



Tollesbury Parish Council

Notice is hereby given that the Meeting of Tollesbury Parish Council will be held on **Tuesday 21st February 2023 2023**, in **The Pavilion, Tollesbury Recreation Ground, Elysian Gardens** commencing at **7.30 pm**, to which members of the Council are summoned for the transaction of the under-mentioned business.

M. Curtis

Michelle Curtis – Clerk to the Council

14th February 2023

Councillors: S Plater (Chairman), T Lowther (Vice-Chairman), M Bell, V Chambers, R Clare, A Ferneyhough, L Goldie, S Hawes, C Page, J Rogers, A St Joseph

THE PRESS AND PUBLIC ARE CORDIALLY INVITED TO ATTEND

Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted; however, the privacy of (i) persons who object to the same and (ii) children and vulnerable adults must be respected by anonymising the identities of such.

1. Apologies for Absence

To receive apologies for absence.

2. Declaration of Interest

Members are reminded that they are required to declare any Disclosable Pecuniary Interests, Other Pecuniary Interests and Non-Pecuniary Interests which they know they might have in items of business on the agenda. They are reminded that they will need to repeat their declarations at the appropriate point in the meeting and leave the room if required under the Code of Conduct. Unforeseen interests must be declared similarly at the appropriate time.

3. Public Forum

Members of the public will be given an opportunity to put forward their question(s) or statements to the Council. The Chairman will, at his discretion, then decide if he is able to answer the question(s) or proposes to put the item on the agenda for the next meeting.

4. County Councillor and District Councillors

To receive information from the County Councillor and District Councillors

5. Minutes

To receive and approve the minutes of the Parish Council Meeting held on 7th February 2023

6. Planning Applications and Decisions

6.1 Planning Applications

Applications are circulated to all Councillors with the agenda for study ahead of the meeting. Planning documents are also available for everyone to view on Maldon District Council's website (www.maldon.gov.uk).

To consider planning applications received from Maldon District Council including the following:

Application No: 23/00068/HOUSE PP-11874127

Proposal: Proposed rear and side extension and internal remodelling.

Location: Ivystone Cottage Back Road Tolleshunt D'Arcy

6.2 Planning Decisions

To receive notification of planning decisions from Maldon District Council.

HOUSE/MAL/22/01191 - 1 Sceptre Close – Approved

HOUSE/MAL/22/01238 – 44 Mell Road – Approved

FUL/MAL/22/01182 - Carringtons Barn North Road – Approved

LBC/MAL/22/01076 - Prentice Hall 4 Prentice Hall Lane – Approved

FUL/MAL/22/01190 - Tollesbury Congregational Church East Street - Approved

6.3 Planning Appeals

To receive notification of Planning Appeals from Maldon District Council.

6.4 Planning Appeal Decisions

To note appeal decisions made by the Planning Inspectorate

Appeal Ref: APP/X1545/D/22/3300578

Application No: HOUSE/MAL/22/00080

Proposal: Two storey side extension

Address: 1 Genesta Close Tollesbury

Decision – Appeal Dismissed

6.5 Tree Preservation Orders for information

To note TPOs made by Maldon District Council.

7. Climate Change

To discuss any issues relating to Climate Change

8. Memorandum of Understanding (MoU) – Woodup Pool

To receive a verbal update from the Chairman.

9. Administration

To receive information from the Clerk – update on current and ongoing matters

10. Community Concerns

To receive information only or note future agenda items

11. Dates of the Next Meetings

Tuesday 7th March 2023 - Full Council Meeting – 7.30 pm – Pavilion

Tuesday 14th March 2023 – Finance Committee – 7.30 pm – Pavilion

Tuesday 21st March 2023 - Full Council Meeting – 7.30 pm – Pavilion

Tuesday 21st March 2023 – Recreation Ground Committee – Following Full Council Meeting – Pavilion

Tuesday 4th April 2023 - Full Council Meeting – 7.30 pm – Pavilion

Tuesday 11th April 2023 – Woodup Pool Committee – 7.30 pm – Pavilion

Tuesday 18th April 2023 - Full Council Meeting – 7.30 pm – Pavilion

Tuesday 18th April 2023 – Environment and Amenity Committee – Following Full Council Meeting – Pavilion

If you would like an item on the agenda at any Full Parish Council or Committee Meeting, you should write your request to the Parish Clerk at least a week before the meeting.

