



**MINUTES of
NORTH WESTERN AREA PLANNING COMMITTEE
9 JULY 2018**

PRESENT

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

238. CHAIRMAN'S NOTICES

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

239. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor M F L Durham, CC.

240. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 11 June 2018 be approved and confirmed.

241. DISCLOSURE OF INTEREST

Councillor J V Keyes disclosed a non-pecuniary interest in all items as he sits on Great Totham Parish Council.

Councillor A K M St. Joseph declared a non-pecuniary interest in Agenda Item 8, HOUSE/MAL/18/00686 – 3 Root Lane, Wickham Bishops, as the agent had previously prepared architectural drawings for him.

Councillor H M Bass declared a non-pecuniary interest in Agenda Item 5, FUL/MAL/18/00436 – Land at Benton Manor, Wickham Hall Lane, Wickham Bishops, Essex, and Agenda Item 8, HOUSE/MAL/18/00686 – 3 Root Lane, Wickham Bishops as he knows the applicants.

Councillor Mrs P A Channer, CC, declared a non-pecuniary interest as a Member of Essex County Council, a consultee on planning application matters with respect generally to highways, matters of access and education primarily.

242. FULMAL1800436 - LAND AT BENTON MANOR, WICKHAM HALL LANE, WICKHAM BISHOPS, ESSEX

Application Number	FUL/MAL/18/00436
Location	Land at Benton Manor, Wickham Hall Lane Wickham Bishops Essex
Proposal	Change of use of disused agricultural land to residential use marked area 'A' and Change of use of disused agricultural land to residential use marked area 'B'. The proposal includes an access gate and hardstanding on land marked area B.
Applicant	Mr Mark Sherriff
Agent	Mr Mike Smith - Metcalfe Briggs Surveyors
Target Decision Date	18.07.2018
Case Officer	Yee Cheung
Parish	Wickham Bishops
Reason for Referral to the Committee / Council	The planning application has been called in by Councillor Bass on the grounds of public interest

The Officer presented the report to the Committee, and drew attention to the Members' Update detailing the response from Wickham Bishops Parish Council and the Coast and Countryside Officer. The photographs mentioned in the Members' Update were presented to the Committee in addition to the Officers report.

The Committee discussed whether the change of use was relevant and, following a request from Members, the Development Management Team Leader clarified the differentiation between both amenity and residential land.

Members considered that although the boarding at the back of the gate was not aesthetically pleasing, and would have preferred hedgerows to the fence, it was agreed that it was logical for the gate to be set back from the road to allow for access.

Councillor H M Bass proposed that the application be approved contrary to the Officer's recommendation; this was duly seconded and agreed.

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

1. The development hereby permitted shall begin no later than three years from the date of this decision.
REASON: To comply with Section 91(1) of The Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the plans listed above.
REASON: To ensure that the development is carried out in accordance with the details as approved.
3. The permission hereby granted does not include the approval of the gate and fencing that has been installed at the Wickham Hall Lane frontage of the site. Prior to the change of use of land hereby approved, details of and means of enclosure to this frontage of the site (including any proposed gate, fencing and replacement soft landscaping) and a timetable for the implementation of those works shall be submitted to and approved in writing by the Local Planning Authority. The works and any approved soft landscaping shall subsequently be provided / installed in accordance with the approved timetable. 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.
REASON: To protect and minimise the visual impact on the character of the countryside in accordance with policies S1, S8, D1 and H4 of the Maldon District Local Development Plan and the National Planning Policy Framework.
4. Notwithstanding the provisions of Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no wall, fence, gate or other means of enclosure shall be erected within or around the site without the prior grant of planning permission by the local planning authority.
REASON: To protect and minimise the visual impact on the character of the countryside in accordance with policies S1, S8, D1 and H4 of the Maldon District Local Development Plan and the National Planning Policy Framework.
5. The use of the land hereby permitted shall be used only for purposes incidental to the residential enjoyment of the dwelling to which this permission relates. Notwithstanding the provisions of Classes E and F of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no buildings, swimming pools, or other structures shall be constructed nor any hardstanding be laid on the extended garden area without express planning permission having been obtained from the local planning authority.
REASON: To protect and minimise the visual impact on the character of the countryside in accordance with policies S1, S8, D1 and H4 of the Maldon District Local Development Plan and the National Planning Policy Framework.

