

# TOLLESHUNT D'ARCY PARISH COUNCIL

[www.tolleshuntdarcypc.org](http://www.tolleshuntdarcypc.org)

**Chairman:** John Smith - 07505 008891

**Clerk:** Michelle Curtis, PO Box 13205, Maldon, Essex CM9 9FU

Tel: 07483 325853 email: [clerk@tolleshuntdarcypc.org](mailto:clerk@tolleshuntdarcypc.org)



Notice is hereby given that the meeting of **TOLLESHUNT D'ARCY PARISH COUNCIL** will be held on **Wednesday 28<sup>th</sup> June 2023**, in the **Village Hall, Tollesbury Road**, 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

20<sup>th</sup> June 2023

Councillors: J Smith (Chairman), L Barwick (Vice-Chairman), R Evans, I Ewing,  
M Henderson, G Munson, W Middleton

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## 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.

## AGENDA

- 1. Chairman's welcome**
- 2. Apologies for Absence**  
To receive apologies for absence.
- 3. Declaration of Interest**  
Members are reminded that they are required to declare any Disclosable Pecuniary Interests, Other Pecuniary Interests or 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.
- 4. County and District Councillors**  
To receive information from County and District Councillors.
- 5. Public Forum**  
The Chairman will invite questions and observations from members of the public. A maximum time of **15** minutes will be allowed.

## 6. Parish Working Group

To receive a verbal update from the Parish Working Group.

## 7. Minutes

To receive and approve the Minutes of the Meeting held on 30<sup>th</sup> May 2023.

## 8. Highways

To discuss letters received from residents regarding highways issues (recent accidents, speeding, parking on Chapel Road)

## 9. Finance

9.1 To receive and approve Monthly Financial Report as at 31<sup>st</sup> May 2023

9.2 To receive and approve Payments

## 10. Planning Applications and Decisions

### 10.1 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 the Maldon District Council website ([www.maldon.gov.uk](http://www.maldon.gov.uk)).

To consider Planning Applications received from Maldon District Council including the following:

Application No: HOUSE/MAL/23/00324 PP-12040393

Proposal: Construction of new oak framed porch

Location: 23 Tollesbury Road Tolleshunt D'arcy

Application No: WTPO/MAL/23/00427 PP-12112529

Proposal: T1 - Horse Chestnut located in 41A & T7 - Horse Chestnut Located in 39 - Crown reduction by 2m. Lateral reduction away from roof line by 2m. Crown thin by 30% & removal of deadwood.

Location: 41A & 39 D'arcy Way Tolleshunt D'arcy

Application No: LBC/MAL/23/00431 PP-121150242

Proposal: Conversion of rear window to a door

Location: Darcy House 1 South Street Tolleshunt D'arcy

Application No: HOUSE/MAL/23/00553 PP-12199211

Proposal: Erection of single storey side and rear extension and new roof to rear dormer window

Location: 1 Grouts Farm Cottage Kelvedon Road Tolleshunt D'arcy

### 10.2 Planning Decisions

To note decisions made by Maldon District Council

HOUSE/MAL/22/01186 & 22/01187 - Darcy Cottage 3 South Street – Approved

FUL/MAL/23/00052 - Land Adjacent To 13 Church Street – Refused

HOUSE/MAL/23/00243 - Mardi Gras Chapel Road - Approved

### 10.3 Appeals

To receive notification of Planning Appeals from Maldon District Council

#### **10.4 Planning Appeal Decisions**

To note decisions made by the Planning Inspectorate

#### **10.5 Tree Preservation Orders (TPO)**

To note TPOs made by Maldon District Council

#### **11. Training**

To consider any training requests from the Clerk or Councillors

#### **12. Margery Allingham Place**

To discuss planters at Margery Allingham Place.

#### **13. Tree Works**

To consider a quotation for the uplift of some trees on verges

#### **14. Parish Annual Assembly**

To review comments raised at the Parish Annual Assembly held on 17<sup>th</sup> May 2023.

