



MEMBERS' UPDATE

DIRECTOR OF STRATEGY AND
RESOURCES
Paul Dodson

07 November 2023

Dear Councillor

NORTH WESTERN AREA PLANNING COMMITTEE - WEDNESDAY 8 NOVEMBER 2023

Please find enclosed the Members' Update for the above meeting, detailing any further information received in relation to the following items of business since the agenda was printed.

5. **23/00021/FUL - Land adjacent Eastholm, Latchingdon Road, Purleigh**(Pages 3 - 4)
6. **23/00700/FUL - Harmony Kennels, Brook House, Spar Lane, Purleigh, Chelmsford, Essex, CM3 6QW**(Pages 5 - 6)

Yours faithfully

Director of Strategy and Resources



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**CIRCULATED AT
THE MEETING**



REPORT of HEAD OF PLANNING SERVICES

to
North Western Area
8th November 2023

MEMBERS' UPDATE

AGENDA ITEM NO. Item 5 -

| | |
|---|---|
| Application Number | 23/00021/FUL |
| Location | Land adjacent Eastholm, Latchingdon Road, Purleigh |
| Proposal | Erection of 2no. dwellings with associated landscaping and ancillary works. |
| Applicant | Jacob |
| Agent | Blaine McMahon – Scene Architects Ltd |
| Target Decision Date | 15/11/2023 (EOT agreed) |
| Case Officer | Lisa Greenwood |
| Parish | PURLEIGH |
| Reason for Referral to the Committee / Council | Member Call In by Councillor S White, reasons stipulated are Policies S1 and D1 of the LDP. |

A response has now been received from the Council's Arboricultural Consultant, who advises that there are trees at the site, mainly to the border and on adjacent land. An Arboricultural Impact Assessment (AIA) and a draft Arboricultural Method Statement (AMS) have been submitted to support the application. If the proposed development is carried out in line with the methods included in the AIA and the draft AMS the trees should not be negatively impacted by the proposed works. If planning permission is forthcoming, a finalised AMS will be required and can be secured via the imposition of a condition on any consent.

The condition would read as follows:

CONDITION

No development shall commence until information has been submitted and approved in writing by the Local Planning Authority in accordance with the requirements of BS5837:2012 in relation to tree retention and protection as follows:

- Finalised Arboricultural Method Statement (including drainage service runs and construction of hard surfaces).

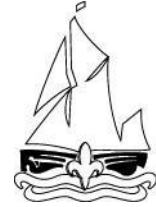
The protective fencing and ground protection shall be retained until all equipment, machinery and surplus materials have been removed from the site. If within five years from the completion of the development an existing tree is removed, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement

tree 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. The tree protection measures shall be carried out in accordance with the approved detail.

REASON

To ensure the protection of and continued well being of trees in the interest of the amenity and environmental quality of the locality in accordance with Policies S1 and D1 of the Maldon District Local Development Plan (2017), and the policies and guidance contained in the National Planning Policy Framework (2023).

CIRCULATED PRIOR
TO THE MEETING



REPORT of DIRECTOR OF SERVICE DELIVERY

to
NORTH WEST AREA PLANNING COMMITTEE
8th November 2023

MEMBERS' UPDATE

AGENDA ITEM NO: 6

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| Application Number | 23/00700/FUL |
| Location | Harmony Kennels, Brook House, Spar Lane, Purleigh, Chelmsford, Essex, CM3 6QW |
| Proposal | Proposed single storey dwelling, cart lodge and outbuilding incidental to the proposed dwelling replacing existing outbuildings. |
| Applicant | Mr and Mrs Lawrence & Moore |
| Agent | Mr Oscar Dickens – Design Designed Ltd |
| Target Decision Date | 16.10.2023 |
| Case Officer | Juliet Kirkaldy |
| Parish | PURLEIGH |
| Reason for Referral to the Committee / Council | Member Call In by Councillor S White with regard to Policies S1 and D1. |

5 MAIN CONSIDERATIONS

5.2 **Design and Impact on the Character of the Area**

- 5.2.5 The applicants have recently submitted revised elevation plans for the proposed outbuilding removing the front porch. Officers have not accepted these revised drawings given that the Committee report had been drafted. However, Members will be shown the revised plans submitted during the Officer presentation.
- 5.2.3 Officers remain concerned that the proposed outbuilding will introduce further built form into the countryside sprawling eastwards of the site. The submitted revised elevation plans do not overcome this. There is no clear and convincing justification for the size of the outbuilding proposed. The supporting letter suggests it would accommodate a hydrotherapy unit although this is not shown on the floor plan. In considering the dismissed appeal (APP/X1545/W/20/3260927) the Planning Inspector raised concern that, 'the proposal would have the effect of appearing to extend the presence of built form into the open countryside. This would be to the detriment of the pattern of development in the immediate surroundings and would cause demonstrable visual harm to the rural landscape beyond'. There is concern that the proposed outbuilding would further extend the built form on the site, sprawling further into the open countryside. Therefore, the benefits of the approved scheme, in terms of consolidating the built form, when considering the existing former kennel buildings/structures which sprawl the site, would have been lost.

5.5 Trees

- 5.5.1 The applicants have also recently submitted a Tree Constraints and Protection Plan in response to the Tree Consultants objection comment which stated that, *'an issue is raised due to the timing of the tree inspection, dated as 6th February 2020, which is 3.5 years ago. Generally, a tree inspection is valid for a period of 1 year. This is due to the trees being living organisms which grow and adapt to their surroundings and climatic conditions. As such, it is not possible to make an informed decision regarding the suitability of this development and its impact on the trees onsite in their current state. The Tree Constraints and Protection Plan is also outdated.'*
- 5.5.2 The Tree Consultant has not been reconsulted on the recently submitted Tree Constraints and Protection Plan. As concluded in the Committee report (paragraph 5.5.10), a condition could be imposed should the application be approved, requiring a Tree Constraints and Protection Plan to be submitted and approved in writing by the Local Planning Authority prior to commencement of works to ensure that trees and roots are protected during construction.