



**MINUTES of  
NORTH WESTERN AREA PLANNING COMMITTEE  
15 JUNE 2022**

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**PRESENT**

|               |  |
|---------------|--|
| Chairman      | Councillor Mrs M E Thompson  |
| Vice-Chairman | Councillor J V Keyes   |
| Councillors   | Mrs J L Fleming, CC, S J N Morgan, C P Morley,<br>E L Stephens and S White |

**107. CHAIRMAN'S NOTICES**

The Chairman welcomed everyone present and went through some general housekeeping arrangements for the meeting.

**108. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors M F L Durham, CC and R H Siddall.

**109. MINUTES OF THE LAST MEETING**

**RESOLVED** that the Minutes of the meeting of the Committee held on 18 May 2022 be approved and confirmed.

**110. DISCLOSURE OF INTEREST**

Councillor Mrs J L Fleming disclosed a pecuniary interest as a Member of Essex County Council.

111. **22/00439/FUL - LAND REAR OF HILL BARN, RECTORY LANE, WOODHAM MORTIMER**

|   |   |
|---|---|
| <b>Application Number</b>                             | <b>22/00439/FUL</b>   |
| <b>Location</b>                                       | Land Rear of Hill Barn Rectory Lane Woodham Mortimer  |
| <b>Proposal</b>                                       | Proposed conversion of existing equestrian/storage buildings to form a live-work unit with associated development including the creation of a parking area. |
| <b>Applicant</b>                                      | Mr Mervyn Clarke  |
| <b>Agent</b>  | Mrs Caroline Legg - Phase 2 Planning  |
| <b>Target Decision Date</b>                           | 17.06.2022  |
| <b>Case Officer</b>                                   | Hannah Dungate  |
| <b>Parish</b>   | <b>WOODHAM MORTIMER</b>   |
| <b>Reason for Referral to the Committee / Council</b> | Member Call In by Councillor S White<br>Reason: Effect on the countryside and sustainability.   |

It was noted that a Members' Update had been circulated prior to the meeting advising that additional representation had been received from interested parties in the form of a letter of objection.

Following the Officers presentation, the Agent, Mr Woods addressed the Committee on both Agenda Items, 5 and 6. Mr Woods highlighted that the applications should be endorsed as it will enhance the site with much needed local housing, and that the application was consulted on, with consultees, with no objection. The Lead Specialist: Place Service Delivery Directorate informed Members' that although the Agent had spoken in reference to both applications, the Committee should consider them separately and on their own merits.

A discussion ensued regarding the use of the site as a live/work unit, and parking for potentially several vehicles. The Officer highlighted that the barn was lawfully used for equestrian purposes and would require significant work to make it usable as office space which permission had previously been granted for.

Issues were raised regarding parking on-site for business use and safety regarding the garden space on the residential property. The Officer confirmed that the garden was not policy compliant and would not afford privacy for the residential use, due to the relationship of the streetscene.

Councillor S J N Morgan, proposed that the application be refused for the reasons set out in the report. This was duly seconded and upon a vote being taken was agreed.

**RESOLVED** that this application be **REFUSED** for the following reasons:

- 1 The application site lies within a rural location outside of a defined settlement boundary where policies of restraint apply. The scale of the proposed residential accommodation is considered to be disproportionate to the commercial floorspace and would be tantamount to the erection of an independent dwelling within the countryside. The proposed development would be remote and disconnected from local services and facilities by reason of its location and would provide poor quality and limited access to sustainable and public transportation, resulting in an increased need of private vehicle ownership. The development would therefore be unacceptable and contrary to policies S1, S2, S8, D1, H4 and T2 of the MDLDP (2017) and Government advice contained within the NPPF (2019).

- 2 The proposal would lead to the domestication of the site in a manner that would have an urbanising effect that would erode the rural setting to the detriment of the intrinsic character and beauty of the countryside which has not been adequately mitigated or justified and would therefore be contrary to the overarching objectives contained within policies S1, S8, D1, E4, H4 and T2 of the MDLDP and Government advice contained within the NPPF.
- 3 In the absence of a 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 NPPF.

**112. 22/00443/FUL - LAND REAR OF HILL BARN, RECTORY LANE, WOODHAM MORTIMER**

|   |  |
|---|--|
| <b>Application Number</b>                             | <b>22/00443/FUL</b>  |
| <b>Location</b>                                       | Land Rear of Hill Barn Rectory Lane Woodham Mortimer   |
| <b>Proposal</b>                                       | Proposed conversion of existing equestrian/storage buildings to form 1No. new dwelling and associated development. |
| <b>Applicant</b>                                      | Mr Mervyn Clarke   |
| <b>Agent</b>  | Mrs Caroline Legg - Phase 2 Planning   |
| <b>Target Decision Date</b>                           | 17.06.2022   |
| <b>Case Officer</b>                                   | Jade Elles   |
| <b>Parish</b>   | <b>WOODHAM MORTIMER</b>  |
| <b>Reason for Referral to the Committee / Council</b> | Member Call In by Councillor S White<br>Reason: Effect on the countryside and sustainability.                      |

Following the Officers presentation, a discussion ensued. The Officer confirmed that the Inspector refused the previous application, as highlighted in paragraph 10 of the Appeal Decision: *'Accordingly, the appeal development does not constitute a suitable location for the provision of dwellings as the proposal would fail to comply within our list of policies which seek amongst other things to live at home for the most suitable locations e.g. street lighting'*.

Councillor S J N Morgan proposed that the application be refused as per Officers recommendation. This proposal was duly seconded and upon a vote being taken was agreed.

**RESOLVED** that this application be **REFUSED** for the following reasons:

- 1 The application is for a new dwelling and the site lies within a rural location outside of a defined settlement boundary where policies of restraint apply. The proposed development would be remote and disconnected from local services and facilities by reason of its location and would provide poor quality and limited access to sustainable and public transportation, resulting in an increased need of private vehicle ownership. The development would therefore be unacceptable and contrary to policies S1, S2, S8, D1, H4 and T2 of the MDLDP (2017) and Government advice contained within the NPPF (2021).

- 2 The proposed dwelling would lead to the domestication of the site in a manner that would erode the setting and the wider rural landscape, thereby resulting in an incongruous form of development that would have an urbanising effect by way of visual intrusion and encroachment into the rural landscape setting. As such, the proposal would be contrary to policies S1, S2, S8, D1 and H4 of the MDLDP and Government guidance contained in the NPPF.
- 3 In the absence of a 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 MDLDP and the NPPF.

There being no other items of business the Chairman closed the meeting at 8.22 pm.

MRS M E THOMPSON  
CHAIRMAN