



**MINUTES of  
NORTH WESTERN AREA PLANNING COMMITTEE  
7 AUGUST 2017**

---

**PRESENT**

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

**302. CHAIRMAN'S NOTICES**

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

**303. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor J V Keyes and Councillor A T Cain.<sup>1</sup>

**304. MINUTES OF THE LAST MEETING**

**RESOLVED** that the Minutes of the meeting of the Committee held on 10 July 2017 be approved and confirmed.

**305. DISCLOSURE OF INTEREST**

Councillor Mrs P A Channer, CC disclosed a non-pecuniary interest as she was also a Member of Essex County Council who was consulted on matters such as access, highways and safety.

Councillor M F L Durham, CC disclosed a non-pecuniary interest in any matters pertaining to Essex County Council as he was also a Member of Essex County Council.

Councillor Mrs M E Thompson declared a non-pecuniary interest as she was also a Member of Tolleshunt Knights Parish Council.

---

<sup>1</sup> Minute No. 450 refers

The Group Manager for Planning Services provided Members with a verbal update on the Local Development Plan (LDP) and advised that the Council had now heard back from Central Government. The LDP was now adopted and the Maldon Replacement Plan no longer existed. Officers' reports had given substantial weight to the LDP since it was submitted, so this would not alter greatly, other than the LDP would be given even more weight. The result of this was that the Council would be in a stronger position, as the LDP had been adopted and we also had a five year land supply.

The Committee received the reports of the Chief Executive and determined the following planning applications, having taken into account all representations and consultation replies received, including those listed on the Members' Update circulated at the meeting.

**306. HOUSE/MAL/17/00557 - 16 BLACKSMITHS LANE, WICKHAM BISHOPS**

<b>Application Number</b>	<b>HOUSE/MAL/17/00557</b>
<b>Location</b>	16 Blacksmiths Lane Wickham Bishops Essex CM8 3NR
<b>Proposal</b>	Resubmission of retrospective planning application for a new fence to front elevation (16/01365/HOUSE)
<b>Applicant</b>	Mr A Bartlett
<b>Agent</b>	Mr M Rollings - DMH Architectural Design
<b>Target Decision Date</b>	30.06.2017 Extension of Time: 10.08.2017
<b>Case Officer</b>	Spyros Mouratidis, TEL: 01621 875841
<b>Parish</b>	<b>WICKHAM BISHOPS</b>
<b>Reason for Referral to the Committee / Council</b>	Parish Trigger

The Chairman advised the Committee that she would be asking Ward Members for their views, followed by any opposing views and would then be asking for any other comments in relation to all applications being considered.

Following the Officer's presentation of the report, Members debated the application and raised questions regarding the materials being used and the height of the pillars.

The Group Manager for Planning Services advised Members that this application was partially retrospective in nature and the pillars would be lowered. Only the pillars supporting the gate would remain at over 1 metre in height.

Members were in agreement that the plans submitted were not clear as to what materials would be used, but they were advised that the materials used would be the same as was currently in situ.

Concern was raised that the design was out of keeping with the locality and that this application was an attempt to bring it within the planning process.

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

1. Unless the approved scheme is implemented within three (3) months of the local planning authority's decision, the walls, gates and pillars currently in situ shall be demolished to ground level and all materials resulting from the demolition shall be removed from the site.
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 development hereby approved shall be constructed of materials and of a finish as detailed within the application form.

**307. FUL/MAL/17/00619 - 13 BARNHALL ROAD, TOLLESHUNT KNIGHTS**

<b>Application Number</b>	<b>FUL/MAL/17/00619</b>
<b>Location</b>	13 Barnhall Road Tolleshunt Knights Essex CM9 8HA
<b>Proposal</b>	Demolition of existing bungalow, garage & outbuildings and erection of two 4 bedroom detached dwellings complete with detached double garages.
<b>Applicant</b>	Mr C Pullum
<b>Agent</b>	Mark Perkins - Mark Perkins Partnership
<b>Target Decision Date</b>	02 August 2017
<b>Case Officer</b>	Hilary Baldwin, TEL: 01621 875730
<b>Parish</b>	<b>TOLLESHUNT KNIGHTS</b>
<b>Reason for Referral to the Committee / Council</b>	Parish Trigger

Following the Officer's presentation of the report, a question was asked regarding the position of the rooflights. Officers confirmed that they would be positioned above eye-level. Officers also confirmed that the property had been moved further away from the boundary and that the new application had overcome concerns regarding the proximity to 17 Barnhall Road.

**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 as well as the submitted detailed specifications.
3. No development shall take place until samples of the 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 in accordance with the approved details.
4. 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.

5. The development hereby permitted shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area(s) shall be retained in this form at all times. The vehicle parking area(s) shall not be used for any purpose other than the parking of vehicles that are related to the use of the approved development unless otherwise agreed with the Local Planning Authority.
6. Prior to the commencement of the development a 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.
7. Notwithstanding the provisions of Part 1 of Schedule 2 of the Town & 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.
8. 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.
9. The first floor rooflights on the north east elevation/roofscape of the dwelling hereby approved on plot 2 shall be fitted in such a manner to ensure that the cill height is a minimum of 1.8 metres above the finished floor level of the rooms that those windows are to serve.