#### **15. Police/Community Protection Officers (CPO)**

##### **15.1 Police Reports**

To receive Police Reports (confidential)

##### **15.2 Community Protection Officers (CPOs)**

To receive the CPO report for May 2023

#### **16. Administration**

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

#### **17. Representative Reports**

##### **17.1 Burial Ground**

17.1.1 To receive a verbal update from Cllr Henderson

##### **17.2 Recreation Ground/Pavilion**

17.2.1 To receive a verbal update from Cllr Middleton

##### **17.3 Public Rights of Way**

17.3.1 To receive a verbal update from Cllr Henderson

##### **17.4 Road Safety/Highway**

17.4.1 To receive a verbal update from Cllr Barwick

#### **18. Community Concerns**

To receive information only or note future agenda items

#### **19. Date of the Next Meeting**

Next meeting to be held on:

Tuesday 25<sup>th</sup> July 2023 – Full Council Meeting – 7.30 pm- Village Hall

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**From:** [REDACTED]  
**Sent:** 04 June 2023 17:56  
**To:** clerk@tolleshuntarcypc.org  
**Cc:** [REDACTED]  
**Subject:** Recent Car Crashes in Tolleshunt D'Arcy

Dear Tolleshunt D'arcy Parish Council,

Hope all is well? I wanted to start with a big thank you for all the work you are doing in the village. Myself and my young family moved to Tolleshunt D'arcy a year ago and it's been wonderful to be part of such a well cared for village.

I've not interacted with local councils before but I wanted to bring to your attention the recent spate of car crashes in the village. I live at [REDACTED] South Street and last Friday night (3rd June), a car lost control while going round the bend at Ruby's. It crashed into my neighbours house (7a) taking out his very sturdy metal railings before swerving to the other side of the road (missing the corner of our house by inches), destroying lamp post and ending up against the wall of 6 South Street.

This is the latest in a number of crashes on the double bends at the beginning of the village. We recently had a car mount the verge and take out the road sign for Mary Allingham Close. Then there was another car that missed the first bend into the village and took out someone's wall.

There have also been a number of crashes at the other end of the village over the last couple of weeks too.

I'm writing to you today to understand what options we may have as a village to reduce the number of accidents in Tolleshunt D'Arcy. Is there a way we can implement some type of traffic calming measures within the village? Such as a 20mph zone or larger warnings of the double bends at the South Street end of the village? As a concerned villager whose home has been too close for comfort for a couple of these crashes, if there is anything we can do to help to get movement on this issue, please do not hesitate to let me know.

Looking forward to your feedback on this issue.

Thanks!

[REDACTED]

[REDACTED]

[REDACTED]

To The Parish Council,

I am writing to report the two recent accidents in North St., 28<sup>TH</sup> May and 3<sup>rd</sup> June. There are six houses in North St., on my side, and we have all had our garden walls knocked down at least twice, some more than four times. People will probably say the traffic is going too fast, and yes, we do need the lowest speed limit possible. However, in these cases there are not any warning signs to say, how narrow the main road is, after driving round the blind bend. (The main road hasn't been widened since the horse and cart days).

It was my wall that was hit on the 28<sup>TH</sup>, and the police

and ambulance were called. The driver had it taken drugs, and wasn't over the limit, regards alcohol. He was badly shocked, and spent the night in hospital -

Please can you help? and make the village more safe. We could do with 'concealed entrance' signs on the Tiptree Rd, At the moment, traffic can start to accelerate round that bend, if nothing is coming from Maldon, as it is only a 'Give Way' sign at the junction.

Thank you.

[REDACTED]

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**From** [REDACTED]  
**Sent:** 04 June 2023 09:15  
**To:** Tolleshunt Darcy  
**Subject:** D'arcy Traffic Calming now please!

Hi,

Please review the attached images. They show destruction in the village on South that a crash on 2/6/23 caused. Only a speeding vehicle has the force required to demolish a steel fence. If the fence was not recently erected the house would have been destroyed, resulting in serious injury and death. The car also careered across the road to hit the opposing wall. I recommend for you to inspect yourselves. This is the exact point which tens of people use to cross the road during school drop off and pick ups.

Here are additional incidents that have occurred recently:

1. Van crashed into wall on North Street, saturday 27/5/23.
2. Speeding Vehicle crashed into my family, pulling out of our drive in August 2021  
( previous email to parish council from me details this )
3. Wall on Corner of Vicarage Close destroyed by crash. Still not repaired so you can inspect this.

