



**MINUTES of
NORTH WESTERN AREA PLANNING COMMITTEE
30 NOVEMBER 2022**

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, E L Stephens and S White

416. CHAIRMAN'S NOTICES

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

417. APOLOGIES FOR ABSENCE

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

418. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 5 November 2022 be approved and confirmed.

419. DISCLOSURE OF INTEREST

There were none.

420. 22/00336/LBC - EASTCROFT COTTAGE, FAMBRIDGE ROAD, MUNDON, CM9 6PH

Application Number	22/00336/LBC
Location	Eastcroft Cottage, Fambridge Road, Mundon, CM9 6PH
Proposal	Section 73A application for Internal amendments
Applicant	Viking Estate Management Ltd
Agent	Mr Craig Woods of Purcell
Target Decision Date	17.11.2022
Case Officer	Jonathan Doe
Parish	PURLEIGH
Reason for Referral to the Committee / Council	Member Call In by Councillor S White with regard to Policy D1

Following the Officer's presentation the Chairman opened the discussion. Councillor S White, having called in the application said that she knew the site really well and agreed with the Officer's recommendation. On that basis she proposed that listed building consent be granted in accordance with the Officer's report and this was duly seconded. There being no further discussion the Chairman put the Officer's recommendation to the Committee and it was unanimously agreed.

RESOLVED that listed building consent be **GRANTED** subject to the following condition:

1 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

237235-05-PUR-00-SL-DR-A-1000 Rev P02 Site and location plan

237235-05-PUR-00-SL-DR-A-2000 Rev P03 Block plan

237235-05-PUR-00-GF-DR-A-1001 Rev P02 Existing ground floor plan

237235-05-PUR-01-XX-DR-A-1002 Rev P02 Existing first floor

237235-05-PUR-00-XX-DR-A-1100 Rev P02 Existing elevations

237235-05-PUR-00-GF-DR-A-2001 Rev P03 Proposed ground floor plan

237235-05-PUR-00-01-DR-A-2002 Rev P02 Proposed first floor plan

237235-05-PUR-00-XX-DR-A-2100 Rev P01 Proposed elevations

Design and Access Statement

421. 22/00831/OUT - HAWKINS FARM, HACKMANS LANE, COCK CLARKS, ESSEX, CM3 6RE

Application Number	22/00831/OUT
Location	Hawkins Farm Hackmans Lane Cock Clarks Essex CM3 6RE
Proposal	Outline planning application with all matters reserved for the demolition of existing dwelling and the construction of 2no. dwelling houses.
Applicant	Ms Tracy Garner
Agent	Mr Glynn Williams - Glynn Williams Architects Limited
Target Decision Date	16.11.2022
Case Officer	Hannah Dungate
Parish	PURLEIGH
Reason for Referral to the Committee / Council	Member Call-in by Councillor S White citing Policy D1

Following the Officer's presentation the Chairman opened the discussion.

Councillor White, having called in the application, sought clarity as to whether the entire site was already residential and if what the applicant was proposing for the site was known. The Lead Specialist: Place advised that as per the officer report the application was outline in nature proposing the demolition of an existing bungalow with no information on what was being proposed.

A discussion ensued around the access and representations received from both the Parish Council and statutory consultee Essex Highways regarding the adverse impact of the access on highway safety. It was noted that Essex Highways would not have objected to the proposal if there was a way to mitigate the potential harm. The consensus was that the proposal as it stood could not be approved. Councillor Morgan proposed that the application be refused in accordance with the Officer's recommendation and this was duly seconded. The Chairman then put the recommendation of refusal to the Committee and it was agreed.

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

- 1 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 Maldon District Local Development Plan (2017) and guidance contained within the National Planning Policy Framework (2021).
- 2 The proposed development would result in a cramped and contrived form of development which would not reflect the spacious pattern of development within the area which would have a harmful impact on the visual amenity to the detriment of the character of the site and surrounding area, contrary to Policies D1 and H4 of the Maldon District Local Development Plan (2017) and the guidance contained within the National Planning Policy Framework (2021).
- 3 The proposed development would result in undue harm to the residential amenity of the future occupiers by reason of direct overlooking from No. 5 Hawkins Close resulting in a loss of privacy to the detriment of the living environment of the future occupiers. The proposal would therefore be contrary to policies D1 and H4 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework (2021).
- 4 The proposal would lead to the intensification of the access along Hackmans Lane. The lack of suitable visibility from the access for both emerging and approaching vehicles would result in an unacceptable degree of hazard to all road users to the detriment of general highway safety. The development would therefore be unacceptable and contrary to the National Planning Policy Framework, policies S1, T1 and T2 of the Maldon District Local Development Plan (2017).
- 5 Insufficient information has been provided to fully assess the impact on the trees which are located along the north and east boundaries of the site. It is therefore considered that it has not been demonstrated that there would not be a significantly harmful impact on these trees and the visual amenity of the locality. The proposal is therefore contrary to policies D1 and N2 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.
- 6 The applicant has failed to supply adequate ecological information which would allow for a full assessment of the impact of the proposed development on European Protected Species (Great Crested Newts and Bats). In the absence of any sufficient ecological information, the proposal is considered to conflict with the Policy N2 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.
- 7 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.

The meeting closed at 7.48 pm.

MRS M E THOMPSON
CHAIRMAN