



## MEMBERS' UPDATE

DIRECTOR OF STRATEGY AND  
RESOURCES  
Paul Dodson

09 January 2024

Dear Councillor

### **NORTH WESTERN AREA PLANNING COMMITTEE - WEDNESDAY 10 JANUARY 2024**

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. **23/00894/FUL - Land Adjacent Oaklands, Kelvedon Road, Great Totham**(Pages 3 - 4)
6. **23/00920/FUL - The Granary, Chigborough Farm, Chigborough Road, Little Totham, Essex**(Pages 5 - 8)

Yours faithfully

Director of Strategy and Resources



This page is intentionally left blank

**CIRCULATED AT  
THE MEETING**



## **REPORT of HEAD OF PLANNING SERVICES**

---

to  
North Western Area  
10<sup>th</sup> January 2024

### **MEMBERS' UPDATE**

#### **AGENDA ITEM NO. Item 5 - Land adjacent Oaklands, Kelvedon Road, Great Totham**

The applicant has submitted a Construction Management Plan (CMP) to support the proposal. Whilst it is acknowledged that comments have not yet been received from the Highway Authority or the Council's Environmental Health Officer regarding the proposed CMP, a CMP for the previous approved scheme (22/00646/FUL), was approved by the Local Planning Authority on 6 July 2023 (planning reference 23/05081/DET).

The only notable difference between the two CMPs are the hours of operation for weekdays. The hours of operation for the approved plan are 08:00 – 18:00 on weekdays. The proposed plan suggests 07:30 – 18:00 on weekdays. Whilst this differs from that of the approved CMP, this satisfies the requirement for Condition 5, as stated in the Officer's Report.

It is therefore requested that Condition 5 is replaced with the following, to ensure the CMP is Implemented and to remove the requirement for the pre-commencement condition:

#### **CONDITION**

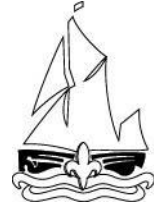
All ground works shall be in accordance with the submitted Construction Management Plan (CMP). The CMP shall be adhered to throughout the construction period unless otherwise agreed in writing by the Local Planning Authority.

#### **REASON**

To ensure that on-street parking does not occur and to ensure that loose materials and spoil are not brought onto the highway in the interest of highway safety and in the interests of protecting residential amenity, in accordance with Policies D1, D2, D5 and T2 of the Maldon District Local Development Plan (2017) and guidance contained within the National Planning Policy Framework.

This page is intentionally left blank

CIRCULATED PRIOR  
TO THE MEETING



REPORT of  
DIRECTOR OF SERVICE DELIVERY

to  
NORTH WESTERN AREA PLANNING COMMITTEE  
10 JANUARY 2024

## **MEMBERS' UPDATE**

### **AGENDA ITEM NO. 6**

<b>Application Number</b>	<b>23/00920/FUL</b>
<b>Location</b>	The Granary Chigborough Farm Chigborough Road Little Totham Essex
<b>Proposal</b>	Section 73a application for change of use of agricultural building to a cafe (Class E use) and provision of associated car parking.
<b>Applicant</b>	Mr P Tallowin
<b>Agent</b>	Miss Kate Jennings – Whirledge & Nott
<b>Target Decision Date</b>	21.12.2023
<b>Case Officer</b>	Kathryn Mathews
<b>Parish</b>	<b>LITTLE TOTHAM</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In <ul style="list-style-type: none"><li>• Councillor Durham – Reason: Policy E4 and E5 relate to this application.</li><li>• Councillor Lagan - Reasons: Based on the high level of support that indicates that there is no material harm caused by granting this application and I believe that the adverse impact of granting planning permission would not significantly and demonstrably outweigh the benefits of the development. The cafe is a huge benefit to local tourism and local residents and supports generation of tourism in general to the area. It is therefore not contrary to policies D1 and T2 of the MDC local plan and the NPPF (due to the long-standing buildings and access to the site) and supports the policies and objectives of our LDP Policies S7, E5,E1 and D3.</li></ul>

#### **4 MAIN RELEVANT POLICIES (PAGE 41)**

##### **4.1 National Planning Policy Framework including revised paragraph numbers (December 2023):**

- 85 - 89 Building a strong, competitive economy

- 90 – 95 Ensuring the vitality of town centres
- 108 – 117 Promoting sustainable transport
- 123 - 130 Making effective use of land
- 131 – 141 Achieving well-designed and beautiful places
- 157 – 179 Meeting the challenge of climate change, flooding and coastal change
- 180 - 194 Conserving and enhancing the natural environment
- 195 – 214 Conserving and enhancing the historic environment

## **7 CONSULTATIONS AND REPRESENTATIONS RECEIVED (PAGES 48-50)**

### **7.1 Representations received from Parish / Town Councils**

<b>Name of Parish / Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
Heybridge Parish Council	Support.	Noted.

### **7.4 Representations received from Interested Parties (*summarised*)**

7.4.1 **242** further letters were received **in support** of the application and the further reasons for support are summarised as set out in the table below:

<b>Supporting Comment</b>	<b>Officer Response</b>
Complies with Local Development Plan.	Noted.
Success of the café evidence of need.	Noted.
Too many restaurants/cafes in Maldon High Street	Noted.
Former café unviable.	There is no evidence that this is the case submitted as part of the application.
Maintains a Grade II listed building.	Noted.
Description of proposal does not include 'relocation of existing restaurant / café from the Lodge'	It is not possible for this to form part of the proposal as the Lodge, whilst indicated as being within the ownership of the applicant, is located outside the application site.
No objections from statutory consultees and any issues could be addressed by conditions.	Noted but it is not considered that there are any conditions which could, reasonably, be imposed to overcome the recommended reason for refusal.
Would support rural community and local businesses	Noted.
Not contrary to NPPF – complies with paragraphs 88 and 89	It is not considered that it has been demonstrated that the café meets 'local business or community <u>needs</u> '

<b>Supporting Comment</b>	<b>Officer Response</b>
(supporting a prosperous rural economy)	[emphasis added] in this rural area; whilst parts of the NPPF provide support for the proposal, the development does not comply with the NPPF as a whole and is contrary to Policies S8, E2 and E4 of the LDP.

7.4.2 1 letter was received **objecting** to the application and the reasons for objection are summarised as set out in the table below:

<b>Objection Comment</b>	<b>Officer Response</b>
Countryside is being destroyed by commercial development.	Noted.

This page is intentionally left blank