



**MINUTES of
COUCIL (EXTRAORDINARY)
18 MAY 2017**

PRESENT

Chairman	Councillor H M Bass
Vice-Chairman	Councillor N R Pudney
Councillors	Mrs B F Acevedo, B S Beale MBE, R G Boyce MBE, Mrs P A Channer, CC, I E Dobson, Mrs H E Elliott, P G L Elliott, A S Fluker, M S Heard, M W Helm, Miss M R Lewis, R Pratt, CC, S J Savage, Mrs N G F Shaughnessy and Miss S White

64. CHAIRMAN'S NOTICES

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

65. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J P F Archer, E L Bamford, R P F Dewick, M F L Durham, Mrs B D Harker, B E Harker, M R Pearlman, Rev. A E J Shrimpton, A K M St. Joseph and Mrs M E Thompson.

66. DISCLOSURE OF INTERESTS

Councillor Mrs P A Channer disclosed a non-pecuniary interest as a Member of Essex County Council who was consulted on matters of highways and other aspects such as access etc.

67. RES/MAL/17/00126 - LAND SOUTH OF MARSH ROAD, BURNHAM-ON-CROUCH

The Committee received the report of the Chief Executive and determined the following planning application, having taken into account all representations and consultation replies received, including those listed on the Members' Update circulated at the meeting.

Application Number	RES/MAL/17/00126
Location	Land South Of Marsh Road Burnham-On-Crouch Essex
Proposal	Reserved matters application for the approval of appearance, landscaping, layout and scale on approved planning application OUT/MAL/14/00108 (Outline planning application for the provision of up to 75 dwellings, provision of public open space, a pavilion building, a new vehicular access from Pippins Road and a temporary haul road access from Marsh Road.)
Applicant	Matthew Homes Ltd.
Agent	Mr Matthew Driver - Thrive Architects
Target Decision Date	22/05/17 (as by agreement)
Case Officer	Mark Woodger, TEL: 01621 875851
Parish	BURNHAM NORTH
Reason for Referral to the Committee / Council	Parish Trigger

The Principal Planner – Major Applications (Strategic Sites) presented the application and provided Members with an update on the consultation response from the Leisure and Liveability Officer who now had no objection, subject to the introduction of conditions 16 and 17, as outlined in the report.

Following the Officers’ presentation Councillor Wendy Stamp, on behalf of Burnham-on-Crouch Town Council addressed the Committee.

Councillor A S Fluker proposed that the application be approved in accordance with Officers’ recommendation. This proposal was duly seconded.

In response to a number of questions, the Principal Planner – Major Applications (Strategic Sites) provided Members with further details regarding the application. He also advised that the approved Outline consent on this site included a condition which required a construction access route and the subsequent removal of it once building had been completed.

The Officer noted concern raised regarding the surface of proposed footpaths and referred Members to proposed conditions 16 and 17.

A Member raised concern that there was no condition requiring the enabling of new homes for broadband and in response the Officer advised that a condition in relation to this could be added, if Members were mindful to approve the application.

The Chairman then put Councillor Fluker’s proposition of approval with the addition of a condition regarding broadband, to the Council and upon a vote being taken this was agreed.

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

- 1 The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.
- 2 No development shall take place until written details or samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning

- Authority. The development shall be carried out using the materials and details as approved.
- 3 No development shall commence until details of the siting, height, design and materials of the treatment of all boundaries including gates, fences, walls, railings and piers, including knee high rails around the road boundaries of the public open spaces, have been submitted to and approved in writing by the Local Planning Authority. The boundary treatment as approved shall be constructed prior to the first use/occupation of the development to which it relates and be retained as such thereafter.
 - 4 Within the first available planting season (October to March inclusive) following the commencement of the development the landscaping works as shown on the approved plan(s) drawing number(s) as may be agreed 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.
 - 5 No development shall commence until a landscape management plan, including long term design objectives (five year period), phasing, and maintenance schedules for all landscape areas, other than domestic gardens, has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out in accordance with the details as approved.
 - 6 No development shall commence until details of the materials to be used for the hard surfacing of the site have been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented and completed in accordance with the approved scheme within three months following the first use / occupation of the development hereby permitted and retained and maintained as such thereafter.
 - 7 The trees and hedges identified for retention on the approved plans and accompanying arboricultural reports 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 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.
 - 8 The open space and informal play area as shown on the approved drawings shall be laid out and landscaped in accordance with condition 4. The open space shall be available for use prior to the first occupation / connection of utility services,

- whichever is the sooner of the 30th dwelling / development and shall be permanently retained for such amenity purposes thereafter.
- 9 Layout details of the proposed finished surfaces of the footpaths through the development site and through the approved areas of open space shall be submitted to and approved in writing by the Local Planning Authority prior to the erection of the dwellings intended to take access therefrom or within any such extended period that may otherwise be agreed in writing by the Local Planning Authority.
 - 10 No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the approved foul water strategy.
 - 11 The carriageway(s) of the proposed estate road(s) shall be constructed up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access therefrom. Furthermore, the carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway.
 - 12 Until such time as the final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and paths commensurate with the frontage of each dwelling shall be fully completed with final surfacing within twelve months from the occupation of such dwelling.
 - 13 No development shall commence until the details of a residential travel information pack for sustainable transport have been submitted to and approved in writing by the Local Planning Authority. The approved residential travel information pack shall be provided to residents on first occupation of each dwelling.
 - 14 The scheme to be submitted pursuant to the reserved matters regarding layout shall make provision for car parking within the site in accordance with the council's adopted car parking standards. Prior to the occupation of any dwelling the parking areas shall be constructed, surfaced, laid out and made available for such purposes in accordance with the approved scheme and retained as such thereafter.
 - 15 No clearance or destruction of any vegetation or structure which may be used as a breeding site shall take place during the bird breeding season, 1st March to 31st August, unless otherwise agreed by a variation of condition application by the Local Planning Authority.
 - 16 The areas of public open space shall be laid out and landscaped in accordance with a detailed scheme and timetable for implementation to include details of future management and maintenance that shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of development. The open space shall be made available for public use in accordance with the approved timetable for implementation unless otherwise agreed through a variation of condition application by the Local Planning Authority. The amenity space shall be permanently maintained in accordance with the approved details and retained for such purposes thereafter.
 - 17 Notwithstanding the details submitted by way of this reserved matters application no development shall take place until full details of both hard and soft landscape works to be carried out have been submitted to and approved in

writing by the local planning authority. These details shall include the layout of the hard landscaped areas with the materials and finishes to be used and details of the soft landscape works including schedules of shrubs and trees to be planted, noting the species, stock size, proposed numbers/densities and details of the planting scheme's implementation, aftercare and maintenance programme. The hard landscape works shall be carried out as approved prior to the beneficial occupation of the development hereby approved unless otherwise first agreed in writing by the local planning authority. 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 first 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.

- 18 No development shall commence until a strategy to facilitate superfast broadband for future occupants of the site has been submitted to and approved in writing by the Local Planning Authority. The strategy may include commercial arrangements for providers and shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway, unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy.

There being no further items of business the Chairman closed the meeting at 7.59 pm

H M BASS
CHAIRMAN

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