243. RESMAL1800558 - MANOR FARM, THE AVENUE, NORTH FAMBRIDGE, ESSEX, CM3 6LZ

Application Number	RES/MAL/18/00558
Location	Manor Farm The Avenue North Fambridge Essex CM3 6LZ
Proposal	Reserved matters application for the approval of access, appearance, landscaping, layout and scale on approved planning application OUT/MAL/14/01018 (Outline planning application for up to 30 dwellings)
Applicant	David Wilson Homes
Agent	N/A
Target Decision Date	3 August 2018
Case Officer	Yee Cheung
Parish	North Fambridge
Reason for Referral to the Committee / Council	Member Call In by Cllr White

The Committee received the Officers report and noted that the Members' Update confirmed that no objection had been received from the Environment Agency.

Following the Officer's presentation, Mr Sean Martin from David Wilson Homes, the Agent, addressed the Committee.

Members queried whether the application was in keeping with the Strategic Housing Market Assessment (SHMA). It was noted that although there was a shortfall on the housing split, the Group Manager for Planning Service confirmed that this would not be a reasonable ground for refusal as 2% did not equate to one unit.

The Development Management Team Leader confirmed for the Committee that although there was a 3.5 metre shortfall in the recommended distance of back to back dwellings, as set out in the Essex Design Guide (EDG), this was mitigated due to the substantial length of the back gardens of neighbouring properties. As there was no loss of light, outlook, or privacy this would not be considered grounds for refusal.

Councillor Miss S White proposed that the application be refused contrary to the Officers recommendation, and this was duly seconded. Following a vote, the motion was not carried

The Chairman then put the officer's recommendation to a vote and the motion was carried.

RESOLVED that the 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.
REASON: To ensure that the development is carried out in accordance with the details as approved.

- 2 The development shall be constructed of the external materials specified on Materials Plan Drawing No: 746. 204.07 dated 27.04.2018 and the External Works Plan Drawing No: 746.231.07 dated 05.06.2018.
REASON: To ensure that the external materials used for the construction of the development is appropriate to its site and surroundings in accordance with Policy D1 of the Maldon District LDP and Government advice contained in the NPPF.

- 3 The hard landscaping for the site shall be constructed in complete accordance with materials specified on External Works Plan Drawing No: 746.231.07 dated 05.06.2018 and retained as such thereafter.
REASON: To ensure that the external materials used for the construction of the development is appropriate to its site and surroundings in accordance with Policy D1 of the Maldon District LDP and Government advice contained in the NPPF.

- 4 The tree protection and soft landscaping for the site shall be carried out in complete accordance with the following details and Drawing No:-
 - JBA 17/004-SK01 Revision F - Landscape Proposal for PLOTS and POS dated 23.05.2018
 - JBA 17/004-SK02 Revision F - Landscape Proposal for PLOTS and POS dated 23.05.2018
 - Measured Works Schedule Revision B dated 15.05.2018 prepared by James Blake Associates Ltd
 - Landscape Management and Maintenance Plan (JBA 17/004 Rev B dated 15.05.2018) prepared by James Blake Associates Ltd
 - Arboricultural Method Statement (JBA 17/004 AR02 Rev D dated 4 May 2018) prepared by James Blake Associates Ltd
 - Landscape Programming (JBA 17/004-01 Revision G dated 27.04.2018) prepared by James Blake Associates Ltd
 - Landscape Programming (JBA 17/004-02 Revision G dated 27.04.2018) prepared by James Blake Associates Ltd
 - Tree Protection Plan (JBA 17/004-02 TP01 Revision C dated 26.04.2018) prepared by James Blake Associates Ltd
 REASON: To ensure the landscaping is appropriate and to protect the visual amenity of the area in accordance with Policy D1 of the Maldon District LDP and Government advice contained in the NPPF.