I strongly implore the Parish Council to leverage this evidence base (and others) to win traffic calming measures from Essex Highways. I think we can all agree it is only through sheer luck that no injuries to pedestrians or residents have not occurred.

Speed cushions (pictured) have the advantage of forcing drivers to slow down, taking away the choice element which is so often declined. They also have minimal visual impact on the character of the village.

I look forward to hearing your thoughts on this pressing issue.

Kind regards,

[REDACTED]











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**From:** [REDACTED]  
**Sent:** 04 June 2023 09:24  
**To:** Tolleshunt Darcy  
**Subject:** Traffic calming 2

Hi, further to last email here are the images of the crash from September 14, 2021, again on South Street.











Sent from my iPhone

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**From:** [REDACTED]  
**Sent:** 04 June 2023 11:22  
**To:** Tolleshunt Darcy  
**Subject:** Traffic calming 3

Further to my previous emails please see attached photos taken today 4/6/23.

The 'cone photo' shows what's left of the street sign after the speeding vehicle rebounded, careered across south street and mounted the pavement after hitting the steel fencing.

The photos of the demolished wall and bollard on North Street are actually from TWO accidents last week.

The photo from Vicarage Close shows another wall demolition from speeding.

I and other villagers i have spoke to who live here agree a tipping point has been reached and Essex Highways need to come out and see the damage for themselves.

Can i please remote video call into the next Parish Council meeting so we can discuss? That's three crashes in one week.

Kind regards,

[REDACTED]













Sent from my iPhone

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**From:** [REDACTED]  
**Sent:** 10 June 2023 17:21  
**To:** clerk@tolleshuntarcypc.org  
**Subject:** Highway safety in Chapel Road Tolleshunt D'Arcy

God evening Michele  
I hope that you are well.  
Please can you forward the following concerns to your Councillors:

I am sure that Councillors are aware of the dangerous parking situation in Chapel Road, with vehicles parking hard onto the junction with Colchester Road, and cars also parking on both sides of the road just into Chapel Road. The result is that vehicles turning into or out of Chapel Road are forced onto the wrong side of the road whilst trying to negotiate two blind spots. I use this road regularly and have on a number of occasions met other cars coming head on because one of has been forced out into the road. I have reported this to the police in the past, and each time there is some improvement for a short time before the situation reverts back to what it was previously. It is often the same cars which park right up to the junction, sometimes two vehicles one behind the other.  
This really is an accident waiting to happen, and I would be interested in hearing the Parish Council's views on this matter.

[REDACTED]

Date: 14/06/2023

Tolleshunt Darcy Parish Council

Page 1

Time: 13:06

**Bank Reconciliation Statement as at 31/05/2023  
for Cashbook 1 - Current Bank A/c**

User: MICHELLE

<u>Bank Statement Account Name (s)</u>	<u>Statement Date</u>	<u>Page</u>	<u>Balances</u>
Unity Trust Bank	31/05/2023		31,771.13
Unity Trust Instant Access Acc	31/05/2023		22,721.00
			<u>54,492.13</u>
<b><u>Unpresented Cheques (Minus)</u></b>			<b><u>Amount</u></b>
30/05/2023 ONLINE	Michelle Curtis	531.00	
30/05/2023 ONLINE	H M Revenue & Customs	126.20	
30/05/2023 ONLINE	Lenny Aldridge	40.00	
30/05/2023 ONLINE	DW Maintenance	240.83	
30/05/2023 ONLINE	Bonz Cairey Ltd	156.00	
30/05/2023 ONLINE	Rialtas Buisness Solutions Ltd	320.19	
30/05/2023 ONLINE	Tolleshunt DArCy Village Hall	500.00	
30/05/2023 ONLINE	Trish Heard	100.00	
			<u>2,014.22</u>
			52,477.91
<b><u>Receipts not Banked/Cleared (Plus)</u></b>			
		0.00	
			<u>0.00</u>
			52,477.91
		<b>Balance per Cash Book is :-</b>	<b>52,487.91</b>
		<b>Difference is :-</b>	<b>-10.00</b>

