



**MINUTES of
NORTH WESTERN AREA PLANNING COMMITTEE
3 APRIL 2024**

PRESENT

Chairperson	Councillor M E Thompson
Councillors	J C Hughes, S J N Morgan, C P Morley, E L Stephens, S White and L L Wiffen

697. CHAIRPERSON'S NOTICES

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

The Chairperson advised the Committee that there was no Members' Update for this meeting but sought agreement to bring forward an urgent item of business.

698. URGENT ITEM OF BUSINESS

The Chairperson announced that in accordance with Section 100b(4) of the Local Government Act 1972 she wished to bring forward an urgent item of business.

699. URGENT BUSINESS: PLANNING APPEAL 9 CHURCH ROAD, WICKHAM BISHOPS

The Chairperson reminded the Committee of planning application 23/00123/OUTM for Land Rear of 9 Church Road, Wickham Bishops which was refused by this Committee on 13 September 2023, against Officers' recommendation. An appeal in relation to this application had been lodged and was shortly due to be considered under the Planning Inspectorate's written representatives' procedure.

The Chairperson reported how the appeal protocol in the Council's Constitution in principle permitted Committee Members to work collaboratively with Officers during appeals where they had been nominated and agreed by a corresponding planning Committee. As Ward Members, Councillors M F L Durham and S J N Morgan had indicated they would like to be the Committee's nominated representatives in relation to this appeal and advice had been received from the Monitoring Officer on this being an acceptable way forward. The Chairperson referred to this being a practical solution given that that appeal would not be undertaken by a hearing or public enquiry and proposed that Councillors Durham and Morgan be nominated as the Committee's representatives in relation to this appeal. This was duly agreed by assent.

RESOLVED that Councillors M F L Durham CC and S J N Morgan be nominated as the Committee's representatives for the planning appeal in relation to planning application 23/00123/OUTM - Land Rear of 9 Church Road, Wickham Bishops.

700. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M F L Durham CC and R H Siddall.

701. MINUTES OF THE LAST MEETING

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 6 March 2024 be received.

23/01234/FUL – Land North of Orchard Way, Mope Lane, Wickham Bishops

Councillor S J Morgan asked that it be minuted that he had not voted in respect of this application. This was duly noted.

RESOLVED

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 6 March 2024 be confirmed.

702. DISCLOSURE OF INTEREST

There were none.

703. 23/01079/FUL - LAND BETWEEN KOOMBORA AND MANSFIELD, VICTORIA ROAD, COLD NORTON

Application Number	23/01079/FUL
Location	Land between Koombora and Mansfield, Victoria Road, Cold Norton
Proposal	Erection of detached dwelling
Applicant	Mr Warren Willsher
Agent	Mr Alan Green, A9 Architecture
Target Decision Date	10.04.2024 (EOT agreed)
Case Officer	Lisa Greenwood
Parish	COLD NORTON
Reason for Referral to the Committee / Council	Departure from the local plan

Following the Officers' presentation, Mr Daniel Pilgrim, the Agent, addressed the Committee.

Councillor S White referred to the proposal being a lovely looking house and proposed that the application be approved in accordance with Officers' recommendation. This proposal was duly seconded and agreed.

RESOLVED that this 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 hereby permitted shall be carried out in accordance with the following approved plans: 01, 02, 03, 04, 05, 06, 07 Rev D, 10, 012 Rev A, 967-

201 Rev B, Tree Constraints Plan (Arborterra Ltd, November 2023), 967-301
Rev B Tree Protection Plan (Arborterra Ltd, November 2023)

- 3 The materials used in the construction of the dwelling hereby approved shall be as set out within the application forms / plans hereby approved.
- 4 Prior to the first occupation of the development, cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and retained at all times.
- 5 Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution of a Residential 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 the dwelling free of charge.
- 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:
 - 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% change 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 1/l/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 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.
- 8 No development shall commence until information has been submitted and approved in writing by the Local Planning Authority in accordance with the requirements of BS5837:2012 in relation to tree retention and protection as follows:
 - Arboricultural method statement (including drainage service runs and construction of hard surfaces)

The protective fencing and ground protection shall be retained until all equipment, machinery and surplus materials have been removed from the site. If within five years from the completion of the development an existing tree is removed, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, a replacement tree shall be planted within the site of such species and size and shall be planted at such time, as specified in writing by the Local Planning Authority. The tree protection measures shall be carried out in accordance with the approved detail.

- 9 Prior to any works above ground level, full details of the provision and subsequent retention of both hard and soft landscape works on the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:
- 1) Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers / densities.
 - 2) Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes, seeding rates, planting methods, mulching, plant protection, staking and / or other support.
 - 3) Details of the aftercare and maintenance programme.

The soft landscaping works shall be carried out as approved within the first available planting seasons (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.

- 10 The trees and hedges identified for retention on the approved plan drawing number 967-201 Rev B, Tree Constraints Plan (Arborterra Ltd, November 2023) and 967-301 Rev B Tree Protection Plan (Arborterra Ltd, November 2023) which is attached to and forms part of this permission shall be protected during the course of the development. The trees and / or hedges shall be protected by measures which accord with British Standard 5837:2012 (Trees in Relation to Construction). The protective fencing and ground protection shall be erected before the commencement of any clearing, demolition and building operations and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced protection zone (s) no materials shall be stored, no rubbish dumped, or fires lit and no buildings erected inside the fence, nor shall any change in ground level be made within the fenced areas unless otherwise first agreed in writing by the Local Planning Authority. If within five years from the completion of the development a tree or hedge shown to be retained is removed, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, a replacement shall be planted within the site of such species and size, and shall be planted at such time as specified by the Local Planning Authority.
- 11 All mitigation measures and / or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (T4 Ecology, January 2024) as already submitted with the planning application and agreed in principle and with the Local Planning Authority prior to determination.
- 12 Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to an 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 states objectives;
- c) locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans;
- d) 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.
- 13 If any external lighting is proposed, prior to occupation, a lighting design scheme for biodiversity in accordance with GN:08/23 Bats and Artificial External Lighting (Institute of Lighting Professionals) 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 (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.
- 14 All loading, unloading, reception and storage of building materials and the manoeuvring of all vehicles, including construction traffic, shall be undertaken within the site.

704. 23/00519/PROW - LAND AT BROAD STREET GREEN ROAD, LANGFORD ROAD AND MAYPOLE ROAD, GREAT TOTHAM, ESSEX

Application Number	23/00519/PROW
Location	Land at Broad Street Green Road, Langford Road and Maypole Road, Great Totham, Essex
Proposal	Proposed stopping up of 299m of PROW 296_30 (from Langford Road at position F on the enclosed plan to where it terminates/joins the road at position G on the enclosed plan). Proposed extension to PROW 249_03 to connect to PROW 296_13 (positions B to D on the enclosed Plan).
Applicant	David Moseley - Countryside Properties
Agent	Ian Mitchell - Mayer Brown Ltd
Target Decision Date	N/A
Case Officer	Tim Marsh
Parish	GREAT TOTHAM
Reason for Referral to the Committee / Council	Not Delegated to Officers

Following the Officers' presentation, Councillor S J N Morgan proposed that the Committee accept the Officers recommendation. This proposal was duly seconded and agreed. It was noted that Councillor E L Stevens abstained from voting.

RESOLVED that a permanent Diversion Order of the highlighted sections of Public Footpath 30 Heybridge be **MADE** and, if no relevant objections are received, **CONFIRMED** by Maldon District Council, as 'competent authority' under Section 257 of the Town and Country Planning Act 1990.

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

M E THOMPSON
CHAIRPERSON