



**MINUTES of
NORTH WESTERN AREA PLANNING COMMITTEE
9 JANUARY 2017**

PRESENT

Chairman	Councillor H M Bass
Vice-Chairman	Councillor Mrs M E Thompson
Councillors	J P F Archer, E L Bamford, M F L Durham, CC, J V Keyes, A K M St. Joseph, D M Sismey, Miss S White and Mrs P A Channer, CC
Ex-Officio Non- Voting Member	Mrs P A Channer, CC

836. CHAIRMAN'S NOTICES (PLEASE SEE PAGE 5)

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

837. APOLOGIES FOR ABSENCE

There were none.

838. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Northern Eastern Area Planning Committee held on 28 November 2016 be approved and confirmed.

839. DISCLOSURE OF INTEREST

Councillor Mrs P A Channer CC declared a non-pecuniary interest as she was a Member of Essex County Council who was consulted on highways, footpaths, education and other matters.

840. MEMBERS' BRIEFING

There was no Members' Briefing at this meeting.

841. FUL/MAL/16/00959 - STABLES AT BRIDLEMERE PLACE, FAMBRIDGE ROAD, NORTH FAMBRIDGE

Application Number	FUL/MAL/16/00959
Location	Stables At Bridlemere Place Fambridge Road North Fambridge Essex
Proposal	Retrospective - Erection of stable buildings
Applicant	Mr & Mrs Brown
Agent	Mr Robert Parish - RSP Design
Target Decision Date	15 February 2017
Case Officer	Spyros Mouratidis, TEL: 01621 875841
Parish	NORTH FAMBRIDGE
Reason for Referral to the Committee / Council	Parish Trigger Major Application

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

- 1 The development hereby permitted shall be used solely for the private stabling of horses owned and tended by the occupiers of the dwellinghouse known as 'Bridlemere Place' shown edged in blue on the approved location plan, drawing no. 16-100-PP-02 and for no other purpose including for the purposes of business or commercial use, livery or riding school.
- 2 No floodlighting or other external form of illumination of the site or stables hereby approved shall be undertaken without the prior written approval of the Local Planning Authority.
- 3 No jump equipment or other form of riding obstacle shall be placed upon the land nor shall any caravan or similar chattel be stationed on the site without the prior written approval of the Local Planning Authority.
- 4 No manège, riding arena, hardstanding or similar finished surface, other than those forming part of this permission, shall be constructed within the site without the prior written approval of the Local Planning Authority.
- 5 The stables hereby permitted shall not be used unless and until details of the arrangements for the storage, drainage and disposal of manure, bedding and liquid animal wastes have been submitted to and approved in writing by the local planning authority. All such wastes shall be stored and disposed of in accordance with the scheme as approved.
- 6 There shall be no burning of animal or stable wastes anywhere on the site as shown edged in red (or blue) on the plans which are attached to and form part of this permission.

842. FUL/MAL/16/01061 - PURLEIGH GRANGE, CHELMSFORD ROAD, PURLEIGH

Application Number	FUL/MAL/16/01061
Location	Purleigh Grange Chelmsford Road Purleigh Essex
Proposal	Retrospective - Erection of stable building
Applicant	Mr Gary Pulham

Agent	Mr Jonathan King
Target Decision Date	11 January 2017
Case Officer	Spyros Mouratidis, TEL: 01621 875841
Parish	PURLEIGH
Reason for Referral to the Committee / Council	Parish Trigger

Following the Officer's presentation of the report, a question was raised regarding the outline of the site in question. In response, the Officer clarified that the conditions provided for the main dwelling and the usage of the stables to be tied together.

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 The development hereby permitted shall be used solely for the private stabling of horses owned and tended by the occupiers of the dwellinghouse known as 'Purleigh Grange' shown edged in blue on the approved location plan, drawing no. 106-01A and for no other purpose including for the purposes of business or commercial use, livery or riding school.
- 3 No floodlighting or other external form of illumination of the site or stables hereby approved shall be undertaken without the prior written approval of the Local Planning Authority.
- 4 No jump equipment or other form of riding obstacle shall be placed upon the land nor shall any caravan or similar chattel be stationed on the site without the prior written approval of the Local Planning Authority.
- 5 No manège, riding arena, hardstanding or similar finished surface, other than those forming part of this permission, shall be constructed within the site without the prior written approval of the Local Planning Authority.
- 6 The stables hereby permitted shall not be used unless and until details of the arrangements for the storage, drainage and disposal of manure, bedding and liquid animal wastes have been submitted to and approved in writing by the local planning authority. All such wastes shall be stored and disposed of in accordance with the scheme as approved.
- 7 There shall be no burning of animal or stable wastes anywhere on the site as shown edged in red (or blue) on the plans which are attached to and form part of this permission.

