



**MINUTES of
NORTH WESTERN AREA PLANNING COMMITTEE
27 NOVEMBER 2017**

PRESENT

Chairman	Councillor Mrs M E Thompson
Vice-Chairman	Councillor E L Bamford
Councillors	J P F Archer, H M Bass, M F L Durham, CC, D M Sismey, A K M St. Joseph, Miss S White
Ex-Officio Non- Voting Member	Councillor Mrs P A Channer, CC

622. CHAIRMAN'S NOTICES (PLEASE SEE OVERLEAF)

The Chairman drew attention to the list of notices published on the back of the agenda.

623. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor J V Keyes.

624. MINUTES OF THE LAST MEETING

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 30 October 2017 be received.

Present

Councillor Mrs P A Channer, CC was shown as present as a Member of the Committee, whereas she should be recorded as an Ex-Officio Member.

RESOLVED

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 30 October 2017 be confirmed.

625. DISCLOSURE OF INTEREST

Councillor Mrs M E Thompson declared a non-pecuniary interest in relation to Agenda Item 5 – OUT/MAL/17/01034 – Land to the Rear of Strawberry Lane, Tolleshunt Knights, Essex, as she was a Member of Tolleshunt Knights Parish Council.

Councillor Mrs P A Channer, CC declared a non-pecuniary interest as she was also a Member of Essex County Council who was consulted on highways, access, education and other matters.

Councillor M F L Durham, CC declared that he was also a Member of Essex County Council and has a non-pecuniary interest in relation to any application pertaining to that authority.

Councillor A K M St. Joseph declared a non-pecuniary interest in relation to Agenda Item 5 – OUT/MAL/17/01034 – Land to the Rear of Strawberry Lane, Tolleshunt Knights, Essex, as he knew the Applicant.

626. OUT/MAL/17/01034 - REAR OF STRAWBERRY LANE, TOLLESHUNT KNIGHTS, ESSEX

Application Number	OUT/MAL/17/01034
Location	Land to the Rear of Strawberry Lane Tolleshunt Knights Essex
Proposal	Outline planning to erect up to 27 dwellings and form access road onto Brook Close
Applicant	Mr C Newenham - Wilkin & Sons Ltd
Agent	Mr Phillip McIntosh - Melville Dunbar Associates
Target Decision Date	12 December 2017
Case Officer	Yee Cheung, TEL: 01621 876220
Parish	TOLLESHUNT KNIGHTS
Reason for Referral to the Committee / Council	Member Call In Major Application

Following the Officer's presentation of the report, Mr M Porter, representing Tolleshunt Knights Parish Council and Mr P McIntosh, the Applicant's Agent, both addressed the Committee.

Members debated this application and raised a number of questions to which the Officer responded:

- The footpath was referred to in the Members' Update, but was not included in the reasons for refusal

This application included a footbridge which would give greater connectivity in the wider area and, as this issue had been addressed, it was not included as a reason for refusal;

- Flood risk

The development is sited outside of the flood risk area and the Environment Agency had not raised any objection. Therefore, this reason for refusal had been removed from this application;

- Layer Brook connected to Abberton Reservoir. Was there a risk of contamination?

Environmental Health had assessed this application and had raised no objections, but had recommended that if this application was approved then conditions regarding contamination be included;

- Japanese Knotweed

This was dealt with outside of planning legislation;

- Wildlife

The previous application had mentioned badgers and, if necessary, this could be dealt with by way of condition. However, as it was not previously a reason for refusal it could not now be introduced as one.

Concern was raised that even though the housing was not in a flood area, the public open space and play area of the proposed development was. Members considered that the site was not sustainable and drew attention to the Parish Council's opinion that the proposed development would be detrimental to the existing community.

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

- 1 At present, the application site prevents the coalescence of Tolleshunt Knights and Tiptree where it falls under the jurisdiction of Colchester Borough Council. It is considered that the proposed development would fundamentally alter the open character of the north western edge of the village of Tolleshunt Knights, contrary to policies S1, S8, D1 and H4 of the Maldon District Local Development Plan and Government advice as contained within the National Planning Policy Framework.

