



**MINUTES of  
NORTH WESTERN AREA PLANNING COMMITTEE  
8 FEBRUARY 2023**

---

**PRESENT**

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

**535. CHAIRMAN'S NOTICES**

The chairman welcomed everyone present and went over some general housekeeping arrangements for the meeting.

**536. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor E L Stephens.

**537. MINUTES OF THE LAST MEETING**

**RESOLVED** that the Minutes of the meeting of the Committee held on 11 January 2023 be approved and confirmed.

**538. DISCLOSURE OF INTEREST**

Councillor M F L Durham declared a non-pecuniary interest as a Member of Essex County Council. He further declared that he had a disclosable pecuniary interest in respect of Agenda Item 5: 21/01276/FUL - Land Opposite St Margaret's Church, Maldon Road, Woodham Mortimer, Essex CM9 6SN as he was a funeral celebrant and would leave the Chamber for that item of business.

Councillor Durham left the Chamber at 7:33pm.

**539. 21/01276/FUL - LAND OPPOSITE ST MARGARET'S CHURCH, MALDON ROAD, WOODHAM MORTIMER, ESSEX CM9 6SN**

<b>Application Number</b>	<b>21/01276/FUL</b>
<b>Location</b>	Land Opposite St Margaret's Church Maldon Road Woodham Mortimer Essex CM9 6SN
<b>Proposal</b>	Erection of a crematorium with ceremony hall, memorial arboretum and associated use of land, restoration of Coopers Monument, vehicular access, parking, landscaping, pedestrian crossing and diversion of footpath (PROW 269_17)
<b>Applicant</b>	Mr R. Evans - Maldon Fields Ltd
<b>Agent</b>	Mr Julian Sharpe - White & Sons
<b>Target Decision Date</b>	09.12.2022
<b>Case Officer</b>	Hannah Dungate
<b>Parish</b>	<b>WOODHAM MORTIMER</b>
<b>Reason for Referral to the Committee / Council</b>	Major Application

Following the Officer's presentation, the Applicant Mr Richard Evans, addressed the Committee. The Chairman then opened the discussion.

A brief debate ensued regarding the access to the site and pedestrian safety. Officers reassured Members that the Highways Authority deemed the access to be acceptable, that there would be a pedestrian refuge when crossing the road with safety bollards in place to protect users.

There being no further discussion Councillor S White proposed that the application be approved in accordance with the Officer's recommendation and this was duly seconded. The Chairman then put the proposal to the Committee and it was agreed.

**RESOLVED** that the 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.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:  
20076-LHC-00-00-DR-AR-OS Rev J; 20076-LHC-00-00-DR-L-001 Rev R;  
20076-LHC-00-00-DR-AR-0201 Rev B; 20076-LHC-00-00-DR-AR-0401 Rev B;  
20076-LHC00-XX-DR-L-9303 Rev P8; 20076-LHC-00-00-DR-L-9403 Rev P7;  
20076-LHC-00-XX-DR-L-9301 Rev P8; 20076-LHC-00-00-DR-AR-0301 Rev B;  
20076-LHC-00-XXDR-L-9401 Rev P7; 1911011-01D; 1911011-02; 1911011-03;  
1911011-01C; 1911011-TK03; 1911011-TK04.
- 3 No works above ground level shall take place until written details of the proposed materials to be used in the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the materials and details as approved.
- 4 No development above slab level shall take place until details of all hard and soft landscape works and means of protecting the existing hedges at the site that are to be retained during the course of development have been submitted to and approved 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 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 The existing hedgerows and trees along the northern and eastern boundaries of the application site shall be protected during the construction of the development.
- 6 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.
- 7 No means of external illumination of the site shall be installed unless otherwise agreed in writing by the local planning authority by the separate grant of planning permission. All illumination within the site shall be retained as such thereafter.
- 8 Conservation and repair of the grade II listed Coopers Monument, granted listed building consent under application ref. 21/01271/LBC, shall be implemented and completed within two years of the date of the planning permission being granted for application ref. 21/01276/FUL.
- 9 No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:
  - a. the parking of vehicles of site operatives and visitors
  - b. loading and unloading of plant and materials
  - c. storage of plant and materials used in constructing the development
  - d. wheel and underbody washing facilities
- 10 Prior to occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 155 metres to the west as measured to the centreline and by 133 metres to the east as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction / access is first used by vehicular traffic and retained free of any obstruction at all times.
- 11 The proposed/any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.
- 12 Notwithstanding the details shown within planning drawings No.1911011-01 Rev D, prior to first occupation of the development, the construction of the new vehicular access to the site and associated highways works shall be regulated by an appropriate legal agreement between the applicant and the Highway Authority which will provide for but not be limited to the following:
  - a) The access shall be no less than 6 metres wide and shall be provided with 8 metre junction radius kerbs with a single footway 2 metres wide footway on the western side of the access.
  - b) Provision of the ghosted right turn lane on to Maldon Road (A414) and access to the site as shown in principle within drawing No. 1911011-01 Rev D.
  - c) Provision of 2 x 3.25m wide running carriageway lanes and a 3.5m wide right hand turning lane.
  - d) Provision of one pedestrian island on Hospital Approach (1.8m refuge with maintaining 2 x 4m running lanes) and to provide uncontrolled crossing points for pedestrians and cyclists as shown.

