



**REPORT of  
CHIEF EXECUTIVE**

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to  
**NORTH WESTERN AREA PLANNING COMMITTEE  
7 AUGUST 2017**

<b>Application Number</b>	<b>FUL/MAL/17/00656</b>
<b>Location</b>	Great Totham Hall Hall Road Great Totham Essex
<b>Proposal</b>	Variation of condition 9 on approved planning permission FUL/MAL/16/01016 (Stable block and manege for domestic purposes)
<b>Applicant</b>	Mr Snelling
<b>Agent</b>	N/A
<b>Target Decision Date</b>	8 September 2017
<b>Case Officer</b>	Yee Cheung, TEL: 01621 876220
<b>Parish</b>	<b>GREAT TOTHAM</b>
<b>Reason for Referral to the Committee / Council</b>	Major Application

**1. RECOMMENDATION**

**APPROVE** subject to the conditions (as detailed in Section 8 of this report).

**2. SITE MAP**

Please see overleaf.

Great Totham Hall  
FUL/MAL/17/00656



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Maldon District Council 100018588 2014

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Scale: 1:4,000

Organisation: Maldon District Council

Department: Department

Comments: NW Committee 17/00656/FUL

Date: 25/07/2017

MSA Number: 100018588

### **3. SUMMARY**

#### **3.1 Proposal / brief overview, including any relevant background information**

- 3.1.1 The application site comprises an area of land measuring a total of 6.05 hectares which is located to the south east of Great Totham South, outside of the development boundary. The application site comprises of two main parcels of land which are located either side of Hall Road within an open and rural landscape and within a designated Special Landscape Area.
- 3.1.2 The main section of the application site relates to an open agricultural field measuring 1.82 hectares in size which is located to the south west of Hall Road. Currently the field is used for the grazing of horses. To the north and west of the application site are further agricultural field, to the east is a dwelling known as The Lodge which is under the Applicant's ownership as well as further agricultural land. To the south of the application site are two dwellings known as West Barn and East Barn which are Grade II listed and under separate ownership. The Grade II listed dwelling known as Great Totham Hall is also located to the south of the site and is owned by the Applicant.
- 3.1.3 Planning permission was granted in 2016 (planning reference: FUL/MAL/16/01016) for the construction of a stable block and manege for domestic purposes.
- 3.1.4 The current application seeks to vary Condition 9 of planning application FUL/MAL/16/01016 which states:-

*'No floodlighting or other external form of illumination of the site shall be undertaken without the express consent of the Local Planning Authority. The external illumination shall be maintained and retained in accordance with the approved details thereafter.'*

- 3.1.5 The Applicant wishes to amend Condition 9 of planning application FUL/MAL/16/01016 to read:-

*'The external form of illumination hereby permitted shall be carried out in accordance with Drawing No: 16.3384/L401 dated 9 June 2017 and 16.3384/P204E dated 9 June 2017. The external form of illumination shall be maintained and retained in accordance with the approved details thereafter.'*

### **4. MAIN RELEVANT POLICIES**

Members' attention is drawn to the list of background papers attached to the agenda.

#### **4.1 National Planning Policy Framework 2012 including paragraphs:**

- 7, 8, 14, 17

#### **4.2 Maldon District Local Development Plan approved by the Secretary of State:**

- 4.2.1 The Council was informed by the Secretary of State on 21 July 2017 that the Inspector has concluded that, with the inclusion of a number of main modifications

proposed by the Council, the Plan now satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework. This is therefore now part of the Development Plan.

4.2.2 The following policies that are relevant to this case are:-

- S1 – Sustainable Development
- D1 – Design Quality and Built Environment
- D2 – Climate Change & Environmental Impact of New Development
- D3 – Conservation and Heritage Assets

**4.3 Relevant Planning Guidance / Documents:**

- National Planning Policy Guidance (NPPG)
- National Planning Policy Framework (NPPF)

**5. MAIN CONSIDERATIONS**

**5.1 Principle of Development**

5.1.1 Planning permission was granted in 2016 for the construction of a stable block and manege for domestic purposes subject to planning conditions. This application is extant and will expire on 29 November 2019 and as such the principle of development has been established on this site. The main consideration when determining this planning application is whether the external form of illumination proposed on site would impact on the amenity of the rural area.

