



**MINUTES of
NORTH WESTERN AREA PLANNING COMMITTEE
6 OCTOBER 2021**

PRESENT

Chairman	Councillor Mrs M E Thompson
Vice-Chairman	Councillor J V Keyes
Councillors	Mrs J L Fleming, CC, C P Morley, R H Siddall, E L Stephens and Miss S White
In attendance	Councillor C Morris

1. CHAIRMAN'S NOTICES

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

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M F L Durham, CC and K W Jarvis.

3. MINUTES OF THE LAST MEETING

RESOLVED by assent that the Minutes of the meeting of the Committee held on 8 September 2021 be approved and confirmed.

4. DISCLOSURE OF INTEREST

It was noted that all Members had a non-pecuniary interest in Agenda Item 7 - 21/00824/OUT - Five Corners Maypole Road Wickham Bishops CM8 3NW as they knew the late Councillor Rodney Bass.

Councillor Miss S White had a non-pecuniary interest in Agenda Item 7 - 21/00824/OUT - Five Corners Maypole Road Wickham Bishops CM8 3NW as the agent had completed work for her in the past.

Councillor Mrs J L Fleming declared a non-pecuniary interest as a Member of Essex County Council, a statutory consultee on all planning related matters and Agenda item 5 - 21/00693/OUT - Golf Driving Range Burnham Road Woodham Mortimer as she knows the parties involved. She advised the Committee she would not speak or vote on this item of business.

5. **21/00693/OUT - GOLF DRIVING RANGE, BURNHAM ROAD, WOODHAM MORTIMER**

Application Number	21/00693/OUT
Location	Golf Driving Range Burnham Road Woodham Mortimer
Proposal	Outline planning permission with the matter of access for consideration is sought for the demolition of the building and replacement of the driving range and pitch & putt with up to 25 new one and two bedroom single storey dwellings and public open space with an equipped play area.
Applicant	Joshua Charles Ltd
Agent	Ian Robottom
Target Decision Date	29.10.2021
Case Officer	Hannah Bowles
Parish	WOODHAM MORTIMER
Reason for Referral to the Committee / Council	Major Application Member Call In from Councillor M F L Durham, the reason for this call in is that this is a major application of significance to the area.

Prior to the presentation it was verbally reported that subsequent to the circulation of the Members' Update the applicant had requested that their application be deferred to the next North Western area planning meeting, however the Officer stated that it was considered reasonable for the determination of the application to proceed as there had been no considerations brought to the Officers attention, or any considerations that would materially affect the report being considered. Following the Officer's presentation, the Chairman opened the debate.

At this point the Lead Specialist: Development Management confirmed that the application under consideration was not a brownfield site.

Councillor Siddall raised concerns about the density of the development, the absence of a completed Section 106 agreement or any contributions and the fact that there was no affordable housing allocated. The Officer advised that the applicant had indicated a willingness to provide affordable units but in the absence of a legal agreement the committee deemed that not good enough.

Councillor Siddall then proposed that the application be refused in accordance with the Officer's recommendation. This was duly seconded by Councillor Keyes.

The Chairman 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 reasons:

1. The application site is in an unsustainable and rural location and remote from essential support facilities and community services; is inaccessible by a range of transport modes and is located where the need to travel would be maximised and the use of sustainable transport modes would be minimised and would therefore represent an unsustainable form of development, failing in relation to the social strand of sustainability. Therefore, the proposal conflicts with the National Planning Policy Framework's "presumption of sustainable development" and policies S1, S8 and T2 of the Maldon District Local Development Plan.
2. The proposed development would fundamentally alter the open character of the

south western edge of the village. The provision of twenty-five unjustified residential dwellings on this site currently used as golf driving range / pitch and putt would fail to provide visual enhancement to the wider rural locality, representing the encroachment of built form into the rural site and sprawl of development into the countryside. The layout of the access road is in stark contrast to the existing development within Woodham Mortimer and is considered to contribute to the harm of the proposal. Therefore, the proposal fails on the environmental stand of sustainability, in conflict the National Planning Policy Framework's "presumption of sustainable development" and policies S1, S8, D1, and H4 of the Maldon District Local Development Plan and guidance contained within the National Planning Policy Framework.

3. The proposed residential development would result in the unjustified loss of an employment use, community facility, tourism facility and sports and leisure facility. It has not been satisfactorily justified or evidenced that the sites present use significantly harms the character and amenity of the area, the proposed use would be a greater benefit to the community, or that the site has been marketed for sale or rent and that there is a confirmed lack of interest. Further, it has not been demonstrated that the existing use is no longer viable, that there will be no significant loss of tourism facilities or that the land is surplus to requirements to meet local need or that alternative provision in the locality can meet the needs. Therefore, the proposal conflicts with policies E1, E3, E5 and N3 of the Maldon District Local Development Plan and guidance contained within 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 development makes no contribution for affordable housing to meet the identified need in the locality, the necessary financial contribution towards Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy and NHS services, the management and maintenance of the public open space and would fail to secure the provision of residential travel packs for sustainable modes of transport, required for the future occupiers of the site contrary to Policies S1, D1, H1 and I1 of the Maldon District Local Development Plan and Government advice contained within the National Planning Policy Framework.

