



**MINUTES of
DISTRICT PLANNING COMMITTEE
13 AUGUST 2020**

PRESENT

Chairman	Councillor
Vice-Chairman	Councillor Mrs P A Channer, CC
Councillors	E L Bamford, M G Bassenger, B S Beale MBE, V J Bell, M R Edwards, Mrs J L Fleming, A S Fluker, M S Heard, M W Helm, A L Hull, K W Jarvis, K M H Lagan, C Mayes, C Morris, S P Nunn, N G F Shaughnessy, R H Siddall, N J Skeens, Mrs J C Stilts, C Swain and Mrs M E Thompson

1. CHAIRMAN'S NOTICES

The Chairman welcomed everyone to the remote meeting, held under new regulations which came into effect on 4 April 2020 in response to the COVID-19 pandemic. She took Members through some general housekeeping issues, together with the etiquette for the meeting and then asked Officers present to introduce themselves.

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

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Miss A M Beale, R P F Dewick, M F L Durham, B E Harker, J V Keyes, C P Morley, W Stamp and Miss White.

3. MINUTES OF THE LAST MEETING

RESOLVED

- (i) That the Minutes of the meeting of the District Planning Committee held on 9 July 2020 be received.

Minute 1064 – 20/00157/FUL- Land East of Bradwell Power Station, Downhall Beach, Bradwell -on-Sea

Councillor E L Bamford requested that the 3rd line in the first paragraph on page 13 be amended to read as follows: ‘making it necessary to undertake the proposed extensive groundwork investigations and insufficient information provided with regard to the effects on the wildlife and heritage sites’.

RESOLVED

- (ii) That subject to the above amendment the Minutes of the District Planning Committee held on 9 July 2020 be confirmed.

4. DISCLOSURE OF INTEREST

Councillor M H Lagan declared a non-pecuniary interest in Agenda Item 11 - 20/000157/FUL, Land East of Bradwell Power Station, Downhall Beach, Bradwell -on-Sea as he had numerous conversations with a wide range of residents regarding this item.

Councillor N J Skeens declared a non-pecuniary interest in Agenda Item 5 - 19/01208/FUL, Land North of Marsh Road, Burnham-on-Crouch, Essex as a Burnham Town Councillor and Agenda Item 11 - 20/000157/FUL, Land East of Bradwell Power Station, Downhall Beach, Bradwell-on-Sea as he was a member of the Bradwell B Working Group.

Councillor A S Fluker declared a pecuniary interest on Agenda Item 5 - 19/01208/FUL – Land North of Marsh Road, Burnham-on-Crouch, Essex as he was a Member of the RHS (Royal Horticultural Society), he had a perceived bias relating to Agenda Item 10 - 15/015327/OUT, Land North and West of Knowles Farm. Wycke Hill, Maldon, Essex and that he had lost connectivity last time round on Agenda Item 11- 20/000157/FUL, Land East of Bradwell Power Station, Downhall Beach, Bradwell-on-Sea therefore he could not partake in the debate or vote. Given that he could not partake in any items on the meeting agenda he removed himself from the meeting.

Councillor F G F Shaughnessy declared a non-pecuniary interest in Item 10- 15/015327/OUT, Land North and West of Knowles Farm. Wycke Hill, Maldon, Essex as she knew the Objectors.

Councillor C Mayes declared a non-pecuniary interest in Agenda Item 7- Planning Decision – Legal Advice Relating to Land North and West of Knowles Farm Maldon and 10 -15/015327/OUT, Land North and West of Knowles Farm. Wycke Hill, Maldon, as she knew the land owner. She also declared on Agenda Item 8 Planning Decision- Legal Advice Relating to Bradwell-on-Sea Ground Investigations and 11- 20/000157/FUL, Land East of Bradwell Power Station, Downhall Beach, Bradwell -on-Sea as a member of the Bradwell B Working Group.