**5.2 Design and Impact on the Character of the Area and Setting of Listed Buildings**

5.2.1 The NPPF advises on good design and in paragraph 56 states that:

*‘The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.’*

5.2.2 Such design principles are dealt with by local plan policy D1 of the Local Development Plan which seeks to ensure that new development is compatible with its surroundings in terms of design, scale, layout, appearance and architectural style, and make a positive contribution to the landscape and open countryside. It should be noted that design is not just about how buildings will appear visually but also how buildings function and relate to their surroundings, with regard to sustainable development.

5.2.3 Furthermore the core planning principles of the NPPF includes recognition of the intrinsic character and beauty of the countryside. Paragraph 109 of the NPPF advises that valued landscapes should be enhanced and protected. Local Development Plan policy H4 is also considered relevant to this application as it seeks to ensure that no harm is caused to the landscape character of the locality of the application site.

- 5.2.4 Planning permission was granted in 2016 for the construction of a stable block and a manege. It was considered that the design of the stables was traditional, the external materials, and the surrounding land use, would not appear out of character within the setting or harm the special character of the rural landscape. Given the rural character and appearance of the area, it is not considered the use of the site for equestrian purposes to be detrimental to the rural landscape.
- 5.2.5 Whilst it was noted in the previous officer report that the size and overall scale of the stable building was considerably large, it was considered that the single-storey height of the stable block would, by virtue of its low height, have limited impact within the rural landscape. A hard and soft landscaping planning condition was imposed on application FUL/MAL/16/01016 (Condition 8) and was subsequently discharged as it was proposed that further planting was to be carried out on site to provide additional screening and softening the visual appearance of the stable block.
- 5.2.6 The application site is located adjacent to several listed buildings and the Conservation Officer has been consulted on this application. The Conservation Officer has raised no objection to the installation of external forms of illumination as the incorporation of the lighting proposed would cause no harm to the setting or significance of the nearby listed buildings.
- 5.2.7 Having taken into account the above, it is considered that the variation of Condition 9 imposed on planning application FUL/MAL/16/01016 regarding the external form of illumination on site would accord with the requirements contained in policies D1, D3 and H4 of the Local Development Plan.

### **5.3 Impact on Residential Amenity**

- 5.3.1 Policy D1 of the Local Development Plan advises that all new development must protect the amenity of surrounding areas by taking into account privacy, overlooking, noise, smell, light, visual impact, pollution daylight and sunlight.
- 5.3.2 The three nearest neighbouring dwellings to the proposed stable block are The Lodge (which is within the applicants' ownership), West barn and East Barn. The Lodge is located approximately 18 metres from the stable block with West Barn and East Barn being located between 80 and 85 metres away. Given the distances between the approved stables and neighbouring dwellings, it is not considered that the external form of illumination proposed and to be installed under the canopy within the inner U-shaped part of the building and a sensory security light to the south west elevation would have a detrimental impact on the amenity of neighbouring residential properties to warrant a refusal.
- 5.3.3 In support of this planning application, the Applicant has submitted details of the lighting under the canopy (Surface Fitting Compact HF 2D (16W) - Opal) and the type of sensory security lighting to be installed on the building (Helius 30W IP65 LED Floodlight). The Environment Health Services has assessed the details submitted and raises no objection to the proposal. In this respect, the proposal accord with policies D1 of the Local Development Plan.

## 5.4 Other Material Considerations

- 5.4.1 Conditions 4, 7, 8 and 10 imposed on planning application FUL/MAL/16/01016 in relation to external materials, surface water and foul drainage, and hard and soft landscaping works to the site have been discharged.

## 6. ANY RELEVANT SITE HISTORY

- **FUL/MAL/16/01016** - Stable block and manege for domestic purposes.  
Approved: 29 November 2016.

## 7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

### 7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Great Totham Parish Council	No objection to the lighting proposed.	Noted.

### 7.2 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Environmental Health Services	From the information supplied and the location of the site this would appear reasonable. No objection providing the Applicant installs and retains the lighting as stated.	Noted in the report.
Conservation Officer	No objection.	Noted in the report.

### 7.3 Representations received from Interested Parties (*summarised*)

- 7.3.1 No letters of representation received at the time of writing this report.

