



**MINUTES of  
NORTH WESTERN AREA PLANNING COMMITTEE  
14 JANUARY 2025**

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**PRESENT**

Chairperson                      Councillor M E Thompson

Councillors                      S J N Morgan, C P Morley, E L Stephens and S White

**477.      CHAIRPERSON'S NOTICES**

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

**478.      APOLOGIES FOR ABSENCE**

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

**479.      MINUTES OF THE LAST MEETING**

**RESOLVED** that the Minutes of the meeting of the Committee held on 4 December 2025 be approved and confirmed.

**480.      DISCLOSURE OF INTEREST**

Councillor M E Thompson advised that in relation to Agenda Item 7 - 24/00755/HOUSE 1 Oxley Cottage, 1 Oxley Hill, Tolleshunt D'Arcy she did not have a declaration of interest but to ensure there was no perception of bias on her behalf she would leave the meeting for this item of business.

In light of the above and in the absence of the Vice-Chairperson, Councillor Thompson (Chairperson) advised that a Member of the Committee would need to chair the meeting for Agenda Item 7 and suggested that a Member be elected at this point in the meeting.

Councillor S J Stevens proposed that Councillor S J N Morgan chair the meeting for Agenda Item 7 and this was duly seconded and agreed.

**481. 24/00253 FUL LAND REAR OF GREEN MAN INN, GREEN MAN LANE, LITTLE BRAXTED**

<b>Application Number</b>	<b>24/00253/FUL</b>
<b>Location</b>	Land Rear of Green Man Inn, Green Man Lane, Little Braxted
<b>Proposal</b>	Construction of a detached five bedroomed dwelling
<b>Applicant</b>	Mr J Purdy
<b>Agent</b>	Ms Alice Quinn – Smart Planning Ltd
<b>Target Decision Date</b>	17.01.2025
<b>Case Officer</b>	J.Kirkaldy
<b>Parish</b>	<b>LITTLE BRAXTED</b>
<b>Reason for Referral to the Committee / Council</b>	Policy D1 and S8 of the approved Maldon District Local Development Plan

A Members' Update circulated prior to the meeting provided further information in respect of sections 4 and 5 of the Officers' report. It was noted that a consultation response had been received from an Ecology consultant and a response to a letter from Councillor S J N Morgan was detailed.

During her presentation the Officer advised that reason for refusal 2 had been removed as the Applicant had provided additional ecology information which addressed the Ecology consultants' previous concerns. Following the Officers' presentation, the Agent Ms Quinn addressed the Committee.

Following some debate, Councillor E L Stevens proposed that the Committee accept the Officers' recommendation of refusal. This proposal was duly seconded. There being an equality of votes the Chairperson exercised her casting vote in support of the proposal.

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

- 1 The site is located outside of a defined settlement boundary and is in open countryside, where policy constraints apply. Future occupants of the site would be heavily reliant on the use of the car to gain access to everyday services and facilities and employment opportunities and as such the proposal does not provide a sustainable form of development. The proposal does not accord with the Council's spatial strategy contrary to Policies S1, Page 26 S8, D1, H4, T1 and T2 of the Maldon District Local Development Plan (2017) and guidance set out in the National Planning Policy Framework.

Councillor S White left the meeting at this point and did not return.

**482. ADJOURNMENT OF THE MEETING**

**RESOLVED** that the meeting be adjourned at 7:50pm.

**483. RESUMPTION OF BUSINESS IN OPEN SESSION**

**RESOLVED** that the meeting resumes at 7:55pm in open session.

The Chairperson advised that the meeting had been adjourned due to a member of the Committee feeling unwell.

**484. 24/00742/FUL LAND ADJACENT EASTHOLM, LATCHINGDON ROAD, PURLEIGH**

<b>Application Number</b>	<b>24/00742/FUL</b>
<b>Location</b>	Land Adjacent Eastholm, Latchingdon Road, Purleigh
<b>Proposal</b>	Erection of 1no. dwelling with associated landscaping and ancillary works
<b>Applicant</b>	Jacob
<b>Agent</b>	Blaine McMahon - SCENE Architects Ltd
<b>Target Decision Date</b>	21.01.2025
<b>Case Officer</b>	Fiona Bradley
<b>Parish</b>	<b>PURLEIGH</b>
<b>Reason for Referral to the Committee / Council</b>	Departure from the local plan

Following the Officers' presentation, the Agent Mr McMahon addressed the Committee.

Councillor C P Morley proposed that the Committee accept the Officers' recommendation of approval. This proposal was duly seconded.

In response to a question, the Head of Service – Development Manager provided some further clarification on the recent National Planning Policy Framework changes and policy S8.

The Chairperson moved the proposal in the name of Councillor Morley and this was duly agreed.

**RESOLVED** that this application be **APPROVED** subject to the following conditions and the submitted Unilateral Undertaking:

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 and documents as detailed on the decision notice.
3. Prior to the commencement of the development hereby approved, full details of both the finished levels, above ordnance datum, of the ground floor of the proposed building and of the finished garden levels and hard and soft surfaces in relation to existing ground levels shall have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.
4. The external materials and finishes shall be as indicated on the application form and Design and Access Statement (prepared by Scene, ref. LGDRD-SCN-XX-XX-RP-A-90\_100-A3 Rev. PL01) and shall be permanently retained as such.
5. No development above slab level shall take place until 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:

Soft landscape works

- a) Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers/densities.
- b) 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.

- c) 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

- d) Details of all hard surfacing materials.  
e) Details of all boundary treatments.

