

**CIRCULATED  
BEFORE THE  
MEETING**



**REPORT of  
CHIEF EXECUTIVE**

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**to  
NORTH WEST AREA PLANNING COMMITTEE  
02 OCTOBER 2017**

**MEMBERS' UPDATE**

**AGENDA ITEM NO. 8**

<b>Application Number</b>	<b>17/00862/FUL</b>
<b>Location</b>	Barn Great Downs Farm Station Road Tollesbury Essex
<b>Proposal</b>	Part-Retrospective - Change of use and conversion of a building into a self-contained two-bedroom dwellinghouse (Use Class C3)
<b>Applicant</b>	Mr D Lai
<b>Agent</b>	Mr Paul Lonergan - Paul Lonergan Architects
<b>Target Decision Date</b>	18.10.2017
<b>Case Officer</b>	Spyros Mouratidis
<b>Parish</b>	TOLLESBURY EAST
<b>Reason for Referral to the Committee / Council</b>	Parish Trigger Departure from the Local Development Plan

**5. MAIN CONSIDERATIONS**

*(The key issues leading to the recommendation i.e. Policy and other material considerations including any key site characteristics.)*

**5.7 Other considerations**

5.7.2 Drainage - Given that the building is already on site, any flooding risk is not going to increase on site or elsewhere as a result of the proposal. Although a condition has been proposed for the submission of details of SUDS for the development, it is not considered that this condition would meet the national guidance tests. As stated within the application form, it is proposed to connect the property to the main sewer system which would be acceptable. However, it has been confirmed by the applicant for the adjacent site (application reference 17/00747/FUL) that connection to the main sewer is not possible at this stage. Moreover, the existing arrangements provide drainage of foul water on site. A condition to request additional details on this matter would meet the six tests of the PPG.

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**7. CONSULTATIONS AND REPRESENTATIONS RECEIVED**

*(Summary of comments received which are only relevant planning matters that are to be taken into account).*

**7.2 Statutory Consultees and Other Organisations (summarised)**

<b>Name of Internal Consultee</b>	<b>Comment</b>	<b>Officer Response</b>
Highway Authority	No objection	Comment noted

**7.3 Internal Consultees (summarised)**

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
Planning Policy	<p>There is a sufficient supply of housing land in the District. Development outside settlement boundaries will only be considered in exceptional circumstances for uses identified in Policy S8; none of which are evidenced by this application.</p> <p>The redevelopment of the agricultural building could be taken to make effective use of land, one of several principles identified as contributing to sustainable development in Policy S1. A view would need to be taken to determine whether the contribution to the effective use of land and any other material considerations associated with this application would outweigh the other policy considerations.</p>	Please see sections 5.1 and 5.6 of the report
Environmental Health	No formal comment until the Redevelopment of Agricultural Buildings checklist has been completed and submitted so it can be assessed whether any further information is required with the planning	Please see section 5.7 of the report.

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	<p>application or if any conditions are required in relation to land contamination.</p> <p>The area or catchment has also been subject to regular flooding in recent years so details of SUDS are required in order to prevent adding to this burden and risking flooding to the property and any other.</p>	

## 8. PROPOSED CONDITIONS

### **Conditions:**

*(Those that need to be complied with before the development starts or at certain stages defined in the condition to make it satisfactory to meet legal requirements. Conditions must be necessary, relevant (to planning and to the environment), enforceable, precise and reasonable.)*

- 6 The building shall not be occupied as a dwellinghouse unless a comprehensive ecological survey of the site, undertaken to ascertain if any protected species are present, along with details of the provision and implementation of ecological mitigation to protect any protected species if found to be present has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the first occupation of the building as a dwellinghouse.

REASON: To ensure the protection of the natural environment in accordance with policy D2 of the approved Maldon District Local Development Plan and national policy and guidance contained in the National Planning Policy Framework.

- 7 Prior to the first occupation of the building as a dwellinghouse, a foul drainage scheme shall be implemented on site to serve the development hereby approved, in accordance with the details that would have been submitted in writing to and approved by the local planning authority.

REASON: To ensure there is appropriate foul water drainage for the development in order to avoid any detrimental impact to the environment in accordance with policy D2 of the approved Maldon District Local Development Plan and national policy and guidance contained in the National Planning Policy Framework.