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<u>Account</u>	<u>Opening Balance</u>	<u>Net Transfers</u>	<u>Closing Balance</u>
320 EMR Elections	100.00	100.00	200.00
321 EMR Parish Improvements	1,005.78	500.00	1,505.78
322 EMR Recreation Ground	4,675.65	2,500.00	7,175.65
323 Unallocated	296.57	-127.00	169.57
324 EMR Burial Ground	1,103.83	200.00	1,303.83
325 EMR Maypole	15.00	500.00	515.00
326 EMR Speed Reduction	0.00	4,500.00	4,500.00
	<u>7,196.83</u>	<u>8,173.00</u>	<u>15,369.83</u>



## Detailed Receipts &amp; Payments by Budget Heading 31/05/2023

## Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
<u>100 Income</u>							
1076 Precept	22,721	22,721	(0)			100.0%	
1990 Other Income	1,200	7,000	5,800			17.1%	
Income :- Receipts	<u>23,921</u>	<u>29,721</u>	<u>5,800</u>			80.5%	<u>0</u>
Net Receipts	<u>23,921</u>	<u>29,721</u>	<u>5,800</u>				
<u>110 Administration</u>							
4070 Payroll Processing	0	80	80		80	0.0%	
4080 Training	0	300	300		300	0.0%	
4090 Bank Charges	6	100	94		94	6.0%	
4100 Audit Fees	0	375	375		375	0.0%	
4120 Subscriptions & Memberships	712	1,000	288		288	71.2%	
4130 Insurance	0	1,800	1,800		1,800	0.0%	
4160 Telephone & Broadband	62	360	298		298	17.2%	
4170 Website	0	200	200		200	0.0%	
4190 Office Allowance	52	312	260		260	16.7%	
4200 Grants & Donations Paid	100	2,600	2,500		2,500	3.8%	
4230 CPOs	0	950	950		950	0.0%	
4500 Hall Hire	500	500	0		0	100.0%	
4990 Sundries	70	200	130		130	34.8%	
Administration :- Indirect Payments	<u>2,764</u>	<u>16,601</u>	<u>13,837</u>	<u>0</u>	<u>13,837</u>	16.6%	<u>0</u>
Net Payments	<u>(2,764)</u>	<u>(16,601)</u>	<u>(13,837)</u>				
<u>130 Amenities</u>							
4300 Defibrillator	223	400	177		177	55.8%	
4310 Grass/Hedge/Tree cutting	321	3,300	2,979		2,979	9.7%	
Amenities :- Indirect Payments	<u>544</u>	<u>3,700</u>	<u>3,156</u>	<u>0</u>	<u>3,156</u>	14.7%	<u>0</u>
Net Payments	<u>(544)</u>	<u>(3,700)</u>	<u>(3,156)</u>				
<u>135 Burial Ground</u>							
1350 Burial Ground Income	0	2,000	2,000			0.0%	
Burial Ground :- Receipts	<u>0</u>	<u>2,000</u>	<u>2,000</u>			0.0%	<u>0</u>
4360 Water	33	70	37		37	47.8%	
4370 Maintenance	0	50	50		50	0.0%	
Burial Ground :- Indirect Payments	<u>33</u>	<u>120</u>	<u>87</u>	<u>0</u>	<u>87</u>	27.9%	<u>0</u>
Net Receipts over Payments	<u>(33)</u>	<u>1,880</u>	<u>1,913</u>				

