



**MINUTES of
NORTH WESTERN AREA PLANNING COMMITTEE
7 JANUARY 2019**

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, D M Sismey, A K M St. Joseph and Miss S White
Ex-Officio Non- Voting Member	Councillor Mrs P A Channer, CC

712. CHAIRMAN'S NOTICES

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

713. APOLOGIES FOR ABSENCE

There were none.

714. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 26 November 2018 be approved and confirmed.

715. DISCLOSURE OF INTEREST

Councillor J V Keyes disclosed a non-pecuniary interest in Agenda Item 9 – FUL/MAL/18/01403 Plainswood House, 25 Plains Road, Great Totham as he had bought items from the applicant, in a previous business had carried out haulage for the applicant and the land backed onto land he owned.

Councillor Mrs P A Channer declared a non-pecuniary interest as a Member of Essex County Council who were consulted on matters to with highways, education etc. She also declared a non-pecuniary interest in Agenda Item 6 – FUL/MAL/18/01201 The Barn, Fambridge Road, Mundon as she knew the Agent.

Councillor M F L Durham declared a non-pecuniary interest as a Member of Essex County Council who were consulted on matters to with highways, education etc.

Councillor H M Bass declared a non-pecuniary interest in the following applications:

- Agenda Item 6 – FUL/MAL/18/01201 The Barn, Fambridge Road, Mundon as he had made a Civic visit to these premises in his role as Chairman of the Council and met with the applicant, but as with all civic visits had not discussed planning.
- Agenda Item 8 – FUL/MAL/18/01362 Wickham Barn, Station Road, Wickham Bishops as he had visited the site and spoken to the applicant but not given any opinion.
- Agenda Item 9 – FUL/MAL/18/01403 Plainswood House, 25 Plains Road, Great Totham as he was acquainted with the applicant.

Councillor Miss S White declared a non-pecuniary interest in Agenda Item 6 – FUL/MAL/18/01201 The Barn, Fambridge Road, Mundon and Agenda Item 7 – FUL/MAL/18/01255 and LBC/MAL/18/01256 as she knew the applicant and objectors.

Councillor J P F Archer declared a non-pecuniary interest in Agenda Item 6 – FUL/MAL/18/01201 The Barn, Fambridge Road, Mundon and Agenda Item 7 – FUL/MAL/18/01255 and LBC/MAL/18/01256 as she knew the applicant and objectors.

The Committee received the reports of the Director of Strategy, Performance and Governance 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.

716. FUL/MAL/18/01191 - LAND NORTH OF POPLAR GROVE CHASE, GREAT TOTHAM, ESSEX

Application Number	FUL/MAL/18/01191
Location	Land North of Poplar Grove Chase Great Totham Essex
Proposal	One exemplar custom-built dwelling
Applicant	Mr & Mrs Lawson
Agent	Stanfords - Peter Le Grys
Target Decision Date	6 December 2018
Case Officer	Yee Cheung
Parish	GREAT TOTHAM
Reason for Referral to the Committee / Council	The application has been called in by Cllr Keyes on the grounds of public interest.

Following the Officers' presentation the Agent, Mr Le Grys addressed the Committee.

Councillor J V Keyes, a Ward Member, advised that he had called in this application and supported the proposed development. Councillor D M Sismey, the other Ward Member, made reference to a recent appeal decision on this site which upheld the Council's decision to refuse the previous application and although the design was semi-innovative he did not feel it was exceptional.

A debate ensued. In response to questions, Officers highlighted the location of the Garden Suburb in relation to the site and explained that in order to comply with the

exemption at paragraph 79 of the National Planning Policy Framework (NPPF) the design of a scheme had to really be innovative and outstanding.

Following further discussion, Councillor Keyes proposed that the application be approved, contrary to Officers recommendation and for reasons relating to the architectural design, its ecological value and an improvement to the surrounding area. This proposal was duly seconded but upon a vote being taken the proposal was declared lost. The Chairman then put the Officers’ recommendation of refusal to the Committee which upon a vote being taken was agreed.

