



**MINUTES of  
NORTH WESTERN AREA PLANNING COMMITTEE  
3 SEPTEMBER 2018**

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**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, J V Keyes, A K M St. Joseph and Miss S White

**385. CHAIRMAN'S NOTICES**

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

**386. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs P A Channer, CC, and D M Sismey.

**387. MINUTES OF THE LAST MEETING**

**RESOLVED**

- (i) that the Minutes of the meeting of the Committee held on 06 August 2018 be received.

**Minute No. 327 – Land West of Fambridge Road, North Fambridge**

An amendment to the minutes of the report so that it read:

**“Breach of Sea Wall Flood Risk**

- Excess surface water generated by the breach of the sea wall would not fall under Anglian Waters remit.
- *The existing pumping station has no flood protection measures even though it is in flood zone 3.”*

**RESOLVED**

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 06 August 2018 be confirmed.

### **388. DISCLOSURE OF INTEREST**

Councillor E L Bamford disclosed a non-pecuniary interest in Agenda Item 7, FUL/MAL/18/00619 – Land West of Abbotswood, Beacon Hill, Great Totham as she knew the agent.

Councillor M F L Durham, CC as a Member of Essex County Council declared a non-pecuniary interest in all items.

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

Councillor M E Thompson disclosed a non-pecuniary interest in Agenda Item 7, FUL/MAL/18/00619 – Land West of Abbotswood, Beacon Hill, Great Totham as she knew the agent.

### **389. FUL/MAL/17/01071 - STOW MARIES AERODROME, HACKMANS LANE, PURLEIGH, ESSEX**

<b>Application Number</b>	<b>FUL/MAL/17/01071</b>
<b>Location</b>	Stow Maries Aerodrome Hackmans Lane Purleigh Essex
<b>Proposal</b>	Variation of conditions 13 & 14 on approved planning permission FUL/MAL/09/00250 (Re-instatement of airfield and erection of 2 x no. aircraft hangers to match former buildings on site)
<b>Applicant</b>	The Trustees Stow Maries Great War Aerodrome
<b>Agent</b>	TMA Chartered Surveyors
<b>Target Decision Date</b>	4 September 2018
<b>Case Officer</b>	Yee Cheung
<b>Parish</b>	<b>COLD NORTON</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In by Councillor Miss S White on the grounds of public interest

The Officer presented their report to the Committee, after which Parish Councillor Simon Hollington, an Objector representing the local community, Mr Peter Martin, a Supporter and Chairman of the Stow Maries Great War Aerodrome Trust, and Mr Paul Goring, Director of Acoustic Logistic representing the Stow Maries Parish Council, addressed the Committee.

Members voiced concern over the requested increase in the number of flights and any potential adverse impact on neighbours.

The Chairman invited the Environmental Health Team Leader (Environmental Protection) to speak in regards to the item.

On addressing the Committee, the Environmental Health Team Leader (Environmental Protection) clarified that the perspective offered was impartial as and made the following points:

- The request was an increase the limit of movements from twelve to thirty movements within a 24hour period outside of event periods.
- Thirty movements a day equates to a 2.5 times increase on the number of flights currently approved.
- Thirty movements a day equates to an increase in noise levels to 4db.
- 4200 movements would need to be justified over a year, this averages out to eleven movements a day. At present twelve movements a day are approved.
- Excluding special event days, Officers had concerns over the type of aircraft expected to visit SMGWA.
- It was accepted that the lowest adverse effect level will be approached. This is in terms of area impact and is an intensification not a sudden impact.
- The Noise Impact Assessment from Sharps Gayler LLP data is based on levels generated from a Cessna 172 which is the closest match to loudest aircraft on site.

On discussion of application concerns were raised on the closure of bridal paths during event days and over the impact on heritage buildings at the site, including the landing aircraft next to a listed building. The Development Management Team Leader confirmed that the airstrips are 40meters and 60meters wide, it was noted that there would not be any harm to the setting of the heritage buildings.

Members discussed that a short grass strip was suitable only for single engine, piston propeller driven aircraft, and that once in the air the aircraft are in the jurisdiction of the Civil Aviation Authority (CAA). Members expressed concern that while the impact on neighbours was considered minimal, the increase in disturbance could have an adverse effect on local businesses and highways around the site.

Councillor Miss S White proposed that the application be approved but the maximum number of movements be limited to 900 flights per annum, this was duly seconded. The Development Management Team Leader advised the Committee that whilst section 73 of the Town and Country Planning Act 1990 enables the Local Planning Authority to amend conditions as it sees fit, it is appropriate to remain close to the changes that had been sought as these had been the subject of consultation and assessment.

