



**MINUTES of
NORTH WESTERN AREA PLANNING COMMITTEE
9 SEPTEMBER 2026**

PRESENT

Vice-Chairperson	Councillor L L Wiffen
Councillors	S J N Morgan, C P Morley, E L Stephens, M E Thompson and S White
Officers (Maldon District Council)	Mr Johnson, Head of Development Management and Building Control Mr Farrell, Senior Planner Ms Mumford, Planner

208. CHAIRPERSON'S NOTICES

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

209. CHANGE TO THE ORDER OF BUSINESS

At this point, the Chairperson advised that she would be changing the order of business as set out on the agenda to consider Agenda Item 6 - 26/00157/FUL - Caravan At Toad Hall, Station Road, Cold Norton prior to Agenda Item 5 - 25/00421/FULM Rosedale - Lea Lane, Great Braxted, Witham, Essex, CM8 3ER.

210. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M F L Durham, J C Hughes and R H Siddall.

211. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 12 August 2026 be approved and confirmed.

212. DISCLOSURE OF INTEREST

There were none.

213. 26/00157/FUL CARAVAN AT TOAD HALL, STATION ROAD, COLD NORTON

Application Number	26/00157/FUL
Location	Caravan At Toad Hall, Station Road, Cold Norton
Proposal	Subdivision of land into two plots; northern plot for re-siting of caravan (Class C1 use) and the creation of a new vehicular access onto Station Road, southern plot for erection of a new dwelling (Class C3 use) with associated parking and landscaping.
Applicant	Miss Rebekah Prince
Agent	Mr Alan Green - A9 Architecture
Target Decision Date	16.09.2027
Case Officer	Charlie Mumford
Parish	Cold Norton
Reason for Referral to the Committee / Council	Departure from the Local Plan

An Addendum was published prior to the meeting providing additional consultations and representations that had been received.

The Officer presented the report.

Following this Councillor S White proposed that the application be approved in line with Officers recommendations. This was duly seconded and upon a vote being taken this proposal was approved.

RESOLVED that the 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 approved plans as stated on the Decision Notice.
- 3 The materials used in the construction of the development hereby approved shall be as set out within the application form/ plans hereby approved.
- 4 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 have been 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 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 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.

Hard Landscape works:

4) Details of walls with brick types, construction design and dimensions

5) Details of paved surfacing, with materials finishing and edgings

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 Prior to any works above ground level, details of the siting, height, design and materials of the treatment of all boundaries including gates, fences, walls, railings and piers should be submitted to and approved in writing by the Local Planning Authority. The boundary treatments as approved shall be retained and maintained as such thereafter.

6 The dwelling hereby permitted, shall, for a period of two years upon the first occupation of the dwelling, only be occupied by the applicants, or a widow, widower or surviving civil partner of such a person, and by any resident dependants, and shall only be occupied as their primary residency.

7 The two-year period of occupancy in condition number six will only start to run once the Local Planning Authority has been informed, in writing, that a lawful occupancy has begun.

8 The use of the premises known as the caravan (to the northern parcel of the application site) hereby permitted shall be solely for letting for holiday or visitor accommodation and shall not be occupied by any leasee, tenant or guest for any period exceeding 28 days consecutively.

9 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.

10 All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Plumb Associates, March 2025) 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.

11 Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Preliminary Ecological Appraisal, (Plumb Associates, March 2025), 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 of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

- 12 Prior to occupation, a “lighting design strategy for biodiversity in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the Local Planning Authority. The strategy 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.

- 13 No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following details:
- The provision of parking for operatives and contractors;
 - The storage of plant and materials used in constructing the development;
 - Wheel washing and underbody washing facilities;
 - Measures to control the emission of dust, dirt and mud during construction;
 - A scheme to control noise and vibration during the construction phase, including details of any piling operations;
 - Contact details for Site Manager and details of publication of such details to local residents.

The approved Construction Management Plan shall be adhered to throughout the construction period for the development.

- 14 No construction works, including deliveries, shall take place except between 07:30-18:00 Monday to Friday and 08:00-13:00 on Saturdays, with no works on Sundays or Bank Holidays.
- 15 Should contamination be encountered during works, development shall cease and a remediation scheme be agreed before recommencement.
- 16 No development works above ground level shall occur until details of the foul 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.