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

- 1 The proposed development is not considered to be a truly outstanding or innovative design and therefore does not meet the requirement of Paragraph 79 of the National Planning Policy Framework. The dwelling, by virtue of its location, scale, bulk and unsympathetic design, would be a visually prominent, intrusive and discordant feature within the street scene and the wider locality to the detriment of the openness of the countryside, causing unacceptable harm to the character and appearance of the rural landscape. In addition, the position of the dwelling would be out of character with the prevailing pattern of development in the locality which would have a serious and adverse effect on the visual amenity of the wider rural area failing to provide any visual enhancement to the landscape. The proposal would therefore fail to accord with Policies S1, S2, S8, D1 and H4 of the Maldon District Local Development Plan, and Government advice contained in the National Planning Policy Framework.

717. FUL/MAL/18/01201 - THE BARN, FAMBRIDGE ROAD, MUNDON, ESSEX, CM9 6NL

Application Number	FUL/MAL/18/01201
Location	The Barn, Fambridge Road, Mundon
Proposal	Proposed single storey office extension and attached storage building with associated hardstanding and vehicle parking
Applicant	Mr. Ian Corcoran - I.D.Corcoran Ltd
Agent	Mr. Anthony Cussen - Cussen Construction Consultants
Target Decision Date	08.01.2019
Case Officer	Emma Worby
Parish	GREAT TOTHAM
Reason for Referral to the Committee / Council	Member Call In – Councillor Miss S White (public interest)

It was noted from the Members’ Update that reference to the Parish of Great Totham in the table above was incorrect and that this should state Purleigh.

Councillor Miss White, a Ward Member, proposed that the application be approved in accordance with Officers’ recommendation. This proposal was duly seconded and upon a vote being taken agreed.

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 accordance with the following approved plans and documents: 1131/01, 1131/02, 1131/05, 1131/04, 1131/03, 1131/07, 1131.06, Noise Impact Assessment.

3 The materials used in the construction of the proposed development hereby approved shall be as set out within the application form/plans hereby approved.

4 No development works above ground level shall take place until details of the surface water drainage scheme to serve the development have been 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).

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 All foul sewage shall discharge to the public sewer as specified in the application form, unless otherwise agreed in writing by the Local Planning Authority.

The premises shall only be occupied between 08:00 hours and 19:00 hours on Mondays to Saturdays, and shall be closed Sundays and Public Holidays. No persons shall be present upon the premises outside the permitted hours.

Deliveries to and collections from the site shall only be undertaken 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.

6 No machinery shall be operated and no process shall be undertaken outside of the building.

7 No goods, materials, plant, machinery, skips, containers, packaging or other similar items shall be stored or kept outside of the building.

8 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.

9 No means of external illumination of the site shall be installed unless otherwise agreed in writing by the local planning authority. The external illumination shall be retained as such thereafter.

718. FUL/MAL/18/01255 AND LBC/MAL/18/01256 - FERRY BOAT INN, FERRY ROAD, NORTH FAMBRIDGE, ESSEX, CM3 6LR

Application Number	FUL/MAL/18/01255
Location	The Ferry Boat Inn, Ferry Road, North Fambridge
Proposal	Demolition of existing conservatory and erection of new south bar/restaurant wing, kitchen extension to rear (east), demolition of existing north-west single-storey extension and internal alterations to existing inn, reorganisation of existing car park to west and modifications to car park access, creation of new patio and other paved areas
Applicant	Mr. Dylan Kalis - Yacht Havens Group
Agent	Mr. Chris Hewitt - 2C Design Consultants
Target Decision Date	11.12.2018
Case Officer	Emma Worby
Parish	TOLLESHUNT D'ARCY
Reason for Referral to the Committee / Council	Member Call In – Councillor Miss S White (public interest)

