



**MINUTES of
NORTH WESTERN AREA PLANNING COMMITTEE
8 NOVEMBER 2023**

PRESENT

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| Chairperson | Councillor M F L Durham, CC |
| Vice-Chairperson | Councillor M E Thompson |
| Councillors | S J N Morgan, C P Morley, R H Siddall, E L Stephens and S White |

297. CHAIRPERSON'S NOTICES

The Chairperson welcomed everyone to the meeting and went through some general housekeeping arrangements for the meeting.

298. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J C Hughes and L L Wiffen.

299. MINUTES OF THE LAST MEETING

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 13 September 2023 be received.

Minute No. 231 – 23/00123/OUTM - LAND REAR OF 9 CHURCH ROAD, WICKHAM BISHOPS.

Councillor S J N Morgan proposed an amendment to the fourth paragraph of this Minute, that the seconder to his proposal should be amended to Councillor J C Hughes. This amendment was duly noted.

The Chairperson then moved that the Minutes be confirmed, subject to the above amendments and this was duly agreed.

RESOLVED

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 13 September be confirmed.

300. DISCLOSURE OF INTEREST

There were none.

301. 23/00021/FUL - LAND ADJACENT EASTHOLM, LATCHINGDON ROAD, PURLEIGH

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| Application Number | 23/00021/FUL |
| Location | Land adjacent Eastholm, Latchingdon Road, Purleigh |
| Proposal | Erection of 2no. dwellings with associated landscaping and ancillary works. |
| Applicant | Jacob |
| Agent | Blaine McMahon – Scene Architects Ltd |
| Target Decision Date | 15/11/2023 (EOT agreed) |
| Case Officer | Lisa Greenwood |
| Parish | PURLEIGH |
| Reason for Referral to the Committee / Council | Member Call In by Councillor S White, reasons stipulated are Policies S1 and D1 of the LDP. |

It was noted from the Members' Update that since the agenda had been published a response had been received from the Council's Arboricultural Consultant.

Following the Officer's presentation, the Agent, Mr Blaine addressed the Committee. The Chairperson then opened the floor for debate.

Councillor S White proposed to refuse the application in line with the Officer's recommendation and this was duly seconded.

Following a brief debate around reason for refusal 3, the Chairperson put Councillor White's proposal to refuse the application to the Committee and upon a vote being taken it was agreed.

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

1. The proposed development is located outside of a defined settlement boundary and is in open countryside. The site is not considered to be in an accessible location and does not promote sustainable travel. Furthermore, by virtue of the domestication and urbanisation of the site, and loss of an open and punctuated rural gap, the proposed development is considered to appear as an incongruous form of development that is out of keeping and would erode the intrinsic character and beauty of the open countryside. The principle of development has, therefore, been found to be unacceptable. The proposal is therefore contrary to Policies S1, S2, S8, D1, D2, H4, T1, T2, N1 and N2 of the Maldon District Local Development Plan (2017), the Maldon District Design Guide (2017), and the policies and guidance in the National Planning Policy Framework (2023).
2. The proposed development has not considered the context within which it would sit and would not respect the established pattern of ribbon development found at this section of Latchingdon Road. With its associated residential curtilage, paraphernalia and domestic characteristics, the development has been found to urbanise the site and would not be in keeping with the character and appearance of the rural area. The development has not taken design cues from the immediate area and would also appear as visually intrusive when viewed at the street scene. The dwellings proposed are excessive in height and the pastiche design lacks a coherent sense of place. The proposal is therefore contrary to Policies S1, S8, D1 and H4 of the Maldon District Local Development Plan (2017), the Maldon District Design Guide (2017), and the policies and guidance in the National Planning Policy Framework (2023).

3. A window and balcony are proposed along the first floor side elevation fronting the neighbouring dwelling, Eastholm and would provide overlooking into the neighbouring site. This would cause harm to the residential amenity of this neighbour and would be contrary to Policies S1 and D1 of the Maldon District Local Development Plan (2017), the Maldon District Design Guide (2017), and the policies and guidance in the National Planning Policy Framework (2023).