## Detailed Receipts &amp; Payments by Budget Heading 31/05/2023

## Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
<u>140 Pavilion</u>							
4360 Water	0	450	450		450	0.0%	
4370 Maintenance	350	500	150		150	70.0%	
4400 Electricity	61	600	539		539	10.2%	
Pavilion :- Indirect Payments	411	1,550	1,139	0	1,139	26.5%	0
Net Payments	(411)	(1,550)	(1,139)				
<u>145 Rec Ground</u>							
1450 Pitch Fees	25	250	225			10.0%	
Rec Ground :- Receipts	25	250	225			10.0%	0
4370 Maintenance	130	500	370		370	26.0%	
4550 Play Equipment	0	1,000	1,000		1,000	0.0%	
Rec Ground :- Indirect Payments	130	1,500	1,370	0	1,370	8.7%	0
Net Receipts over Payments	(105)	(1,250)	(1,145)				
<u>155 Streetlighting</u>							
4370 Maintenance	0	100	100		100	0.0%	
Streetlighting :- Indirect Payments	0	100	100	0	100	0.0%	0
Net Payments	0	(100)	(100)				
<u>160 Projects</u>							
4600 Maypole	0	500	500		500	0.0%	
4610 Parish Improvements	0	500	500		500	0.0%	
4620 Rec Ground	0	2,500	2,500		2,500	0.0%	
4640 Unallocated	227	100	(127)		(127)	227.0%	227
4650 Burial Ground	0	200	200		200	0.0%	
4660 Elections	0	100	100		100	0.0%	
4670 Speed Reduction	0	4,500	4,500		4,500	0.0%	
Projects :- Indirect Payments	227	8,400	8,173	0	8,173	2.7%	227
Net Payments	(227)	(8,400)	(8,173)				
6000 plus Transfer from EMR	227						
Movement to/(from) Gen Reserve	0						

## Detailed Receipts &amp; Payments by Budget Heading 31/05/2023

## Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
Grand Totals:- Receipts	23,946	31,971	8,025			74.9%	
Payments	4,109	31,971	27,862	0	27,862	12.9%	
Net Receipts over Payments	<u>19,837</u>	<u>0</u>	<u>(19,837)</u>				
plus Transfer from EMR	227						
Movement to/(from) Gen Reserve	<u>20,064</u>						

**Town and Country Planning Act 1990**  
**Weekly List Of Decisions**  
**Week Ending 26 May 2023**



**HOUSE/MAL/22/01186 Tolleshunt D'Arcy**

Single storey rear extension with addition of rooflights, a new canopy porch, internal alterations, erection of outbuilding and new gates to driveway.  
Darcy Cottage 3 South Street Tolleshunt D'arcy Essex  
(UPRN - 100090564066)  
Mr & Mrs Jason & Sandra Wren

**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: Location Plan, 101 Rev A, 201 Rev C, 102 Rev A, 103 Rev A, 202 Rev C, 203 Rev D, 204 Rev B and 205.

**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 as set out within the application form 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.

4 **CONDITION**

The sash windows and doors on the front elevation shall not be replaced.

REASON

In the interest of the character and appearance of the area, in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

5 CONDITION

The windows in the new extension shall be vertically sliding sashes and retained as such in perpetuity.

REASON

In the interest of the character and appearance of the area, in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

6 CONDITION

Prior to installation, large scale drawings of new windows and doors illustrating elevations at a scale of 1:20 and sections through glazing bars, heads, cill and jambs at a scale of 1:2 shall be submitted and approved in writing by the Local Planning Authority. The development shall thereafter be carried out as approved.

REASON

In the interest of the character and appearance of the area, in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

7 CONDITION

Prior to their use, details of the rooflights to be used shall be submitted and approved in writing by the Local Planning Authority. The development shall thereafter be carried out as approved.

REASON

In the interest of the character and appearance of the area, in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

8 CONDITION

High quality photographs of the bricks and roof tiles to be used and information on their source shall be submitted and approved in writing by the Local Planning Authority prior to their use. The development shall thereafter be carried out as approved.

REASON

In the interest of the character and appearance of the area in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

9 CONDITION

Prior to the commencement of the brickwork, the brickwork on the plinth of the extension shall be of English bond to match the rear elevations of the house and bedded in lime mortar, a specification for which shall be submitted in writing prior to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out as approved.

REASON

In the interest of the character and appearance of the area in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

10 CONDITION

All external joinery and the gates, including windows, doors and weatherboarding shall be of hand painted timber and retained as such in perpetuity.

REASON

In the interest of the character and appearance of the area in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

11 CONDITION

Rainwater goods shall be of cast metal finished in black and retained as such in perpetuity.

REASON

In the interest of the character and appearance of the area in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

12 CONDITION

The proposed gates shall be constructed and set out within drawing number 201 Rev C hereby approved.

**REASON**

To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed and to allow parking off street and clear from obstructing the adjacent carriageway in the interest of highway safety in accordance with Policies T2 and D1 of the LDP.

