

## MEMBERS' UPDATE

CHIEF EXECUTIVE'S OFFICE  
CHIEF EXECUTIVE  
Fiona Marshall

03 March 2017

Dear Councillor

### NORTH WESTERN AREA PLANNING COMMITTEE - MONDAY 6 MARCH 2017

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.

6. **FUL/MAL/16/01373 - The Warren Lodge Park, Herbage Park, Herbage Park Road, Woodham Walter** (Pages 3 - 6)

To consider the planning application and recommendations of the Interim Head of Planning Services (copy enclosed, Members' Update to be circulated)\*.

8. **RES/MAL/16/01475 - The Summer House, Back Lane, Wickham Bishops** (Pages 7 - 10)

To consider the planning application and recommendations of the Interim Head of Planning Services (copy enclosed, Members' Update to be circulated)\*.

9. **OUT/MAL/17/00072 - Land at Broadfield Farm, Braxted Park Road, Great Braxted** (Pages 11 - 12)

To consider the planning application and recommendations of the Interim Head of Planning Services (copy enclosed, Members' Update to be circulated)\*.

10. **Other Area Planning and Related Matters** (Pages 13 - 14)

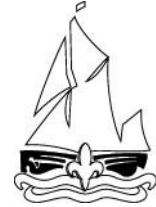
Yours faithfully

A handwritten signature in blue ink, appearing to read 'F. R. Marshall', is enclosed within a hand-drawn oval.

Chief Executive

This page is intentionally left blank

**CIRCULATED  
BEFORE THE  
MEETING**



**REPORT of  
INTERIM HEAD OF PLANNING SERVICES**

to  
**NORTH WESTERN AREA PLANNING COMMITTEE  
06 MARCH 2017**

**MEMBERS' UPDATE**

**AGENDA ITEM NO. 6**

<b>Application Number</b>	<b>FUL/MAL/16/01373</b>
<b>Location</b>	The Warren Lodge Park Herbage Park Herbage Park Road Woodham Walter Essex
<b>Proposal</b>	28 new holiday lodges with associated infrastructure and access
<b>Applicant</b>	The Warren Estate
<b>Agent</b>	Mr D Wallis - Smart Planning Ltd
<b>Target Decision Date</b>	9 March 2017
<b>Case Officer</b>	Yee Cheung, TEL: 01621 876220
<b>Parish</b>	<b>WOODHAM WALTER</b>
<b>Reason for Referral to the Committee / Council</b>	Major Application

**Additional Information**

The Applicant has submitted additional information in support of the application in relation to the need for the additional tourist accommodation on site in accordance with policy REC20 (a) of the adopted local plan.

**Tourism Need**

The need for the additional tourist accommodation on site includes:-

- *“There is low supply of existing self-catering accommodation within a 10 mile radius of the proposed development, with a total of 23 properties identified, of which 13 are known to participate in a quality assurance scheme. The Scheme consists of an assessment to recognise quality and to differentiate levels of facilities available at the premises, using 1 – 5 stars, and services which guests can expect from the accommodation providers. 8 of the 13 participating businesses achieve 4 stars quality rating (our analysis shows that 13 of the 23 properties mentioned above are within 5 miles of Herbage Park)”*
- *“In terms of wooden lodge type accommodation available in the South and East areas, the proposed business would represent a valuable addition to the offer whilst*

*posing very little or no competition for the existing self-catering providers in the area”*

- *“Need is usually interpreted as the inability of current supply to meet demand and is measured using occupancy level statistics. The East of England Self-Catering Accommodation Survey (2010) shows that Essex achieves average annual occupancy of 60%. This is 3% above the regional average of 57%. It is commonly accepted that high occupancy levels suggest high levels of demand for accommodation”*
- *“Additional accommodation provision would ensure the demand is met at all times throughout the year as well as encouraging further economic growth in the area as indirect business is generated. For example, the development will work with local suppliers and their income will increase as well as creating or safeguarding employment. Equally visitors staying at Herbage Park will spend some of their money at local retail and food and drink outlets as well as visiting local attractions”*
- *“The views from the tourism official at Maldon District make reference to the need for additional accommodation: The need for more accommodation in the north of the District has been highlighted. It’s also noted that the number of enquiries for self-catering accommodation is disproportionate to the level of accommodation provision, highlighting a need for additional accommodation to meet demand”*
- *“Current trends show that a significant and growing number of tourists are looking for richer holiday experiences and higher quality products closer to home. As a result of the economic uncertainty consumers’ attitudes and expectations have changed”*
- *“The proposed holiday units are well located to benefit from the growing walking and cycling enthusiasts’ market (as mentioned in the introduction, the site offers direct access to a range of footpaths and bridleways). This, in turn creates a much closer contact with local communities, meaning richer visitor experiences”*
- *“Additionally, promoting the distinctiveness of the countryside experience encourages direct expenditure in the local area (e.g. pubs, community shops, local shops, etc.) thus helping local employment growth”*

In support of the development proposal, the Applicant has also confirmed the following:-