Application Number	FUL/MAL/18/01256
Location	The Ferry Boat Inn, Ferry Road, North Fambridge
Proposal	Demolition of existing conservatory and erection of new south bar/restaurant wing, kitchen extension to rear (east), demolition of existing north-west single-storey extension and internal alterations to existing inn, reorganisation of existing car park to west and modifications to car park access, creation of new patio and other paved areas
Applicant	Mr. Dylan Kalis - Yacht Havens Group
Agent	Mr. Chris Hewitt - 2C Design Consultants
Target Decision Date	11.12.2018
Case Officer	Emma Worby
Parish	TOLLESHUNT D'ARCY
Reason for Referral to the Committee / Council	Member Call In – Councillor Miss S White (public interest)

It was noted from the Members' Update that reference to the Parish of Tolleshunt D'Arcy in the table above was incorrect and that this should state North Fambridge.

Following the Officers' presentation the Agent, Mr Hewitt addressed the Committee.

Councillor H M Bass proposed that the Committee deal with both the FUL and Listed Building application together. This proposal was duly seconded. The Chairman advised that there was still a need to have separate votes on both applications.

Councillor Miss S White, a Ward Member, referred to the design and supported the proposed development on balance. Councillor J P F Archer, the other Ward Member, supported these views, provided some history regarding the application and referred to how the pub was a focal point and good for the village of North Fambridge. The views of the Ward Members were supported by other Members of the Committee.

Councillor Mrs P A Channer disclosed an interest in this application as it was in her Essex County Division, she had frequented the pub over a number of years and knew the previous landlord.

Following further discussions, Councillor Miss White proposed that both applications be approved, contrary to the Officers' recommendation. This was duly seconded. In response the Officer clarified and it was agreed that the reasons for approval related to the support for local employment and business, the design being acceptable and the benefits outweighing harm to the listed building. The Officer then outlined a number of conditions to be applied to the applications should the Committee be mindful to approve the applications. Upon votes being taken both applications were approved contrary to Officers' recommendations for the reasons detailed above with appropriate conditions as outlined by Officers.

At this point Councillor D M Sismey raised a question regarding why details of letters of representation were not being shown in reports, as the Council had agreed this should be detailed. In response the Development Management Team Leader advised that this was being progressed, although there were some related issues regarding data protection which had to be addressed.

FUL/MAL/18/01255:

RESOLVED that this 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 following approved plans and documents: 2CD01814-PRSP Rev A, 2CD01814-PBPL Rev B, 2CD01814-PRLO Rev A, 2CD01814-EXLO, 2CD01814-EBPF, 2CD01814-EFPF Rev B, 2CD01814-EXEL, 2CD01814-EXLP, 2CD01814-PREL Rev C, 2CD01814-PRLP Rev B, 2CD01814-PRBD, 2CD01814-PRIE

REASON: For the avoidance of doubt as to the extent of this permission.

3. Prior to their use in the development hereby approved, details of the materials to be used in the construction of the external surfaces, including windows and doors, of the development hereby approved shall 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.

REASON: To ensure the proposed development is of adequate design quality to respect the character and appearance of the listed building and the surrounding area in accordance with policies D1 and D3 of the Maldon District Local Development Plan.

4. Notwithstanding the content of Part 3 of the Town and Country Planning (General Permitted Development) Order 2015, the extensions hereby granted shall only be used for purposes falling within Use Class A4 of the Use Classes Order 1987.

REASON: To clarify the terms of the permission and ensure that the building is used for the approved purposes, particularly having regard to the weight that was applied to the community benefit of the development in determining to approve the application, in accordance with policy E3 of the Maldon District Local Development Plan.

5. The development hereby permitted shall not be first beneficially used 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.

REASON: To ensure the provision of adequate parking at the site in accordance with the Councils Adopted Parking Standards and policy T2 of the Maldon District Local Development Plan.

6. The public's rights and ease of passage over footpaths number 10 and 15 in North Fambridge shall be maintained free and unobstructed at all times.

