



**MINUTES of
NORTH WESTERN AREA PLANNING COMMITTEE
18 MAY 2022**

PRESENT

Chairman	Councillor Mrs M E Thompson
Vice-Chairman	Councillor J V Keyes
Councillors	Mrs J L Fleming, CC, S J N Morgan, C P Morley, R H Siddall, E L Stephens and S White

55. CHAIRMAN'S NOTICES

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

56. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor M F L Durham CC.

57. MINUTES OF THE LAST MEETING

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 30 March 2022 be received.

Minute No. 602 – 21/00702/FUL Land North of 48 Woodrolfe Road, Tollesbury, Essex

Councillor E L Stephens highlighted how discussions at the meeting had included flooding at sea level, a highly important area. In response the Chairman requested that the Minutes be amended to include reference to sea level flooding. This was duly agreed.

RESOLVED

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 30 March 2022 be confirmed.

58. DISCLOSURE OF INTEREST

Councillor Mrs J L Fleming disclosed a non-pecuniary interest as Member of Essex County Council who were consultees.

59. 21/01208/FUL - BIRCHWOOD FARM, BIRCHWOOD ROAD, COCK CLARKS, ESSEX, CM3 6RF

Application Number	21/01208/FUL
Location	Birchwood Farm, Birchwood Road, Cock Clarks, Essex, CM3 6RF
Proposal	Proposal for the erection of a new storage building for specialist packaging and equipment for Maldon Oyster Company
Applicant	Mr and Mrs Emans – Maldon Oyster Company
Agent	Mrs Elizabeth Milne – Whirlledge and Nott
Target Decision Date	15.04.2022
Case Officer	Kathryn Mathews
Parish	PURLEIGH
Reason for Referral to the Committee / Council	Departure from the Local Development Plan

It was noted from the Members' Update that the wording of recommended condition 16 had been amended.

Following the Officers presentation, an Objector Mr Stokes, and the Applicant, Mr Emans addressed the Committee.

A lengthy discussion ensued regarding access to Birchwood Farm through Chimney Pot Lane by Heavy Goods Vehicles (HGVs), as well as hedge screening and Officers' provided clarification in respect of the issues raised. Councillor S White proposed that the application be approved as per the Officers' recommendation. This was duly seconded.

There was some discussion regarding screening on the site and Councillor R H Siddall proposed that trees be planted as part of the proposed screening, including oak, sycamore, willow birch and other English trees.

The Chairman moved the Officers' recommendation of Approval with an amendment to condition 5 to enhance the screening of the development, an amendment to condition 16 as set out in the Members' Update and the addition of an informative regarding the access to / from the site by HGVs. Upon a vote being taken this was duly agreed.

RESOLVED that this application be **APPROVED** subject to the conditions set out in the report, duly amended as detailed above with the addition of information regarding access to the site in consultation with the Chairman of the Committee.

60. **21/01253/FUL - WALDEN COTTAGE, 58 WALDEN HOUSE ROAD, GREAT TOTHAM, ESSEX, CM9 8PN**

Application Number	21/01253/FUL
Location	Walden Cottage 58 Walden House Road Great Totham CM9 8PN
Proposal	Replacement dwelling with detached garage, landscaping and extension of garden land.
Applicant	Mankelow - Bradley David Developments
Agent	Mr Fred McKennon - CITIGROUP
Target Decision Date	17.02.2022 EOT 01.04.2022
Case Officer	Cris Lancaster
Parish	GREAT TOTHAM
Reason for Referral to the Committee / Council	Member Call In by Councillor J V Keyes Reason: Sustainability and policies S1, H1 and D1

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

A lengthy debate ensued. In response to a question the Specialist: Development Management advised that the reason for refusal related purely to the proposed garden extension.

Councillor R H Siddall proposed that the Officers' recommendation of refusal be agreed. This proposal was duly seconded. Following further discussion and a vote being taken the Chairman declared that Councillor Siddall's proposal was lost.