**308. FUL/MAL/17/00656 - GREAT TOTHAM HALL, HALL ROAD, GREAT TOTHAM**

<b>Application Number</b>	<b>FUL/MAL/17/00656</b>
<b>Location</b>	Great Totham Hall Hall Road Great Totham Essex
<b>Proposal</b>	Variation of condition 9 on approved planning permission FUL/MAL/16/01016 (Stable block and manege for domestic purposes)
<b>Applicant</b>	Mr Snelling
<b>Agent</b>	N/A
<b>Target Decision Date</b>	8 September 2017
<b>Case Officer</b>	Yee Cheung, TEL: 01621 876220
<b>Parish</b>	<b>GREAT TOTHAM</b>

<b>Reason for Referral to the Committee / Council</b>	<b>Major Application</b>
---	--------------------------

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

- 1 The development hereby permitted shall be begun before 29 November 2019.
- 2 The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice as well as the submitted detailed specifications.
- 3 The stables and manege hereby permitted shall be used solely for the private stabling of horses and no business or commercial use including for the purposes of livery or any riding school activity shall take place at the site.
- 4 The roof of the development shall be constructed using roof tile: Lincoln Clay Pantile (Rustic Red) and ridge tile: Segmental Ridge Clay (Rustic Red) and retained as such thereafter.
- 5 The roof to the stable building shall not incorporate any roof lights or strips of transparent material unless otherwise agreed in writing by the Local Planning Authority.
- 6 The stable building hereby approved shall be clad in featheredged timber weatherboarding painted black. All window frames and doors shall also be painted black unless otherwise agreed in writing by the Local Planning Authority.
- 7 The development hereby permitted shall be carried out in complete accordance with the Surface Water Drainage Strategy prepared by STM Environmental dated 10 April 2017 and the package treatment plant as referenced in compliance with condition application DET/MAL/17/05055 and shall be retained as such thereafter.
- 8 The hard and soft landscape works shall be carried out in complete accordance with the landscaping detail Drawing No: 16.3384/L401 dated 25 January 2017 as referenced in compliance with condition application DET/MAL/17/05018. If within a period of two years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written approval to any variation.
- 9 The external illumination hereby approved shall be carried out in complete accordance with Drawing No: 16.3384/L401 dated 9 June 2017 and 16.3384/P204E dated 9 June 2017 and shall be retained as such thereafter.
- 10 The arrangements for the storage, drainage and disposal of manure, bedding and liquid animal wastes shall be carried out in complete accordance with the details as referenced in compliance with condition application DET/MAL/17/05055 and shall be retained as such thereafter.
- 11 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 referenced and form part of this permission.

**309. OUT/MAL/17/00676 - LAND SOUTH WEST OF BROADFIELD FARM, BRAXTED PARK ROAD, GREAT BRAXTED**

<b>Application Number</b>	<b>OUT/MAL/17/00676</b>
---------------------------	-------------------------

<b>Location</b>	Land South West Of Broadfield Farm Braxted Park Road Great Braxted Essex
<b>Proposal</b>	Demolition of former packing house buildings, removal of mobile home and erection of one self-build/custom built dwelling
<b>Applicant</b>	Mr J Purdy
<b>Agent</b>	Mr Peter Le Grys - Stanfords
<b>Target Decision Date</b>	29 August 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

Following the Officer's presentation of the report, Mr P Le Grys, the Agent, addressed the Committee.

In response to a question, the Officer confirmed that the current application comprised changes to the outline and the positioning of the proposed dwelling within the site from the previous application. The Officer further confirmed that there was a redundant caravan on the site that would be removed if permission were granted for this application.

The Group Manager for Planning Services advised that this would potentially not be classed as a brownfield site, as it was an agricultural field. Packing in conjunction with agriculture could be considered to be agriculture.

Concern was raised generally in relation to the lack of response from both statutory consultees and internal consultees.

**RESOLVED** that this application be **REFUSED** for the following reason:

- 1 Policies S1, S8 and D1 of the Maldon District Local Development Plan seek to provide control over new buildings in rural areas that are beyond defined settlement boundaries, to ensure that new residential developments are directed to appropriate and sustainable locations and that the countryside is protected for its landscape value as well as its intrinsic character and beauty. The application site, edged in red, whilst containing rural outbuildings currently makes a positive contribution to the character and appearance of the rural area. The proposed development, if approved, would urbanise the site and represent an unwelcome visual intrusion into the open and undeveloped countryside. The remote nature of the application site also means that future occupiers would be reliant on the private motor vehicle thus represent an unsustainable form of development. As such, the proposal would be contrary to policies D1, S1, S8, H4, T2 of the Maldon District Local Development Plan and the core planning principles and guidance contained in the National Planning Policy Framework.