REASON: To ensure the continued safe passage of the public on the definitive right of way and accessibility in accordance with Policies D1 and T2.

7. No development works above ground level shall occur until 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.

REASON: To ensure that adequate arrangements are in place for the handling of surface water and to ensure that there is no increased risk of surface water flooding, in accordance with policies D1 and D5 of the Maldon District Local Development Plan.

8. No development works shall occur above ground level until details of the foul drainage scheme to serve the development have been 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.

REASON: To ensure that adequate arrangements are in place for the handling of foul water in the interests of ensuring that the development does not result in

pollution, in accordance with policy D2 of the Maldon District Local Development Plan.

9. Prior to the first use of the building for the purposes hereby approved 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.

REASON: To ensure that lighting does not detract from the visual amenity of the site or the rural setting or cause light pollution in accordance with policies D1 and D2 of the Maldon District Local Development Plan.

10. Prior to the first use of the building for the purposes hereby approved a scheme for the means of refuse storage including details of any bin stores shall have been submitted to and approved in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development and retained for such purposes at all times thereafter.

REASON: To ensure that waste is adequately stored and disposed of and does not detract from the character and appearance of the site in accordance with policies D1 and D2 of the Maldon District Local Development Plan.

11. The use of the building hereby permitted shall not commence until a scheme for the ventilation of the building and the treatment of all smells and fumes including the details of the attenuation of all equipment shall first have been submitted to and approved in writing by the local planning authority. The works as approved shall be installed and operational prior to the commencement of the use of the building and retained as such thereafter.

The scheme should include ventilation of the new bar/restaurant to regulate the temperature of the room during hot weather without the need to open doors and windows.

REASON: In order to ensure the appropriate use of the site and to protect the amenities of neighbouring residents in accordance with policy D2 of the Maldon District Local Development Plan.

12. Full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority prior to any works occurring above ground level at the application site. These details shall include, for example:

- i. Proposes finished levels contours;
- ii. Means of enclosure;
- iii. Car parking layouts;
- iv. Other vehicle and pedestrian access and circulation areas;
- v. Hard surfacing materials;
- vi. Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting);
- vii. Proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc., indicating lines, manholes, supports);
- viii. Retained historic landscape features and proposals for restoration, where relevant.

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the occupation of any part of the development hereby approved unless otherwise 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.

The hard landscape works shall be carried out as approved prior to the first use / occupation of the development hereby approved and retained and maintained as such thereafter.

REASON: To ensure that the impact of the development is suitably mitigated and does not detract from the character and appearance of the area, in accordance with policy D1 of the Maldon District Local Development Plan.

13. Details of the measures that shall be included within the development in accordance with section 10.7 of the Conclusions and Recommendations section of the submitted Flood Risk Assessment (Revision D - Dated October 2018) shall be submitted to and approved in writing by the Local Planning Authority prior to any works occurring above ground level. Subsequently the development shall only be undertaken in full accordance with the approved details.

REASON: To ensure that the development does not create or is subjected to an increased risk of flooding in accordance with policy D5 of the Maldon District Local Development Plan.

14. The development shall only be undertaken in full accordance with the Recommendations set out within Section 4.0 of the submitted Ecological Appraisal (Dated December 2017) unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the development has suitable regard to the potential ecological interests of the site and the surrounding area in accordance with policy N2 of the Maldon District Local Development Plan.

15. Details of the siting, height, design and materials of the treatment of all boundaries including gates, fences, walls, railings and piers shall be submitted to and approved in writing by the local planning authority prior to first use/occupation of the development hereby approved. The screening as approved shall be constructed prior to the first use/occupation of the development to which it relates and be retained as such thereafter.

REASON: To ensure that the impact development does not detract from the character and appearance of the area, in accordance with policy D1 of the Maldon District Local Development Plan.

