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DIRECTOR OF STRATEGY,
PERFORMANCE AND
GOVERNANCE'S OFFICE
DIRECTOR OF STRATEGY, PERFORMANCE
AND GOVERNANCE
Paul Dodson

24 January 2020

Dear Councillor

You are summoned to attend the meeting of the;

NORTH WESTERN AREA PLANNING COMMITTEE

on **MONDAY 3 FEBRUARY 2020** at **7.30 pm.**

in the Council Chamber, Maldon District Council Offices, Princes Road, Maldon.

A copy of the agenda is attached.

Yours faithfully



Director of Strategy, Performance and Governance

COMMITTEE MEMBERSHIP

CHAIRMAN

Councillor Mrs M E Thompson

VICE-CHAIRMAN

Councillor R H Siddall

COUNCILLORS

E L Bamford
M F L Durham, CC
Mrs J L Fleming
K W Jarvis
J V Keyes
C P Morley
Miss S White

Please note: Limited hard copies of this agenda and its related papers will be available at the meeting. Electronic copies are available via the Council's website.

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AGENDA
NORTH WESTERN AREA PLANNING COMMITTEE
MONDAY 3 FEBRUARY 2020

1. **Chairman's notices (please see overleaf)**

2. **Apologies for Absence**

3. **Minutes of the last meeting** (Pages 7 - 8)

To confirm the Minutes of the meeting of the Committee held on 25 November 2019, (copy enclosed).

4. **Disclosure of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, other Pecuniary Interests or Non-Pecuniary Interests relating to items of business on the agenda having regard to paragraphs 6-8 inclusive of the Code of Conduct for Members.

(Members are reminded that they are also required to disclose any such interests as soon as they become aware should the need arise throughout the meeting).

5. **19/01159/FUL - Land South of Buller Lodge, Buller Road, North Fambridge**
(Pages 9 - 24)

To consider the report of the Director of Service Delivery, (copy enclosed, Members' Update to be circulated)*.

6. **19/01197/FUL - Longwick Farm, Joyces Chase, Goldhanger, Essex** (Pages 25 - 44)

To consider the report of the Director of Service Delivery, (copy enclosed, Members' Update to be circulated)*.

7. **Any other items of business that the Chairman of the Committee decides are urgent**

Reports for noting:

In accordance with the Council decision (Minute No. 542 refers), the following report is for noting and a copy has been placed in the Members' Room and on the I drive for Members' information.

- Other Area Planning and Related Matters – Appeals Lodged and Appeal Decisions
-

Note:

1. The Council operates a facility for public speaking. This will operate only in relation to the consideration and determination of planning applications under Agenda Items No. 5 – 6.
2. The Committee may hear from one objector, one supporter, a Parish / Town Council representative, and the applicant / agent. Please note that the opportunity to speak is afforded only to those having previously made previous written representation.
3. Anyone wishing to speak must notify the Committee Clerk or a Planning Officer between 7pm and 7.20pm prior to the start of the meeting.
4. For further information please ring 01621 875791 or 876232 or see the Council's website – www.maldon.gov.uk/committees

* Please note the list of related Background Papers attached to this agenda.

NOTICES

Sound Recording of Meeting

Please note that the Council will be recording any part of this meeting held in open session for subsequent publication on the Council's website. Members of the public attending the meeting with a view to speaking are deemed to be giving permission to be included in the recording.

Fire

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Health and Safety

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Closed-Circuit Television (CCTV)

Meetings held in the Council Chamber are being monitored and recorded by CCTV.

BACKGROUND PAPERS

The Background Papers listed below have been relied upon in the preparation of this report:

1. The current planning applications under consideration and related correspondence.
2. All third party representations and consultation replies received.
3. The following Statutory Plans and Supplementary Planning Guidance, together with relevant Government legislation, Circulars, Advice, Orders, Directions and Guidance:

Development Plans

- Maldon District Local Development Plan approved by the Secretary of State 21 July 2017
- Burnham-On-Crouch Neighbourhood Development Plan (2017)

