



**MINUTES of
CENTRAL AREA PLANNING COMMITTEE
22 OCTOBER 2025**

PRESENT

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| Chairperson | Councillor P L Spenceley |
| Vice-Chairperson | Councillor A M Lay |
| Councillors | J R Burrell-Cook, S J Burwood, S Dodsley, J Driver, K Jennings, K M H Lagan, N D Spenceley and J C Stilts |

263. CHAIRPERSON'S NOTICES

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

264. APOLOGIES FOR ABSENCE

There were none

265. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 24 September 2025 be approved and confirmed.

266. DISCLOSURE OF INTEREST

Councillor J R Burrell-Cook declared that they knew the applicant for Agenda item 5 – 25/00605/FUL Land Adjacent Heybridge House Industrial Estate, Bates Road, Maldon.

**267. 25/00605/FUL, LAND ADJACENT HEYBRIDGE HOUSE INDUSTRIAL ESTATE,
BATES ROAD, MALDON**

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| Application Number | 25/00605/FUL |
| Location | Land Adjacent Heybridge House Industrial Estate Bates Road Maldon |
| Proposal | Retrospective application for storage of empty bins, empty skips and lorries associated with neighbouring use |
| Applicant | Mr Robert Smith - CSH Environmental |
| Agent | Mr Paul Calder - Next Steps Planning Ltd |
| Target Decision Date | 28 November 2025 (Time Extended) |
| Case Officer | Chris Purvis |
| Parish | MALDON NORTH |

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| Reason for Referral to the Committee / Council | Called in by Cllr Nick Spenceley over concerns with flood risk and policy D5, impact upon green infrastructure and policy N1, and to consider biodiversity and policy N2. |
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Prior to the meeting a Members' Update was circulated with additional proposed condition.

The Officer presented their report. Following this an Objector Liam Webb and the Applicant Robert Smith addressed the Committee.

The Officer then answered some initial queries about the report stating that the trigger points for the plans was two months not two years as stated in the presentation. Also, the reference to the proposed building in paragraph 3.1.2 of the report was an error and there were no proposed buildings for this site within the application.

Following this Members discussed concerns over the sustainability of the site regarding flooding, noise mitigation for nearby residential dwellings and the anchorage of the bins and skips on site. The Officer responded that whilst this site was in a flood risk zone that there was anchorage already for the bins and the application included additional anchorage, the Committee could also include an additional condition to require the details of the anchorage to be reviewed before it goes ahead. The Officer then highlighted that no issues had been raised by the Environmental Health officer in regard to noise mitigations and confirmed that the site would be solely used for storage.

Councillor J Driver then proposed to approve the application. This proposal was duly seconded. Upon a vote being taken there was an equality of votes and the Chairperson exercised her casting vote against the proposal.

A discussion then ensued regarding invoking the Constitutional Brake Clause and the Planning Officer provided further clarification to the Committee.

Following further discussion, the Chairperson advised that as the Committee was minded to refuse the application, contrary to Officers' recommendation, the Constitutional Brake Clause would be applied and consideration of this application deferred. Members discussed possible reasons for refusal and reasons relating to flood risk, noise mitigation and residential amenity were raised.

RESOLVED that the Constitutional Brake Clause be applied, and consideration of this application is therefore **DEFERRED** to the next meeting of the Central Area Planning Committee.

Councillor A M Lay left the meeting at this point and did not return.

268. 25/00254/FUL, SKATE PARK, THE PROMENADE PARK, PARK DRIVE, MALDON

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| Application Number | 25/00254/FUL |
| Location | Skate Park, The Promenade Park, Park Drive, Maldon |
| Proposal | Installation of a concrete skateboard park, lighting, benches and shelter following removal of the existing steel skatepark. |
| Applicant | Maldon District Council |
| Agent | Ms Wendy Davies – Bendcrete Leisure Ltd |

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| Target Decision Date | 28 October 2025 (extension of time) |
| Case Officer | Fiona Bradley |
| Parish | Maldon East |
| Reason for Referral to the Committee / Council | Council Owned Land |

Following the Officers presentation, Councillor S J Burwood proposed that the Committee accepts the Officers recommendation to approve this application, this was duly seconded.

Members then complimented the Officers who worked on this application.

The Chairperson then put the proposal to approve the application to the Committee and the proposal was duly agreed.

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 approved plans and documents as shown on the decision notice.
- 3 The materials used in the development hereby approved shall be as set out within the supporting documentation submitted with the application, including the Design and Access Statement and Seating Plan.
4. The trees and hedges identified for retention on the approved plan drawing number(s) TPP01 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.
5. Full details of any fences and gates, together with details of soft landscaping including the timing of planting, 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.
6. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

- 7 The development hereby permitted shall be carried out in accordance with the Site Background and Drainage Strategy Report Rev A, dated 16 September 2025, prepared by Bendcrete Skateparks.
- 8 Prior to installation of any lighting, a “lighting design strategy for biodiversity” for external lighting in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:
 - a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme 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.

There being no other items of business the Chairperson closed the meeting at 8.35 pm.

P L SPENCELEY
CHAIRPERSON