Councillor C Morris declared a non-pecuniary interest in Agenda Item 11- 20/000157/FUL, Land East of Bradwell Power Station, Downhall Beach, Bradwell -on-Sea, as he had conversations with several residents regarding this item.

Councillor M G Bassenger declared a non-pecuniary interest on Item 8- Planning Decision- Legal Advice Relating to Bradwell-on-Sea Ground Investigations and Item 11- 20/000157/FUL, Land East of Bradwell Power Station, Downhall Beach, Bradwell-on-Sea, as a member of the Bradwell B Working Group

Councillor V J Bell declared a non-pecuniary interest on Agenda Item 5- 19/01208/FUL, Land North of Marsh Road, Burnham-on-Crouch, Essex as a member of Burnham Town Council.

Councillor Fleming advised that she would not be partaking in the debate or voting on Agenda Item 8 - Planning Decision- Legal Advice Relating to Bradwell-on-Sea Ground Investigations and Item 11- 20/000157/FUL, Land East of Bradwell Power Station, Downhall Beach, Bradwell -on-Sea as she lost connectivity at the last meeting on 9 July 2020.

Councillor Mrs M E Thompson declared a non-pecuniary interest in Agenda Item 8- Planning Decision- Legal Advice Relating to Bradwell-on-Sea Ground Investigations and Item 11- 20/000157/FUL, Land East of Bradwell Power Station, Downhall Beach, Bradwell-on-Sea as a member of the Bradwell B Working Group.

Councillor S P Nunn declared a non-pecuniary interest on Agenda Item 8 - Planning Decision- Legal Advice Relating to Bradwell-on-Sea Ground Investigations and Item 11- 20/000157/FUL, Land East of Bradwell Power Station, Downhall Beach, Bradwell-on-Sea, as he had several conversations with residents regarding this item of business and it was of particular interest with reference to the heritage of the site.

Councillor M W Helm declared a non-pecuniary interest on Agenda Item 8 -Planning Decision- Legal Advice Relating to Bradwell-on-Sea Ground Investigations and Item 11-20/000157/FUL Land East of Bradwell Power Station, Downhall Beach, Bradwell -on-Sea, as a member of the Bradwell B Working Group.

Councillor Mrs P A Channer declared a non-pecuniary interest in all items on the agenda as a member of Essex County Council, a consultee on all planning related matters. She then advised the Committee that since she was not present on 9 July 2020 for the discussion on Item 11- 20/000157/FUL Land East of Bradwell Power Station, Downhall Beach, Bradwell -on-Sea, she would not be able to partake in the discussion or vote.

5. 19/01208/FUL - LAND NORTH OF MARSH ROAD, BURNHAM-ON-CROUCH, ESSEX

Application Number	19/01208/FUL
Location	Land North Of Marsh Road, Burnham-On-Crouch, Essex
Proposal	Residential development comprising the construction of 90 residential dwellings (Use Class C3), public open space, landscaping and associated infrastructure.
Applicant	Taylor Wimpey (East London)
Agent	Ms Catherine Williams - Savills
Target Decision Date	17.07.2020
Case Officer	Devan Hearnah
Parish	BURNHAM NORTH
Reason for Referral to the Committee / Council	Strategic site within the strategic submitted Local Development Plan

The Chairman introduced the application and said that before she asked the Officer to give their presentation she wished to make a statement.

She said that she was not present at the meeting on 9 July 2020 where Agenda Item 11 20/00157/FUL- Land East of Bradwell Power Station, Downhall Beach, Bradwell-on-Sea was first discussed, therefore, she would not be able to partake in the debate or vote. Furthermore, as per her earlier declaration there was a possible conflict with agenda item 10 Land North and West of Knowles Farm, Maldon. Therefore, for the efficient and effective business of the meeting she would remove herself from the Chair after the conclusion of Item 5 19/01208/FUL- Land North Of Marsh Road, Burnham-On-Crouch, Essex. She then sought proposals for a Member to chair the remainder of the meeting.

