

MEMBERS' UPDATE

CHIEF EXECUTIVE'S OFFICE
CHIEF EXECUTIVE
Fiona Marshall

29 September 2017

Dear Councillor

NORTH WESTERN AREA PLANNING COMMITTEE - MONDAY 2 OCTOBER 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.

7. **FUL/MAL/17/00747 - Great Downs Farm, Station Road, Tollesbury, Essex** (Pages 3 - 6)
8. **FUL/MAL/17/00862 - Barn, Great Downs Farm, Station Road, Tollesbury** (Pages 7 - 10)
9. **HOUSE/MAL/17/00922 - Old Times Cottage, Mill Lane, Tolleshunt Major, Essex** (Pages 11 - 12)
10. **Other Area and Planning Related Matters** (Pages 13 - 16)

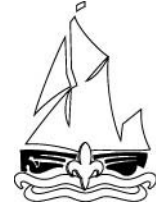
Yours faithfully

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

Chief Executive

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**CIRCULATED
BEFORE THE
MEETING**



**REPORT of
CHIEF EXECUTIVE**

to
**NORTH WEST AREA PLANNING COMMITTEE
02 OCTOBER 2017**

MEMBERS' UPDATE

AGENDA ITEM NO. 7

Application Number	17/00747/FUL
Location	Great Downs Farm Station Road Tollesbury Essex CM9 8RD
Proposal	Proposed replacement detached two storey dwelling.
Applicant	Mrs J Kayode
Agent	Mr Andrew Watkins - Mullins Dowse Architects Ltd
Target Decision Date	03.10.2017
Case Officer	Spyros Mouratidis
Parish	TOLLESBURY EAST
Reason for Referral to the Committee / Council	Parish Trigger

5. MAIN CONSIDERATIONS

(The key issues leading to the recommendation i.e. Policy and other material considerations including any key site characteristics.)

5.6 Other Material Considerations

5.6.2 Ecology - The location of the application site and the fact that is highly vegetated favour the possibility of presence of protected species on site. A condition requiring the site to be surveyed for those purposes has been suggested by the Council's ecologist and would meet the tests of the PPG.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

(Summary of comments received which are only relevant planning matters that are to be taken into account).

7.2 Statutory Consultees and Other Organisations (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Highway Authority	No objection	Comment noted

7.3 Internal Consultees (*summarised*)

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Tree Officer	No objection subject to clarifications on the arboricultural report.	Comments noted.
Environmental Health	No objection subject to conditions requesting details of foul and surface water drainage	Please see sections 5.3 and 5.6 of the report.
Leisure and livability	As this site appears to be heavily vegetated this proposal should be subject to a Preliminary Ecological Appraisal before determination. If the scheme is granted permission, a survey should be conditioned and any recommendations regarding protected species carried out before commencement.	Comments noted and condition has been added.

8. PROPOSED CONDITIONS

Conditions:

(Those that need to be complied with before the development starts or at certain stages defined in the condition to make it satisfactory to meet legal requirements. Conditions must be necessary, relevant (to planning and to the environment), enforceable, precise and reasonable.)

- 11 No development shall take place including any demolition or clearance works, until a comprehensive ecological survey of the site has been undertaken to ascertain if any protected species are present. The results of the survey shall be submitted to and approved in writing by the local planning authority along with details of the provision and implementation of ecological mitigation to protect any protected species if found to be present. The development shall be carried out and completed in accordance with the approved mitigation scheme.

REASON: To ensure the protection of the natural environment in accordance with policy D2 of the approved Maldon District Local Development Plan and national policy and guidance contained in the National Planning Policy Framework.

