



**MINUTES of
NORTH WESTERN AREA PLANNING COMMITTEE
10 FEBRUARY 2021**

PRESENT

Chairman	Councillor Mrs M E Thompson
Vice-Chairman	Councillor J V Keyes
Councillors	M F L Durham, CC, Mrs J L Fleming, K W Jarvis, C P Morley, R H Siddall and Miss S White
In Attendance	Councillors Mrs P A Channer, CC and C Morris

252. CHAIRMAN'S NOTICES

The Chairman welcomed everyone to the remote meeting, held under new regulations which came into effect on 4 April 2020 in response to the COVID-19 pandemic. She took Members through some general housekeeping issues, together with the etiquette for the meeting and then asked Officers present and Councillors in attendance to introduce themselves.

This was followed by a roll call of all Members present.

253. APOLOGIES FOR ABSENCE

There were none.

254. MINUTES OF THE LAST MEETING

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 13 January 2021 be received.

Minute No. 171 - 20/00994/FUL - Little Grange Farm, Marlpits Road, Woodham Mortimer, Essex, CM9 6TL

Councillor R H Siddall questioned whether the Minutes accurately reflected the order of the discussions that had taken place, specifically referring to the fifth paragraph of this Minute "Councillor M F L Durham advised the Committee..." as he felt this had occurred at an earlier point in the debate. In response the Chairman advised that the recording of the meeting would be reviewed, and the Minutes amended accordingly.

Subsequent to the meeting the Committee recording was checked and it was established that the sequence of comments recorded in minute No. 171 was correct.

Councillor K W Jarvis advised that reference to the word “overweighed” in paragraph seven should be “outweighed”.

Minute No. 175 - 20/01154/FUL - Barns Adjacent To Mosklyns Farm, Chelmsford Road, Purleigh

Councillor Jarvis referred to poor sentencing in paragraph six where there should have been an omission of the word “and”.

The amendments were noted, and it was agreed that these be made to the Minutes.

RESOLVED

- (ii) that subject to the amendments raised by Councillor Jarvis being addressed the Minutes of the meeting of the Committee held on 13 January 2021 be confirmed.

255. DISCLOSURE OF INTEREST

Councillor M F L Durham, CC declared a non-pecuniary interest in all items on the agenda as a Member of Essex County Council who were statutory consultees on a variety of matters relating to the Planning process. He further declared a pecuniary interest on Agenda Item 5 – 20/00519/FUL – Warren Golf Club, Old London Road, Woodham Walter and advised the Committee he would leave the meeting for this item of business.

In accordance with his declaration, Councillor Durham left the meeting at this point.

256. 20/00519/FUL - THE WARREN, OLD LONDON ROAD, WOODHAM WALTER, CM9 6RW

Application Number	20/00519/FUL
Location	Warren Golf Club, Old London Road, Woodham Walter
Proposal	Additional tourism and interrelated leisure development, comprising 70 holiday lodges with associated change of use of the land within two areas of the site, alterations to existing Bunsay clubhouse, extension of Bunsay car park and new golf academy.
Applicant	Mr John Moran - The Warren Golf and Country Club
Agent	Mr Clive Simpson - Clive Simpson Planning Limited
Target Decision Date	15.10.2020 (EOT until 12.02.2021)
Case Officer	Julia Sargeant
Parish	WOODHAM WALTER

Reason for Referral to the Committee / Council	Major Application Level of Public Participation Member Call In – Called in by Councillor K W Jarvis Local Development Plan (LDP) policies S1, S8, E5, D1, D2, D3 - impact on wildlife and outside of the LDP merits debate by members
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A Members' Update had been circulated prior to the meeting that detailed further correspondence from the Agent and Noise Consultant in response to Environmental Health's consultation response.

Following the Officer's presentation, the Woodham Walter Parish Council representative Councillor J Ruston and the Applicant, Mr John Moran, addressed the Committee.

Councillor C P Morley joined the meeting during the Officer's presentation.