Clerk: Michelle Curtis

Address: PO Box 13205, Maldon, Essex CM9 9FU

Telephone: 01621 869039. **Email:** tollesburypc@btinternet.com

Town and Country Planning Act 1990
Weekly List Of Decisions
Week Ending 27 January 2023



HOUSE/MAL/22/01191 Tollesbury East

Proposed two storey side extension
1 Sceptre Close Tollesbury Essex CM9 8XB
(UPRN - 100090563829)
Chloe Hills

APPROVE subject to the following conditions:-

1 **CONDITION**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended).

2 **CONDITION**

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 2117:001, 2117:002B, 2117:003, 2117:004F and 2117:006A

REASON

To ensure that the development is carried out in accordance with the details as approved.

3 **CONDITION**

The materials used in the construction of the development hereby approved shall match the materials on the existing dwellinghouse.

REASON

In the interest of the character and appearance of the area in accordance with policies D1 and H4 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

POSITIVE AND PROACTIVE STATEMENT

Town and Country Planning (Development Management Procedure) (England)
Order 2015 - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Officer: Jade Elles
Dated : 23/01/2023

Town and Country Planning Act 1990
Weekly List Of Decisions
Week Ending 10th February 2023



HOUSE/MAL/22/01238 Tollesbury East

Removal of existing conservatory and erection of a single storey extension to the rear.

44 Mell Road Tollesbury Essex CM9 8SP

(UPRN - 100090562066)

Mr & Mrs Quilter

APPROVE subject to the following conditions:-

1 **CONDITION**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended).

2 **CONDITION**

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 01, 02, 03, 04 and 05.

REASON

To ensure that the development is carried out in accordance with the details as approved.

3 **CONDITION**

The materials used in the construction of the external walls of the development hereby approved shall match the existing dwellinghouse.

REASON

In the interest of the character and appearance of the area in accordance with policies D1 and H4 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

4 **CONDITION**

The roof area of the extension hereby approved shall not be used as a storage area, balcony, roof garden or similar amenity area.

REASON

In order to safeguard the amenities of neighbouring residents and the locality in accordance with policy D1 of the Local Development Plan.

POSITIVE AND PROACTIVE STATEMENT

Town and Country Planning (Development Management Procedure) (England) Order 2015 - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Officer: Jade Elles
Dated : 08/02/2023



Town and Country Planning Act 1990
Weekly List Of Decisions
Week Ending 3rd February 2023

FUL/MAL/22/01182 Tollesbury West

Regularisation of existing development under an approved COUPA/18/01127, together with external boundary proposals and change of use from agricultural land to domestic amenity associated with the house.

Carringtons Barn North Road Tollesbury Essex
 (UPRN - 010014002553)
 Mr T Harding

APPROVE subject to the following conditions:-

1 **CONDITION**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91(1) of The Town & Country Planning Act 1990 (as amended).

2 **CONDITION**

The development hereby permitted shall be carried out in complete accordance with approved drawings: 1906|27, 1906|28, 1906|29, 1906|30, 1906|31, 1906|32, 1906|33 and 1906|34

REASON

To ensure the development is carried out in accordance with the details as approved.

POSITIVE AND PROACTIVE STATEMENT

Town and Country Planning (Development Management Procedure) (England) Order 2015 - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Officer: Jade Elles
 Dated : 27/01/2023



Town and Country Planning Act 1990
Weekly List Of Decisions
Week Ending 13th January 2022

LBC/MAL/22/01076 Tollesbury West

Removal of a partition wall between utility room and kitchen in the 1970s built extension.

Prentice Hall 4 Prentice Hall Lane Tollesbury Essex

(UPRN - 100090563347)

Mr& Mrs Colin Galpin

GRANT LISTED BUILDING CONSENT subject to the following conditions:-

1 **CONDITION**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 **CONDITION**

The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, PH01 and PH02.

REASON

To ensure that the development is carried out in accordance with the details as approved.

POSITIVE AND PROACTIVE STATEMENT

Town and Country Planning (Development Management Procedure) (England) Order 2015 - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Officer: Jade Elles

Dated : 06/01/2023

Town and Country Planning Act 1990
Weekly List Of Decisions
Week Ending 27 January 2023



FUL/MAL/22/01190 Tollesbury East

Proposed replacement of two windows in single storey part of the existing church
Tollesbury Congregational Church East Street Tollesbury Essex
(UPRN - 100091455430)
John Dorsett - Tollesbury Congregational Church

APPROVE subject to the following conditions:-

1 **CONDITION**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended).