LBC/MAL/18/01256:

RESOLVED that Listed Building consent be **GRANTED** 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 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the following approved plans and documents: 2CD01814-PRSP Rev A, 2CD01814-PBPL Rev B, 2CD01814-PRLO Rev A, 2CD01814-EXLO, 2CD01814-EBPF, 2CD01814-EPFP Rev B, 2CD01814-EXEL, 2CD01814-EXLP, 2CD01814-PREL Rev C, 2CD01814-PRLP Rev B, 2CD01814-PRBD, 2CD01814-PRIE

REASON: For the avoidance of doubt as to the extent of this consent.

3. Prior to their use in the development hereby approved, details and samples of the materials to be used in the construction of the external surfaces, including windows and doors, of the development hereby approved shall 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.

REASON: To ensure the proposed works enhances or maintains the character and appearance of the listed building in accordance with policy D3 of the Maldon District Local Development Plan.

4. Once the modern brickwork has been removed from the southern ground-floor fireplace, a specification for its restoration (based on the condition of what is uncovered) shall be submitted for approval prior to implementation. Subsequently the works shall be undertaken only in accordance with the approved details.

REASON: To mitigate the impact of the approved works on the character and fabric of the listed building in accordance with policy D3 of the Maldon District Local Development Plan.

5. Large-scale drawings of all new or replacement windows – illustrating elevations at 1:20 and section details of glazing bars, head, cills, jambs etc. – shall be submitted for approval prior to installation. Subsequently the works shall be undertaken only in accordance with the approved details.

REASON: To ensure the proposed works enhances or maintains the character and appearance of the listed building in accordance with policy D3 of the Maldon District Local Development Plan.

6. The metal chimney flue to the extension shall be finished black.

REASON: To mitigate the impact of the approved works on the character and fabric of the listed building in accordance with policy D3 of the Maldon District Local Development Plan.

719. FUL/MAL/18/01362 - WICKHAM BARN, STATION ROAD, WICKHAM BISHOPS, ESSEX, CM8 3JB

Application Number	FUL/MAL/18/01362
Location	Wickham Barn Station Road Wickham Bishops
Proposal	Removal of Condition 6 on approved application FUL/MAL/16/00218 (Erection of part single, part two storey outbuilding in the grounds of Wickham Barn for use as artist's studio / workshop and short-term living accommodation for visiting artists)
Applicant	Mr Jolyon Madden
Agent	Holmes & Hills LLP
Target Decision Date	10 January 2019
Case Officer	Yee Cheung
Parish	WICKHAM BISHOPS
Reason for Referral to the Committee / Council	The planning application is called in by Councillor H M Bass on the grounds of public interest.

It was noted from the Members' Update that a consultation response had been received from the Conservation Officer.

Following the Officers' presentation the Applicant, Mr Madden addressed the Committee.

Councillor H M Bass, a Ward Member, advised that he had called in this application and provided Members with some history of the site and surrounding area where some exemptions had previously applied in relation to planning approval. He supported the proposal and felt that if this was a new application an exemption under Section 79 of the National Planning Policy Framework could be applied. Councillor Bass felt that the building should be preserved and sought the support of the Committee to grant approval.

A debate ensued. In response to a question, the Development Control Team Leader advised the Committee that it could refuse the application, remove the condition or vary the condition. Should Members be mindful to approve the application Officers would be suggesting alternative conditions for the other permissions to reflect that some of the conditions had been discharged, rather than need them to be discharged again.

Councillor Bass proposed that the application be approved, contrary to Officers' recommendation for reasons relating to section 79 of the National Planning Policy Framework. Members were advised that Officers would also suggest with the removal of condition 6 that all other conditions be amended to reflect the discharge that has occurred. This was noted. The proposal was duly seconded and upon a vote being taken this was duly agreed.

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 drawings approved under the terms of application 16/00218/FUL: 1603.01.01, 1603.01.02, 1603.03.01, 1603.03.02, 1603.03.03, 1603.03.04
REASON: To ensure that the development is carried out in accordance with the details as approved

- 2 The materials used in the construction of the development hereby approved shall be as approved under the terms of discharge of condition application 17/05074/DET unless otherwise approved in writing by the Local Planning Authority.