The Chairman moved the Officers' recommendation that planning application 20/00519/FUL be refused for the reasons as detailed in Section 8 of the report. This was duly seconded.

A brief discussion ensued, noting the economic benefits the development would bring but concurring with the Officer's report regarding the impact on the rural character and appearance of the site.

The Chairman put the Officer's recommendation of refusal to the Committee and upon a vote being taken it was unanimously agreed.

RESOLVED that the application be **REFUSED** for the following reasons:

- 1 The application site is located within a rural countryside setting and both sections of the application site where the holiday lodges are proposed add to and are characteristic of the overall rural setting with a sense of tranquillity. The use of the land for holiday lodges (along with the associated necessary infrastructure) would introduce an incongruous and visually harmful development which would have an urbanising impact upon the rural character and appearance of the site and erode much of the open nature of the site. The proposal would therefore fail to protect the intrinsic character and beauty of the countryside contrary to guidance contained within the National Planning Policy Framework as well as policies S1, S8, E5 and D1 of the approved Maldon District Local Development Plan.
- 2 Insufficient information has been submitted to demonstrate there is an identified need for the 70 holiday lodges proposed. The development would therefore represent inappropriate development outside of the settlement boundary without justification contrary to policies S1, S8 and E5 of the Maldon District Local Development Plan as well as the National Planning Policy Framework.
- 3 The redevelopment of the Bunsay clubhouse and use of the land to the south of the Bunsay clubhouse for 50 holiday lodges would result in harm to the amenity of the area through noise and would materially harm the amenity of the occupiers of the dwellings along Little Baddow Road, namely Apple Cottage

and No's 1 and 2 Hawkins Farm Cottages contrary to guidance contained within the National Planning Policy Framework as well as policies E5, D1 and D2 of the approved Maldon District Local Development Plan.

- 4 The stationing of 20 holiday lodges on land to the east of the non-designated heritage asset 'Wayside' would result in a moderately adverse effect upon the setting and significance of this non-designated heritage asset by eroding its idyllic rural surroundings. In this instance due to the lack of justification for the holiday lodges and the harm to the rural landscape setting of the site it is considered that the public benefits of the proposal would not outweigh the limited harm that the 20 lodges would cause to the non-designated heritage asset 'Wayside'. The proposal would therefore result in harm to this non-designated heritage asset contrary to the guidance within the National Planning Policy Framework as well as Policies S1, E5, D1 and D3 of the approved Maldon District Local Development Plan.

- 5 In the absence of a completed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure the necessary payment of a Travel Plan monitoring fee as requested by the Highway Authority, the impact of the development cannot be mitigated contrary to Policies S1 and T2 of the Maldon District Local Development Plan and Government advice contained within the National Planning Policy Framework

Councillor M F L Durham returned to the meeting.

257. 20/01120/FUL - LAND ADJACENT TO IVYSTONE COTTAGE, BACK ROAD, TOLLESHUNT D'ARCY, ESSEX

Application Number	20/01120/FUL
Location	Land Adjacent To Ivystone Cottage Back Road Tolleshunt D'Arcy
Proposal	Conversion of hay barn and stables to a dwelling
Applicant	Ms Helen Scott
Agent	Sue Bell - Sue Bell Planning Consultant
Target Decision Date	11.01.2021 EOT 12.02.2021
Case Officer	Hannah Bowles
Parish	TOLLESBURY
Reason for Referral to the Committee / Council	Departure from Local Plan

Following the Officer's presentation and in response to questions, the Lead Specialist Place confirmed that the application was previously dismissed at appeal based on the absence of securing the necessary Recreational disturbance Avoidance and Mitigation Strategy (RAMS) contribution, that the full RAMS contribution had now been secured and that the height of the eastern lean to roof was to be increased.

The Chairman moved the Officer's recommendation that planning application 20/01120/FUL – Land Adjacent to Ivystone Cottage, Back Road, Tolleshunt D'Arcy Essex be approved subject to conditions as detailed in Section 8 of the report. This was seconded by Councillor J V Keyes.