There were two councillors proposed, Councillor Mrs M E Thompson and Councillor M S Heard. Councillor Heard said that he was content for Councillor Mrs M E Thompson to chair the remainder of the meeting from Item 6 onwards.

The Chairman then asked the Officer to proceed with the planning presentation .

Following the Officer's presentation, the Chairman addressed a public participation submission from the Applicant, Catherine Williams of Savills (on behalf of Taylor Wimpey)

She then moved the Officer recommendation that planning application 19/01208/FUL, Land North of Marsh Road, Burnham-on-Crouch be approved subject to a S106 agreement and the conditions in section 8 of the report. This was seconded by Councillor Helm

A debate ensued where concerns were raised around safe egress and access to the Primary Schools and infrastructure saturation. Members sought reassurance regarding safe pedestrian crossings, footpaths, additional school allocations, adequate NHS services and road capacity for the additional properties. Both Councillor Skeens and Councillor Bell reminded the Committee that Burnham-on Crouch had already exceeded its agreed housing allocation.

Councillor Bamford sought clarity on the S106 agreement in particular the issue of the management committee as there was no reference to it in the draft version. She was also concerned that landscaping maintenance covered all key areas including the LEAP (Local Equipped Area for Play) and Orchard. In addition, she asked if there was a way to prevent any changes/alterations to the bungalows that were deemed a distinct characteristic in the site.

Planning Officers responded to all aforementioned issues as follows:-

- That this was the first draft of the s106 and that the final version will contain detailed proposals for the management committee and the maintenance, management and landscaping of all open spaces.
- School place provision would be secured via a S.106 agreement. Essex County Council had raised no objection to the proposal on school capacity matters.
- Condition 23 removed permitted development on the bungalows, subject to planning permission, However, Planning could not legally remove somebody's rights to submit a planning application.

- Conditions 30/31 dealt with the issues of a pedestrian crossing, appropriate car-parking facilities, dropped kerbs and tactile paving.
- Condition 32 provided for a public right of way upgraded to a hard surface to allow for increased footfall.
- There was one access to the site in the south west parcel.
- Essex Fire Brigade had recommended the use of water sprinklers which would be included in the next stage as part of the building regulations.
- All pertinent ecological and archaeological issues had also be conditioned appropriately (see the comprehensive list of conditions below).

The chairman noted that all issues raised had been covered by the Officers and thanked them for a very thorough and exemplary report. She then put the Officer's recommendation to approve the application subject to a S106 agreement and the conditions as detailed in section 8 of the report to the committee. Upon a vote being taken the application was approved.

RESOLVED that the application be **APPROVED** subject to a S106 agreement and the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91(1) of The Town & Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out and retained in complete accordance with following approved drawings:
 - 18.1318.103 Rev Q
 - 18.1318.102 Rev B
 - 18.1318.200 Rev K
 - CSA/3734/138 Rev H
 - 18.1318.100 Rev T
 - 18.1318.201 Rev J
 - 18.1318.202 Rev J
 - 18.1318.203 Rev J
 - 18.1318.206 Rev J
 - 18.1318.300 Rev D
 - 18.1318.410
 - 18.1318.411
 - 18.1318.420 Rev A
 - 18.1318.P1.430
 - 18.1318.P1.440
 - 18.1318.P1.441 Rev A
 - 18.1318.P1.442
 - 18.1318.450

- 18.1318.451
- 18.1318.470 Rev B
- 18.1318.471 Rev B
- 18.1318.490 Rev A
- 18.1318.491
- 18.1318.492 Rev A
- 18.1318.495
- 18.1318.496
- 18.1318.510
- 18.1318.511
- 18.1318.P1.520
- 18.1318.P1.521
- 18.1318.530 Rev A
- 18.1318.540
- 18.1318.800 Rev A
- 18.1318.801
- CSA/3734/136 Rev H
- CSA/3734/132
- CSA/3734/134 Rev H
- CSA/3734/135 Rev H
- CSA/3734/137 Rev H
- 18.1318.802
- 18.1318.205 Rev J

REASON: To ensure the development is carried out in accordance with the details as approved.