843. FUL/MAL/16/01102 - BARN, TUDWICK FARM, TUDWICK ROAD, TOLLESHUNT D'ARCY

Application Number	FUL/MAL/16/01102
Location	Barn Tudwick Farm Tudwick Road Tolleshunt D'Arcy
Proposal	Change of use and conversion of barn to form single dwellinghouse (renewal of FUL/MAL/13/00689)
Applicant	Mr A Ferguson
Agent	Mr Edward Gittins - Edward Gittins & Associates Ltd.
Target Decision Date	5 December 2016 Extension of Time 13.01.2017

Case Officer	Emily Hall, TEL: 01621 875744
Parish	TOLLESHUNT D'ARCY
Reason for Referral to the Committee / Council	Departure from the Local Plan 2005

The Officer presented the report and advised Members that there were some administrative errors in the conditions. If Members were minded to approve this application, then it would be subject to those amendments being made. Following the presentation of the report, Mr J Greenhow, from the Agent, addressed the Committee.

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

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in complete accordance with the approved drawings: 13.2085/M002 Rev B, 13.2085/E102 REV A, 13.2085/E103 REV A, 13.2085/E104 REV B, 13.2085/E105 REV B, 13.2085/P201 REV B, 13.2085/P202 REV B, 13.2085/P203 REV B, 13.2085/P204 REV C, 13.2085/P205 REV C.
- 3 All rainwater goods shall be of cast metal with a black painted finish unless otherwise agreed in writing by the Local Planning Authority and retained as such thereafter.
- 4 All weatherboarding shall be black painted or black stained timber only and retained as such thereafter.
- 5 All windows and doors shall be black painted or black stained timber only and retained as such thereafter.
- 6 Prior to the commencement of the development large scale drawings [1:20] shall be submitted to show all new window frames, external doors and door frames including sections through the head, jamb, cill and glazing bars. The details shall be submitted to and approved in writing by Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.
- 7 Prior to the commencement of the development samples of the roof and ridge coverings to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.
- 8 No works or 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.

- 9 There shall be no means of external illumination to the access drive.
- 10 Notwithstanding condition 9 above, prior to commencement of the development hereby permitted, details of all external illumination of the site shall be submitted to and approved in writing by the Local Planning Authority. All illumination within the site shall be retained in accordance with the approved details. There shall be no other lighting of the external areas of the site unless otherwise agreed in writing by the Local Planning Authority.
- 11 Prior to the commencement of the development details of the surface water drainage scheme to serve the development shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the first occupation of the development.
- 12 Prior to the commencement of the development details of the foul drainage scheme to serve the development shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the first occupation of the development.
- 13 Prior to commencement of the development hereby approved, details of the proposed parking layout, including marked space, shall be submitted to and approved in writing by the Local Planning Authority. The parking arrangement for the site shall be carried out in accordance with the approved details and made available for use prior to occupation of the dwelling and shall be retained as such thereafter.
- 14 Prior to commencement of the development hereby approved, details of the location and size of private amenity space for the dwelling shall be submitted to and approved in writing. Notwithstanding condition 8 above, this shall include details of landscaping for the amenity space and any boundary treatments proposed. The approved amenity space shall be made available in accordance with the approved details prior to occupation of the dwelling and retained as such thereafter.
- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order), no fencing, walls or other means of enclosure shall be undertaken within the extended garden area hereby permitted unless otherwise agreed in writing by the Local Planning Authority.
- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no garages, extensions or separate buildings (other than ancillary outbuildings not exceeding 10 cubic metres in volume) shall be erected within the site without planning permission having been obtained from the Local Planning Authority.
- 17 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no dormer window or other form of addition or opening shall be constructed in the roof or gable walls of the building(s)/ extension hereby permitted without planning permission having been obtained from the Local Planning Authority.