The Chairman put the Officer's recommendation of approval to the Committee and upon a vote being taken it was unanimously approved.

RESOLVED that the 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 shall be carried out in accordance with the following approved plans and documents: 2019-267-001 Rev B and 2019-267-002 Rev B.
- 3 No development works above ground level shall take place until samples of the facing material to be used, including glazing, have been submitted to and approved in writing by the local planning authority. The works must be carried out in accordance with the approved details and retained as such thereafter.
- 4 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. Hard surfacing materials;

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.

- 5 Notwithstanding the provisions of Class A, B, C, D, E and F of Part 1 of Schedule 2 and Class A of Part 2 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 shall be erected within the site without planning permission having been obtained from the local planning authority.
- 6 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:

The development should be able to manage water on site for 1 in 100 year events plus 40% climate change allowance.

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.

- 7 No development works above ground level shall occur 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.
- 8 Full details of the access and parking arrangements shall be submitted to and approved in writing by the local planning authority. The development shall be completed wholly in accordance with the approved details, prior to the occupation of the development hereby approved, and thereafter permanently retained.
- 9 The development shall be undertaken in accordance with the terms and specifications contained within the Ecological Survey and Assessment for Ivystone Cottage Barn, Tolleshunt D'Arcy dated November 2019 which is attached to and forms part of this permission.

258. 20/01154/FUL - BARNS ADJACENT TO MOSKLYNS FARM, CHELMSFORD, PURLEIGH

Application Number	20/01154/FUL
Location	Barns Adjacent to Mosklyns Farm, Chelmsford Road, Purleigh
Proposal	Retention of existing dwelling.
Applicant	Mr & Mrs Strathern
Agent	-
Target Decision Date	14.01.2021
Case Officer	Hayleigh Parker-Haines
Parish	PURLEIGH
Reason for Referral to the Committee / Council	Member Call In by Councillor Mrs J L Fleming Reason: D1A, D1E, S1.12 and S8 Resubmitted to the Committee following consultation with the Monitoring Officer

Following the Officer's presentation, the Applicant, Mr Ben Strathern, addressed the Committee.

The Lead Specialist Place advised Members that following the Area Planning Committee on 13 January 2021 an appeal decision had been received that was similar in nature to this application. A formal decision notice had not been issued on 20/01154/FUL and therefore Officers were obligated to bring the application back to Committee to consider the new material consideration.

The Chairman moved the Officer's recommendation that planning application 20/01154/FUL – Barns Adjacent to Mosklyns Farm, Chelmsford, Purleigh be refused for the reasons as detailed in Section 8 of the report. This was duly seconded.

Officers expounded the reason for bringing the case back to Committee and that had the appeal decision occurred prior to the first Committee hearing it would have been included in the Officer's report. Members thanked Officers for bringing the application back and a discussion ensued reiterating the Committee's previous reasons for approval and highlighting the differences between the Althorne appeal and this application in Purleigh. In response to a question the Officer confirmed changes made to the fenestration design. There being no further discussion the Chairman put the Officer's recommendation to refuse the application to the Committee and upon a vote being taken it was lost.

Councillor Miss S White joined the meeting at this point.

Councillor K W Jarvis proposed that the application be approved, contrary to the Officer's recommendation, for the reason that since the determination of the last planning application the Council was no longer able to demonstrate a Five Year Housing Land Supply, this was considered to weigh in favour of the proposed development. Furthermore, the previous reason for refusal regarding private amenity space had been overcome. It was not considered that the new material consideration would alter this resolution and therefore, the scheme should be approved in accordance with the conditions as recommended. This was duly seconded.

The Chairman put Councillor Jarvis' proposal to the Committee and upon a vote being taken it was approved.

