



**MINUTES of  
NORTH WESTERN AREA PLANNING COMMITTEE  
28 OCTOBER 2019**

---

**PRESENT**

Chairman	Councillor Mrs M E Thompson
Vice-Chairman	Councillor R H Siddall
Councillors	E L Bamford, M F L Durham, CC, Mrs J L Fleming, K W Jarvis, J V Keyes, C P Morley and Miss S White

**1. CHAIRMAN'S NOTICES**

The Chairman drew attention to the list of notices published on the back of the agenda.

**2. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**3. MINUTES OF THE LAST MEETING**

**RESOLVED** that the Minutes of the meeting of the Committee held on 30 September 2019 be approved and confirmed.

**4. DISCLOSURE OF INTEREST**

Councillor M F L Durham, CC, declared a non-pecuniary interest as a member of Essex County Council, a consultee on planning application matters with respect generally to highways, matters of access and education primarily.

He also declared a pecuniary interest in Agenda Item 6 FUL/MAL/19/00843 - The Warren, Old London Road Woodham Walter, as his parents live in a dwelling immediately adjacent to the site and he had previously carried out consultancy work for the company. He informed the Committee that he would leave the Chamber for this item of business.

Councillor J V Keyes declared a non-pecuniary interest in Agenda Items 5 - FUL/MAL/19/00473, Heath Farm Bungalow, Grove Farm Road, Tiptree and 6 FUL/MAL/19/00843 - The Warren, Old London Road, Woodham Walter as he had procured items from the applicant in the past and provided haulage services in a previous business.

5. **FUL/MAL/19/00473 - HEATH FARM BUNGALOW, GROVE FARM ROAD, TIPTREE**

<b>Application Number</b>	<b>FUL/MAL/19/00473</b>
<b>Location</b>	Heath Farm Bungalow, Grove Farm Road, Tiptree
<b>Proposal</b>	Extension of residential curtilage and detached garden room.
<b>Applicant</b>	Mr Purdy
<b>Agent</b>	Mr Peter Le Grys
<b>Target Decision Date</b>	29.10.2019
<b>Case Officer</b>	Hayleigh Parker-Haines
<b>Parish</b>	Tolleshunt D'Arcy
<b>Reason for Referral to the Committee / Council</b>	Member Call In – Councillor J V Keyes – policies being D1, H4 & S3

A Members' Update was submitted detailing comments from Essex Highways Authority. Following the Officer's presentation, Mr Peter Le Grys, the Agent, addressed the Committee.

The Chairman opened the debate and proposed that the application be refused in accordance with the Officer's recommendation. This was duly seconded by Councillor Bamford.

A lengthy debate ensued where some Members expressed sympathy with the applicant, but the Committee was concerned that it contravened the Local Development Plan policies. It was noted that the previous identical application for the outbuilding had been refused by the Council in 2018.

The Lead Specialist Place advised that it was not just the issue of the outbuilding but the proposed change of use to residential curtilage together with the outbuilding that resulted in the proposal being contrary to policies S1, S8, D1 and H4 of the Maldon District Local Development Plan.

The Chairman then put the proposal to refuse the application in accordance with the Officer's recommendation to the Committee. Upon a vote being taken it was carried.

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

- 1 The proposed change of use to residential curtilage is considered to be excessive and would result in the unnecessary urbanisation of the surrounding countryside. This is further exacerbated by the scale and bulk of the proposed outbuilding. The proposed development would detract from the open character and appearance of the rural landscape and the intrinsic beauty of the countryside. Therefore, the proposal would be contrary to policies S1, S8, D1 and H4 of the Maldon District Local Development Plan and Government guidance contained in the National Planning Policy Framework.