844. RES/MAL/16/01130 - LAND NORTH WEST OF 34 TO 46 MALDON ROAD, GOLDHANGER

Application Number	RES/MAL/16/01130
Location	Land North West Of 34 To 46 Maldon Road Goldhanger Essex
Proposal	Reserved matters application for the approval of appearance, landscaping, layout and scale on approved planning application OUT/MAL/14/00147 (Outline planning application with all matters reserved for the construction of 9 dwellings with associated off-street parking)
Applicant	Mr Jordan Day - Arbora Homes Ltd
Agent	Mr Jamie Kelly - Arbora Design
Target Decision Date	16 December 2016
Case Officer	Emily Hall, TEL: 01621 875744
Parish	GOLDHANGER
Reason for Referral to the Committee / Council	Member Call In

Following the Officer's presentation of the report, together with the addendum thereto, Mrs Wylie of Silver Gale, 42 Maldon Road, Goldhanger, an Objector and Peter Le Grys, on behalf of the Agent, addressed the Committee.

Members discussed this application in detail and Councillor E L Bamford, a Ward Member advised the Committee that Goldhanger Parish Council had made very strong objections to this application, but unfortunately they were not submitted in the correct manner. Notwithstanding this, the Parish Trigger would not have brought this application before the Committee.

Members raised concerns regarding the issues to be dealt with by conditions and, in response, the Group Manager for Planning Services advised that there was extensive and clear guidance that a scheme cannot be refused when a condition can overcome any perceived harm. Members were reminded that outline planning permission had already been approved and this application was for reserved matters only.

In response to a question regarding detailed landscaping, the Interim Head of Planning Services recommended that if Members were minded to approve this application, then the condition relating to landscaping be agreed in consultation with the Chairman of this Committee and the Ward Members.

A question was asked regarding surface water drainage and the Group Manager for Planning Services advised Members that it would not be proportionate for a condition regarding the maintenance of surface water drainage to be imposed on the Applicants.

RESOLVED that this application be **APPROVED** subject to the reserved matters being considered by Officers in consultation with the Chairman of this Committee and Ward Members and subject to the following conditions:

- 1 The development hereby permitted shall begin no later than two years from the date of this decision.
- 2 The development shall be carried out in accordance with the following approved plans and documents: AH02/PA001B, AH02/PA002, AH02/PA003, AH02/PA004, AH02/PA005, AH02/PA006, AH02/PA007, AH02/PA008 & AH02/PA009.
- 3 Prior to the commencement of the development details of the measures to be taken for the disposal of foul and surface water shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.
- 4 Prior to the construction of the dwellings hereby approved written details and samples of the materials to be used in the construction of the external surfaces of the dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 5 Prior to the construction of the dwellings hereby approved landscaping details including the proposed finished levels or contours; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.).
- 6 Prior to the construction of the dwellings hereby approved soft landscaping details including a schedule and plan of trees, hedges and shrubs to be retained, details of the measures to be taken for their protection during site preparation and construction, a schedule and planting plans for all new trees and shrubs; schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.
- 7 Prior to the occupation of the development the means of enclosure shall be constructed in accordance with approved drawing: AH02/PA001B and retained as such thereafter.
- 8 Prior to the occupation of the development the car parking layouts shall be laid out and made available for their intended purpose in accordance with approved drawing: AH02/PA001B and retained as such thereafter.
- 9 The outbuildings hereby approved shall be used for the accommodation of private motor vehicles or purposes incidental to the enjoyment of the dwelling house as such and shall not at any time be converted or used as habitable space / living accommodation.

845. HOUSE/MAL/16/01148 - GROVE WOOD, MOPE LANE, WICKHAM BISHOPS

Application Number	HOUSE/MAL/16/01148
Location	Grove Wood Mope Lane Wickham Bishops Essex
Proposal	Demolition of dilapidated corrugated piggeries to be replaced with new timber framed woodcutting vehicle store.
Applicant	Mrs Carol Mills
Agent	Mr James Hunter - Jenner Jones
Target Decision Date	28 December 2016 Extension of Time: 13.01.2017
Case Officer	Emily Hall, TEL: 01621 875744
Parish	WICKHAM BISHOPS
Reason for Referral to the Committee / Council	Parish Trigger

Following the Officer's presentation of the report, Members raised concern that the Environmental Health department had not made any comments regarding the disposal of asbestos. The Group Manager for Planning Services advised that this was not a planning consideration, although it could be added as an informative if Members were minded to approve this application. Members also requested that condition 4 be amended to tie the site to the dwelling house known as "Grove Wood".