## 8. PROPOSED CONDITIONS

### Conditions:

- 1 The development hereby permitted shall be begun before 29 November 2019.  
REASON: To comply with Section 91(1) of The Town & Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice as well as the submitted detailed specifications.

- REASON: To ensure that the development is carried out in accordance with the details as approved.
- 3 The stables and manege hereby permitted shall be used solely for the private stabling of horses and no business or commercial use including for the purposes of livery or any riding school activity shall take place at the site.
- REASON: To ensure the nature of the use is appropriate within the rural area and in accordance with policy D1 of the Maldon District Local Development Plan and Guidance contained within the National Planning Policy Framework.
- 4 The roof of the development shall be constructed using roof tile: Lincoln Clay Pantile (Rustic Red) and ridge tile: Segmental Ridge Clay (Rustic Red) and retained as such thereafter.
- REASON: To ensure the external appearance of the development is appropriate to the rural area in accordance with policy D1 of the adopted Maldon District Local Development Plan and Government advice contained within the National Planning Policy Framework.
- 5 The roof to the stable building shall not incorporate any roof lights or strips of transparent material unless otherwise agreed in writing by the Local Planning Authority.
- REASON: To ensure the appropriate appearance of the stable block given the sensitive setting in accordance with policies S1, D1, D3 of the Maldon District Local Development Plan and Government advice contained within the National Planning Policy Framework.
- 6 The stable building hereby approved shall be clad in featheredged timber weatherboarding painted black. All window frames and doors shall also be painted black unless otherwise agreed in writing by the Local Planning Authority.
- REASON: To ensure an appropriate external appearance given the sensitive setting of the proposed stable block in accordance with policies S1, D1, D3 of the Maldon District Local Development Plan and Government advice contained within the National Planning Policy Framework.
- 7 The development hereby permitted shall be carried out in complete accordance with the Surface Water Drainage Strategy prepared by STM Environmental dated 10 April 2017 and the package treatment plant as referenced in compliance with condition application DET/MAL/17/05055 and shall be retained as such thereafter.
- REASON: To ensure the incorporation of an appropriate surface water and foul drainage scheme in accordance with policy D2 of the Maldon District Local Development Plan and Government advice contained within the National Planning Policy Framework.
- 8 The hard and soft landscape works shall be carried out in complete accordance with the landscaping detail Drawing No: 16.3384/L401 dated 25 January 2017 as referenced in compliance with condition application DET/MAL/17/05018. If within a period of two years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written approval to any variation.
- REASON: To secure appropriate landscaping of the site in the interests of visual amenity and the character of the rural area in accordance with policies

- S1 and D1 of the Maldon District Local Development Plan and Guidance contained within the National Planning Policy Framework.
- 9 The external illumination hereby approved shall be carried out in complete accordance with Drawing No: 16.3384/L401 dated 9 June 2017 and 16.3384/P204E dated 9 June 2017 and shall be retained as such thereafter.  
REASON: To protect the visual amenity of the rural area in accordance with policy D1 of the Maldon District Local Development Plan and Government advice contained within the National Planning Policy Framework.
- 10 The arrangements for the storage, drainage and disposal of manure, bedding and liquid animal wastes shall be carried out in complete accordance with the details as referenced in compliance with condition application DET/MAL/17/05055 and shall be retained as such thereafter.  
REASON: To ensure the nature of the use is appropriate within the rural area and in accordance with policy D2 of the Maldon District Local Development Plan and Government advice contained within the National Planning Policy Framework.
- 11 There shall be no burning of animal or stable wastes anywhere on the site as shown edged in red (or blue) on the plans which are referenced and form part of this permission.  
REASON: To ensure the nature of the use is appropriate within the rural area and in accordance with policy D2 of the Maldon District Local Development Plan and Government advice contained within the National Planning Policy Framework.

### **INFORMATIVES**

- 1 This planning application relates to the external illumination of the site only and does not replace planning application FUL/MAL/16/01016. All other conditions imposed under application FUL/MAL/16/01016 remains in perpetuity.
- 2 The applicant should ensure the control of nuisances during construction works to preserve the amenity of the area and avoid nuisances to neighbours:
- 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.