Councillor M F L Durham proposed that the Officers recommendation to approve was amended to the following for the reasons as outlined above: to limit the maximum number of movements to 3000 over the course of the year, that daily movements were capped at 30 per day, and that on event days the number of movements would be capped at 120. This was duly seconded.

The Chairman put the amendments to the proposal to a vote and the amendment was carried. The Chairman then put the amended proposal to the vote and it was carried by general assent.

**RESOLVED** that the application be **APPROVED** in accordance with the Officer's recommendation and subject to the following conditions:

1. The development shall be carried out in accordance with the following

approved plans and documents: Drawing Nos 08/1002/31, 08/1002/22 and 08/1002/30 that are attached to planning application FUL/MAL/09/00250; Location Plan: TMA/734/01 Revision B; Noise Impact Assessment dated 20 September 2017; and Habitat Regulations Assessment Screening Report dated 13 April 2018.

2. The external surfaces of the two hangers hereby approved shall be constructed of materials and finish as detailed on Drawing Nos 08/1002/31, 08/1002/22 and 08/1
3. No development related to the construction of the hangers approved by the permission, including any site clearance or groundworks of any kind shall take place within the site until the applicant or their agents, the owner of the site or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The development shall be carried out in a manner that accommodates the agreed programme of works.002/30 as submitted with planning application FUL/MAL/09/00250.
4. A record of all flying activity and aircraft based at the site shall be maintained by the airfield operator and made available in a suitable format for inspection and copying by the Local Planning Authority at any reasonable time. Such record shall as a minimum contain dates, times, aircraft type, description of activity including runway in use and details of any public complaint associated with the activity.  
In pursuant to the above, on the first anniversary of this approval and every two years thereafter, the applicant shall demonstrate to the satisfaction of the Local Planning Authority, through the submission of a report from a competent person and using actual flight records, that the LOAEL of 50dB LAeq 12hr has not been exceeded at any property in the vicinity of the airfield except on "Special Public Flying Events". In the event that an exceedance is identified the applicant shall prepare and implement a noise reduction plan to further control the number and/or type of aircraft using the airfield such that the 50dB LAeq 12hr is not exceeded at any noise sensitive property.
5. There shall be no more than 15 aircraft in a flight worthy condition kept at the site at any one time.
6. The type of aircraft using the airstrip for take-off and landing purposes shall be limited to fixed wing, single propeller driven aircraft.
7. No helicopters (unless in the event of an emergency), microlights, gliders or hot air balloons shall be flown or land upon the site.
8. Aircraft shall only take off or land at the site during the following hours:-
  - October to March (inclusive) - 08.00 hours to sunset or 20.00 hours, whichever is the earlier
  - April to September (inclusive) - 08.00 hours to 20.00 hours
9. No flying school activities or other training flights shall operate from the site.
10. No more than 4 public events which include a programme of flying displays (to be known as 'Special Public Flying Events') shall take place in any calendar year. Such events shall not exceed 2 consecutive days. Such events shall be organised in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
11. There shall no more than 3,000 aircraft movements (defined as a take-off OR landing) undertaken from the site during any one calendar year (1 January - 31 December). This annual limit to be subject to a daily limit, in any 24 hour period, of 30 movements (15 take-offs and 15 landings), apart from days on

which Special Public Flying Events take place when the movement limit shall be 120 movements (60 take-offs and 60 landings).

12. No charter or fare paying flights shall operate from the airfield.
13. An investigation and risk assessment, in addition to any assessment provided with the planning application in relation to the hangers, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing from the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
  - (a) a survey of the extent, scale and nature of contamination;
  - (b) an assessment of the potential risks to human health, property, controlled waters and the environment;
  - (c) an appraisal of the remedial options, and proposal of preferred option(s).
14. A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and is subject to the approval in writing of the Local Planning Authority prior to the construction of the hangers. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
15. The approved remediation scheme must be carried out in accordance with its terms prior to the construction of the hangers other than required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of the commencement of the remediation schemes works. Following completion of measures identified in the approved remediation scheme a verification report (also known as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced and is subject to approval in writing of the Local Planning Authority.
16. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 13 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 14 which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation a verification report must be prepared in accordance with the requirements of condition 15, for approval in writing of the Local Planning Authority.

**390. FUL/MAL/18/00587 - AGRICULTURAL BUILDINGS HONEYWOOD FARM, HONEYPOT LANE, STOW MARIES, ESSEX**

<b>Application Number</b>	<b>FUL/MAL/18/00587</b>
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<b>Location</b>	Agricultural Buildings, Honeywood Farm, Honeypot Lane, Stow Maries, Essex
<b>Proposal</b>	Section 73A application for the change of use of agricultural buildings to Use Class B8 (storage and distribution)
<b>Applicant</b>	Mr A Brown
<b>Agent</b>	Mrs Leanne Frost - Acorus Rural Property Services Ltd
<b>Target Decision Date</b>	16.07.2018 E.o.T. requested for 07.09.2018
<b>Case Officer</b>	Spyros Mouratidis
<b>Parish</b>	Cold Norton
<b>Reason for Referral to the Committee / Council</b>	Not Delegated to Officers – Change of use more than 1,000m <sup>2</sup>

The Officer presented their report to the Committee, after which Adam Brown, the Applicant, addressed the Committee.

