



**MINUTES of
NORTH WESTERN AREA PLANNING COMMITTEE
6 DECEMBER 2023**

PRESENT

Vice-Chairperson Councillor M E Thompson
(In the Chair)

Councillors J C Hughes, C P Morley, R H Siddall, E L Stephens and
S White

376. CHAIRPERSONS'S NOTICES

Due to technical issues the meeting started later than scheduled at 19:35.

The Chairperson apologised for the late start then welcomed everyone to the meeting and went through some general housekeeping arrangements.

377. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M F L Durham CC, S J N Morgan and L L Wiffen.

378. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 8 November 2023 be approved and confirmed.

379. DISCLOSURE OF INTEREST

There were none.

**380. 23/00103/COU - BUILDING AT JUNCTION OF BRAXTED PARK ROAD WITH
MALDON ROAD, NEAR TIPTREE, CO5 0QA**

Application Number	23/00103/COU
Location	Building at junction of Braxted Park Road with Maldon Road, near Tiptree, CO5 0QA
Proposal	Application for change of use of existing agricultural barn to farm shop and change of use of existing farm shop to cafe, resurfacing of existing car park commensurate with increased floor space.
Applicant	Mr J. Purdy
Agent	Mrs Alice Quinn of Smart Planning Limited
Target Decision Date	31.03.2023
Case Officer	Fiona Bradley
Parish	TOLLESHUNT MAJOR
Reason for Referral to the Committee / Council	Member Call in by Councillor J V Keyes with regard to Policies S1, S2, D1, H4, E1 and E2

It was noted from the Members' Update that since the agenda had been published the application had been **WITHDRAWN** by the applicant to address concerns raised in the recommended reasons for refusal.

381. 23/00491/FUL - LAND ADJACENT THORNFIELDS, PURLEIGH GROVE, COLD NORTON, CM3 6HN

Application Number	23/00491/FUL
Location	Land adjacent Thornfields, Purleigh Grove, Cold Norton, CM3 6HN
Proposal	The erection of 2No. 4/5-bedroom detached dwellings, both with carports and private amenity, with the construction of a new access road
Applicant	Mr & Mrs Kirk
Agent	Mr Zak Johnson - Front. Architecture
Target Decision Date	13.07.2023
Case Officer	Tim Marsh
Parish	COLD NORTON
Reason for Referral to the Committee / Council	Departure from Development Plan

It was noted from the Members' Update that since the agenda had been published there had been an amendment to paragraph 5.9.1 of the Officer report.

Following the Officer's presentation, the Chairperson opened the floor for debate.

There was a brief discussion regarding planting and drainage at the development site, after which Councillor R H Siddall proposed to approve the application in line with the Officer's recommendations which was duly seconded and when put to the vote by the Chairperson was agreed.

RESOLVED that the application be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall begin no later than 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 001, 002, 200 P2, 201, 202, 203 P2, and 204
3. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall include details of:
 - 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. The erection and maintenance of security
 - E. Wheel washing facilities
 - F. Measures to control the emission of dust and dirt during construction.
4. No development shall take place until details of the existing and proposed ground levels and finished floor levels have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried-out and retained in accordance with the approved details.
5. No development above ground level shall take place until a detailed Sustainable Urban Drainage Scheme as specified in the Essex Sustainable Drainage Systems Design Guide has been submitted in writing by the local planning authority. This must be conducted by a competent person and include written explanation of any data provided. The scheme shall subsequently be

implemented prior to occupation of the development and should include and not be limited to:

- Discharge rates/location
- Storage volumes
- Treatment requirement
- Detailed drainage plan
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

Where the surface water drainage strategy proposes the use of soakaways the details of the design and the results of a series of percolation tests shall be carried out upon the subsoil in accordance with DG 365 2016.

6. Prior to first occupation of the development a drainage maintenance plan shall be submitted to and agreed in writing, by the local planning authority. The plan shall include details of maintenance arrangements including who is responsible for different elements of the surface water drainage system, the maintenance activities and their frequencies.
7. No development above ground level shall take place until details of a 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 in accordance with the approved details prior to the first occupation of the development. The scheme shall thereafter be retained in accordance with the approved details.
8. No development above ground level shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:
 - i. Proposed finished levels contours
 - ii. Hard surfacing materials
 - iii. Planting details.

The soft landscape works shall be carried out as approved no later than the first available planting season (October to March inclusive) following the occupation of the development and shall be retained thereafter in accordance with the approved details. If within a period of five years (from the date of the planting) 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 within a period of 21 days and will be retained thereafter.

The hard landscape works shall be carried out as approved and thereafter retained in accordance with the approved details.

9. 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 with or without modification) no garages, extensions or separate buildings (other than incidental outbuildings not exceeding 10 cubic metres in volume) shall be erected within the site without planning permission having been obtained from the local planning authority.
10. 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 with or without modification) no further dormer windows or other form of addition or opening shall be constructed in the roof of the dwelling hereby permitted without planning permission having been obtained from the local planning authority.

11. The external surfaces of the development hereby permitted shall be constructed with the materials shown on plans hereby approved and specified in the submitted planning application form.
12. No development shall take place including any works of demolition until details of a Construction Environmental Management Plan (CEMP: Biodiversity) have been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) including precautionary method statements for Great Crested Newts, reptiles and small mammals.
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority".
13. No development shall take until a Biodiversity Enhancement Strategy for protected and Priority species has been submitted to and approved in writing by the local planning authority. 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."
14. No development above ground level shall take until details of a lighting design scheme for biodiversity have been 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 (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.
15. Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on the part of the site

affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to the Local Planning Authority for approval in writing. These approved schemes shall be carried out before the development is resumed or continued. Following completion of measures identified in the approved remediation scheme, a verification report demonstrating the effectiveness of the remediation scheme carried out must be submitted to the Local Planning Authority for approval in writing.

16. Prior to the occupation of any part of the development hereby permitted details of the number, location and design of bicycle parking facilities/powered two wheelers shall be submitted to and agreed in writing by the local planning authority. The approved provisions shall be provided in accordance with the approved scheme before any part of the development hereby approved is occupied and retained as such thereafter.
17. Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.

There being no other items of business the Chairperson closed the meeting at 7.47 pm.

M E THOMPSON
CHAIRPERSON