



**MINUTES of
NORTH WESTERN AREA PLANNING COMMITTEE
11 SEPTEMBER 2024**

PRESENT

Chairperson Councillor M E Thompson
Councillors C P Morley and L L Wiffen

265. CHAIRPERSON'S NOTICES

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

266. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M F L Durham, J C Hughes, R H Siddall, S J N Morgan, E L Stephens and S White.

267. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 14 August 2024 be approved and confirmed.

268. DISCLOSURE OF INTEREST

There were none.

269. 23/00977/OUT LAND ADJACENT THE OWLS, WOODHAM ROAD, STOW MARIES

Application Number	23/00977/OUT
Location	Land adjacent The Owls, Woodham Road, Stow Maries
Proposal	Outline planning application with all matters reserved apart from access for the erection of two residential dwellings.
Applicant	Mr and Mrs Willmott
Agent	Mr Andrew Loader – Rachel Furze Design Ltd
Target Decision Date	13 September 2024
Case Officer	Juliet Kirkaldy
Parish	STOW MARIES
Reason for Referral to the Committee / Council	Member Call In Councillor S J N Morgan – Policies S1, S7 and H7 This application is different to previous refused application 22/01184/OUT. Members should have an opportunity to compare and contrast the two applications to assess whether the latest application has overcome the objections to the first one.

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

Members raised queries regarding the proposed development being in a sustainable location and the removal of the hedgerow. Officers confirmed that they had taken their cue from previous Planning Inspector decisions as detailed in the Officer's report. The removal of the hedgerow to allow for vehicular access and, in particular, the required site lines for vehicular and pedestrian safety in accordance with the requirements of the highway's authority, would have led to an unacceptable loss of hedgerow and a strong landscape feature for the village.

Councillor C P Morley proposed to refuse the application in accordance with the Officer's recommendation, which was duly seconded and upon a vote being taken was agreed.

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

- 1 The site is located outside of a defined settlement boundary and is in open countryside, where policy constraints apply. Future occupants of the site would be heavily reliant on the use of the car to gain access to everyday services and facilities and employment opportunities and as such the proposal does not provide a sustainable form of development. The proposal does not accord with the Council's spatial strategy contrary to Policies S1, S8, D1, H4, T1 and T2 of the Maldon District Local Development Plan (2017) and guidance set out in the National Planning Policy Framework.
- 2 The proposed development would consolidate built form along Woodham Road eroding the open spacious character which contributes to the street scene altering the existing rural character of the site. The proposal would result in material harm to the character and appearance of the site and surrounding area. The development is therefore contrary to Policies S8, and D1 of the Maldon District Local Development Plan (2017) and guidance set out in the National Planning Policy Framework.
- 3 The creation of a vehicular access in the location proposed when provided with the necessary visibility splays would lead to an unacceptable loss of hedgerow which is a strong landscape feature, and which is protected by a Hedgerow Retention Notice. The development is therefore contrary to Policies S8 and D1 of the Maldon District Local Development Plan (2017) and guidance set out in the National Planning Policy Framework.
4. 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 European designated nature conservation sites, contrary to Policies S1, D1, N1 and N2 of the Maldon District Local Development Plan (2017) and the guidance set out in the National Planning Policy Framework.

There being no other items of business the Chairperson closed the meeting at 8.03 pm.

M E THOMPSON
CHAIRPERSON