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

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in complete accordance with approved drawings: 16/9538/DWG/AJ/09, 16/9538/DWG/AJ/06, 16/9538/DWG/AJ/08 REV A, 16/9538/DWG/AJ/01, 16/9538/DWG/AJ/03, 16/9538/DWG/AJ/04 REV A, PROPOSED ELEVATIONS, PROPOSED FLOOR PLAN.
- 3 No development shall take place until written details and 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.
- 4 The outbuilding hereby approved shall be used for the accommodation of equipment for the management and maintenance of the woodland within the site and for any purpose incidental to the enjoyment of the dwelling house known as "Grove Wood" as such but shall not at any time be converted or used as habitable space/living accommodation.

INFORMATIVE

1. As the building is known/suspected to contain asbestos, an appropriate asbestos survey of the buildings shall be undertaken and a scheme implemented to remove and safely dispose of any asbestos-containing materials if alterations are to be made. These shall be in accordance with the Control of Asbestos Regulations 2006 including the use of licensed and premises to carry and dispose of the waste.

846. HOUSE/MAL/16/01162 - BRIDLEMERE PLACE, FAMBRIDGE ROAD, NORTH FAMBRIDGE

Application Number	HOUSE/MAL/16/01162
Location	Bridlemere Place Fambridge Road North Fambridge Essex
Proposal	Proposed single storey rear/side extension
Applicant	Mr & Mrs Brown
Agent	Mr Robert Parish - RSP Design
Target Decision Date	7 December 2016 Extension of Time 10.01.2017
Case Officer	Hannah Bowles, TEL: 01621 875733
Parish	NORTH FAMBRIDGE
Reason for Referral to the Committee / Council	Parish Trigger

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

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.
- 3 The external surfaces of the extension hereby approved shall be constructed of materials and finish as detailed within the application.
- 4 Prior to the commencement of the development details of the surface water drainage scheme to serve the development shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the first occupation of the development.

847. OTHER AREA PLANNING AND RELATED MATTERS

(i) Appeals Lodged:

It was noted from the Agenda and Members' Update that the following appeals had been lodged with the Planning Inspectorate:

Appeal Start Date: 1 December 2016

Application Number: FUL/MAL/16/00296 (APP/X1545/W/16/3163155)

Site: Land Between 4 Oaktrees And Lee Cottages The Street Little Totham

Proposal: Three bed dwelling

Appeal by: Mr J Purdy

Appeal against: Refusal

Appeal procedure requested: Written Representation

Appeal Start Date: 07/12/2016

Enforcement Notice Reference Number: ENF/16/00189/01

Appeal Reference Number: APP/X1545/C/16/3161468

Site: Rudley Oaks Chelmsford Road Purleigh

Alleged Breach of Planning Control: Without planning permission the unauthorised

- A) Change of use of the land to use as residential curtilage.
- B) The unauthorised erection of two detached outbuildings on the land
- C) The unauthorised creation of a swimming pool on the land
- D) The unauthorised erection of walls, gates, fences and other means of enclosure on the land

Appeal by: Mr John Lawrence

Grounds of Appeal:

- that there has not been a breach of planning control
- that, at the time of the enforcement notice was issued, it was too late to take enforcement action against the matters stated in the notice
- that the time given to comply with the notice is too short.

Appeal procedure requested: Written Representations

Appeal Start Date: 21/12/2016

Application Number: OUT/MAL/16/00858 (APP/X1545/W/16/3163300)

Site: Land South Of Buller Lodge, Buller Road, North Fambridge, Essex

Proposal: Proposal for a small two bedroom bungalow (Plot 5). (Plots 1 to 4 as previously approved).

Appeal by: Lord Ronald Rayner

Appeal against: Refusal

Appeal procedure requested: Written Representations

Appeal Start Date: 21/12/2016

Application Number: OUT/MAL/16/00289 (APP/X1545/W/16/3162631)

Site: Land Opposite 34 Hall Road - Great Totham

Proposal: Residential development

Appeal by: J & M Developers

Appeal against: Refusal

Appeal procedure requested: Written Representations

(ii) Appeal Decisions:

It was noted from the agenda and Members' Update that the following appeal decisions had been received from the Planning Inspectorate.

