



**MINUTES of
NORTH WESTERN AREA PLANNING COMMITTEE
8 JANUARY 2018**

PRESENT

Chairman	Councillor Mrs M E Thompson
Vice-Chairman	Councillor E L Bamford
Councillors	J P F Archer, H M Bass, M F L Durham, CC, J V Keyes, A K M St. Joseph and Miss S White
Ex-Officio Non- Voting Member	Councillor Mrs P A Channer CC

703. CHAIRMAN'S NOTICES

The Chairman drew attention to the list of notices published on the back of the agenda.

704. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 27 November 2017 be approved and confirmed.

705. APOLOGY FOR ABSENCE

An apology for absence was received from Councillor D M Sismey.

706. DISCLOSURE OF INTEREST

Councillor Mrs P A Channer declared a non-pecuniary interest as a Member of Essex County Council who were consulted on highways and other matters. She also advised that in relation to Agenda Item 6 - FULMAL1701120 and LBCMAL1701121 - Stow Maries Aerodrome, Hackmans Lane, Cold Norton Essex she was the Essex County Council Divisional Member for this area.

Councillor M F L Durham declared a non-pecuniary interest as a Member of Essex County Council.

Councillor E L Bamford declared a non-pecuniary interest in Agenda Item 8 TPO 11-17 - Tollesbury Surgery, 25 High Street, Tollesbury as this was her medical centre.

The Committee received the reports of the Chief Executive and determined the following planning applications, having taken into account all representations and consultation replies received, including those listed on the Members' Update circulated at the meeting.

707. RES/MAL 17/01068 - LAND ADJACENT SPRING ELMS FARM, SPRING ELMS LANE, WOODHAM WALTER, ESSEX

Application Number	RES/MAL/17/01068
Location	Land Adjacent Spring Elms Farm, Spring Elms Lane, Woodham Walter
Proposal	Reserved matters application for the approval of appearance, landscaping, scale and layout on approved application OUT/MAL/14/01160 (Outline application for removal of two former poultry sheds and erection of one dwelling and detached garage).
Applicant	Mr. & Mrs. R Jones
Agent	Mr. G Clark - Clark Partnership
Target Decision Date	12 January 2018
Case Officer	Hilary Baldwin
Parish	WOODHAM WALTER
Reason for Referral to the Committee / Council	Member Call In

Following the Officer presentation, the Applicant, Mrs Jones addressed the Committee.

Councillor M F L Durham, a Ward Member, advised that he did not agree with the recommendation of Officers. He commented on the proposed development and felt that the street scene impact along with the scale and bulk was very low. Councillor Durham proposed that the application be approved, contrary to Officers' recommendation. He advised that the Parish Council supported this application as it conformed with their recently confirmed Woodham Walter Village Design Statement.

Councillor H M Bass, the other Ward Member, agreed with and seconded the proposal of Councillor Durham.

In response to a query regarding the use of the garage, the Principle Planner advised that it would be for storage purposes and confirmed that this could be conditioned if Members were mindful to approve the application.

In response to the proposal from Councillor Durham the Committee discussed appropriate conditions with the Officers present and it was agreed that conditions regarding materials, the garage and those requested by Environmental Health should be applied if the application was approved.

The Chairman the put the proposal in the name of Councillor Durham to approve the application and upon a vote being taken this was agreed.

RESOLVED that this application be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of two years from the date of this permission.
2. The development hereby permitted shall be carried out in complete accordance with the drawings listed above on this decision notice.
3. No development shall take place until written details or samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the materials and details as approved.
4. The first floor storage area above the garage outbuilding hereby approved shall only be used for purposes ancillary enjoyment to the dwelling. The accommodation shall not be used independently of the dwelling hereby approved and shall not be used to provide sleeping accommodation.
5. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and the Essex Contaminated Land Consortium's 'Technical Guidance for Applicants and Developers' and is subject to the approval in writing of the Local Planning Authority.

Following the completion of the measures identified in the approved remediation scheme a verification report must be prepared and submitted to the Local Planning Authority. The dwelling hereby approved shall not be occupied until such verification report has been approved by the Local Planning Authority.

708. FUL/MAL17/01120 AND LBC/MAL/17/01121- STOW MARIES AERODROME, HACKMANS LANE, COLD NORTON, ESSEX

Application Number	FUL/MAL/17/01120
Location	Stow Maries Aerodrome Hackmans Lane Cold Norton Essex
Proposal	Retention of temporary hanger for display, storage and maintenance of historic aircraft
Applicant	The Trustees Stow Maries Great War Aerodrome
Agent	TMA Chartered Surveyors
Target Decision Date	17 January 2018
Case Officer	Yee Cheung, TEL: 01621 876220
Parish	COLD NORTON
Reason for Referral to the Committee / Council	Member Call In Major Application

Application Number	LBC/MAL/17/01121
Location	Stow Maries Aerodrome Hackmans Lane Cold Norton Essex
Proposal	Retention of temporary hanger for display, storage and maintenance of historic aircraft
Applicant	The Trustees - Stow Maries Great War Aerodrome
Agent	TMA Chartered Surveyors
Target Decision Date	17 January 2018
Case Officer	Yee Cheung, TEL: 01621 876220
Parish	COLD NORTON
Reason for Referral to the Committee / Council	Member Call In Major Application

Councillor Miss S White, a Ward Member, advised that she did not have concern with the hanger but raised residents' concerns regarding there not being any conditions attached to the suggested approval of this application. In response Officers advised that the 2009 application covered use of the wider site and related condition still applied and therefore these could not be placed on this application. It was noted that any conditions attached to an approval had to be relevant to the development. An informative was suggested by Officers but not supported by Members.