Legislation

- The Town and Country Planning Act 1990 (as amended)
- Planning (Listed Buildings and Conservation Areas) Act 1990
- Planning (Hazardous Substances) Act 1990
- The Planning and Compensation Act 1991
- The Planning and Compulsory Purchase Act 2004 (as amended)
- The Planning Act 2008
- The Town and Country Planning (General Permitted Development) Order 1995 (as amended)
- The Town and Country Planning (Development Management Procedure) (England) Order 2010
- The Town and Country Planning (Use Classes) Order 1987 (as amended)
- The Town and Country Planning (Control of Advertisements) (England) Regs 2007
- The Town and Country Planning (Environmental Impact Assessment) Regs 2011
- Localism Act 2011
- The Neighbourhood Planning (General) Regulations 2012 (as amended)
- The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)
- Growth and Infrastructure Act 2013
- Housing and Planning Act 2016
- Neighbourhood Planning Act 2017
- The Town and Country Planning (Brownfield Land Register) Regulations 2017

Supplementary Planning Guidance and Other Advice

i) Government policy and guidance

- National Planning Policy Framework (NPPF) - 2018
- Planning Practice Guidance (PPG)
- Planning policy for Traveller sites - 2015
- Relevant government circulars
- Relevant Ministerial Statements (as referred to in the report)
- Essex and South Suffolk Shoreline Management Plan – October 2010

ii) Essex County Council

- Essex Design Guide 1997 (Note: superseded by Maldon District Design Guide 2018)
- Essex and Southend on Sea Waste Local Plan 2017
- Essex Minerals Local Plan 2014

iii) Maldon District Council

- Five Year Housing Land Supply Statement 2017 / 18
- Maldon District Design Guide – 2017
- Maldon and Heybridge Central Area Masterplan - 2017
- Infrastructure Delivery Plan (All versions, including update in Council's Hearing Statement)
- Infrastructure Phasing Plan (January 2015 and January 2017 update for Examination)
- North Heybridge Garden Suburb Strategic Masterplan Framework - 2014
- South Maldon Garden Suburb Strategic Masterplan Framework – 2014 (adapted as Supplementary Planning Document (SPD) 2018)
- Vehicle Parking Standards SPD - 2018
- Renewable and Low Carbon Technologies SPD – 2018
- Maldon District Specialist Housing SPD – 2018
- Affordable Housing and Viability SPD – 2018
- Accessibility to Buildings SPD – December 2006
- Children's Play Spaces SPD – March 2006
- Sadd's Wharf SPD – September 2007
- Heybridge Basin Timber Yard SPD – February 2007
- Developer Contributions Guide SPD - 2010
- Heybridge Basin Village Design Statement – 2007
- Wickham Bishops Village Design Statement – 2011
- Woodham Walter Village Design Statement – 2011
- Althorne Village Design Statement
- Woodham Walter Village Design Statement
- Various Conservation Area Appraisals

All Background Papers are available for inspection at the Maldon District Council Offices, Princes Road, Maldon, Essex CM9 5DL during normal office hours.



**MINUTES of
NORTH WESTERN AREA PLANNING COMMITTEE
25 NOVEMBER 2019**

PRESENT

Chairman	Councillor Mrs M E Thompson
Vice-Chairman	Councillor R H Siddall
Councillors	E L Bamford, M F L Durham, CC, Mrs J L Fleming, K W Jarvis, C P Morley and Miss S White

1. CHAIRMAN'S NOTICES

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

2. APOLOGIES FOR ABSENCE

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

3. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 28 October 2019 be approved and confirmed.

4. DISCLOSURE OF INTEREST

Councillor M F L Durham, CC, declared a non-pecuniary interest as a member of Essex County Council, a consultee on planning application matters with respect generally to highways, matters of access and education primarily.

5. FUL/MAL/19/01016 - EAST COTTAGE, WITHAM ROAD, TOLLESHUNT MAJOR

Application Number	FUL/MAL/19/01016
Location	East Cottage, Witham Road, Tolleshunt Major
Proposal	Replacement dwelling
Applicant	Mr E King
Agent	Mr Peter Le Grys – Stanfords

Target Decision Date	EOT: 29.11.2019
Case Officer	Devan Hearnah
Parish	TOLLESHUNT MAJOR
Reason for Referral to the Committee / Council	Member Call In by: Councillor J V Keyes Reason: Policies D1, D2, S1, H2 & H4

Following the Officer's presentation Alison Dempsey, an Objector, and Mr Peter Le Grys, the Agent, addressed the Committee.