13 **CONDITION**

Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway.

**REASON**

To ensure that appropriate loading/unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety in accordance with Policies T2 and D1 of the LDP.

14 **CONDITION**

Prior to any works above slab level, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures shall be submitted to and approved in writing by the local planning authority. The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

**REASON**

To enhance protected and priority species and habitats.

**INFORMATIVE**

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org)

**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 : 22/05/2023

**LBC/MAL/22/01187          Tolleshunt D'Arcy**

Single storey rear extension with addition of rooflights, a new canopy porch, internal alterations, erection of outbuilding and new gates to driveway.  
Darcy Cottage 3 South Street Tolleshunt D'arcy Essex  
(UPRN - 100090564066)  
Mr & Mrs Jason & Sandra Wren

**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 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 and documents: Location Plan, 101 Rev A, 201 Rev C, 102 Rev A, 103 Rev A, 202 Rev C, 203 Rev D, 204 Rev B and 205.

**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 as set out within the application form 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.

4 CONDITION

The sash windows and doors on the front elevation shall not be replaced.

REASON

In the interest of the character and appearance of the area, in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

5 CONDITION

The windows in the new extension shall be vertically sliding sashes and retained as such in perpetuity.

REASON

In the interest of the character and appearance of the area, in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

6 CONDITION

Prior to installation, large scale drawings of new windows and doors illustrating elevations at a scale of 1:20 and sections through glazing bars, heads, cill and jamps at a scale of 1:2 shall be submitted and approved in writing by the Local Planning Authority. The development shall thereafter be carried out as approved.

REASON

In the interest of the character and appearance of the area, in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

7 CONDITION

Prior to their use, details of the rooflights to be used shall be submitted and approved in writing by the Local Planning Authority. The development shall thereafter be carried out as approved.

REASON

In the interest of the character and appearance of the area, in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

8 CONDITION

High quality photographs of the bricks and roof tiles to be used and information on their source shall be submitted and approved in writing by the Local Planning Authority prior to their use. The development shall thereafter be carried out as approved.

REASON

In the interest of the character and appearance of the area in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

9 CONDITION

Prior to the commencement of the brickwork, the brickwork on the plinth of the extension shall be of English bond to match the rear elevations of the house and bedded in lime mortar, a specification for which shall be submitted in writing prior to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out as approved.

REASON

In the interest of the character and appearance of the area in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

10 CONDITION

All external joinery and the gates, including windows, doors and weatherboarding shall be of hand painted timber and retained as such in perpetuity.

REASON

In the interest of the character and appearance of the area in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

11 CONDITION

Rainwater goods shall be of cast metal finished in black and retained as such in perpetuity.

REASON

In the interest of the character and appearance of the area in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

Officer: Jade Elles  
Dated : 22/05/2023



**Town and Country Planning Act 1990**  
**Weekly List Of Decisions**  
**Week Ending 2 June 2023**

**FUL/MAL/23/00052      Tolleshunt D'Arcy**

Proposed demolition of existing garage and the erection of a new three bedroom house with ancillary parking

Land Adjacent To 13 Church Street Tolleshunt D'arcy Essex

(UPRN - 010014002102)

Mr Tom Foster

**REFUSE** for the following reasons:-

- 1      The proposal would be set on a prominent site as it adjoins a main route through the village of Tolleshunt D'Arcy. The proposal; by reasons of the prominence of its parking area and vehicular access, the loss of an open area with vegetation and replacement with built form and boundary treatment, and the contrived and cramped layout due to the proportions of the plot; is not well designed and fails to respect or enhance its local context. As such the proposal is contrary to Policies S1, D1 and H4 of the Local Plan and the provisions of the Tolleshunt D'Arcy Conservation Area Review and Appraisal and the National Planning Policy Framework.
- 2      The proposal would result in the occupiers of 13 Church Street having an insufficient private amenity area which would be materially detrimental to residential amenity. As such the proposal is contrary to Policy D1 and H4 of the Local Plan and the provisions of the Maldon District Design Guide and the National Planning Policy Framework.
- 3      The proposal would necessitate the removal of a tree the subject of a Tree Preservation Order. The loss of the tree would be materially detrimental to the appearance and character of the site and its setting. As such the proposal is contrary to Policies S1 9), D1 1) c) and 3) and N2 and the provisions of the National Planning Policy Framework.
- 4      In the absence of sufficient ecological information, the local planning authority does not have certainty of the likely impacts to protected species nor any mitigation to avoid impacts. The local planning authority cannot be certain of impacts on legally protected species or be able to secure appropriate mitigation either by a mitigation licence from Natural England or a condition of any consent. The local planning authority therefore cannot demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006 and prevent wildlife crime under s17 Crime and Disorder Act 1998. The proposal, in the absence of the necessary information, is contrary to Policy N2 of the Local Plan and paragraph 99 of the ODPM Circular 06/2005.
- 5      In the absence of a satisfactory completed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, the necessary financial contribution towards Essex Coast Recreational disturbance

