



**MINUTES of
NORTH WESTERN AREA PLANNING COMMITTEE
1 DECEMBER 2021**

PRESENT

Chairman	Councillor Mrs M E Thompson
Vice-Chairman	Councillor J V Keyes
Councillors	M F L Durham, CC, Mrs J L Fleming, CC, K W Jarvis, C P Morley, E L Stephens and Miss S White
In attendance	Councillor C Morris

392. CHAIRMAN'S NOTICES

The Chairman welcomed everyone present and went through some general housekeeping arrangements for the meeting.

393. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor R H Siddall.

394. MINUTES OF THE LAST MEETING

RESOLVED by assent that the Minutes of the meeting of the Committee held on 3 November 2021 be approved and confirmed.

395. DISCLOSURE OF INTEREST

Councillor M F L Durham declared a non-pecuniary interest as a Member of Essex County Council, a statutory consultee on all planning related matters.

Councillor Mrs J L Fleming declared a non-pecuniary interest as a Member of Essex County Council, a statutory consultee on all planning related matters.

396. 21/00936/FUL - LAND REAR OF HILL BARN, RECTORY LANE, WOODHAM MORTIMER

Application Number	21/00936/FUL
Location	Land Rear Of Hill Barn Rectory Lane Woodham Mortimer
Proposal	Proposed conversion of existing equestrian/storage barn building to form offices (Use Class E (g)) and associated development (Re-submission of planning application ref: 20/01021/FUL refused on the 15th January 2021)
Applicant	Mr Mervyn Clarke

Agent	Mr Matthew Wood - Phase 2 Planning
Target Decision Date	03.11.2021 EOT 03.12.2021
Case Officer	Hannah Bowles
Parish	WOODHAM MORTIMER
Reason for Referral to the Committee / Council	Member Call In by Councillor K W Jarvis Reason: I have concerns about the impact on the countryside - increase in traffic. Possible negative impact on neighbouring properties. I feel it merits debate by members. Departure from Local Plan

Following the Officer's presentation, an Objector, Steven Gough and the Agent, Matthew Wood, addressed the Committee. The Chairman then opened the debate.

A discussion ensued during which Members commented on the potential adverse impact the barn conversion would have on the countryside and neighbouring properties.

Councillor M F L Durham said that there had been some legitimate concerns but acknowledged that these had now been addressed at section 8 in the Officer's report together with the additional two conditions. He proposed that the Officers' recommendation be agreed. It was noted that this application was for non-residential use only, should this change in future it would be subject to a further planning application.

At this point, the Committee acknowledged the importance of including electric car charging points in non-residential applications and noted that the barn conversion to office space would create jobs for the local area.

There being no further debate the Chairman put Councillor Durham's proposal, duly seconded, to approve the application to the Committee and upon a vote being taken the application was unanimously approved.

RESOLVED that the application be **APPROVED** subject to the following conditions together with the two additional conditions (electric charging points and boundary treatments) and two amended conditions (materials and external lighting)

- 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: 13295 01A, 13295 02, 13295 06G, 13295 03A, 13295 04A, 13295 05A, 13295 07D, 13295 08C, 13295 09C, 13295 10 and 13295 11.
- 3 Prior to their use in the development hereby approved samples or details of the materials to be used in the building, subject of the conversion hereby approved, shall be submitted to the Local Planning Authority for approval and retained as such thereafter. The existing shutters currently in situ shall also be retained in perpetuity.
- 4 Full details of the parking arrangements, which shall be in accordance with the adopted Maldon District Vehicle Parking Standards, shall be submitted to and approved in writing by the local planning authority. Further, a fast charging point shall be provided adjacent to at least each of three parking spaces. The approved parking shall thereafter be kept available for such purposes in perpetuity. 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.

- 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), premises shall only be used for purposes falling within Use Class E(g)(i) of the Schedule to the Town & Country Planning Use Classes Order 1987 (as amended) and for no other purpose whatsoever, without express consent having been obtained from the local planning authority beforehand.
- 6 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 7 All loading / unloading / reception and storage of building materials and the manoeuvring of all vehicles, including construction traffic shall be undertaken within the application site, clear of the public highway
- 8 Prior to first occupation of the development, the cycle parking shall be provided in accordance with the details shown on plan reference 13295 11 and retained at all times.
- 9 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.

- 10 No development works above ground level shall occur until 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.
- 11 No storage of raw materials or finished goods is to take place outside the building
- 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 the first beneficial use of conversion hereby approved and these works shall be carried out as approved. 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 the conversion 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.

- 13 The hours of operation of the, E(g)(i) unit hereby permitted shall be:
Monday to Friday - 0800 hours until 1800 hours
Saturday - 0800 hours to 1300 hours
Sundays & Bank holidays - No Operation
- 14 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Bat Survey Report (Essex Mammal Surveys, September 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.
- 15 A Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority following the recommendations made within the Bat Survey Report (Essex Mammal Surveys, September 2021).
The content of the Biodiversity Enhancement Strategy shall include the following:
1. Purpose and conservation objectives for the proposed enhancement measures;
 2. detailed designs to achieve stated objectives;
 3. locations of proposed enhancement measures by appropriate maps and plans;
 4. timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
 5. persons responsible for implementing the enhancement measures;
 6. details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

- 16 Prior to the first occupation of the building a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

- 17 No means of external illumination of the site shall be installed or operated unless otherwise agreed in writing by the local planning authority. The external illumination shall be retained as such thereafter and operated in accordance with the approved details.
- 18 Details of the siting, height, design and materials of the treatment of all boundaries including gates, fences, walls, railings and piers or other means of enclosure 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.

397. 21/01063/HOUSE - LAVENA, 38 WOODROLFE ROAD, TOLLESBURY, CM9 8SD

Application Number	21/01063/HOUSE
Location	Lavena, 38 Woodrolfe Road, Tollesbury, CM9 8SD
Proposal	One and a half storey side extension incorporating dormer windows to match existing.
Applicant	Chrissie Hitchins
Agent	Mr Adam Herbert – Adam Herbert Design
Target Decision Date	09.12.2021
Case Officer	Jade Elles
Parish	TOLLESBURY
Reason for Referral to the Committee / Council	Member of staff

Following the Officer's presentation, the Chairman opened the debate.

A discussion ensued where the overarching concern was the dominant nature of the proposed development by way of loss of light and proximity to the neighbouring property.

Councillor J L Fleming proposed that the application be refused in accordance with the Officers' recommendation. This was duly seconded and upon a vote being taken agreed.

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

1. The proposal, given its height, design and proximity to the neighbouring property would result in harm to the amenities of that neighbouring property by way of overbearingness, loss of light and outlook to a habitable room. The proposal is therefore in conflict with policies. D1 and H4 of the Maldon District Local Development Plan 2017, the Maldon District Design Guide, and the National Planning Policy Framework 2021
2. The, proposal, given its height, design and proximity to the neighbouring property, would jar uncomfortably through a clash of roof forms and scale, resulting in an anomalous relationship to the detriment of the streetscene in this part of Woodrolfe Road. The proposal is therefore in conflict with policies. D1 and H4 of the Maldon District Local Development Plan 2017, the Maldon District Design Guide, and the National Planning Policy Framework 2021.

Prior to the closure of the meeting Councillor E L Stephens asked if Planning Officers could provide images from Google Street View in future meetings so that the committee can see the full street scene when making decisions.

The meeting closed at 8.20 pm.

MRS M E THOMPSON
CHAIRMAN