- 3 The development hereby permitted shall be undertaken using only the materials set out within plan 18.1318.200 Rev K hereby approved.

REASON: To ensure the external appearance of the development is appropriate to the locality in accordance with policies D1 and D3 of the approved Maldon District Local Development Plan and the guidance contained in the Maldon District Design Guide SPD.

- 4 The development shall be implemented in accordance with the dwelling mix hereby approved, which is as follows:

Open market houses:

- 32 no. two-bedroom dwellings
- 13 no. three-bedroom dwellings
- 9 no. four-bedroom dwellings

Affordable units:

- 11 no. one-bedroom units
- 18 no two-bedroom units

- 7 no. three-bedroom units

REASON: In order to ensure that an appropriate housing mix is provided for the proposed development taking into account the objective of creating a sustainable, mixed community contained in Policy H1 of the approved Maldon District Development Local Plan and the guidance contained in the National Planning policy Framework.

- 5 Within the first available planting season (October to March inclusive) following the occupation of the development the landscaping works as shown on plans no's 3734_136 H, 3734_137 H and 3734_138 H and specifications attached to and forming part of this permission shall be fully implemented.

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 replacement for it, is removed, uprooted or destroyed or 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 at the same place, unless the local planning authority gives its written consent to any variation.

REASON: To ensure that the details of the development are satisfactory in accordance with policy D1 of the Maldon District Development Local Plan and the guidance contained in the Maldon District Design Guide SPD.

- 6 The development shall be implemented in accordance with the hard landscaping works as shown on plans no. 3734_134 H, 3734_135 H and 3734_138 H and specifications attached to and forming part of this permission. The hard landscape works shall be carried out as approved prior to the first occupation of the development hereby approved and be retained and maintained as such in perpetuity.

REASON: To ensure that the details of the development are satisfactory in accordance with policy D1 of the Maldon District Development Local Plan and the guidance contained in the Maldon District Design Guide SPD.

- 7 Prior to the occupation of the development hereby approved, the boundary treatments shall be implemented in accordance with the details shown on plans nos. 3734_134 H and 3734_135 H and specifications attached to and forming part of this permission. The boundary treatment shall be retained and maintained as such in perpetuity.

REASON: To ensure that the development is as applied for and to protect the visual amenity of the area in accordance with Policy D1 of the approved Maldon District Development Local Plan and the guidance contained in the Maldon District Design Guide SPD.

- 8 The development shall be implemented in accordance with Tree Survey, Arboricultural Survey, Impact Assessment and Tree Protection Plan C.2789, prior to the first occupation of the development hereby approved. No other trees shall be removed or fell unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect the visual amenity of the site in accordance with policy D1 of the Maldon District Development Local Plan and the guidance contained in the Maldon District Design Guide SPD.

- 9 Should the existence of any contaminated ground or groundwater conditions and/or hazardous soil gases be found that were not previously identified or not considered in a scheme agreed in writing with the Local Planning Authority, the site or part thereof shall be re-assessed and a scheme to bring the site to a suitable condition shall be submitted to and agreed in writing with the Local Planning Authority. A "suitable condition" means one in that represents an acceptable risk to human health, the water environment, property and ecosystems and scheduled ancient monuments and cannot be determined as contaminated land under Part 2A of the Environmental Protection Act 1990 now or in the future.

The work will be undertaken by a competent person in accordance with the Essex Contaminated Land Consortium's Land Contamination Technical Guidance For Applicants and Developers and UK best-practice guidance.

REASON: To prevent the undue contamination of the site in accordance with policy D2 of the approved Maldon District Development Local Plan.

10 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
- Wheel washing facilities

REASON: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety in accordance with BE1 and T2 of the Maldon District Local Development Plan, and policies D1 and T2 of the submitted Local Development Plan.

