



**MINUTES of
NORTH WESTERN AREA PLANNING COMMITTEE
10 SEPTEMBER 2025**

PRESENT

Vice-Chairperson Councillor M E Thompson

Councillors J C Hughes, C P Morley and E L Stephens

232. CHAIRPERSON'S NOTICES

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

233. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M F L Durham CC, S J N Morgan, R H Siddal, S White and L L Wiffen

234. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 18 June 2025 be approved and confirmed.

235. DISCLOSURE OF INTEREST

There were none.

236. 25/00135/FUL - FORMER VALENTINES COTTAGE, CROWN ROAD, PURLEIGH

Application Number	25/00135/FUL
Location	Former Valentines Cottage, Crown Road, Purleigh
Proposal	Retention of original dwelling building as annexe (not in compliance with Condition 3 of FUL/MAL/04/00816) and use of existing parking and garden areas. New landscaping and improvements.
Applicant	Mr Mark Ewers and Emma Jennings
Agent	Mr Ashley Wynn - Greenhayes Planning
Target Decision Date	17.09.2025
Case Officer	Hayley Sadler
Parish	Purleigh

Reason for Referral to the Committee / Council	Member Call In Councillor L L Wiffen has called in the application for the following policy reasons: Local Development Plan (LDP) policy D1 (Design Quality and Built Environment) & S1 (Sustainable Development)
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The Officer presented the report then some discussion ensued. Following this Councillor E L Stephens proposed Members agree the Officer's recommendation and refuse this application. This was duly seconded and upon a vote being taken approved.

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

- 1 The application fails to demonstrate that the proposal would fall within the annexe criterion as detailed within the Specialist Housing Needs Supplementary Planning Document. The proposal would not amount to residential annexe accommodation ancillary to the main dwelling house due to its siting and as the proposed accommodation would facilitate a full suite of activities for day to day living and the level of facilities would allow for a totally independent form of development from the main dwelling.
- 2 The application site lies within a rural location outside of the defined settlement boundary of Cold Norton, where policy restraints apply. The proposed development, with its associated garden land, parking area and domestic paraphernalia, is highly visible at the street scene and within the open countryside. The change would result in the over intensification of a domestic urban nature and would result in an incoherent approach to the intended design for the site. This would adversely impact on the intrinsic character and beauty of the open countryside and would cause harm to the character and appearance of the site's rural setting. The proposal is therefore contrary to Policies S1, S8, D1, H4 and T2 of the Maldon District Local Development Plan (2017) and the policies and guidance in the National Planning Policy Framework (2021).

237. 25/00403/FUL - LAND REAR OF GREEN MAN INN, GREEN MAN LANE, LITTLE BRAXTED

Application Number	25/00403/FUL
Location	Land Rear of Green Man Inn, Green Man Lane, Little Braxted
Proposal	Construction of a detached five bedroomed dwelling
Applicant	Mr J Purdy
Agent	Ms Alice Quinn – Smart Planning Ltd
Target Decision Date	18.06.2025
Case Officer	Fiona Bradley
Parish	Little Braxted
Reason for Referral to the Committee / Council	Departure from Local Plan. Member Call In – Councillor S J N Morgan - additional evidence that counters previous reason for refusal, contentious application to be considered in public.

Following the Officer's presentation the Agent, Alice Quinn, and an Objector, John Kyan, addressed the Committee.

Members queried if the proposed new cycling route was enough of a reason to allow this development. The Officer responded that this had been taken into consideration and did make the application site a more sustainable location.

Councillor J C Hughes proposed that Members approve the application in line with the Officers recommendation. This was duly seconded and upon a vote being taken the proposal was agreed unanimously.

RESOLVED that the application be **APPROVED** subject to the conditions set out below and the submitted Unilateral Undertaking.

Heads Of Terms Of Any Section 106 Agreement

A financial contribution of £169.45 for mitigating the impact upon the Zone of Influence (Zol) of the Essex Coast RAMS as new residential development is likely to have a significant effect on the sensitive interest features of these coastal European designated sites, through increased recreational pressure when considered 'in combination' with other plans and projects. A Unilateral Undertaking has been submitted and is acceptable, therefore suitable mitigation has been secured.