- *The proposed lodges are not on ‘woodland’ areas of the site*
- *An ecology report was submitted with the application – if further ecology work is required then a condition can be attached securing such works prior to commencement.*
- *The development does not encroach into the Nature Conservation Area.*
- *The management at the Warren is well aware of their environmental duties and the environmental law. They are responsible persons and the holiday park is governed by a suite of rules agreed with the LPA through condition.*
- *The lodges do not require the removal of any semi-mature or mature trees. Works are wholly confined within the pit ‘basin’ and not on woodland fringes.*

## **7      Consultation Response**

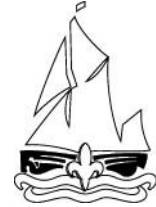
### **7.3      Internal Consultees**

Coast and Countryside Officer – Objects to the proposal as an updated Ecological Appraisal and Mitigation Plan is required in order to determine whether impacts on protected species or important BAP habitats would be affected as a result of this further expansion and the most appropriate mitigation.

Should the application be approved a planning condition should be imposed to ensure that an updated Ecological Appraisal and Mitigation Plan to be submitted to and approved by the Council.

This page is intentionally left blank

**CIRCULATED  
BEFORE THE  
MEETING**



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

to  
**NORTH WESTERN AREA PLANNING COMMITTEE  
06 MARCH 2017**

### **MEMBERS' UPDATE**

#### **AGENDA ITEM NO. 8**

<b>Application Number</b>	<b>RES/MAL/16/01475</b>
<b>Location</b>	The Summer House Back Lane Wickham Bishops Essex
<b>Proposal</b>	Reserved matters application for the approval of appearance, landscaping, layout & scale on approved planning application OUT/MAL/13/00118 allowed on appeal ref APP/X1545/A/13/2201061 (Demolition of two storey detached double garage with workshop and demolition of storage shed. Removal of hard surfaced tennis court including means of enclosure and erection of single dwelling house)
<b>Applicant</b>	Mr David Brown
<b>Agent</b>	N/A
<b>Target Decision Date</b>	02 March 2017
<b>Case Officer</b>	Yee Cheung
<b>Parish</b>	<b>WICKHAM BISHOPS</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In

### **3 Summary**

It has been brought the officer's attention that there are typographical errors in Paragraph 3.1.4 of the report. It should read:-

- 8.8 metres in height = South Elevation
- 7.8 metres in height = North Elevation

### **7 Consultations and Representations Received**

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

Revised Response from Wickham Bishops Parish Council dated 24 February 2017:-

- The overall footprint exceeded that approved at appeal, with the resulting layout providing no garaging.
- Appeal : Condition 7 seeks to limit any increase in development of the site

Agenda Item no. 8

Page 1 / 4

beyond the plans approved at appeal and prevents the future addition of a garage. It is therefore concluded that the layout breached the approved footprint and would be impractical for a dwelling of this size.

- The revised plans would result in a dwelling which would appear visually intrusive in the rural landscape
- Expressed concern at the lack of protection for the protected group of trees to the eastern boundary (G1 – TPO 3/14).
- The proposal is contrary to the Appeal decision conditions and to Submission Local Development Plan Policy D1 – *Design Quality and Built Environment*.

### 7.3 **Internal Consultees**

**Tree Officer** - Further to my previous comment, I can confirm that a TPO 3/14 was served to provisionally protect the trees along the east boundary of The Summerhouse, which is the boundary with the entrance road to Crabbs Farm as a result of concerns being raised about the safety of trees on the site. The serving of a provisional TPO enables the council to establish whether the trees in question are at risk. In this case, the trees were not considered to be at risk, therefore the TPO was not confirmed. The trees have not been subject to wilful damage or unsuitable works since and therefore the original expediency for the serving of TPO 3/14 no longer applies.

Condition 8 of the outline planning permission for the development requires tree protection information to be submitted and approved prior to commencement. This has yet to be submitted and approved.

### 7.4 **Letters of Representation Received**

Since the publication of the agenda additional letters of representation has been received by the Council from Mr David Pearl dated 27 January 2017, 29 January 2017, 19 February 2017 and 28 February 2017

In the letter dated 27 January 2017 the following concerns were raised:-

- A comparison has been made between the approved Site Layout Plan (13/00118/OUT) and the current Site Layout Plan (16/01475/RES) to show a substantial increase in footprint.

Officer response: Please note that the Site Layout Plan (16/01475/RES) attached with the letter of objection dated 27 January 2017 is incorrect as this has changed following an amendment to the proposed scheme. The double garage, office, utility room and rooms within the roof space have been omitted from the current scheme.