REASON: To ensure the use of appropriate materials for the development in the interest of visual amenity, and in accordance with policies S1, D1 and H4 of the Maldon District Local Development Plan

- 3 Unless otherwise approved in writing by the Local Planning Authority, the hard and soft landscaping of the site shall be undertaken in full accordance with the details approved under the terms of discharge of condition application 17/05074/DET.

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.

REASON: To ensure appropriate hard and soft landscaping at the site, in the interest of visual amenity and the character of the rural area, in accordance with policies D1 and H4 of the Maldon District Local Development Plan.

- 4 The foul drainage scheme approved under the terms of discharge of condition application 17/05074/DET shall be implemented prior to the first occupation of the development unless an alternative scheme has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure appropriate foul drainage at the site in accordance with policy D2 of the Maldon District Local Development Plan.

- 5 Unless alternative details are first approved in writing by the Local Planning Authority, the development hereby permitted shall be carried out in complete accordance with the Flood Risk Assessment prepared by Evans Rivers and Coastal Ltd dated April 2016 Report ref 1538/RE/04-16/01 and the Ground Floor internal finished floor level shall not be constructed lower than the 10.10m AOD level contained in Paragraph 5.7 of the Flood Risk Assessment.

REASON: To reduce the risk of flooding to the proposed development in accordance with policy D5 of the Maldon District Local Development Plan and Government advice contained within The National Planning Policy Framework.

720. FUL/MAL/18/01403 - PLAINSWOOD HOUSE, 25 PLAINS ROAD, GREAT TOTHAM, ESSEX, CM9 8DT

Application Number	FUL/MAL/18/01403
Location	Plainswood House, 25 Plains Road, Great Totham
Proposal	Construction of detached garages, gymnasium and garden room
Applicant	Mr. Thomas Gregan
Agent	Mr. Anthony Cussen - Cussen Construction Consultants
Target Decision Date	08/01/2019
Case Officer	Emma Worby
Parish	GREAT TOTHAM
Reason for Referral to the Committee / Council	Member Call In – Councillor J Keyes (public interest)

It was noted from the Members’ Update that a consultation response from Great Totham Parish Council had been received.

Councillor Mrs P A Channer advised that she should have declared a non-pecuniary interest in this application as she knew the Agent.

Councillor J V Keyes, a Ward Member, referred to having called in the application and provided Members with some detail regarding the surrounding area. He advised that he had no objection to the development and proposed that it be approved, contrary to Officers recommendation. This proposal was duly seconded.

In response to a question, Members were advised that the development was more than 4m tall which was why it required planning permission.

In light of the earlier proposition the Officer highlighted a number of conditions to be applied if Members’ were mindful to approve the application and it was clarified that the reasons for approval should relate to the visual impact being acceptable in the rural setting and having no harmful impact to the neighbours. The Chairman then put the proposal in the name of Councillor Keyes, duly seconded and upon a vote being taken this was agreed.

RESOLVED that this 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 following approved plans and documents: 1077/15, 1077/16 and 1077/17
REASON: For the avoidance of doubt as to the extent of this permission.
3. The external surfaces of the building(s) shall be constructed of the materials set out on the application form/approved plans submitted with the application.
REASON: To ensure the proposed development has a suitable design quality and visual impact in the interests of protecting the character and appearance of the site and the surrounding area, in accordance with policies D1 and H4 of the Maldon District Local Development Plan.

4. The building hereby approved shall not be used at any time for any purpose other than purposes ancillary to the residential use of the dwelling known as Plainswood House, 25 Plains Road, Great Totham.
REASON: To clarify the terms of the permission and protect the rural character of the site in accordance with policies S1, S8, D1 and H4 of the Maldon District Local Development Plan.

There being no further items of business the Chairman closed the meeting at 8.50 pm.

MRS M E THOMPSON
CHAIRMAN