% climate change critical storm event.
- Final modelling and calculations for all areas of the drainage system.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

Where the local planning authority accepts discharge to an adopted sewer network you will be required to provide written confirmation from the statutory undertaker that the discharge will be accepted.

The development shall then be carried out in accordance with the details as approved.

- 24 Prior to the first use/occupation of any part of the development hereby permitted a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, shall be been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

- 25 The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan agreed through condition 23 above. These must be available for inspection upon a request by the Local Planning Authority.
- 26 The replacement public house shall be designed to withstand that hydrostatic and hydrodynamic forces of floodwater should the defences overtop or breach for all events up to and including the 0,1% annual probability flood, inclusive of climate change.
- 27 The holiday lodge caravans shall be securely anchored/tethered to the ground.
- 28 A minimum 4.5 metre buffer, measured from the landward toe of the existing flood defences, and a 7.6 metre wide access strip to the flood defences shall be maintained clear of any development, this includes, but is not limited to any excavations or placement of temporary or permanent structures as detailed on drawing number 1, revision 2, dated 12/03/2020, within the submitted Flood Risk Assessment.

- 29 The existing basement of the current public house shall be infilled as a result of the sites redevelopment and no below ground access shall be provided.
- 30 The first floor terrace above the public house shall be constructed to support up to 200 people for flood evacuation safety reasons and shall be available for use prior to the first use of any of the holiday lodges.
- 31 The first floor apartment above the public house shall only be occupied by the manager of the public house or other staff employed by the public house or holiday lodge business and not sold or let out as a separate unit of accommodation.
- 32 The applicant/occupier is required to have in place a flood evacuation plan to respond to any flood warnings issued by the Environment Agency. Details of the flood evacuation plan shall previously have been submitted to and agreed in writing by the local planning authority, prior to first use/occupation of the development hereby permitted.
- 33 The development hereby permitted shall be carried out in accordance with the recommendations contained within the Preliminary Ecological Appraisal (July 2019) and the mitigation and recommendations set out in the Bat Survey Report (July 2020).
- 34 Prior to the first use/occupation of the development hereby approved details of all external illumination of the site shall be 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 (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) 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 details as agreed and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.
- 35 Details of information boards relating to the Blackwater Estuary and its importance for wintering birds and other wildlife shall be submitted to and approved in writing by the local planning authority. Such details shall also include the location of the boards within the application site. The information boards shall be erected within the site in accordance with the details agreed prior to the first use/occupation of the development hereby approved.
- 36 Prior to the commencement of development, an ecology construction method statement shall be submitted to and approved in writing by the local planning authority. The ecology construction method statement shall detail how any construction work undertaken during winter months will mitigate its impact upon wintering water birds associated with the relevant European sites adjacent to the application site and include details of how any noisy construction activities such as piling will be ceased during severe winter weather conditions. The development shall then be carried out in accordance with the ecology construction method statement as agreed.

There being no further items of business the Chairman closed the meeting at 1.50 pm.

M S HEARD
CHAIRMAN

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