- 2 The application site is in a rural location outside of the defined settlement boundary for Tolleshunt Knights where policies of restraint apply. The Council can demonstrate a five year housing land supply to accord with the requirements of the National Planning Policy Framework. The site has not been identified by the Council for development to meet future needs for the District and does not fall within either a Garden Suburb or Strategic Allocation for growth identified within the Local Development Plan to meet the objectively assessed needs for housing in the District. If developed, the site would be disconnected and isolated from the existing settlement, which has limited access and connectivity with the existing village thus would represent an unsustainable form of development. The proposed development would fail to protect and enhance to the character and appearance of the rural area and the built form would have an urbanising effect resulting in an unwelcome visual intrusion into the undeveloped countryside, to the detriment of the character and appearance of the rural area. Further, the application site is not considered to be in a sustainable location due to lack of footways, together with the distance to local services / facilities means that there would not be a safe or convenient pedestrian access to local services / facilities and it is likely that there would be greater reliance on the private car. The proposal would therefore be contrary to policies S1, S2, S8, D1, H4 and T2 of the Maldon District Local Development Plan; and the three dimensions to sustainable development as contained within the National Planning Policy Framework.
- 3 In the absence of a signed legal agreement the development makes no contribution for affordable housing, maintenance and management of the public open space and children’s play area, footpath / cycle link and the provision of bus stops which would be required with respect to mitigating the wider impacts of the development on local infrastructure and townscape. As such the proposal is considered to be contrary to policies H1 and I1 of the Maldon District Local Development Plan and Government advice contained in the National Planning Policy Framework.

627. HOUSE/MAL/17/01036 - CHELMER, WEST BOWERS ROAD, WOODHAM WALTER, ESSEX, CM9 6RZ

Application Number	HOUSE/MAL/17/01036
Location	Chelmer, West Bowers Road, Woodham Walter.
Proposal	First floor extension to chalet bungalow to form two storey dwellinghouse & an infill porch extension to the side.
Applicant	Dr Perumpalli
Agent	Ms Louise Cook – Smart Planning
Target Decision Date	07.11.2017
Case Officer	Devan Lawson, TEL: 01621 875845
Parish	WOODHAM WALTER
Reason for Referral to the Committee / Council	Member Call In

Following the Officer's presentation of the report, Ms L Cook, the Applicant's Agent, addressed the Committee.

Members debated this application and, whilst they appreciated that the proposed development was close to the road, it was a single track road and the property was fairly isolated. The proposed building was modest compared to other replacement dwellings and the existing building was not an attractive one.

Councillor M F L Durham, CC proposed approval of this application, contrary to the Officer's recommendation. This proposal was duly seconded.

RESOLVED that this 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.
REASON: To comply with Section 91(1) of The Town & Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in complete accordance with approved drawings: 17.4204/M001, 17.4204/M002A, 17.4204/M003A, 17.4204/E101A, 17.4204/E102, 17.4204/E103, 17.4204/E104, 17.4204/E105, 17.4204/E106, 17.4204/P201B, 17.4204/P202C, 17.4204/P203B, 17.4204/P204, 17.4204/P205 and 17.4204/P206C
REASON: In order to ensure that the development is carried out in accordance with the approved details and in accordance with policy D1 of the Local Development Plan.
3. The external surfaces of the development hereby approved shall be constructed of materials and finish to match the existing dwelling.
REASON: To protect the amenity and character of the area in accordance with policy D1 of the Local Development Plan

628. FUL/MAL/17/01160 - LAND ADJACENT SUNNYCOT, CHELMSFORD ROAD, PURLEIGH, ESSEX

Application Number	FUL/MAL/17/01160
Location	Land Adjacent Sunnycot, Chelmsford Road, Purleigh
Proposal	Erection of detached two bedroom chalet bungalow with associated cart lodge, access and amenity.
Applicant	Mr. T Selfe
Agent	Ms. Hayley Webb - Smart Planning Ltd
Target Decision Date	27 November 2017
Case Officer	Hilary Baldwin, TEL: 01621 875730
Parish	PURLEIGH
Reason for Referral to the Committee / Council	Member Call In Departure from the Local Plan

Following the Officer's presentation of the report, Mr D Wallis, the Applicant's Agent, addressed the Committee.

There followed a debate and some Members did not agree with the Officer's recommendation and raised the following reasons:

- The road was a relatively main road
- There were large properties located on the same road that the Council had granted permission for
- There was a shortage of two bedroomed properties in the District
- There was a bus stop, so the location was sustainable
- The Parish Council was in support of the application.

Councillor Miss S White, a Ward Member, proposed approval of the application contrary to the Officer's recommendation and this was duly seconded.

Other Members held a contrary view and were of the opinion that the site was at the edge of the settlement boundary and, if this application was allowed, there was a danger of creating an urban ribbon development. The Council had both clear policies and a Local Development Plan in place and this application fell outside of the development boundary. The Council must be consistent in its decision making

Members voted on the proposal to approve the application and the motion failed. There followed a vote on the substantive motion.

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

- 1 The proposed first floor extension due to its scale, bulk and design would result in a visually dominant, unbalanced and incongruous form of development which would be detrimental to the character and appearance of the original dwelling, to the surrounding area and to the intrinsic character and beauty of the countryside. Therefore, the proposal is considered to be detrimental to the dwelling and the character and appearance of the area contrary to approved policies S1, S8, D1 and H4 of the Local Development Plan, Government guidance contained within the National Planning Policy Framework and the Woodham Walter Village Design Statement.

There being no further items of business the Chairman closed the meeting at 8.20 pm.

MRS M E THOMPSON
CHAIRMAN