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 complete accordance with the approved plans as identified above.
- 3 No development above slab level shall commence until written details or samples of all materials to be used in the construction of the external surfaces of the development and the site boundaries 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 full details of both hard and soft landscape works to be carried out have been submitted to and approved in writing by the Local Planning Authority. These details shall include the layout of the hard landscaped areas with the materials and finishes to be used and details of the soft landscape works including schedules of shrubs and trees to be planted, noting the species, stock size, proposed numbers/densities and details of the planting scheme's implementation, aftercare and maintenance programme. The hard landscape works shall be carried out as approved prior to first occupation of the development hereby approved unless otherwise first agreed 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 commencement of the development, unless otherwise first 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.
- 5 Notwithstanding the provisions of Schedule 2, Part 1 Class E of the Town & Country Planning [General Permitted Development] Order 2015 [or any order revoking and re-enacting that Order with or without modification] no building/outbuilding, enclosure, swimming or other pool, container, veranda/balcony/raised platform shall be carried out on the site without planning permission having been obtained from the Local Planning Authority.
- 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 scheme shall ensure that for a minimum:

- 1) The development shall need 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 shall 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.

The approved scheme shall be implemented prior to the first occupation of the development and be retained for that purpose at all times thereafter.

- 7 No development works above ground level shall occur until details of the foul drainage scheme to serve the development have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development and then maintained and retained at all times thereafter.
- 8 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 shall be submitted to the Local Planning Authority for approval in writing.
- 9 The dwelling hereby permitted shall not be occupied until a noise impact assessment has been undertaken by a person competent in acoustics to ensure that the internal and external areas of dwelling is protected from external noise.

The noise impact assessment must be undertaken to establish the worst-case scenario of noise from amplified music, singing and speech, the playing of instruments and noise from customers. This includes from inside the premises and any external areas. This includes the use of at least one-third octave band analysis and attention to any flanking transmission as well as airborne noise.

The assessment must also have regard to thermal comfort and noise mitigation in accordance with Acoustic Ventilation and Overheating - Residential Design Guide by IOA and ANC. Where necessary a scheme for approval for alternative means of ventilation and air cooling and heating is required in writing to demonstrate that:

- The alternative means of ventilation and cooling will not compromise any noise protection measures.

- The alternative means of ventilation and cooling will not present an adverse noise or odour impact on occupants.
- The alternative means of ventilation and cooling will enable optimum living conditions in all weather and with reference to climate change predictions.

The means of ventilation must be in accordance with documents CIBSE Guide A:2015-Environmental Design, CIBSE TM52:2013-The limits of thermal comfort: avoiding overheating in European buildings and CIBSE TM59:2017-Design methodology for the assessment of overheating risk in homes and comply with Approved Document O "Overheating" of the Building Regulations. The alternative means of ventilation shall be maintained thereafter.

Prior to occupation a post completion noise survey must be undertaken by a suitably qualified person, and a report submitted to and approved in writing by the Local Planning Authority. The post completion testing shall assess performance of the noise mitigation measures against the noise levels as set in the Report.

- Any agreed mitigation must be installed and maintained thereafter.
- 10 The development hereby permitted shall be carried out in strict accordance with the methodologies and practices specified in the Arboricultural Impact Assessment (Arborterra Ltd, 14 September 2023) including the tree protection plan (ref. 949-301). The means of protection shall remain in place throughout the construction period.
 - 11 All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Plumb Associates Ltd, April 2025) as submitted with the planning application. 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.
 - 12 No development shall take place until a Reptile Mitigation Strategy addressing the mitigation and translocation of reptiles has been submitted to and approved in writing by the Local Planning Authority.

The Reptile Mitigation Strategy shall include the following.

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance of the Receptor area(s).
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

The Reptile Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

- 13 Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected and Priority species shall be 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;
- 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 Prior to first occupation of the development hereby approved, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall:
- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) 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 the above species using their territory or having access to their breeding sites and resting places.

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 Prior to first occupation of the development, cycle parking shall be provided in accordance with Maldon District Council's Parking Standards. The approved facility shall be secure, convenient, covered and retained at all times.

There being no other items of business the Chairperson closed the meeting at 8.00 pm.

M E THOMPSON
CHAIRPERSON