

**CIRCULATED
BEFORE THE
MEETING**



**REPORT of
CHIEF EXECUTIVE**

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

MEMBERS' UPDATE

AGENDA ITEM NO. 10

Application Number	FUL/MAL/17/01037
Location	Land Between 4 Oaktrees And Lee Cottages, The Street, Little Totham
Proposal	Three bed bungalow
Applicant	Mr J Purdy
Agent	Mr Peter Le Grys - Stanfords
Target Decision Date	08 th November 2017
Case Officer	Hilary Baldwin
Parish	LITTLE TOTHAM
Reason for Referral to the Committee / Council	Departure from the Local Development Plan 2017 Parish Trigger

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

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

7.2 Internal Consultees (summarised)

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objection subject to conditions regarding foul and surface water drainage to be submitted for approval prior to commencement. Informative's to be added regarding waste management, land contamination, construction nuisance and alteration to a watercourse	Comments noted and recommenced conditions have already been appended to the scheme. The Informative's are noted and added below.

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Name of Internal Consultee	Comment	Officer Response
Conservation Officer	No Objection. Subject to conditions for samples of weatherboarding and brick and roof tiles samples to be submitted for approval	Comments noted and recommended conditions already added to the proposal.

7.2.1 Representations received from Interested Parties (*summarised*)

- Letters were received objecting to the application from the following and reasons for objection are summarized as set out below.
 - Mrs. F Cooper. 1 Lee Cottages, The Street, Little Totham, Maldon, Essex, CM9 8QJ
 - N Webb. 2 Lee Cottages, The Street, Little Totham, Maldon, Essex, CM9 8QJ

Supporting Comments	Officer Response
<p>The site is unsuitable for any kind of residential property because of close proximity to neighbours.</p> <p>Previous appeal stated that those most affected are No's 1 & 2 Lee Cottages</p> <p>Nothing has changed in this respect.</p> <p>Previous appeal dismissed due to proximity of neighbours, which concluded there would be substantial harm to the outlook and living conditions of adjacent dwellings at Lee Cottages.</p> <p>Neighbouring gardens are particularly short.</p> <p>Impact upon ability of neighbouring properties to extend.</p>	<p>The comments have been noted and addressed within the report</p>

INFORMATIVES

1 Waste Management

The applicant should consult the Waste and Street Scene Team at Maldon District Council to ensure that adequate and suitable facilities for the storage and collection of domestic waste and recyclables are agreed, and that the site road is constructed to accommodate the size and weight of the Council's collection vehicles.

2. Construction

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.

Where it is necessary to work outside of these recommended hours the developer and builder should consult the local residents who are likely to be affected and contact the Environmental health Team for advice as soon as the work is anticipated.

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.