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02 OCTOBER 2017**

MEMBERS' UPDATE

AGENDA ITEM NO. 8

Application Number	17/00862/FUL
Location	Barn Great Downs Farm Station Road Tollesbury Essex
Proposal	Part-Retrospective - Change of use and conversion of a building into a self-contained two-bedroom dwellinghouse (Use Class C3)
Applicant	Mr D Lai
Agent	Mr Paul Lonergan - Paul Lonergan Architects
Target Decision Date	18.10.2017
Case Officer	Spyros Mouratidis
Parish	TOLLESBURY EAST
Reason for Referral to the Committee / Council	Parish Trigger Departure from the Local Development Plan

5. MAIN CONSIDERATIONS

(The key issues leading to the recommendation i.e. Policy and other material considerations including any key site characteristics.)

5.7 Other considerations

5.7.2 Drainage - Given that the building is already on site, any flooding risk is not going to increase on site or elsewhere as a result of the proposal. Although a condition has been proposed for the submission of details of SUDS for the development, it is not considered that this condition would meet the national guidance tests. As stated within the application form, it is proposed to connect the property to the main sewer system which would be acceptable. However, it has been confirmed by the applicant for the adjacent site (application reference 17/00747/FUL) that connection to the main sewer is not possible at this stage. Moreover, the existing arrangements provide drainage of foul water on site. A condition to request additional details on this matter would meet the six tests of the PPG.

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Our Vision: To make Maldon District a better place to live, work and enjoy

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

(Summary of comments received which are only relevant planning matters that are to be taken into account).

7.2 Statutory Consultees and Other Organisations (summarised)

Name of Internal Consultee	Comment	Officer Response
Highway Authority	No objection	Comment noted

7.3 Internal Consultees (summarised)

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Planning Policy	<p>There is a sufficient supply of housing land in the District. Development outside settlement boundaries will only be considered in exceptional circumstances for uses identified in Policy S8; none of which are evidenced by this application.</p> <p>The redevelopment of the agricultural building could be taken to make effective use of land, one of several principles identified as contributing to sustainable development in Policy S1. A view would need to be taken to determine whether the contribution to the effective use of land and any other material considerations associated with this application would outweigh the other policy considerations.</p>	Please see sections 5.1 and 5.6 of the report
Environmental Health	No formal comment until the Redevelopment of Agricultural Buildings checklist has been completed and submitted so it can be assessed whether any further information is required with the planning	Please see section 5.7 of the report.

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	<p>application or if any conditions are required in relation to land contamination.</p> <p>The area or catchment has also been subject to regular flooding in recent years so details of SUDS are required in order to prevent adding to this burden and risking flooding to the property and any other.</p>	

8. PROPOSED CONDITIONS

Conditions:

(Those that need to be complied with before the development starts or at certain stages defined in the condition to make it satisfactory to meet legal requirements. Conditions must be necessary, relevant (to planning and to the environment), enforceable, precise and reasonable.)

- 6 The building shall not be occupied as a dwellinghouse unless a comprehensive ecological survey of the site, undertaken to ascertain if any protected species are present, along with details of the provision and implementation of ecological mitigation to protect any protected species if found to be present has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the first occupation of the building as a dwellinghouse.

REASON: To ensure the protection of the natural environment in accordance with policy D2 of the approved Maldon District Local Development Plan and national policy and guidance contained in the National Planning Policy Framework.

- 7 Prior to the first occupation of the building as a dwellinghouse, a foul drainage scheme shall be implemented on site to serve the development hereby approved, in accordance with the details that would have been submitted in writing to and approved by the local planning authority.

REASON: To ensure there is appropriate foul water drainage for the development in order to avoid any detrimental impact to the environment in accordance with policy D2 of the approved Maldon District Local Development Plan and national policy and guidance contained in the National Planning Policy Framework.