- 17 No 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 45% 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 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 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)

Where the Local Planning Authority accepts discharge to an adopted sewer network the Applicant will be required to provide written confirmation from the statutory undertaker that the discharge will be accepted.

- 18 Any external lighting associated with the dwelling, caravan plot or access shall be designed and installed to prevent excessive light spill or glare affecting neighbouring properties, highway users or the surrounding rural environment.

At this point in the meeting Councillor White left and did not return

214. 25/00421/FULM ROSEDALE, LEA LANE, GREAT BRAXTED, WITHAM, ESSEX, CM8 3ER

Application Number	25/00421/FULM
Location	Rosedale, Lea Lane, Great Braxted, Witham, Essex, CM8 3ER
Proposal	S73A (retrospective) application for a change of use to create 12 additional Gypsy Traveller pitches including erection of a shared day room, formation of hardstanding and erection of outbuildings and provision of storage container.
Applicant	Mr Dooley
Agent	Ms Sarah Threlfall - TMA Chartered Surveyors
Target Decision Date	16.09.2027
Case Officer	Kie Farrell
Parish	Great Braxted
Reason for Referral to the Committee / Council	Member Call In

An Addendum was published prior to the meeting providing an additional consultation response and a change to the recommendation for the application regarding drainage.

Prior to his presentation, the Officer advised of a further amendment to the recommendation set out on the Addendum, that if the Essex Coast Recreation Disturbance Avoidance and Mitigation Strategy contribution is not paid within three months then the application could be refused under delegated powers. This was noted.

The Officer presented the report.

Following this the Agent Tim Matthews addressed the Committee.

A discussion then ensued between Members and Officers concerning the size of the development, drainage and enforcement issues the site has faced.

Councillor S J N Morgan proposed that the application be refused contrary to Officers recommendations. This was not seconded. Following this Councillor M E Thompson proposed that the application be approved in line with Officers recommendations. This was duly seconded and upon a vote being taken the application was approved.

RESOLVED

- (i) that the application be **APPROVED** and authority be delegated to the Director of Place, Planning and Growth to grant planning permission subject to the applicant entering into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the planning obligations and conditions detailed below, along with any conditions subsequently recommended by the Sustainable Development Strategy team (the wording of such conditions will require details to be submitted within three months of the date of the decision and shall include a timetable for implementation):

HEADS OF TERMS OF ANY SECTION 106 AGREEMENT

RAMS Mitigation contribution £2,033.40 (£169.45 x 12)

CONDITIONS:

1. The development hereby permitted shall be carried out in complete accordance with the approved plans as set out on the Decision Notice.
2. The site shall not be occupied by any persons other than Gypsies and Travellers, defined as persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.
3. The twelve pitches and twelve vehicle parking spaces shall be laid out and retained in accordance with Site Block Plans TMA/1045/1 Rev D and TMA/1045/2 Rev C.
4. No more than twelve caravans as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, as amended shall be stationed on the land at any time.
5. The caravans referred to within condition 4 above shall be sited on the pitches shown on the Site Block Plans TMA/1045/1 Rev D and TMA/1045/2 Rev C. Any material change to their position, or replacement by another in a different location, shall only take place in

accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority.

6. No vehicle over 3.5 tonnes shall be stationed, parked or stored on the land.
7. No commercial activities shall take place on the land, including the storage of materials.
8. Within 3 months of the date of this decision details of the external lighting scheme to serve the development shall be submitted for the written approval of the Local Planning Authority. The scheme shall include a timetable for its implementation and shall be retained as approved.
9. Should the use hereby permitted cease, within three months of such cessation all caravans, hard-standings, structures, buildings, materials and equipment brought on to or erected upon the land in connection with the use shall be removed in their entirety and the land restored to its former condition.
10. Within 3 months of the date of this decision details of the foul drainage scheme to serve the development shall be submitted for the written approval of the Local Planning Authority. The scheme shall include a timetable for its implementation and shall be retained as approved thereafter.
11. Within 3 months of the date of this decision details of the surface water drainage scheme to serve the development shall be submitted for the written approval of the Local Planning Authority. The scheme shall include a timetable for its implementation.

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% chance 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 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).

