



**MINUTES of
NORTH WESTERN AREA PLANNING COMMITTEE
5 OCTOBER 2022**

PRESENT

Chairman	Councillor Mrs M E Thompson
Vice-Chairman	Councillor J V Keyes
Councillors	M F L Durham, CC, S J N Morgan, C P Morley, E L Stephens and S White

278. CHAIRMAN'S NOTICES

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

279. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs J L Fleming and R H Siddall.

280. MINUTES OF THE LAST MEETING

RESOLVED by assent that the Minutes of the meeting of the Committee held on 7 September 2022 be approved and confirmed.

281. DISCLOSURE OF INTEREST

Councillor Durham declared an other registrable interest as a member of Essex County Council, as statutory consultees and in the interest of openness and transparency he advised he was aware of the applicant when involved in the golf business as a business acquaintance only.

282. 22/00482/OUT - GOLF DRIVING RANGE, BURNHAM ROAD, WOODHAM MORTIMER

Application Number	22/00482/OUT
Location	Golf Driving Range, Burnham Road, Woodham Mortimer
Proposal	Outline application with all matters reserved for up to 18 dwellings with a provision for affordable housing.
Applicant	Mr Ian Moss
Agent	Mr OToole – Elegant Architectural Ltd
Target Decision Date	12.10.2022
Case Officer	Devan Hearnah

Parish	WOODHAM MORTIMER
Reason for Referral to the Committee / Council	Member Call in by Councillor M F L Durham Policies H5 (para 5.37) and H4

A Members' Update had been circulated prior to the meeting that detailed comments from the Council's Ecology Consultant, representations from internal consultees and interested parties together with an additional reason for refusal on ecology grounds. Following the Officer's presentation, the Agent, Mr O'Toole addressed the Committee. The Chairman then opened the discussion.

Councillor Durham opened the discussion by saying he had called-in the application as he felt there were adequate reasons to bring this to Committee. He raised several points, that the application was a natural infill with the village and the settlement boundary ran along two sides of the development; the site was in a sustainable location 475 metres from the nearest bus stop on the A414, main transport to Maldon and the current business, that of a golf driving range, was no longer viable due to its length.

Furthermore, it was not a valid tourism operation with no significant employment opportunities and in terms of ecology objections mown grass and the ball collecting machine inhibited survival of any species. He concluded by saying that the Parish Council and neighbours had no objections, the proposed housing mix was appropriate and said he would like to hear from officers what impact the application would have on the 5YHLS.

In response to issues raised Officers provided the following information:-

- That in terms of sustainability the bus service was very limited particularly as a means to get to work and accessed via unlit footpaths. The nearest village was one of the smaller ones in the District with no facilities;
- That there was no evidence as to the viability of the business or use for other tourist, sport or community related facilities, which should be explored prior to planning use;
- That in terms of ecology the surrounding hedges and trees within the site could contain protected species and the species could use the site for migration at night;
- That the Call for Sites deemed this unsuitable for development and if houses were built without facilities this would create a dangerous precedent for all small villages across the District;
- That planning policy required evidence of marketing to be submitted with applications on previously developed land that have been used for employment, community, tourist or leisure purposes and none had been submitted with this application;
- That given the number of units there was no real benefit to the 5YHLS, with no contributions towards, health, education and transport. It was further noted that to base a decision on affordable housing only would also create a dangerous precedent, particularly where the oversupply in affordable housing was extremely limited;
- That decisions needed to be based on material planning considerations, be consistent and defensible.

Councillor Durham proposed that the application be approved, contrary to the Officer's recommendation, for the reasons that it was previously developed land, in a sustainable location, adjacent to existing boundaries with a net gain in biodiversity. This was seconded by Councillor Morgan.

Some Members raised the importance of the reasons for refusal in the Officer report whilst others felt that the benefits outweighed the perceived harm.

Prior to putting Councillor Durham's proposal to the vote the Chairman said she would not be supporting the application as no evidence had been submitted in accordance with policy. She then put the proposal to approve the application to the Committee, subject to a S106 agreement with conditions delegated to Officers in consultation with the Chairman, and the Committee approved the application.

RESOLVED that the application be **APPROVED** subject to a S106 agreement with conditions delegated to Officers in consultation with the Chairman.

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

MRS M E THOMPSON
CHAIRMAN