The hard landscape works shall be implemented in accordance with the approved details prior to first occupation.

- 6 Any contamination that is found during 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.
- 7 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 as a minimum:
- a) The development should be able to manage water on site for 1 in 100-year events plus 40% climate change allowance.
  - b) 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.

- 8 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.
- 9 No development including any site clearance or groundworks of any kind shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The Plan shall include:
- a) no waste materials should be burnt on the site, instead being removed by licensed waste contractors;
  - b) no dust emissions should leave the boundary of the site;
  - c) consideration should be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site;
  - d) hours of works: works should only be undertaken between 0730 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays.
- 10 All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Arbtech, July 2023) submitted with this application.
- 11 Prior to any development work 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) detailed designs or product descriptions to achieve stated objectives;
  - b) locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans;
  - c) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
  - d) persons responsible for implementing the enhancement measures;
  - e) details of initial aftercare and long-term maintenance (where relevant).

The development shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.”

- 12 Prior to the 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 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 approved scheme and maintained thereafter in accordance with the scheme. Under no circumstances shall any other external lighting be installed without prior consent from the Local Planning Authority.

- 13 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:
- a) Tree retention protection plan  
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.

- 14 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- 15 During demolition and construction, areas for the purpose of the reception and storage of building materials shall be identified and made available within the site, clear of the highway.
- 16 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.
- 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.
- 18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting that Order), no enlargement of the dwellinghouse(s), provision of any building within the curtilage of the dwellinghouse(s), or alteration of the dwellinghouse(s), as permitted by Classes A, AA, B and E of Part 1 of Schedule 2 of that Order shall be carried out without first obtaining planning permission from the Local Planning Authority.
- 19 Prior to commencement and concurrent with submission of documents relating to the biodiversity gain condition, a Habitat Management and Monitoring Plan, must be submitted to the planning authority and approved in writing. The content of the Habitat Management and Monitoring Plan should include the following:
  - a) A management and monitoring plan for onsite biodiversity net gain including 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports in years 2,5,10,15,20,25 and 30 from commencement of development, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.

The development shall be implemented in full accordance with the requirements of the approved Habitat Management and Monitoring Plan, with monitoring reports submitted to the council at the specified intervals.

Councillor M E Thompson left the meeting at this point.

IN THE CHAIR: COUNCILLOR S J N MORGAN

**485. 24/00755/HOUSE 1 OXLEY COTTAGE, 1 OXLEY HILL, TOLLESHUNT D'ARCY**

<b>Application Number</b>	<b>24/00755/HOUSE</b>
<b>Location</b>	1 Oxley Cottage, 1 Oxley Hill, Tolleshunt D'Arcy
<b>Proposal</b>	S73A application for alterations to detached garage previously approved under 16/00002/HOUSE including, raising the ridge height, altered roof pitches, changes to fenestration and external materials.
<b>Applicant</b>	Mr Matthew Lockyer – That Design Co Ltd
<b>Agent</b>	Mr Sam Cook
<b>Target Decision Date</b>	17.01.2025
<b>Case Officer</b>	J.Kirkaldy
<b>Parish</b>	<b>TOLLESHUNT D'ARCY</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In – Councillor M E Thompson regarding Policy D1 and impact on neighbouring amenity.

Following the Officers' recommendation, Ms Rayner an objector and Mr Cook a supporter addressed the Committee.

During the discussion that followed, further information was provided by Officers regarding the proposed changes and the height of the gable proposed.

Councillor E L Stevens proposed that the Committee accept the Officers' recommendation and refuse the application. This proposal was duly seconded. There being an equality of votes the Chairperson exercised his casting vote in support of the proposal.

**RESOLVED** that this application be **REFUSED** for the following reason:

- 1 The design and layout of the proposal would create poor amenity and outlook for occupiers of the neighbouring dwelling (no.2 Oxley Hill). It would appear dominant, oppressive and overbearing and would represent an unneighbourly form of development. The development is therefore contrary to the Policy D1 and H4 of the approved Maldon District Local Development Plan, Maldon District Design Guide and guidance set out in the National Planning Policy Framework.

Councillor M E Thompson returned to the meeting at this point.

IN THE CHAIR: COUNCILLOR M E THOMPSON

**486. TREE PRESERVATION ORDER (TPO) 18/24 REAR OF 26 MALDON ROAD, GREAT TOTHAM, CM9 8PR**

<b>Application Number</b>	<b>TPO 18/24</b>
<b>Location</b>	Rear of 26 Maldon Road, Great Totham, CM9 8PR
<b>Proposal</b>	Confirmation of TPO 18/24
<b>Applicant</b>	J. English
<b>Target Decision Date</b>	17 March 2025
<b>Case Officer</b>	J. Kirkaldy
<b>Parish</b>	<b>GREAT TOTHAM</b>
<b>Reason for Referral to the Committee / Council</b>	Decision on confirmation of a Tree Preservation Order as per the Council's Scheme of Delegation.

Following the Officers' presentation, Councillor S J N Morgan proposed that the Committee accept the Officers' recommendation and confirm the Tree Preservation Order.

Following a request, Members were provided with further clarification regarding the Officer response to objection comments received and detailed within the report.

The Chairperson then moved the proposal in the name of Councillor Morgan and this was unanimously agreed.

**RESOLVED** that Tree Preservation Order 18/24 be **CONFIRMED** without any modifications.

There being no other items of business the Chairperson closed the meeting at 8.37 pm.

M E THOMPSON  
CHAIRPERSON