### **310. 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: 18 July 2017

**Application Number: COUPA/MAL/16/01384 (APP/X1545/W/17/3177356)**

Site: Outbuilding At Stockhall Farm, Hatfield Road, Ulting

Proposal: Notification for prior approval for a proposed change of use of an agricultural building to 2 no. dwellinghouses (Class C3), and for associated operational development

Appeal by: Osiris Trustees Limited

Appeal against: Refusal

Appeal procedure requested: Written Representation

Appeal Start Date: 26/07/2017

**Application Number: HOUSE/MAL/17/00299 (APP/X1545/D/17/3176670)**

Site: Oakfields House - Hackmans Lane - Purleigh

Proposal: One and a half storey side extension to existing residential annex.

Appeal by: Mr & Mrs G Brown

Appeal against: Refusal

Appeal procedure requested: Householder Appeal Service (HAS)

Appeal Start Date: 01/08/2017

**Application Number: FUL/MAL/17/00349 (APP/X1545/W/173177523/)**

Site: Poultry Sheds, Moors Farm, Moors Farm Chase, Little Totham

Proposal: Variation of conditions 6 and 7 on approved planning permission FUL/MAL/15/00439 (Change of use of existing agricultural poultry sheds to be used for the storage of reclaimed building materials)

Appeal by: Mr J Purdy

Appeal against: Refusal

Appeal procedure requested: Written Representations

Appeal Start Date: 01/08/2017

**Application Number: HOUSE/MAL/16/01451 (APPX/1545/D/17/3177683)**

Site: The Elms - Lodge Road - Woodham Mortimer

Proposal: Conversion of double garage and erection of a link extension and dormers to form an annexe to the existing farmhouse

Appeal by: Mr A Macmorland

Appeal against: Refusal

Appeal procedure requested: Householder Appeal Service (HAS)

Appeal Start Date: 01/08/2017

**Application Number: HOUSE/MAL/17/00253 (APP/X1545/D/17/3177876)**

Site: Pond House 26 Maldon Road Great Totham

Proposal: Two storey side and rear extension

Appeal by: Mr & Mrs English

Appeal against: Refusal

Appeal procedure requested: Householder Appeals Service (HAS)

**(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/16/01331 (Appeal Ref: APP/X1545/W/17/3171628)**

Proposal: Single storey extension to side of existing building over part of existing enclosed yard.

Address: The Toll House, Fullbridge, Essex, CM9 4LE

Decision Level: Delegated

**APPEAL ALLOWED – 24 July 2017**

**Enforcement Appeal Decision:**

**13/00242/CU (Appeal Ref: APP/X1545/C/16/3142293)**

Address: Bakers Nursery - Bakers Lane - Tolleshunt Major

Appeal Against: Enforcement Notice ENF/13/00242/CU - without planning permission the change of use of the land for the stationing of a mobile home

**APPEAL IS ALLOWED AND THE ENFORCEMENT NOTICE, SUBJECT TO CORRECTIONS AND VARIATIONS, IS QUASHED AS SET OUT IN THE FORMAL DECISION AT PARAGRAPH 53 ATTACHED – 19 July 2017**

**APPLICATION FOR AWARD OF COSTS MADE BY LPA AGAINST THE APPELLANT – ALLOWED IN THE TERMS SET OUT IN THE COSTS ORDER AT PARAGRAPH 21 ON THE ATTACHED COSTS DECISION – 19 July 2017**

**APPLICATION FOR AWARD OF COSTS MADE BY APPELLANT AGAINST LPA - REFUSED AND NO AWARD OF COSTS IS MADE – 19 July 2017**

**Enforcement Notice Reference Numbers: ENF/14/0074/02, ENF/14/0074/03, ENF/14/0074/04 & ENF/14/0074/05**

Appeal Reference Numbers: APP/X1545/C/16/3160577, APP/X1545/C/16/3167980, APP/X1545/C/16/3167995, APP/X1545/C/16/3160595, APP/X1545/C/16/3167982, APP/X1545/C/16/3167997, APP/X1545/C/16/3160599, APP/X1545/C/16/3167984, APP/X1545/C/16/3167998, APP/X1545/C/16/3160641, APP/X1545/C/16/3168002 & APP/X1545/C/16/3168002

Site: Little Wood Place - Fambridge Road - Purleigh

**APPEAL WITHDRAWN – 28 July 2017**

**FUL/MAL/16/00265 (Appeal Ref: APP/X1545/W/17/3173125)**

Proposal: Proposed application for the development of six detached dwellings with associated garage & parking and access road (formerly consented for four detached dwellings - consent has been implemented)

Address: Land Adjacent To Langford Waterworks Hatfield Road Langford

Decision Level: Committee overturned Officer recommendation to approve

**APPEAL DISMISSED – 28 July 2017**



There being no further items of business the Chairman closed the meeting at 8.08 pm.

MRS M E THOMPSON  
CHAIRMAN