Following a brief discussion on the application the Chairman put the Officer's recommendation to a vote, and the motion was duly carried.

**RESOLVED** that the application be **APPROVED** in accordance with the Officer's recommendation and subject to the following conditions:

- 1 Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking or re-enacting that Order), premises shall only be used for purposes falling within Use Class B8 of the Schedule to the Town & Country Planning Use Classes (Amendment) Order 2015 (or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order) and for no other purpose.
- 2 The use of the premises hereby approved shall only operate between 07:30 hours and 18:00 hours Mondays to Fridays, 08:00 hours and 13:00 hours on Saturdays and at no time on Sundays, Bank and Public Holidays.
- 3 No machinery shall be operated nor shall any process be carried out and no deliveries or collections undertaken at the site other than between 08:00 hours and 17:30 hours on weekdays and between 08:00 hours and 13:00 hours on Saturdays and not at any time on Sundays and Public Holidays.
- 4 With the exception of a forklift used in association with the deliveries on site, no machinery shall be used outside the buildings.
- 5 No extraction or ventilation equipment, vents, air conditioning units or similar plant equipment shall be installed or fitted to any external part of the building except in accordance with a scheme to be submitted to and approved in writing by the local planning authority. The scheme as approved and installed shall be retained as such thereafter.
- 6 No external illumination shall be installed or fitted to any part of the site except in accordance with a scheme to be submitted to and approved in writing by the local planning authority. The scheme as approved and installed shall be retained as such thereafter. No retail or wholesale sales shall operate from the site.
- 7 No goods, materials, plant, machinery, skips, containers, packaging or other similar items associated with the use hereby permitted shall be stored or kept outside of the building on site.

- 8 Within three months from the date of this permission, provision shall be made to the rear of the application site for a parking area for ten (10) vehicles and adequate turning space. The parking spaces shall be marked and retained for parking of vehicles in association with the B8 use hereby approved in perpetuity.

**391. FUL/MAL/18/00619 - LAND WEST OF ABBOTTSWOOD, BEACON HILL, GREAT TOTHAM**

<b>Application Number</b>	<b>FUL/MAL/18/00619</b>
<b>Location</b>	Land West Of Abbotswood, Beacon Hill, Great Totham
<b>Proposal</b>	New four bedroom dwelling with detached car port
<b>Applicant</b>	Mr. and Mrs. Baker
<b>Agent</b>	Mr. Simon Plater – Plater Claiborne Architecture and Design
<b>Target Decision Date</b>	<b>03 September 2018</b>
<b>Case Officer</b>	Hilary Baldwin
<b>Parish</b>	Great Totham
<b>Reason for Referral to the Committee / Council</b>	Departure from the Local Development Plan and the Officer recommendation is for approval

The Officer presented their report to the Committee, after which Mr Chris Loon, from Springfield Planning and Development, spoke on behalf of the Applicant.

A short discussion ensued where Members expressed approval on the Parish Council being consulted. It was noted that there would be little impact on neighbouring properties due to the height of trees along the boundary.

The Chairman put the Officer's recommendation to a vote and the motion was duly carried.

**RESOLVED** that the application be **APPROVED** in accordance with the Officer's recommendation and 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 accord with that shown on drawing No's, 1601/C/10, 16018/C/11, 1601/C/12, 1601/C/13, 1601/14m, 1601/18/C, 1601/C/16, 1601/17/C and 13873/JD/1 which are specifically referenced on this decision notice and forms part of this permission.
3. No development shall take place until written details or samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to the Local Planning Authority for approval in writing. The development shall be carried out in accordance with the approved materials.
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. The scheme shall ensure that for a minimum:

- 1) The development should be able to manage water on site for 1 in 100 year events plus 40% climate change allowance.
- 2) Run-off from a greenfield site for all storm events that have a 100% chance of occurring each year (1 in 1 year event) inclusive of climate change should be no higher than 10/l/s and no lower than 1/l/s. The rate should be restricted to the 1 in 1 greenfield rate or equivalent greenfield rates with long term storage (minimum rate 1l/s) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield)

You are advised that in order to satisfy the soakaway condition the following details will be required:- details of the area to be drained, infiltration rate (as determined by BRE Digest 365), proposed length, width and depth of soakaway, groundwater level and whether it will be rubble filled.