- e) The existing bus stop, kerbing and associated infrastructure located on the south of the Maldon Road carriageway shall be relocated to the west as shown within drawing No. 1911011-01 Rev D.
- 13 Prior to occupation of the development, the developer will construct a 2m wide footway on the southern side of Maldon Road (A414) along the western site frontage between the site access and the relocated bus stop, as shown within planning drawing No. 1911011-01 Rev D.
- 14 No development shall be permitted to commence on site until such time as an Order securing the diversion of the existing definitive right of way to a route to be agreed with the Local Planning Authority has been confirmed and the new route has been constructed to the satisfaction of the Local Planning Authority.
- 15 The public's rights and ease of passage over public footpath no. 17 (Woodham Mortimer) shall be maintained free and unobstructed at all times.
- 16 There shall be no discharge of surface water from the development onto the Highway.
- 17 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 18 The development hereby approved shall not be occupied until such time as the vehicle parking area indicated on planning application drawing number 20076-LHC00-00-DR-L-0101 has been hard surfaced, sealed and marked out in parking bays. The parking spaces shall have dimensions in accordance with the current parking standards. The vehicle parking area and associated turning area 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.
- 19 Prior to first occupation of the development, the cycle parking shall be provided in accordance with the MDC Parking Standards. The approved facility shall be secure, convenient, covered and retained at all times.
- 20 No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
  - Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
  - Final modelling and calculations for all areas of the drainage system.
  - The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
  - Detailed engineering drawings of each component of the drainage scheme.
  - A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
  - A written report summarising the final strategy and highlighting any minor changes to the approved strategy.
- 21 No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.
- 22 Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

- 23 The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.
- 24 No development 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 submitted an archaeological assessment by an accredited archaeological consultant to establish the archaeological significance of the site. Such archaeological assessment shall be approved by the local planning authority and will inform the implementation of a programme of archaeological work. The development shall be carried out in a manner that accommodates such approved programme of archaeological work.
- 25 No development 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 from an accredited archaeological contractor 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 approved programme of archaeological work.
- 26 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Lizard, November 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details and retained during the course of the development.
- 27 A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority before the commencement of works on site.  
The content of the Biodiversity Enhancement Strategy shall include the following:
- a) Purpose and conservation objectives for the proposed enhancement measures;
  - b) detailed designs or product descriptions to achieve stated objectives;
  - c) locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans;
  - d) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
  - e) persons responsible for implementing the enhancement measures;
  - f) details of initial aftercare and long-term maintenance (where relevant).
- The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter in perpetuity
- 28 A Landscape and Ecological Management Plan (LEMP) based on the final soft landscaping plan and Figure 1 Farmland Bird Mitigation Plan (Lizard Ecology 20 January 2023) Drawing LLD1855-ECO-FIG-001 Rev 01, shall be submitted to, and be approved in writing by, the local planning authority prior to beneficial use of the development.  
The content of the LEMP shall include the following:
- a) Description and evaluation of habitats to be managed including grassland for skylark foraging
  - b) Ecological trends and constraints on site that might influence management.
  - c) Aims and objectives of management.

- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development shall be carried and retained/maintained as per the approved details.

- 29 A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority before the commencement of development. 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 (through the provision of appropriate lighting plans, drawings and technical specifications) 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.

Councillor Durham returned to the Chamber at 8:02pm.

**540. 22/00482/OUT - GOLF DRIVING RANGE, BURNHAM ROAD, WOODHAM MORTIMER**

<b>Application Number</b>	<b>22/00482/OUT</b>
<b>Location</b>	Golf Driving Range, Burnham Road, Woodham Mortimer
<b>Proposal</b>	Outline application with all matters reserved for up to 18 dwellings with a provision for affordable housing.
<b>Applicant</b>	Mr Ian Moss
<b>Agent</b>	Mr OToole – Elegant Architectural Ltd
<b>Target Decision Date</b>	12.10.2022
<b>Case Officer</b>	Devan Hearnah
<b>Parish</b>	<b>WOODHAM MORTIMER</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call in by Councillor M F L Durham Policies H5 (para 5.37) and H4

Following the Officer's presentation and prior to public participation, the Chairman asked whether the decision notice could not be released until the section106 was signed and sought confirmation that the Local Planning Authority had not delayed matters. Officers concurred that both these points were correct. At this point the Agent, Mr Tony O'Toole, addressed the Committee. The Chairman then advised the Committee that only those Members present when this item was previously discussed could take part in the vote, therefore, this excluded Councilors Mrs J L Fleming and R H Siddall.

A brief debate ensued where Members acknowledged the reasons why the application had been resubmitted. However, it was felt that it had been debated at length during the previous North Western Area Planning Committee on 5 October 2022, that the original decision to approve contrary to the Officer's recommendation for reasons as detailed in that meeting was a well balanced decision that remained valid and that every application was considered on its own merits. The Specialist: Development Management advised that the report was an update to provide Members with pertinent new material that had come to light so that Members could be reassured that the correct decision was made.

Councillor M F L Durham then proposed that the application be approved in accordance with the original decision of this Committee on 5 October 2022 and this was duly seconded. The Chairman then put the proposal to approve the application to the Committee and it was agreed.

**RESOLVED** that the application be **APPROVED** subject to the conditions as set out in the updated report:

1. The development hereby permitted shall begin no later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:  
20076-LHC-00-00-DR-AR-OS Rev J; 20076-LHC-00-00-DR-L-001 Rev R;  
20076-LHC-00-00-DR-AR-0201 Rev B; 20076-LHC-00-00-DR-AR-0401 Rev B;  
20076-LHC-00-XX-DR-L-9303 Rev P8; 20076-LHC-00-00-DR-L-9403 Rev P7;  
20076-LHC-00-XX-DR-L-9301 Rev P8; 20076-LHC-00-00-DR-AR-0301 Rev B;  
20076-LHC-00-XX-DR-L-9401 Rev P7; 1911011-01D; 1911011-02; 1911011-03; 1911011-01C; 1911011-TK03; 1911011-TK04.
3. No works above ground level shall take place until written details of the proposed materials to be used in the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the materials and details as approved.
4. No development above slab level shall take place until details of all hard and soft landscape works and means of protecting the existing hedges at the site that are to be retained during the course of development have been submitted to and approved 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 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. The existing hedgerows and trees along the northern and eastern boundaries of the application site shall be protected during the construction of the development.
6. 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.
7. No means of external illumination of the site shall be installed unless otherwise agreed in writing by the local planning authority by the separate grant of