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 it will be necessary to provide written confirmation from the statutory undertaker that the discharge will be accepted.
12. Within 3 months of the date of this decision details of landscaping scheme to serve the development shall be submitted for the written approval of the Local Planning Authority. The scheme shall include

indications of all existing trees and hedgerows on the land; details of any to be retained, together with measures for their protection in the course of development; and a timetable for the implementation of the scheme. The approved scheme shall be retained and maintained as approved.

13. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with the approved timetable; any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any variation.
14. Within 3 months of the date of this decision a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified, 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 of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

15. Within 3 months of the date of this decision a scheme providing details of the design and location or refuse and storage facilities to serve the development shall be submitted for the written approval of the Local Planning Authority. The scheme shall include a timetable for its implementation. The development shall be carried out in accordance with the approved details and retained thereafter.

- (ii) That if the Section 106 legal agreement is not completed within three months of the date of this North Western Area Planning Committee, or an extended time period as agreed between the applicant and the Council, then delegate authority to the Director of Place, Planning and Growth to **REFUSE** the planning application

215. 26/00441/FUL AGRICULTURAL BARN AT LODDARTS FARM LODGE ROAD WOODHAM MORTIMER

Application Number	26/00441/FUL
Location	Agricultural Barn at Loddarts Farm Lodge Road Woodham Mortimer

Proposal	Demolition of the existing barn and part of the outbuilding, and erection of a new barn style dwellinghouse with alterations to outbuilding.
Applicant	Mr O'Connor
Agent	Mr Chris Wragg - Arcady Architects Ltd
Target Decision Date	16 September 2026
Case Officer	Jade Elles
Parish	Hazeleigh
Reason for Referral to the Committee / Council	Departure from the Local Plan

An Addendum was published prior to the meeting providing additional consultations and representations that had been received.

The Officer presented the report

Following this the Agent Chris Wragg addressed the Committee.

Councillor S J N Morgan proposed that the application be approved in line with Officer recommendations. This was duly seconded and upon a vote being taken this proposal was approved.

RESOLVED that the 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 approved plans stated on the Decision Notice.
- 3 The materials used in the construction of the development hereby approved shall be as set out within the application form/approved plans.
- 4 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% chance 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 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.

- 5 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.
- 6 The development shall be undertaken using appropriate measures to minimise noise, dust, smoke, vibration and mud generated during demolition and construction activities.
- 7 No demolition or construction works shall take place except between 08:00-18:00 Monday to Friday and 08:00-13:00 on Saturdays, with no works on Sundays or Bank Holidays.
- 8 If previously unidentified contamination is encountered during the development, works shall cease and a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority before development recommences.
- 9 Prior to first occupation of the development, cycle parking shall be provided in accordance with Maldon District Council's Parking Standards. The approved facilities shall be secure, convenient, covered and retained at all times.
- 10 Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution of Residential Travel Information Packs for sustainable transport, as approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. This pack (including tickets) is to be provided by the Developer to the dwelling free of charge.
- 11 All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Assessment (ACJ Ecology, February 2025) 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.

- 12 Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Preliminary Ecological Assessment (ACJ Ecology, February 2025), 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 of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

- 13 Prior to installation of any external lighting, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify how lighting impacts will be avoided upon the Essex Estuaries Special Area of Conservation (SAC) and the Crouch and Roach Estuaries Special Protection Area (SPA), Ramsar and Sites of Special Scientific Interest (SSSI) 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 lighting will not result in impacts upon the statutory designated sites. 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 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.

- 15 No development shall commence until fencing/ground protection to protect the hedges/shrubs to be retained has been erected in accordance with BS5837:2012, details of which shall have been submitted to the local planning authority for written approval. The protective fencing shall be erected before the commencement of any clearing, demolition and building operations and shall be retained until all equipment, machinery and surplus materials have been removed from the site.

The protective fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced protection zone nothing shall be stored or placed, no fires lit, no vehicle shall gain access, ground levels shall not be altered, no excavation shall be made and no structure shall be erected. If within five years from the completion of the development a retained shrub or hedge is removed, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement shrub or hedge 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.

- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, no development falling within Schedule 2, Part 1, Classes A to H of the Order shall

be carried out to the dwellinghouse hereby approved without the prior written permission of the Local Planning Authority.

There being no other items of business the Chairperson closed the meeting at 8.25 pm.

L L WIFFEN
CHAIRPERSON