Where the local planning authority accepts discharge to an adopted sewer network you will be required to provide written confirmation from the statutory undertaker that the discharge will be accepted.

5. 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.
6. 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 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.
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 in the roof or gable walls of the development hereby permitted without planning permission having been obtained from the local planning authority.
8. Prior to the first occupation of the proposed development, the proposed vehicular access shall be constructed at right angles to the highway boundary and to a width of 3.7 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.
9. No unbound materials shall be used in the surface treatment of the proposed vehicular access within 6m of the highway boundary.
10. No development shall take place, including any ground works or works of demolition, until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - i. the parking of vehicles of site operatives and visitors
  - ii. loading and unloading of plant and materials
  - iii. storage of plant and materials used in constructing the development
  - iv. wheel and under body washing facilities



11. Prior to the first beneficial occupation of the dwelling hereby approved, the first floor eastern elevation windows as shown on drawings: 1601/C/11 and 1601/C/12 shall be opaque glazed and of a non-openable design with the exception of a top hung fanlight (which shall be at least 1.7m above internal floor level) and shall be retained as such thereafter.
12. No development shall take place until full details of both hard and soft landscape works to be carried including details of a planting implementation scheme, aftercare and maintenance and replacement programme out have been submitted to the Local Planning Authority for approval in writing. The scheme shall also include details of the retention and protection of hedges at the site boundaries. The landscape works shall be carried out in accordance with the approved details with soft landscape works carried out within the first available planting season (October to March inclusive) following the commencement of the development.
13. Prior to the commencement of the development, and before any equipment, machinery or materials are brought to the site for the purposes of the development, a written statement detailing the retention and protection of trees on the site shall be submitted to and approved in writing by the local planning authority. The submitted statement shall include a survey and assessment of all trees on the site and shall identify on a scaled drawing those trees to be retained and where arboricultural work is proposed. It shall also detail the measures and means of protecting the trees on the site. The development shall be carried out fully in accordance with the agreed details. If within five years from the completion of the development a tree which is agreed to be retained is removed, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement tree shall be planted within the site of such species and size, and shall be planted at such time, as specified in writing by the local planning authority.
14. The carport hereby permitted within the site shall only be used for those purposes incidental to the enjoyment of the dwellinghouse to which it relates and not for any commercial or business purposes or as annexe accommodation.

**392. FUL/MAL/18/00632 - OS FIELD 6251, COLCHESTER ROAD, GREAT TOTHAM**

<b>Application Number</b>	<b>FUL/MAL/18/00632</b>
<b>Location</b>	OS Field 6251, Colchester Road, Great Totham
<b>Proposal</b>	Application for new field access and associated hardstanding
<b>Applicant</b>	Mr. W Draper
<b>Agent</b>	Mr. T Sharman – Smart Planning Ltd
<b>Target Decision Date</b>	04/09/2018
<b>Case Officer</b>	Emma Worby
<b>Parish</b>	Great Totham
<b>Reason for Referral to the Committee / Council</b>	Major Application – site size over 1ha Member Call In – Councillor J V Keyes – further information to discuss

The Officer presented their report, after which Russell Ford from Smart Planning Ltd, the Agent, addressed the Committee.

A discussion followed on the likelihood of future developments at the site and the need to control development, including the permitted development rights either through serving Article 4 direction or through the use of conditions. Members requested the application be differed to enable further assessment of the options that would exist in relation to the restriction of permitted development rights and to investigate the presence of an existing field access.

Councillor J V Keyes proposed that the application be deferred for the reasons given above. This was duly seconded and following a vote the motion was carried.

**RESOLVED** that the application be **DEFERRED**.

**393. LED/MAL/18/00857 - FIELD NORTH WEST OF MOSKLYNS FARM, CHELMSFORD ROAD, PURLEIGH**

<b>Application Number</b>	<b>LDE/MAL/18/00857</b>
<b>Location</b>	Field North West of Mosklyns Farm, Chelmsford Road, Purleigh
<b>Proposal</b>	Claim for lawful development certificate for the existing use for storage of materials and plant connected with demolition by R Strathern and materials and plant by E J Taylor.
<b>Applicant</b>	Mr Strathern
<b>Agent</b>	None
<b>Target Decision Date</b>	03.09.2018
<b>Case Officer</b>	Kathryn Mathews
<b>Parish</b>	Purleigh
<b>Reason for Referral to the Committee / Council</b>	Member Call-in – Councillor Sue White due to public interest

The Chairman referred to the Members' Update and confirmed to the Committee that this application had been withdrawn.

There being no further items of business the Chairman closed the meeting at 9.05 pm.

MRS M E THOMPSON  
CHAIRMAN