



MALDON DISTRICT  
COUNCIL

## MEMBERS' UPDATE

DIRECTOR OF STRATEGY,  
PERFORMANCE AND GOVERNANCE  
Paul Dodson

04 October 2022

Dear Councillor

### **NORTH WESTERN AREA PLANNING COMMITTEE - WEDNESDAY 5 OCTOBER 2022**

Please find enclosed the Members' Update for the above meeting, detailing any further information received in relation to the following items of business since the agenda was printed.

5. **22/00482/OUT - Golf Driving Range, Burnham Road, Woodham Mortimer**(Pages 3 - 6)

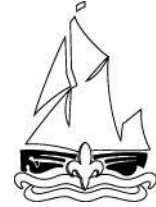
Yours faithfully

Director of Strategy, Performance and Governance



This page is intentionally left blank

CIRCULATED PRIOR  
TO THE MEETING



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

---

to  
**NORTH WESTERN AREA PLANNING COMMITTEE  
05<sup>th</sup> OCTOBER 2022**

**MEMBERS' UPDATE**

**AGENDA ITEM NO. 5**

<b>Application Number</b>	<b>22/00482/OUT</b>
<b>Location</b>	Golf Driving Range, Burnham Road, Woodham Mortimer
<b>Proposal</b>	Outline application with all matters reserved for up to 18 dwellings with a provision for affordable housing.
<b>Applicant</b>	Mr Ian Moss
<b>Agent</b>	Mr O Toole – Elegant Architectural Ltd
<b>Target Decision Date</b>	12.10.2022
<b>Case Officer</b>	Devan Hearnah
<b>Parish</b>	<b>Woodham Mortimer</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call in by Councillor M F L Durham Policies H5 (para 5.37) and H4

**5.10 Nature Conservation and Biodiversity**

5.10.4 It was raised in the original report that Officer's have concerns over the validity of the Preliminary Ecological Appraisal (PEA) as it had not been dated, and that the PEA provided as part of the last application is now out of date. The Councils Ecological Consultant has now provided comments on the application which concurs with the Officer's concerns. The Ecology Consultant notes that although the PEA does not have a date or author and that the date of the initial site walkover was not stated within the report, photos suggest that the walkover was undertaken on the 5<sup>th</sup> September 2020. They, therefore consider the information out of date and suggest that an ecological addendum or updated ecological report is required to support the application, which should include an additional site visit and may require updated desk study information. Appropriate justification is required on:

- The validity of the initial report;
- Which, if any, of the surveys need to be updated; and
- The appropriate scope, timing and methods for the update survey(s).

5.10.5 Further to the above, if additional impacts to protected species are noted, then necessary surveys will be required to be undertaken prior to the determination of the application.

5.10.6 In consideration of the above it is considered that the proposal could have the potential to detrimentally impact upon protected species contrary to policies S1, D2 and N3 of the LDP. Therefore, an additional reason for refusal is suggested.

**7 CONSULTATIONS AND REPRESENTATIONS RECEIVED**  
**7.3 Internal Consultees**

Name of Internal Consultee	Comment	Officer Response
Ecology	<p>The PEA (no date or author) is likely out of date. Photos within the report suggest the initial walkover was undertaken on the 5<sup>th</sup> September 2020.</p> <p>An ecological addendum or an updated ecological report should be provided, which should require an additional site visit and may require updated desk study information. Justification will be required on:</p> <ul style="list-style-type: none"> <li>- The validity of the initial report</li> <li>- Which, if any, surveys need to be updated</li> <li>- The appropriate scope, timing and methods for the updated survey(s).</li> </ul> <p>If additional impacts to protected species are identified as a result of the additional ecological assessment, then any necessary further surveys for protected species should also be provided prior to determination, unless an exceptional circumstance is demonstrated (as defined by BS42020).</p>	Addressed at section 5.10 of the Officers report and above.

**7.4 Representations received from Interested Parties**

7.4.2 An additional letter in support of the application has been received, totalling **2** letters of support. The additional reasons for support have been summarised in the table below:

Comment	Officer Response
The proposed housing would be welcome and would remove a major	Addressed at section 5.2

concern in respect of gold balls entering and damaging neighbouring properties.	
---	--

**8**      **REASONS FOR REFUSAL**

4.      The proposed development has a potential significant impact upon protected species. Insufficient information has been submitted to allow the Local Planning Authority to determine that the proposed development would not have significant impact on these features, or the significant impact is such that it can be mitigated or compensated in a satisfactory way. The development is therefore unacceptable and contrary to policies S1, D2 and N2 of the Local Development Plan as well as guidance contained within the National Planning Policy Framework

This page is intentionally left blank