6. **21/00808/HOUSE - 31 LATCHINGDON ROAD, COLD NORTON, CM3 6JG**

Application Number	21/00808/HOUSE
Location	31 Latchingdon Road, Cold Norton, CM3 6JG
Proposal	Single storey rear extension
Applicant	Mr & Mrs Cadey
Agent	Mr Barry Powell
Target Decision Date	08.10.2021
Case Officer	Sophie Mardon
Parish	COLD NORTON
Reason for Referral to the Committee / Council	Member of Staff

A Members' Update had been circulated prior to the meeting that detailed further representation received from Cold Norton Parish Council.

Following the officer's presentation, the Chairman opened the debate. Councillor Siddall proposed that the application be approved in accordance with the Officer's recommendation. This was duly seconded.

The Chairman put the proposal to the committee and the application was approved.

RESOLVED that the application be **APPROVED** subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 666/1A and 666/2A.
- 3 The materials used in the construction of the development hereby approved shall be as set out within the application form/plans hereby approved.

7. 21/00824/OUT - FIVE CORNERS, MAYPOLE ROAD, WICKHAM BISHOPS, CM8 3NW

Application Number	21/00824/OUT
Location	Five Corners Maypole Road Wickham Bishops CM8 3NW
Proposal	Outline planning permission with the matter of access for consideration for a new detached dwelling.
Applicant	Mrs Margaret Bass
Agent	Mr Anthony Cussen - Cussen Construction Consultants
Target Decision Date	01.10.2021 EOT requested
Case Officer	Hannah Bowles
Parish	GREAT TOTHAM
Reason for Referral to the Committee / Council	Departure from the Local Development Plan 2014 – 2029 Member call in from Councillor J V Keyes Reason: Policy S1

A Members' Update had been circulated prior to the meeting to correct the name of the Councillor on the Member Call In and advise that further representations had been received from interested parties.

Councillor Keyes opened the debate and advised Members that he had called in the application as it was a departure from the Local Plan. He also raised concerns about the heavy development on Maypole Road.

In response to comments raised, the Lead Specialist: Development Management reminded Members that they were commenting on an indicative site plan. He advised that any considerations would need to be made under a detailed application.

Councillor White proposed that the application be approved in accordance with the Officer's recommendation. This was duly seconded by Councillor Keyes.

The Chairman put Councillor White's proposal to the Committee and upon a vote being taken it was agreed.

RESOLVED that the application be **APPROVED** subject to the following conditions:

APPROVE subject to the applicant entering into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, securing a necessary financial contribution towards Essex Coast Recreational disturbance Avoidance and Mitigation Strategy and subject to conditions as detailed in Section 8.

- *Financial contribution in respect of RAMS of £127.30, required to mitigate the impact of the new residential property.*
1. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
 2. Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
 3. The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters to be approved.
 4. The development hereby permitted shall be carried out in accordance with the following approved plans: 1201/01, 1201/02 A, 1201/03 A and 1201/04.
 5. Areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.
 6. Prior to occupation of the development the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway as shown on the Block Plan Layout drawing 1201/03 A. The width of the access at its junction with the highway shall not be less than 3 metres and shall be provided with an appropriate vehicular crossing of the highway verge and retained as such thereafter.
 7. Prior to occupation of the development, the dropped kerb vehicle crossing at the centre line shall be provided with a visibility splay with dimensions of 2.4m metres by 43m as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction and access is first used by vehicular traffic and retained free of obstruction above 600mm at all times.
 8. The proposed/any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.
 9. The scheme to be submitted as part of the reserved matters with the approved scheme and retained shall make provision for car parking within the site in accordance with the Councils adopted car parking standards. Prior to the occupation of the development the parking areas shall be constructed, surfaced, laid out and made available for such purposes in accordance with the approved scheme and retained as such thereafter..
 10. Prior to first occupation of the development, cycle parking shall be provided in accordance with the Maldon District Vehicular Parking Standards. The approved facility shall be secure, convenient, covered and retained at all times.
 11. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
 12. There shall be no discharge of surface water onto the Highway.
Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policies D1 and T2 of the Local Development Plan.
 13. No development works above ground level shall occur until details of the surface water drainage scheme to serve the development shall be submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development. The scheme shall ensure that for a minimum:
 - 1) The development should be able to manage water on site for 1 in 100 year events plus 40% climate change allowance.
 - 2) Run-off from a greenfield site for all storm events that have a 100% chance of occurring each year (1 in 1 year event) inclusive of climate change should be no higher than 10/l/s and no lower than 1/l/s. The rate should be restricted to the 1 in 1 greenfield rate or equivalent greenfield rates with long term storage (minimum rate 1l/s) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less

than greenfield) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield)

You are advised that in order to satisfy the soakaway condition the following details will be required:- details of the area to be drained, infiltration rate (as determined by BRE Digest 365), proposed length, width and depth of soakaway, groundwater level and whether it will be rubble filled.

Where the local planning authority accepts discharge to an adopted sewer network you will be required to provide written confirmation from the statutory undertaker that the discharge will be accepted.

14. No development works above ground level shall occur until details of the foul drainage scheme to serve the development shall be submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development.

The meeting closed at 8.05 pm.

MRS M E THOMPSON
CHAIRMAN