FUL/MAL/15/01300 (Appeal Ref: APP/X1545/W/16/3155729)

Proposal: Erection of detached bungalow with associated parking, landscaping and ancillary works.

Address: Rosemead, D'Arcy Road, Tolleshunt Knights, Essex

Decision Level: Committee as per Officer recommendation to refuse

APPEAL DISMISSED – 1 December 2016

OUT/MAL/15/01061 (Appeal Ref: APP/X1545/W/16/3147983)

Proposal: Outline planning application with all matters reserved for the construction of 10 dwellings with associated off-street parking

Address: Development At Beckingham Road, Beckingham Road, Tolleshunt D'Arcy

Decision Level: Delegated

APPEAL DISMISSED – 2 December 2016

PARTIAL COSTS ALLOWED – 2 DECEMBER 2016

FUL/MAL/16/00330 (Appeal Ref: APP/X1545/W/16/3153508)

Proposal: Retrospective - Erection of shed.

Address: Mackmurdos, Beacon Hill, Wickham Bishops, Essex, CM8 3EA

Decision Level: Delegated

APPEAL ALLOWED – 6 December 2016

FUL/MAL/14/00769 (Appeal Ref: APP/X1545/W/15/3038212)

Proposal: The change of use of land to the stationing of caravans for residential purposes for 2No. gypsy pitches together with the formation of hardstanding and utility/day-room ancillary to that use.

Address: Rose Stables Land South Of Captains Wood Road - Great Totham

APPEAL ALLOWED – 14 December 2016

FULL AWARD OF COSTS AGAINST THE COUNCIL ALLOWED – 14 December 2016

DECISION LEVEL: Committee (overturned Officer recommendation to approve)

FUL/MAL/16/00152 (Appeal Ref: APP/X1545/W/16/3156693)

Proposal: Redevelopment of the site for business, workshops and offices.
Address: Fambridge Yacht Haven Limited, Adjacent Waterfront House, Ferry Road, North Fambridge, Essex
Decision Level: Committee overturned Officer recommendation to approve
APPEAL ALLOWED – 15 December 2016

FUL/MAL/15/00146 (Appeal Ref: APP/X1545/W/16/3156248)

Proposal: Brick pier and metal entrance gates to barn site. Alterations to internal arrangement including foaling box and alterations to fenestration (Retrospective)
Address: Land North East Of Woodham Mortimer Lodge, Lodge Road, Woodham Mortimer, Essex
Decision Level: Committee overturned Officer recommendation to approve
APPEAL ALLOWED – 22 December 2016

OUT/MAL/16/00295 (Appeal Ref: APP/X1545/W/16/3156877)

Proposal: Outline planning application with all matters reserved for the construction of 5 dwellings with associated off-street parking
Address: Land Adjacent To Dalkeith - Kelvedon Road - Tolleshunt D'Arcy
APPEAL DISMISSED – 22 December 2016
DECISION LEVEL: Delegated

OUT/MAL/16/00247 (Appeal Ref: APP/X1545/W/16/3156019)

Proposal: Erection of 4 detached houses
Address: Land South Of Strathmore Road North Fambridge
Decision Level: Committee as per Officer recommendation to refuse
APPEAL DISMISSED – 21 December 2016

OUT/MAL/15/01234 (Appeal Ref: APP/X1545/W/16/3154503)

Proposal: 1No. four bedroom detached house with detached garage and extension to existing drive.
Address: Bouchiers Lodge Farm Back Road Tolleshunt D'Arcy
APPEAL DISMISSED – 30 December 2016
DECISION LEVEL: Committee as per Officer recommendation to refuse

ENF/15/00094/01 (Appeal Ref: APP/X1545/C/16/3158563)

Appeal against: 'Without planning permission the unauthorised operational development to extend an existing building, install a flue on the building and lay concrete blocks to the front and around the building
Address: Old Pond Wood Within Chantry Wood Witham Road Wickham Bishops
APPEAL WITHDRAWN - 6 January 2017

There being no further items of business the Chairman closed the meeting at 8.35 pm.

H M BASS
CHAIRMAN