- planning permission. All illumination within the site shall be retained as such thereafter.
8. Conservation and repair of the grade II listed Coopers Monument, granted listed building consent under application ref. 21/01271/LBC, shall be implemented and completed within two years of the date of the planning permission being granted for application ref. 21/01276/FUL.
  9. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:
    - a. the parking of vehicles of site operatives and visitors
    - b. loading and unloading of plant and materials
    - c. storage of plant and materials used in constructing the development
    - d. wheel and underbody washing facilities
  10. Prior to occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 155 metres to the west as measured to the centreline and by 133 metres to the east as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction / access is first used by vehicular traffic and retained free of any obstruction at all times.
  11. The proposed/any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.
  12. Notwithstanding the details shown within planning drawings No.1911011-01 Rev D, prior to first occupation of the development, the construction of the new vehicular access to the site and associated highways works shall be regulated by an appropriate legal agreement between the applicant and the Highway Authority which will provide for but not be limited to the following:
    - a) The access shall be no less than 6 metres wide and shall be provided with 8 metre junction radius kerbs with a single footway 2 metres wide footway on the western side of the access.
    - b) Provision of the ghosted right turn lane on to Maldon Road (A414) and access to the site as shown in principle within drawing No. 1911011-01 Rev D.
    - c) Provision of 2 x 3.25m wide running carriageway lanes and a 3.5m wide right hand turning lane.
    - d) Provision of one pedestrian island on Hospital Approach (1.8m refuge with maintaining 2 x 4m running lanes) and to provide uncontrolled crossing points for pedestrians and cyclists as shown.
    - e) The existing bus stop, kerbing and associated infrastructure located on the south of the Maldon Road carriageway shall be relocated to the west as shown within drawing No. 1911011-01 Rev D.
  13. Prior to occupation of the development, the developer will construct a 2m wide footway on the southern side of Maldon Road (A414) along the western site frontage between the site access and the relocated bus stop, as shown within planning drawing No. 1911011-01 Rev D.
  14. No development shall be permitted to commence on site until such time as an Order securing the diversion of the existing definitive right of way to a route to be agreed with the Local Planning Authority has been confirmed and the new route has been constructed to the satisfaction of the Local Planning Authority.
  15. The public's rights and ease of passage over public footpath no. 17 (Woodham Mortimer) shall be maintained free and unobstructed at all times.
  16. There shall be no discharge of surface water from the development onto the Highway.
  17. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
  18. The development hereby approved shall not be occupied until such time as the vehicle parking area indicated on planning application drawing number 20076-



LHC-00-00-DR-L-0101 has been hard surfaced, sealed and marked out in parking bays. The parking spaces shall have dimensions in accordance with the current parking standards. The vehicle parking area and associated turning area 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.

19. Prior to first occupation of the development, the cycle parking shall be provided in accordance with the MDC Parking Standards. The approved facility shall be secure, convenient, covered and retained at all times.
20. No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:
  - Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
  - Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
  - Final modelling and calculations for all areas of the drainage system.
  - The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
  - Detailed engineering drawings of each component of the drainage scheme.
  - A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
  - A written report summarising the final strategy and highlighting any minor changes to the approved strategy.
21. No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.
22. Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided
23. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.
24. No development 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 submitted an archaeological assessment by an accredited archaeological consultant to establish the archaeological significance of the site. Such archaeological assessment shall be approved by the local planning authority and will inform the implementation of a programme of archaeological work. The development shall be carried out in a manner that accommodates such approved programme of archaeological work.
25. No development 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 from an accredited archaeological contractor 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 approved programme of archaeological work.

26. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Lizard, November 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details and retained during the course of the development.

27. A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority before the commencement of works on site.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans;
- d) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- e) persons responsible for implementing the enhancement measures;
- f) details of initial aftercare and long-term maintenance (where relevant).