Councillor S White proposed that the application be approved, contrary to Officers' recommendation. This proposal was duly seconded. Members discussed reasons for approval and Councillor White proposed that reasons should relate to there already being a dwelling on the site, the additional garden area proposed being in residential use for 17 years, the proposed development fitting into the streetscene, no harm being caused, the development being more attractive than that which exists and the previous objections having been overcome by making the garden area smaller. These reasons were duly seconded.

Further debate ensued during which concern was raised regarding the precedent which could be set.

The Chairman put the proposal in the name of Councillor White to the Committee with conditions delegated to Officers. Upon a vote being taken this was agreed.

RESOLVED that this application be **APPROVED** for the reasons detailed above and conditions to be agreed by Officers in consultation with the Chairman of the Committee.

61. **22/00414/FUL - JECHS BARN, CROUCHMANS FARM ROAD, ULTING, ESSEX, CM9 6QT**

Application Number	22/00414/FUL
Location	Jechs Barn, Crouchmans Farm Road, Ulting, CM9 6QT
Proposal	Change of use of land to residential and single storey side extension
Applicant	Mrs Jo Witney
Target Decision Date	12.05.2022
Case Officer	Nicola Ward
Parish	ULTING
Reason for Referral to the Committee / Council	Member Call In Councillor S J N Morgan has called in the application for the following policy reasons: LDP S1, S7, S8, D1 and H7

It was noted from the Members' Update that seven letters of support had been received. The Senior Caseworker advised that since publication of the report and Members' Update, Langford and Ulting Parish Council had submitted comments in support of the application. Environmental Health and Essex County Council Highways had not raised any objections. Following the Officers' presentation, the applicant, Mrs Witney addressed the Committee.

In response to discussions, Officers explained to Members the reasons for the recommendation of refusal outlining how each application was assessed on its own merit and how it was felt the proposal would be urbanisation of the land.

Councillor S White proposed that the application be approved, contrary to Officers' recommendation, as she felt the proposal was effective use of the land, tied in with rural polities, a welcome improvement to the street scene and of good design. She felt that on balance the benefits outweighed the harm to allow a local family to stay in the location. This proposal was duly seconded.

Further debate ensued and in response to questions Officers provided the Committee with further information / clarification.

There was some discussion regarding removal of the barn on site as further justification for the improvement to the site by the development proposed and the Committee were advised by the Lead Specialist Development Management that this was not part of the application before them. It was stated a precedent could be set as a decision to approve would effectively change the use of the whole of the site to residential

Following this Councillor White revised her reasons for approval proposing that the land was not suitable for farming and therefore the proposal was an effective use of the land and that the scale, mass and bulk of the extension would be in keeping with area. This amendment was duly seconded.

The Chairman put the proposed approval to the Committee and upon a vote being taken this was agreed. It was further agreed that standard conditions should be applied to the approval and agreed between Officers and the Chairman of the Committee.

RESOLVED that this application be **APPROVED** for the reasons detailed above and subject to conditions to be agreed between Officers and the Chairman of the Committee.

62. **22/00048/MLA - LAND OPPOSITE 34, HALL ROAD, GREAT TOTHAM, ESSEX**

Application Number	22/00048/MLA
Location	Land Opposite 34 Hall Road, Great Totham, Essex
Proposal	Variation of Section 52 Agreement (mal/408/84) dated 10/10/84 relating to land at the rear of Seagers and Millways
Applicant	Smart Planning Limited
Agent	
Target Decision Date	08/03/2022
Case Officer	Hannah Bowles
Parish	MALDON NORTH
Reason for Referral to the Committee / Council	No scheme of delegation applies.

Members' attention was drawn to the Members' Update which had been circulated prior to the meeting and detailed a revision to the proposed recommendation. This was duly noted.

Following a brief discussion, Councillor R H Siddall proposed that the request be agreed. This was duly seconded and upon a vote being taken it was agreed.

RESOLVED that the applicant's submission is treated as a request to voluntarily vary the existing Section 52 Agreement relating solely to the area edged red on planning permission MAL/FUL/20/0428 and the request be **AGREED**.

There being no other items of business, the Chairman closed the meeting at 9.36 pm.

MRS M E THOMPSON
CHAIRMAN