The Chairman opened the discussion by proposing that, since there were no reasons to counter the recommendation, the application be refused in accordance with the Officer's recommendation. This was duly seconded.

The Committee as a whole agreed with the Officer's recommendation given that the proposed building was still overbearing and not in keep with the surrounding area.

The Chairman put the recommendation to refuse the application to the Committee and upon a vote being taken this was carried.

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

- 1 The proposed development represents a substantial building that would, as a result of its excessive width, scale, bulk, mass and unsympathetic design, create a prominent and visually intrusive development on this part of Witham Road. The proposed development would be detrimental to the visual amenity and character of the site, its immediate surroundings and the wider rural area. The proposal would therefore be contrary to policies S1, S8, D1 and H4 of the Maldon District Local Development Plan and Government advice contained in the National Planning Policy Framework.

There being no further items of business the Chairman closed the meeting at 7.44 pm.

MRS M E THOMPSON
CHAIRMAN



**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

to
**NORTH WESTERN AREA PLANNING COMMITTEE
3 FEBRUARY 2020**

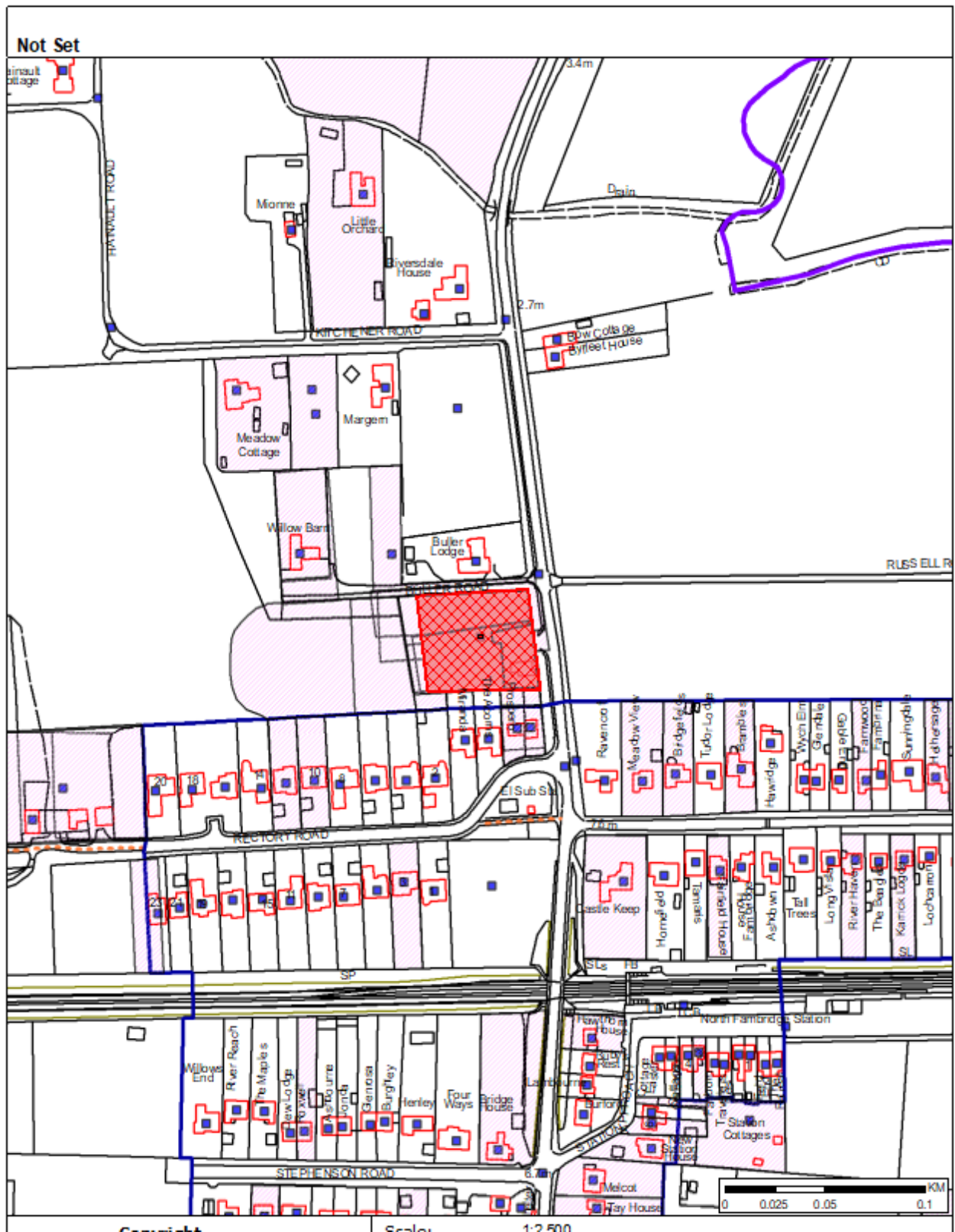
Application Number	19/01159/FUL
Location	Land South Of Buller Lodge Buller Road North Fambridge
Proposal	Construction of 4No. 2 bed detached bungalows with proposed access via Fambridge Road.
Applicant	Lord Rayner
Agent	Mr Ashley Robinson
Target Decision Date	30.12.2019 EOT 07.02.2020
Case Officer	Hannah Bowles
Parish	NORTH FAMBRIDGE
Reason for Referral to the Committee / Council	Departure from the Local Plan