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MEMBERS' UPDATE

AGENDA ITEM NO. 9

Application Number	17/00922/HOUSE
Location	Old Times Cottage Mill Lane Tolleshunt Major
Proposal	Ground and first floor extension additional dormer window to front, juliet balcony to the rear and garden store
Applicant	S Norrington & H Tarling
Agent	W G Goodall
Target Decision Date	24.10.2017
Case Officer	Devan Lawson
Parish	TOLLESHUNT MAJOR
Reason for Referral to the Committee / Council	Councillor / Member of Staff

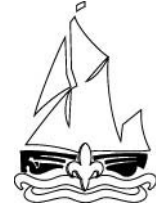
7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Tolleshunt Major	Support the proposal as it improves the overall appearance and balance of the property and the scale is in keeping with the size of the plot.	Noted

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2 OCTOBER 2017**

MEMBERS' UPDATE

AGENDA ITEM NO. 10

ITEM 1 APPEALS LODGED

Appeal Start Date: 20/09/2017

Application Number: LDP/MAL/17/00004 (APP/X1545/X/17/3176124)

Site: Orchard Cottage 11 Handleys Lane Wickham Bishops

Proposal: The erection of a detached pitched roof building

Appeal by: Mrs J Stafford

Appeal against: Refusal

Appeal procedure requested: Written Representation

Appeal Start Date: 21/09/2017

Enforcement Notice Reference Number: ENF/12/00332/01

Appeal Reference Number: APP/X1545/C/17/3175549

Site: Lot 13, Land West Of Middle Wood, Maypole Road, Great Totham, Essex

Alleged Breach of Planning Control: Without planning permission the unauthorised change of use.

Appeal by: Wayne Alfred Phillips

Grounds of Appeal: that the breach of control alleged in the enforcement notice has not occurred as a matter of fact, that there has not been a breach of planning control, the steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections, that the time given to comply with the notice is too short.

Appeal procedure requested: Informal Hearing

Appeal Start Date: 27/09/2017

Application Number: FUL/MAL/16/01142 (APP/X1545/W/17/3182321)

Site: Stow Maries Aerodrome Hackmans Lane Cold Norton

Proposal: Planning application for operational arrangements for the use of the Airfield at Stow Maries Great War Aerodrome including hours of operation, restrictions on the number of take offs and landings, and arrangements for Special Public Event days. The arrangements to be as follows:

The airstrip to be used by fixed wing and propeller driven aircraft, helicopters, apart from emergency services machines, may only use the site in the event of emergency or during Public Event days

Take offs and landings only after 08.00 hours and no later than either 20.00 hours, or sunset whichever is earlier

In the Winter months (November to April inclusive) there shall be no more than 25 landings and 25 take offs per day

In the Summer months (May to October inclusive) there shall be no more than 25 landings and 25 take offs on weekdays

In the Summer months (May to October inclusive) there shall be a maximum of 50 landings and take offs per day at weekends and bank holidays apart from Special Public Event Flying days when maximum landings and take offs are increased to 75 take offs and 75 landings per day

Appeal by: The Trustees - Stow Maries Great War Aerodrome Trust

Appeal against: Refusal

Appeal procedure requested: Written Representations

Appeal Start Date: 28/09/2017

Application Number: OUT/MAL/17/00102 (APP/X1545/W/17/3179881)

Site: Land Adj to Eagle Lodge Plains Road Lt Totham

Proposal: Construction of two storey dwelling

Appeal by: Mr Michael Kempen

Appeal against: Refusal

Appeal procedure requested: Written Representations

ITEM 2 APPEALS DECISION

FUL/MAL/16/01404 (Appeal Ref: APP/X1545/W/17/3172133)

Proposal: Retrospective - Use of building as single dwelling house

Address: Falconers Lodge Offices Oak Farm Road Woodham Walter

APPEAL DISMISSED – 21 September 2017

DECISION LEVEL: Delegated

HOUSE/MAL/17/00469 (Appeal Ref: APP/X1545/D/17/3180676)

Proposal: Proposed room in roof with small dormer

Address: Brecknell Cottage, 55 Mell Road, Tollesbury, Essex

APPEAL DISMISSED – 25 September 2017

DECISION LEVEL: Delegated

HOUSE/MAL/17/00399 (Appeal Ref: APP/X1545/D/17/3181375)

Proposal: Construction of tennis court

Address: Spring Elms Farm, Spring Elms Lane, Little Baddow, Essex, CM3 4SQ

APPEAL DISMISSED – 25 September 2017
DECISION LEVEL: Delegated

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