11 No development shall take place, including any works of demolition, until a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The CEMP is not required to include initial badger sett enabling works which will be controlled by Natural England through the relevant licensing process. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: To conserve and protect priority species in accordance with policy N2 of the Maldon District Local Development Plan.

12 No works except demolition shall take place 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:

- Limiting discharge rates to 6.6l/s within catchment A and 5.8l/s within catchment B for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1:30 plus 40% climate change critical storm event.
- Demonstrate that all storage features have incorporated a 10% urban creep allowance.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- 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.

REASON: To avoid the risk of water flooding and pollution in accordance with policy D2 of the Maldon District Local Development Plan.

13 No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

REASON: To avoid the risk of water flooding and pollution in accordance with policy D2 of the Maldon District Local Development Plan.

14 Prior to occupation 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, has 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.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk in accordance with policy D2 of the Maldon District Local Development Plan.

15 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. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk in accordance with policy D2 of the Maldon District Local Development Plan.

16 No development works above ground level shall occur until details of foul drainage scheme to serve the development have 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.

- REASON: To avoid the risk of water flooding and pollution in accordance with policy D2 of the Maldon District Local Development Plan.
- 17 Prior to the occupation of the development the vehicle parking shall be hard surfaced, sealed and marked out in parking bays and the approved garages shall be erected in accordance with the plans and details hereby approved. Furthermore, a fast charging point shall be provided adjacent to at least one parking space for each new dwelling. The vehicle parking area and associated turning area shall be retained in this form in perpetuity. The vehicle parking and garages shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.
- REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with policies D1 and T2 of the approved Local Development Plan.
- 18 Cycle parking shall be provided prior to the occupation of the development hereby approved in accordance with Maldon District Council's adopted standards. The approved facility shall be secure, convenient, covered and retained at all times.
- REASON: To ensure that cycle parking is proposed in accordance with the Vehicle Parking Standards SPD and policies D1 and T2 of the Maldon District Local Development Plan.
- 19 Prior to occupation of the development hereby approved, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport for each dwelling. The packs are to be provided by the Developer to each dwelling free of charge.
- REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies S1 and T2 of the approved Local Development Plan and the guidance contained in the National Planning Policy Framework.
- 20 The development shall be implemented in accordance with the ecological mitigation measures and ecological enhancements as set out in the submitted Ecology Impact Assessment (CSA/3734/02), dated September 2019. The ecological enhancements as agreed shall be implemented as approved and retain as such thereafter for a minimum period of five years from the date of completion of the development.
- REASON: To improve and enhance biodiversity value of the site in accordance with policy N2 of the Maldon District Local Development Plan.
- 21 "A Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority.

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 (where relevant).

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

- REASON: To improve and enhance biodiversity value of the site in accordance with policy N2 of the Maldon District Local Development Plan.
- 22 The first floor windows on the side elevations of the dwellings adjacent to other dwellings and not the highway shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be

agreed in writing with the local planning authority) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level unless otherwise agreed in writing by the local planning authority. In the case of multiple or double glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.

REASON: To protect the privacy and environment of people in neighbouring residential properties in accordance with policies D1 and H4 of the Maldon District Development Local Plan and the guidance contained in the National Planning Policy Framework and the Maldon District Design Guide SPD.

23 Notwithstanding the provisions of Class A, B, C, D and E of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no garages, extensions or separate buildings shall be erected within the site without planning permission having been obtained from the local planning authority.

REASON: In the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance with the requirements of policies D1 and H4 of the Maldon District Local Development Plan and the provision and guidance as contained within the National Planning Policy Framework.

24 No development works above ground level shall commence until details of the external lighting strategy for the site including the luminance and spread of light and the design and specification of the light fittings 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 illumination within the site shall be retained in accordance with the approved details. There shall be no other lighting of the external areas of the site unless otherwise agreed in writing by the Local Planning Authority.