302. 23/00700/FUL - HARMONY KENNELS, BROOK HOUSE, SPAR LANE, PURLEIGH, CHELMSFORD, ESSEX, CM3 6QW

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| Application Number | 23/00700/FUL |
| Location | Harmony Kennels, Brook House, Spar Lane, Purleigh, Chelmsford, Essex, CM3 6QW |
| Proposal | Proposed single storey dwelling, cart lodge and outbuilding incidental to the proposed dwelling replacing existing outbuildings. |
| Applicant | Mr and Mrs Lawrence & Moore |
| Agent | Mr Oscar Dickens – Design Designed Ltd |
| Target Decision Date | 16.10.2023 |
| Case Officer | Juliet Kirkaldy |
| Parish | PURLEIGH |
| Reason for Referral to the Committee / Council | Member Call In by Councillor S White with regard to Policies S1 and D1. |

It was noted from the Members' Update that since the agenda had been published the Applicants had submitted revised elevation plans and a Tree Constraints and Protection Plan in response to the Tree Consultants objection comments.

Following the Officer's presentation, the Chairperson opened the floor and a debate ensued around the impact that the development would have on the country side.

Councillor S White proposed to approve the application contrary to the Officer's recommendation.

Councillor R H Siddall proposed to refuse the application in line with the Officer's recommendation.

There being no further debate the Chairperson then called for a seconder to Councillor White's earlier proposal to approve the application contrary to the Officers recommendation and this was seconded by Councillor S J N Morgan. The Chairperson then put Councillor White's proposal to the Committee and upon a vote being taken it was lost.

The Chairperson then called for a seconder to Councillor Siddall's earlier proposal to refuse the application in line with the Officer's recommendation and this was seconded by Councillor E L Stephens. The Chairperson then put Councillor Siddall's proposal to the Committee and upon a vote being taken it was agreed.

RESOLVED that the application be **REFUSED** for the following reason:

- 1 The proposed development, as a result of the design, layout and appearance would result in a prominent form of development that would have an unacceptable effect by way of visual intrusion and an unacceptable encroachment into the rural landscape setting. The proposal would therefore be contrary to the requirements of policies S1, D1 and H4 of the approved Maldon

District Local Development Plan and the core planning principles and guidance as contained within the national planning policy framework.

303. 22/00324/PROW - LAND AT BROAD STREET GREEN ROAD, LANGFORD ROAD AND MAYPOLE ROAD, GREAT TOTHAM, ESSEX

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| Application Number | 22/00324/PROW |
| Location | Land at Broad Street Green Road, Langford Road And Maypole Road, Great Totham, Essex. |
| Proposal | Permanent diversion of PROW 19 Great Totham and PROW 17 Heybridge. |
| Applicant | David Moseley - Countryside Properties |
| Agent | Ian Mitchell - Mayer Brown |
| Target Decision Date | N/A |
| Case Officer | Tim Marsh |
| Parish | GREAT TOTHAM |
| Reason for Referral to the Committee / Council | Not Delegated to Officers |

Following the Officer's presentation, the Chairperson opened the floor for debate.

There was a brief discussion and it was clarified that the Public Right of Way (PROW) would need to be diverted to allow for the the completion of the surface water drainage infrastructure for the wider development detailed in the Officers report.

Councillor S J N Morgan proposed that the Diversion Order be approved as set out in the recommendation, which was duly seconded and upon a vote being taken was agreed.

RESOLVED that a permanent Diversion Order of the sections notated (A-B, F-G routes to close), (A-C-D-E-B, F-H-G Diverted routes) of Public Footpath 19 Great Totham is **MADE** and, if no relevant objections are received, **CONFIRMED** by Maldon District Council, as 'competent authority' under Section 257 of the Town and Country Planning Act 1990.

There being no other items of business the Chairperson closed the meeting at 8.13 pm.

M F L DURHAM, CC
CHAIRPERSON