In the letter dated 29 January 2017 the following concerns were raised:-

- Validity of the Reserved Matters planning application
- Landscaping of the site – Trees shown to be removed on the eastern and western boundary of site. The trees on the eastern boundary are protected by TPO
- Scale of the dwellinghouse (The scale of the development has been amended)



- Appearance – If the trees on the western boundary are removed, the development with white-painted render would intrude on the landscape
- Access – The plan for the access has changed when compared to the outline planning application and insufficient on-site space for contractor's vehicles to park during construction
- Protected Trees on site (Please see note by the Tree Officer)

In the letter dated 19 February 2017 the following concern were raised:-

- Validity of the Reserved Matters planning application
- The removal of 5 trees (1 to the east and 4 to the west)
- Damage to TPO trees during construction
- The scale of the development has increased substantially
- The nature slope of the ground is used to justify a taller house
- There are no properties immediately to the east of the site
- No garage or utility room proposed on site. This is an incoherent and unrealistic development for a four-bed house

In the letter dated 28 February 2017 the following concern were raised:-

- Removal of trees on the western boundary of the site – The Applicant stated in their Design and Access Statement and Appeal Statement of Case for the outline planning application '*that the dwelling can be accommodated within the site without the need for the removal of any existing trees or other vegetation*'. The current Reserve Matters application ignores this and is misleading.

In addition to the above, Mr Pearl has appointed a law firm to act on his behalf. A letter dated 2 March 2017 prepared by Bircham Dyson Bell was received concerning the following:-

- The validity of the Reserved Matters planning application – Layout cannot be granted as it is different to the Layout approved in the outline planning application
- Reference made to the Error Notes (A copy which was circulated to all the Members on 1 March 2017)
- Incorrect Site Plan submitted
- The Council to refuse the application

## 8 **Proposed Conditions**

It has been brought the officer's attention that there are typographical errors in the report.

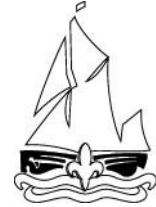
Condition 2 should read to reflect the amended plans:-

*'The development hereby permitted shall be carried out in complete accordance with the approved drawings Location Plan: 12.2005/M002; Site Layout / Block Plan Drawing No: 16.09.03 Revision B dated 27.02.2017; Proposed Floor and Roof Layout Plan Drawing No: 16.09.01 Revision A dated 03.02.2017; Proposed Elevations Drawing No: 16.09.02 Revision A 03.02.2017; and Street Scene Drawing No: 16.09.04 Revision A 04.02.2017'*

To **delete** Condition 6 where the condition makes reference to a garage on site.

*'The garage hereby permitted shall only be used for purposes incidental to the use of the main dwelling house at the site'.*

**CIRCULATED  
BEFORE THE  
MEETING**



**REPORT of  
INTERIM HEAD OF PLANNING SERVICES**

to  
**NORTH WESTERN AREA PLANNING COMMITTEE  
06 MARCH 2017**

**MEMBERS' UPDATE**

**AGENDA ITEM NO. 9**

<b>Application Number</b>	<b>OUT/MAL/17/00072</b>
<b>Location</b>	Land at Broadfield Farm Braxted Park Road Great Braxted Essex
<b>Proposal</b>	Demolition of former packing house buildings and erection of one dwelling
<b>Applicant</b>	Stanfords
<b>Agent</b>	Mr Peter Le Grys
<b>Target Decision Date</b>	24 March 2017
<b>Case Officer</b>	Yee Cheung, TEL: 01621 876220
<b>Parish</b>	<b>GREAT BRAXTED</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In

**7. Consultations and Representations Received**

**7.1 Representation from Great Braxted Parish Council:-**

Nothing has changed from the previous application 16/01369/OUT and our views have not changed.

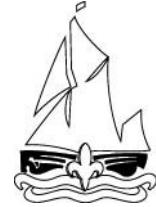
Great Braxted Parish Council's previous response: *"At the PC Meeting last night the members had no objections to this application"*

**7.3 Internal Consultees**

**Environmental Health Services** – No objection subject to conditions relating to surface water drainage, foul drainage, and contamination to be imposed should the application be approved.

This page is intentionally left blank

**CIRCULATED  
BEFORE THE  
MEETING**



**REPORT of  
INTERIM HEAD OF PLANNING SERVICES**

---

**to  
NORTH WESTERN AREA PLANNING COMMITTEE  
06 MARCH 2017**

**MEMBERS' UPDATE**

**PAGE 66 ITEM 2 APPEAL DECISIONS**

**FUL/MAL/16/00819 (Appeal Ref: APP/X1545/W/16/3160262)**

Proposal: Change of use of land and proposed development of four, 5 bedroom detached dwellings, with detached/attached garages, together with access drive from new adjoining development.

Address: Land Rear Of 60 Maldon Road, Goldhanger

**APPEAL ALLOWED – 27 February 2017**

**DECISION LEVEL:** Delegated

**OUT/MAL/15/01319 (Appeal Ref: APP/X1545/W/16/3158808)**

Proposal: Outline planning application for twelve dwellings, including four affordable units with all matters reserved for subsequent approval with the exception of vehicular access

Address: Glen Loy - Latchingdon Road - Cold Norton

**APPEAL DISMISSED – 1 March 2017**

**APPLICATION FOR PARTIAL AWARD OF COSTS MADE BY APPELLANT**

**ALLOWED – 1 March 2017**

**DECISION LEVEL:** Delegated

This page is intentionally left blank