- 5 Prior to the first occupation of the development the initial footway access into the site should provide a lowered kerb for pedestrians to access the proposed shared surface. The current footway access into the site does not appear to adjoin to the shared surface and therefore should be extended into the site to ensure a safe and suitable pedestrian route is provided.
REASON: To provide a safe and accessible entrance into the site for pedestrians in accordance with Policy T2 of the Maldon District LDP and Government advice contained in the NPPF.

- 6 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.

REASON To ensure that appropriate parking and turning is provided in accordance with Policy T2 of the Maldon District LDP and Government advice contained in the NPPF.

- 7 Notwithstanding the provisions of Article 3 of the Town & 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 on the roof on the rear elevation of Plots 2, 3, 4, 5, 6, 14, 15, 16, 17, 18 the dwellings hereby permitted without planning permission having been obtained from the local planning authority.
REASON: To protect the residential amenity of existing properties fronting Brabant Road in accordance with Policy D1 of the Maldon District LDP and Government advice contained in the NPPF.

244. FULMAL1800597 - HONEYWOOD FARM, HONEYPOT LANE, PURLEIGH, CM3 6RT

Application Number	FUL/MAL/18/00597
Location	Honeywood Farm, Honeypot Lane, Purleigh, CM3 6RT
Proposal	Replacement dwelling
Applicant	Mr. & Mrs. Brown
Agent	Mr. Peter Le Grys – Stanfords
Target Decision Date	16 July 2018
Case Officer	Hilary Baldwin
Parish	COLD NORTON
Reason for Referral to the Committee / Council	Member Call In – Councillor Mrs Sue White- Public Interest

Following the Officer's presentation, Mr Peter Le Grys, the Agent, addressed the Committee.

Members discussed the application and the impact on the street scene was considered. It was noted that due to the location and design there would be less of an impact when compared to the neighbouring properties.

Councillor Miss S White proposed that the application be approved contrary to the Officer's recommendation. This was seconded and agreed with the proviso that the conditions be determined between the Chairman, Vice-Chairman and Ward Members.

RESOLVED that the application be **APPROVED** subject to conditions as agreed in consultation with the Chairman, Vice-Chairman and Ward Members.

245. HOUSEMAL1800686 - 3 ROOTS LANE, WICKHAM BISHOPS

Application Number	HOUSE/MAL/18/00686
Location	3 Roots Lane, Wickham Bishops
Proposal	First floor front extension
Applicant	Mr. & Mrs. Trevor & Janet James
Agent	Mr. Mark Crocker
Target Decision Date	30.07.2018
Case Officer	Emma Worby
Parish	WICKHAM BISHOPS
Reason for Referral to the Committee / Council	Member Call In – Councillor Bass – public interest

Following the Officer's presentation, Mrs Janet James, the Applicant, addressed the committee.

Members discussed the application, it was noted that the current balcony was considered dated and that the proposed extension would bring the property in line with its neighbours.

Councillor H M Bass proposed that the application be approved contrary to the Officer's recommendation, this was duly seconded and agreed.

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

- 1 The development hereby permitted shall begin no later than three years from the date of this decision.
- 2 The development shall be carried out in accordance with the following approved plans and documents: Site Location Plan; Block Plan; JAMES/01/1 Rev A; JAMES/01/2 Rev A
- 3 The external surfaces of the building(s) shall be constructed of the materials specified on plan: Planning Application Form; JAMES/01/1 Rev A and JAMES/01/2 Rev A

There being no further items of business the Chairman closed the meeting at 9.23 pm.

MRS M E THOMPSON
CHAIRMAN