RESOLVED that the application be **APPROVED** subject to the following conditions as recommended in the report:

- 1 Unless within six months of the date of this decision, a scheme is provided detailing the siting, height, design and materials of the treatment of all boundaries including existing hedging, gates, fences, walls, railings and piers, including a timetable for implementation, has been submitted to and approved in writing by the Local Planning Authority the occupation of the dwelling, shall cease until such time as a scheme is submitted and approved in writing by the local planning authority. The details approved shall be implemented as approved.
- 2 Unless within six months of the date of this decision details of both hard and soft landscape works, to be carried out shall have been submitted to and approved in writing by the Local Planning Authority the occupation of the dwelling, shall cease until such time as a scheme is submitted 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 and within a timeframe agreed as part of the submission. The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) after the date of the details being agreed. 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.

- 3 Unless within nine months from the date of this decision, details of the vehicle parking area to be associated with the dwelling have been submitted and approved in writing by the Local Planning Authority and the approved scheme implemented the occupation of the dwelling shall cease until such time that a scheme has been submitted and approved in writing by the local planning authority. The approved scheme shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.
- 4 Unless within six months of the date of this decision, the private footpath as shown on plan MOCM36QP-SP1.0 has been constructed in accordance with the details as approved, the occupation of the dwelling shall cease until such time that this footpath has been constructed.
- 5 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, alterations or openings to any elevations, separate buildings, or fencing shall be carried out/erected within the site without planning permission having been obtained from the Local Planning Authority.

259. 20/01289/HOUSE - WILLOWBANK, 4 HEATHGATE, WICKHAM BISHOPS, ESSEX, CM8 3NZ

Application Number	20/01289/HOUSE
Location	Willowbank, 4 Heathgate, Wickham Bishops, CM8 3NZ
Proposal	Alterations to front elevation including new fenestration/glazing, alterations to existing front dormer and new roof light to front roof slope, together with the redesign of steps to the front door. Flat roof dormer to rear elevation with a Juliet balcony. Changes to fenestration and replacement of existing windows to rear. Renovation of the driveway and new decking and paving to rear garden. Extension to the existing garage.
Applicant	Mrs Peter Moore and Karen Routledge
Agent	Mr Luca Arnaud – LAA
Target Decision Date	12.02.2020
Case Officer	Sophie Mardon
Parish	WICKHAM BISHOPS
Reason for Referral to the Committee / Council	Member Call In – Councillor K W Jarvis. Reason: Development appears bulky and of an overbearing design causing loss of privacy to other neighbouring properties contrary to policy D1 of Local Development Plan (LDP).

Following the Officer's presentation, the Committee was advised that policy H1 as detailed in the conclusion (3.2.1) of the report should read Policy H4. The Chairman

invited three public participants to address the Committee; an Objector, Ms Karen Faith, the representative of Wickham Bishops Parish Council, Councillor Ian Wardrop, and the Agent, Mr Luca Arnaud.

The Chairman moved the Officer's recommendation that planning application 20/01289/HOUSE – Willowbank, 4 Heathgate, Wickham Bishops, Essex, CM8 3NZ be approved for the reasons as detailed in Section 8 of the report. This was duly seconded.

Councillor K W Jarvis having called the application in, opened the discussion informing the Committee that he had visited the property and the proposed dormer would be a storey higher than currently exists and therefore would be intrusive on neighbouring properties. A debate ensued around the presence of the Juliet balcony, glazed sliding doors, extension size, overlooking and timber cladding. Officers advised the Committee that much of the application could be carried out under permitted development.

The Chairman put the Officer's recommendation to approve the application to the Committee and upon a vote being taken it was lost.

Having spoken against the application Councillor Jarvis proposed that the application be refused, contrary to the Officer's recommendation. He highlighted that as result of its scale, bulk and design, including materials, the proposed development would be an incongruous, bulky and unsympathetic element within the streetscene. In addition, the proposed rear dormer, due to its height and position would result in a material increase in overlooking habitable rooms and rear amenity space of the neighbouring occupiers. This was duly seconded.

The Chairman put Councillor Jarvis' proposal to refuse the application to the Committee and upon a vote being taken it was refused.

RESOLVED that the application be **REFUSED** for the reasons as detailed above.

There being no further items of business the Chairman closed the meeting at 8.18 pm.

MRS M E THOMPSON
CHAIRMAN