REASON: To minimise light pollution upon nearby property including residential properties, the adjoining rural countryside and in the interests of biodiversity and ecology in accordance with policies D1, D2 and N2 of the Maldon District Local Development Plan.

25 A strategy to facilitate superfast broadband for the future occupants of the dwellings hereby approved, either through below ground infrastructure or other means should be submitted to the Local Planning Authority for approval in writing. The method to facilitate superfast broadband shall be implemented in accordance with the approved strategy prior to the occupation of the appropriate building.

REASON: To ensure that appropriate infrastructure is provided for the new development to meet the community needs, in accordance with policy I1 of the Maldon District Local Development Plan.

26 Prior to the first occupation of the dwellings hereby approved, the development shall be implemented in accordance with the waste management details included in the refuse collection plan no 18.1318.202 Rev J and be retained as such in perpetuity.

REASON: To ensure that adequate refuse facilities are provided and in the interest of the visual amenity of the area in accordance with the requirements of policy D1 of the Maldon District Local Development Plan and the provision and guidance as contained within the Maldon District Design Guide.

27 Prior to any works above ground level a scheme of mitigation against air pollution shall be submitted to and agreed in writing by the Local Planning Authority. The measures shall be implemented prior to the first occupation of the development.

REASON: To minimise air pollution upon nearby property including residential properties, the adjoining rural countryside in accordance with policies D1 and D2 of the Maldon District Local Development Plan and the guidance contained in the National Planning Policy Framework.

28 No development including any site clearance or groundworks of any kind shall take place within the specific area of the site shown on the RPS drawing entitled 'Burnham on Crouch - Planning Ref: FUL/MAL/19/01208 – Current archaeological sign off plan' (Drawing Ref: 25729 06.12.19) until the applicant or their agents; the owner of the site or successors in title has secured the implementation of the programme of archaeological work from an accredited archaeological contractor in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The development shall be carried out in a manner that accommodates the approved programme of archaeological work.

The staged archaeological work shall begin with the additional archaeological trial-trenching as shown on RPS Drawing Ref: 25729 06.12.19. This phase of evaluation will enable the full extent of archaeological interest to be identified for subsequent full archaeological excavation. The identified archaeological excavation area/s will be completed, in accordance with an excavation methodology as set out in the written scheme of investigation, ahead of development groundworks within the specified areas. All fieldwork should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by this office.

REASON:

To protect the site which is of archaeological interest, in accordance with policy D3 of the Maldon District Local Development Plan.

30 Prior to first occupation of the development, the developer shall implement the access arrangements for the proposed development, as shown in principle on Drawing no ST-2847-07 in Appendix F of the Transport Assessment. This should include but not be limited to:

- Providing pedestrian dropped kerbs and tactile paving immediately to the west of the proposed vehicle access and to the front of St Mary's School, with the precise location to be agreed with the Local Planning Authority; and
- Providing a minimum 2 metre width pedestrian footway across the site frontage and into the development.
- Any Traffic Regulation Orders required in the provision of the site access.

REASON: In the interests of highway safety, efficiency and accessibility, and to ensure suitable pedestrian access is provided in accordance with Policies T1 and T2 of the Maldon District Local Development Plan.

31 The pedestrian crossing to be provided on Marsh Road, as shown on plan 18.1318.203 Rev J (Parking Layout) and detail subject of condition 28 shall be provided prior to the first occupation of the development.

REASON: In the interests of pedestrian accessibility and amenity, and to protect the integrity of the existing public right of way in accordance with Policies T1 and T2 of the Maldon District Local Development Plan.

32 Prior to first occupation of the development, public footpath no 14 shall be improved to include hard surfacing from Marsh Road to the bridge across Pannel's Brook with full details to be agreed with the Highway Authority. There shall also be no additional planting within 2 metres of the footpath.

REASON: In the interests of pedestrian accessibility and amenity, and to protect the integrity of the existing public right of way in accordance with Policies T1 and T2 of the Maldon District Local Development Plan.