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

28. A Landscape and Ecological Management Plan (LEMP) based on the final soft landscaping plan and Figure 1 Farmland Bird Mitigation Plan (Lizard Ecology 20 January 2023) Drawing LLD1855-ECO-FIG-001 Rev 01, shall be submitted to, and be approved in writing by, the local planning authority prior to beneficial use of the development.

The content of the LEMP shall include the following:

- a) Description and evaluation of habitats to be managed including grassland for skylark foraging
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning

biodiversity objectives of the originally approved scheme. The development shall be carried and retained/maintained as per the approved details.

29. A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority before the commencement of development. 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 (through the provision of appropriate lighting plans, drawings and technical specifications) 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.

**541. 22/01012/FUL - HARMONY KENNELS, BROOK HOUSE, SPAR LANE, PURLEIGH**

<b>Application Number</b>	<b>22/01012/FUL</b>
<b>Location</b>	Harmony Kennels, Brook house, Spar Lane, Purleigh
<b>Proposal</b>	Proposed single storey dwelling and cartlodge replacing existing outbuildings
<b>Applicant</b>	Mr John Lawrence and Ms Toni Moore
<b>Agent</b>	
<b>Target Decision Date</b>	18.11.2022
<b>Case Officer</b>	Vikki Bowles
<b>Parish</b>	<b>PURLEIGH</b>
<b>Reason for Referral to the Committee / Council</b>	Departure from the Local Plan 2017

Following the Officer's presentation, the Applicant, Mr Lawrence, addressed the Committee. The Chairman then opened the discussion.

A debate ensued around the merits of this application as opposed to the previous submission. Members felt that the applicant had changed the application in line with Planning Officers' recommendations and the reduction of scale and the new design enhanced the local context. Councillor S White proposed that the application be approved contrary to the Officer's recommendation due to its reduced size, change in design and given it concurred with policies S1, S8, D1 and H4. This was seconded by Councillor J V Keyes. It was further noted that this area was no longer predominantly rural and was a sustainable location.

There being no further discussion the Chairman put Councillor White's proposal to approve the application, contrary to the Officer's recommendation, with conditions delegated to Officers, to the Committee and this was agreed.

**RESOLVED** that the application be **APPROVED** subject to conditions delegated to Officers in consultation with the Chairman.

**542. TPO 08/22 - MILL HOUSE, MALDON ROAD, LANGFORD, CM9 4SS**

<b>Application Number</b>	<b>TPO 08/22</b>
<b>Location</b>	Mill House, Maldon Road, Langford, CM9 4SS
<b>Proposal</b>	Confirmation of TPO 08/22
<b>Owners</b>	Richard Andrew Perry – Mill House Maldon Road Langford CM9 4SS
<b>Confirmation by</b>	24.04.2023
<b>Case Officer</b>	Jade Elles
<b>Parish</b>	<b>LANGFORD</b>
<b>Reason for Referral to the Committee</b>	Decision for confirmation of a Tree Preservation Order under the Council's Scheme of Delegation

A Members' Update had been circulated prior to the meeting that detailed findings from Sharon Hosegood Associates on behalf of the owner, objecting to the serving of the Tree Preservation Order (TPO). Following the Officer's presentation, the Chairman then opened the discussion.

A debate ensued and Members sought clarity if there had been any damage to the structure of the applicant's property to initiate the felling of the trees. Officers clarified that there was no reference included in the report from Sharon Hosegood Associates regarding any damage to the applicant's property. Officers drew Members' attention to the reasons for felling as outlined in section 5.2 of the report and reaffirmed the reasoning for the TPO, clarifying that it should be confirmed to prevent the felling without securing appropriate replanting as trees contribute to the amenity value of the area.

Councillor R H Siddall then proposed that the TPO be confirmed in accordance with the Officer's recommendation and this was duly seconded. The Chairman then put the proposal to the Committee, and it was agreed.

**RESOLVED** that the Tree Preservation Order be **CONFIRMED** without any modifications.

There being no other items of business the Chairman closed the meeting at 8.52 pm.

MRS M E THOMPSON  
CHAIRMAN