2 **CONDITION**

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 2121:001, 2121:002 and 2121:003.

REASON

To ensure that the development is carried out in accordance with the details as approved.

3 **CONDITION**

The materials used in the construction of the development hereby approved shall be painted white timber, hereby approved.

REASON

In the interest of the character and appearance of the area, in accordance with policies D1 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

POSITIVE AND PROACTIVE STATEMENT

Town and Country Planning (Development Management Procedure) (England) Order 2015 - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Officer: Jade Elles
Dated : 23/01/2023



Appeal Decision

Site visit made on 31 January 2023

by I A Dyer BSc (Eng) FCIHT

an Inspector appointed by the Secretary of State

Decision date: 07 February 2023

Appeal Ref: APP/X1545/D/22/3300578

1 Genesta Close, Tollesbury, Essex CM9 8SY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr A Birkin against the decision of Maldon District Council.
 - The application Ref HOUSE/MAL/22/00080, dated 7 January 2022, was refused by notice dated 29 March 2022.
 - The development proposed is two storey side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the character and appearance of the site and the surrounding area.

Reasons

3. 1 Genesta Close (No 1) is a semi-detached chalet bungalow and lies on the junction of Genesta Close with Waterworks Road and Thurstable Road in an established residential area. Genesta Close is fronted by dwellings of a similar scale and design, although many appear to have been altered and extended. Nevertheless they retain a large degree of consistency of scale and design.
4. In the wider area there is a wide variety in scale and design, including two storey houses and bungalows. These are generally set back off the street to a fairly constant degree on roughly consistent building lines. The set back of the buildings gives the area a degree of consistency and a pleasant, spacious feel.
5. The proposal would add a side extension of a similar scale and bulk to the existing dwelling, with a dormer on the front slope of the roof, and a dormer, contiguous with an existing rear dormer, on the rear slope.
6. In so doing, the proposed form and scale of the dwelling would overwhelm its semi-detached partner. The continuation of the ridge and eaves height and the scale of the dormers within the roof slope would, in this case, emphasise the scale of the proposed dwelling, to a degree that the proposal would unbalance the pair of dwellings.
7. The side extension would almost extend, at full height, to the boundary adjacent to Waterworks Road. In so doing it would project forward of the roughly consistent building line of dwellings fronting Thurstable Road on that

- side, producing an inconsistency to the eye that would appear discordant and undermine the spaciousness around the junction.
8. Drawing these points together, the overall bulk of the proposal would be a discordant feature, dominating the street scene around the junction and within Genesta Close and would reduce the sense of spaciousness on long views along Thurstable Road and Waterworks Road, which I have identified above as providing positive contributions to the character and appearance of the area. This discordancy and reduction in spaciousness would be plainly visible within the street scene to passers-by on Genesta Close, Thurstable Road and Waterworks Road and, in this case, that discordance and reduction in spaciousness would result in material harm.
 9. My attention has been drawn to an extension at 5 Genesta Close. Whilst this extension extends the dwelling close to its boundary with 3 Genesta Close, it does not lie on the junction and thus its impact on spaciousness is not contextually comparable to that of the appeal proposal.
 10. Extensions at 2 Endeavour Close and 2 Valkyrie Close have also been referenced. I have limited information regarding the planning history of these sites. However, the buildings on the opposite side of Thurstable Road are set back behind gardens, a feature which I identify above as being common in the area. The dwellings opposite the appeal site are set back behind modest forecourts. This results in a reduced feeling of spaciousness at Genesta Close when compared to the Endeavour Close and Valkyrie Close junctions. I do not, therefore, consider that these two developments are so contextually similar as to form a direct comparison to the proposal before me. I have, in any case, determined this appeal on its own merits.
 11. I note that the proposal would use materials matching those of the host dwelling and features, such as dormers, which appear in local architectural vernacular. However, such design features would not, in this case, reduce the effect of the massing and position of the proposal so as to negate the harm that I have identified.
 12. I therefore conclude that the proposal would result in harm to the character and appearance of the site and surrounding area. It would, therefore, be contrary to policies D1 and H4 of the Maldon District Approved Local Development Plan 2014-2029 (2017) which, together, seek to ensure that, amongst other things, development respects and enhances local character with regard to scale, form and massing and makes a positive contribution to the character of the original building and the surrounding area.

Conclusion

13. The proposed development would be contrary to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal fails.

I A Dyer

INSPECTOR