

**CIRCULATED
BEFORE THE
MEETING**



**REPORT of
CHIEF EXECUTIVE**

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

MEMBERS' UPDATE

AGENDA ITEM NO. 9

Application Number	FUL/MAL/17/00988
Location	Land Adjacent 7 Cherry Blossom Lane, Cold Norton, Essex
Proposal	Construction of a detached 3 bedroom bungalow with associated vehicular access, hardstanding and landscaping.
Applicant	Mr Saint
Agent	Mr Young - Local Planning Services
Target Decision Date	22 nd November 2017
Case Officer	Anna Tastsoglou, TEL: 01621 875741
Parish	PURLEIGH
Reason for Referral to the Committee / Council	Departure from the Local Development Plan 2017

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

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

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Norton Parish Council	No objection raised, but wised to make the following comment: This is outside the development boundary which is against the Parish Council's Planning Policy, but an earlier similar application on this site refused by MDC was then allowed on appeal. However, the Parish Council would like to point out that Cherry Blossom Lane is in a very poor condition and as the	Comments noted; however, it is not considered reasonable or necessary a condition in relation to reconstruction of the private road to be imposed as part of this application.

Name of Parish / Town Council	Comment	Officer Response
	construction of another property with the inherent vehicles associated with the new build will damage it further, the Parish Council would ask that a condition of the permission (if granted) is that the road leading to the new property is made up to an acceptable standard.	

7.2 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
ECC Highway Authority	No comments to this application.	Noted.

7.3 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objection subject to conditions regarding foul and surface water drainage schemes. Informatives in relation to waste management, contamination, nuisance during construction and alterations to an ordinary watercourse.	Comments noted and condition imposed (09). Two additional informatives are added below.

INFORMATIVES

3 Land Contamination

Should the existence of any contaminated ground or groundwater conditions and/or hazardous soil gases be found that were not previously identified or not considered in a scheme agreed in writing with the Local Planning Authority, the site or part thereof shall be re-assessed and a scheme to bring the site to a suitable condition shall be submitted to and agreed in writing with the Local Planning Authority. A "suitable condition" means one in that represents an acceptable risk to human health, the water environment, property and ecosystems and scheduled ancient monuments and cannot be determined as

contaminated land under Part 2A of the Environmental Protection Act 1990 now or in the future.

The work will be undertaken by a competent person in accordance with the Essex Contaminated Land Consortium's Land Contamination Technical Guidance For Applicants and Developers and UK best-practice guidance.

4 Alteration to an Ordinary Watercourse

Under Section 23 of the Land Drainage Act 1991, prior written consent from the Lead Local Flood Authority (Essex County Council) is required to construct any culvert (pipe) or structure (such as a dam or weir) to control, or alter the flow of water within an ordinary watercourse. Ordinary watercourses include ditches, drains and any other networks of water which are not classed as Main River.

If you believe you need to apply for consent, further information and the required application forms can be found at www.essex.gov.uk/flooding. Alternatively you can email any queries to Essex County Council via watercourse.regulation@essex.gov.uk.