Avoidance and Mitigation Strategy has not been secured. As a result, the development would have an adverse impact on the European designated nature conservation sites, contrary to Policies S1, D1, I1, N1 and N2 of the Maldon District Local Development Plan and 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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reasons for refusal, allowing the Applicant/Agent the opportunity to consider whether there is a way forward to seek a revision to the proposal.

Officer: Jonathan Doe  
Dated : 26/05/2023

**Town and Country Planning Act 1990**  
**Weekly List Of Decisions**  
**Week Ending 26 May 2023**



**HOUSE/MAL/23/00243 Tolleshunt D'Arcy**

Erection of side and rear extension, new render to existing bungalow and replacement glazing, demolition and relocation of existing garage.  
Mardi Gras Chapel Road Tolleshunt D'arcy Maldon  
(UPRN - 100091257775)  
Mr Burton

**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 and 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:

6926-1101-P1- Site Location  
6926-1202-P2\_Proposed Ground Floor Plan  
6926-1103-P2\_Proposed Site Plan  
6926-1302-P2\_Proposed Elevations

**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 as set out within the application forms/plans hereby approved.

**REASON**

In the interest of the character and appearance of the area in accordance with policy 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: Juliet Kirkcaldy

Dated : 25/05/2023



11 Mashbury Road Great Waltham Chelmsford Essex CM3 1EN  
*Damon Wallace Mobile No. 07812475656*  
*E mail : wallace.aagc@gmail.com*

Via Email

Michelle Curtis  
Clerk / RFO to the Parish Council  
Tolleshunt D'Arcy Parish Council  
PO Box 13205  
Maldon  
Essex CM9 9FU

18th May, 2023

Dear Michelle,

**Re Trees on Verges at Tolleshunt D'Arcy**

Thank you for asking for a quotation following my request for the Parish Council to consider crown lifting four trees to help with mowing safely under and around the trees on the verges in the village.

I would therefore provide the following quotation for consideration:

To crown lift 2 x Hawthorn to a height of 1.5 – 2m, and  
2 x Oak to a height of 2.5 – 3m

For the sum of £90.00 including labour, equipment and waste away

The trees fall within the Conservation Area, and consent from Maldon District Council would be required before any work can take place.

If my quotation is acceptable, would you like me to apply for consent or will you be able to do this on behalf of the Parish Council?

If you have any queries or wish to discuss the above then please do not hesitate to contact me.

I look forward to hearing from you.

Yours sincerely,

Damon



Parish/Town Council	Month	Total Number of Hours
Tolleshunt D'Arcy	May	2
Number of Tru Cam Patrols	Hours Spent on Tru Cam	Number of Offenders
4	2	22

Officer	Parish	Date	Start	Finish	Total	Speed Enforcement Patrol (TRUCAM)	Drivers caught speeding	Comments/Any other duties
AR/LF	Tolleshunt D'Arcy	02/05/2023	13:30	14:00	00:30	M018	5	
AR/LF	Tolleshunt D'Arcy	02/05/2023	15:10	15:40	00:30	T496	5	
AR/LF	Tolleshunt D'Arcy	04/05/2023	14:25	14:55	00:30	M018	7	
AR/LF	Tolleshunt D'Arcy	04/05/2023	16:10	16:40	00:30	T496	5	
					2:00:00		22	