**6. FUL/MAL/19/00843 - THE WARREN, OLD LONDON ROAD, WOODHAM WALTER**

<b>Application Number</b>	<b>FUL/MAL/19/00843</b>
<b>Location</b>	The Warren Old London Road Woodham Walter
<b>Proposal</b>	New surface to existing car park
<b>Applicant</b>	Mr Neil Vaughan
<b>Agent</b>	Ms Annabel Brown
<b>Target Decision Date</b>	01/11/2019
<b>Case Officer</b>	Hannah Bowles
<b>Parish</b>	Woodham Walter
<b>Reason for Referral to the Committee / Council</b>	Major Application

Following the Officer's presentation, the chairman proposed that the application be approved in accordance with the Officer's recommendation. This was duly seconded by Councillor Morley.

A brief debate ensued, and it was acknowledged that there were no concerns with the Officer's recommendation.

The Chairman then put the proposal to approve the recommendation in accordance with the Officer's recommendation to the Committee. Upon a vote being taken this was carried.

**RESOLVED** that the application be **APPROVED** with 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 complete accordance with approved drawings and documents: EZH\_001, A18553A/PP09 received on 08/10/2019 and Drainage Strategy received on 09/10/2019.
3. The materials to be used for the surface of the car park hereby approved shall be black tarmac to the circulation areas and buff tar and chip to the parking bays, unless otherwise agreed in writing by the LPA.
4. Prior to any part of the new surface hereby permitted being laid, a scheme detailing the infiltration techniques to serve the development shall be submitted to and agreed in writing by the local planning authority. The scheme shall include BRE 365 infiltration testing, as recommended in the submitted drainage strategy dated February 2019. The agreed scheme shall be implemented prior to the first beneficial use of the new car park surface and retained in perpetuity.

**7. FUL/MAL/19/00871 - LAND SOUTH WEST OF BROADFIELD FARM,  
BRAXTED PARK ROAD, GREAT BRAXTED**

<b>Application Number</b>	<b>FUL/MAL/19/00871</b>
<b>Location</b>	Land South West Of Broadfield Farm, Braxted Park Road, Great Braxted, Essex
<b>Proposal</b>	Agricultural Storage Barn
<b>Applicant</b>	Mr Purdy
<b>Agent</b>	Mr Peter Le Grys - Stanfords
<b>Target Decision Date</b>	01.10.2019
<b>Case Officer</b>	Kathryn Mathews
<b>Parish</b>	GREAT BRAXTED
<b>Reason for Referral to the Committee / Council</b>	Member Call-in – Councillor J V Keyes for Policy D1

Following the Officer's presentation, Mr Peter Le Grys, the Agent, addressed the Committee.

A debate ensued where it was noted that the application was an improvement on the previous one, however, it still lacked demonstrable evidence of need for the building.

The Lead Specialist Place informed the Committee that the Planning Department had not received enough information to conclude that there was an agricultural need for the building in this location hence the same reasons for refusal as the previous application had emerged again. The issue was not with the appearance of the barn but a lack of evidence on need. He advised that given the information was not materially different from the previous application, it did not warrant making a different decision.

The Chairman then put the proposal to the committee, seconded by Councillor Bamford, to refuse the application in accordance with the Officer's recommendation. Upon a vote being taken it was carried.

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

1. The proposed development would be outside the development boundary and within the countryside. There is no justifiable and functional need for the building/activity, the function of the proposed building/activity is not directly linked, and ancillary to, the existing use and it has not been demonstrated that the building/activity could not reasonably be located elsewhere within the District. Therefore, the development is contrary to Policies S1, S8 and E4 of the Maldon District Approved Local Development Plan, and the NPPF.
2. The proposed building, for which a functional need has not been demonstrated, as a result of its size and height, would be visually incongruous and have an adverse impact on the character and appearance of this part of the countryside, contrary to Policies S1, S8, D1 and E4 of the Maldon District Approved Local Development Plan, the NPPF and the Maldon District Design Guide.

There being no further items of business the Chairman closed the meeting at 8.13 pm.

MRS M E THOMPSON  
CHAIRMAN