Following further debate Councillor Miss White advised that as the temporary permission expired in 2017 the application should be deferred to allow research into appropriate conditions and if not deferred she proposed the application be refused and made comment about Members voting. This proposal was duly seconded. The Chairman put this proposal of deferment to the Committee but upon a vote being taken the motion was declared lost.

In accordance with Procedure Rule 13 (3) Councillor J P F Archer requested a recorded vote. This was duly seconded by Councillor Miss White.

The Chairman then put the Officers' vote of approval to the Committee.

For the recommendation:

Councillors E L Bamford, H M Bass, M F L Durham, J B Keyes, A K M St. Joseph and Mrs M E Thompson.

Against the recommendation:

Councillors J P F Archer and Miss S White.

Abstention:

There were none.

In response to a comment made regarding voting, it was noted that Members were on the Committee to vote on all matters and did so with an open mind whether or not an application was within their particular Ward or not.

FUL/MAL/17/01120

RESOLVED that this application be **APPROVED** subject to the following condition:

- 1 The timber barn that was removed for the development of the hangar as approved in planning application FUL/MAL/14/00574 shall be retained and be protected to enable their use elsewhere within the aerodrome complex.

LBC/MAL/17/01121

RESOLVED that Listed Building Consent be **GRANTED** subject to the following condition:

- 1 The timber barn that was removed for the development of the hangar as approved in Listed Building Consent LBC/MAL/14/00575 shall be retained and be protected to enable their use elsewhere within the aerodrome complex.

709. HOUSE/MAL17/01330 - 21 CHAPEL ROAD, TOLLESHUNT D'ARCY, ESSEX, CM9 8TL

Application Number	HOUSE/MAL/17/01330
Location	21 Chapel Road Tolleshunt D'Arcy Essex CM9 8TL
Proposal	Single storey rear extension to replace conservatory. New enlarged roof with accommodation including dormers to front and rear.
Applicant	Mrs V McCabe
Agent	The Nicholas Ward Design Practice
Target Decision Date	9 January 2018
Case Officer	Emma Worby, TEL: 01621 875860
Parish	TOLLESHUNT D'ARCY
Reason for Referral to the Committee / Council	Member Call In

Councillor E L Bamford, a Ward Member, advised that she had concern regarding the dormers and proposed that the Committee agree the Officers' recommendation of refusal. This was duly seconded.

Following some discussion on the proposed dormers, the Development Management Team Leader advised that if Members' were mindful to approve the application it would be possible to condition that the dormers be aligned with the bedroom windows rather than this detail having to come back before the Committee.

In response to a question regarding the Maldon Design Guide, Members were advised that the reports to this Committee were written prior to approval of the Design Guide by the Council.

The Chairman put the Officers recommendation of refusal to the Committee and upon a vote being taken the motion was declared lost.

Councillor J B Keyes then proposed that the application be approved, contrary to Officers' recommendation. This proposal was duly seconded. The Development Management Team Leader suggested a number of conditions to be applied should the application be approved and these were agreed by Members.

The Chairman then put the proposal in the name of Councillor Keyes and upon a vote being taken this was agreed.

RESOLVED that this application be **APPROVED** subject to the following conditions:

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 complete accordance with the drawings listed above on this decision notice.
3. The proposed development shall only be undertaken using materials as shown within the application form and the plans hereby approved.

710. TPO 11/17 - TOLLESBURY SURGERY, 25 HIGH STREET, TOLLESBURY, ESSEX CM9 8RG

The Committee considered the report of the Director of Planning and Regulatory Services seeking Members' consideration of Tree Preservation Order (TPO) 11/17 – Tollesbury Surgery, 25 High Street, Tollesbury.

The report provided detailed information regarding the tree, its location, ownership and planning history of the site. It was noted that one objection had been received regarding the serving of the TPO which had not been resolved. Photos of the site and tree were attached as Appendix 1 to the report.

Councillor E L Bamford, a Ward Member, proposed that the Tree Preservation Order be confirmed without any modification. This proposal was duly seconded.

There was some discussion regarding the location of the tree and whether it could be moved or replaced.

The Development Management Team Leader advised that the TPO had been made following an application for works to the tree which was in a conservation area. He informed Members that if they were mindful not to confirm the TPO there would not be any protection for the tree but that the TPO this would provide this whilst also allowing the applicants to seek to remove the tree and, for example, replace it in an alternative area.

Following further discussion Councillor Miss S White proposed that the TPO not be confirmed, contrary to Officers' recommendation. This proposal was duly seconded. Upon a vote being taken there was an equality of votes and the Chairman used her casting vote against the proposal.

The Chairman then put Councillor Bamford's proposition and the Officers recommendation to confirm the TPO without any modification. Upon a vote being taken there was an equality of votes and the Chairman used her casting vote in favour of the proposal.

RESOLVED that Tree Preservation Order 11/17 at Tollesbury Surgery, 25 High Street, Tollesbury be confirmed without any modification.

There being no further items of business the Chairman closed the meeting at 8.35 pm.

MRS M E THOMPSON
CHAIRMAN