- 33 Prior to first occupation of the development, the existing bus stops on either side of the B1021 Church Road (between the junctions with Marsh Road and the B1010 Maldon Road) shall be improved to Essex County Council specifications. Both northbound and southbound stops shall be provided with new poles, flags and timetable information display.
REASON: To promote public transport and accessibility in accordance with Policies T1 and T2 of the Maldon District Local Development Plan.
- 34 A schedule of glazing and ventilation for bedrooms and living rooms shall be designed to meet the noise criteria detailed in paragraph 4.17 of the Cass Allen Noise Assessment RP01-19251 submitted as part of the application. The glazing scheme shall be implemented prior to occupation.
REASON: To avoid, mitigate and minimise adverse impacts on health and quality of life from noise in accordance with Policies D1 and H4 of the Maldon District Development Local Plan and the guidance contained in the National Planning Policy Framework and the Maldon District Design Guide SPD.
- 35 The measures contained within the Flood Risk Assessment a copy of which was submitted with the planning application and forms part of this permission, shall be fully implemented and in place prior to the first occupation of the development and retained in perpetuity.
REASON: To ensure that the development is safe in terms of flood risk, in accordance with Policy D5 of the LDP
The measures contained within the Flood Risk Assessment a copy of which was submitted with the planning application and forms part of this permission, shall be fully implemented and in place prior to the first occupation of the development and retained in perpetuity.
REASON: To ensure that the development is safe in terms of flood risk, in accordance with Policy D5 of the LDP
- 36 The applicant/occupier is required to have in place a flood action plan to respond to any flood warnings issued by the Environment Agency. Details of the flood plan shall previously have been submitted to and agreed in writing by the local planning authority, in consultation with the Environment Agency, prior to first occupation of the development hereby permitted.
REASON: To ensure that the development is safe for its occupants in terms of flood risk, in accordance with Policy D5 of the LDP.

Councillor Mrs Channer vacated the Chairman role and left the meeting as previously agreed.

IN THE CHAIR: COUNCILLOR MRS M E THOMPSON

6. EXCLUSION OF THE PUBLIC AND PRESS

Prior to moving into Private Session, the Chairman deferred to the Monitoring Officer, Mr Quelch to take the Committee through the process for the remainder of the meeting.

The Monitoring Officer drew Members' attention to the content of his email circulated prior to the meeting. He reminded the Committee that the Constitution required that a member must be present for the entire discussion on an application therefore, if a member was not present during the previous discussion or experienced connectivity prob-

lems on items 10 15/015327/OUT, Land North and West of Knowles Farm. Wycke Hill, Maldon, Essex and 11 20/000157/FUL, Land East of Bradwell Power Station, Downhall Beach, Bradwell-on-Sea, that member would not be able to partake in the debate or vote.

The Chairman then addressed the proposal to move into private session in accordance with Section 100A(4) of the Local Government Act 1972. At this point Councillor Morris interrupted the Chairman and requested a vote on whether the Committee move to private business. The Chairman explained that she was taking the Committee through a proposal to go into private session and that the Committee would vote on that proposal. This was seconded by Councillor Helm. A recorded vote was requested.

The Monitoring Officer asked if he could address certain issues should the Committee vote against the proposal to move into private session. He advised that the legal advice would be open to both the developers and the public and may not be in the best interests of the Council. The Chairman asked if the advice sought was intended to be made public or not. The Monitoring Officer replied that given the nature of the advice it would not be in the interests of the Council to make the advice open to the public.

7. CLOSURE OF THE MEETING

Due to further interruptions on the part of Councillor Morris, the Chairman, having asked on a number of occasions for order, exercised her discretion in accordance with Rule 10 paragraph 3 and closed the meeting, as it was not possible for the orderly despatch of business.

The meeting closed at 2.20 pm.

MRS P A CHANNER & MRS M E THOMPSON
CHAIRMAN