1. RECOMMENDATION

APPROVE subject to a signed Unilateral Undertaking to confirm that the developer will contribute to Essex coast RAMS and the conditions as detailed in Section 8.

2. SITE MAP

Please see overleaf.



3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site has an area of approximately 0.285 hectares and is located south-west of the junction of Buller Road and Fambridge Road. The application site is just outside of the defined settlement boundary of North Fambridge. The site is currently partially grassed, with an area of hardstanding and was historically used as an agricultural field/pasture. It is relatively flat with trees and hedges along the northern and eastern site boundaries. There is an existing agricultural gate fronting Buller Road.
- 3.1.2 Buller Road is a private unmade single carriageway. Along Buller Road are two dwellings set amongst open countryside, although planning permission for a further dwelling has recently been granted at appeal. To the west is open countryside. To the south are a number of residential dwellings fronting Rectory Road which make up the northern edge of the settlement of North Fambridge.
- 3.1.3 The application site previously benefited from planning permission for four dwellings. The access road to the proposed development was constructed however, the pre-commencement conditions were not cleared and therefore a lawful commencement of the development did not occur within three years of the date of the decision and the permission has expired. The previously approved development was allowed at appeal for the construction of four, two-bedroom detached bungalows with a proposed access from Fambridge Road (planning permission: 14/00076/OUT and appeal reference: APP/X1545/A/14/2219905 dated 15 September 2014, reserved matters reference: 16/00386/RES was approved on 3 June 2016). The proposed scheme is identical to that previously approved.
- 3.1.4 Further, it is pertinent to note that outline planning permission was allowed on appeal for an additional bungalow to the south eastern corner of the site (reference: APP/X1545/W/16/3163300 Proposed 5th Plot for a small two bedroom bungalow dated 23 February 2017) and the reserved matters were subsequently approved (reference: 17/01426/RES dated 8 February 2018). A lawful start to this permission was commenced and the dwelling within plot 5 appears to be almost externally completed.
- 3.1.5 Planning permission is sought for the construction of four, two bedroomed, detached bungalows with associated parking, access track and private amenity space accessed via Fambridge Road.
- 3.1.6 The bungalow within plot 1 (as marked on the proposed site plan) measures approximately 11 metres wide, 16 metres when measured at its deepest point and 9 metres at its narrowest point. The bungalow would measure approximately 6.5 metres to ridge level at its highest point and 4.8 metres at its lowest point. The Internal floor area of the building would be approximately 120m². It would be positioned 1 metre away from the shared boundary with existing residential properties ‘Miranda’ and ‘The Acorns’ located to the south of the site.
- 3.1.7 The bungalow within plot 2 would be identical in width, height, scale, design and appearance to Plot 1. It will be positioned approximately 2 metres to the north of Plot

1. The Internal floor area of the building would be approximately 120m². Plot 1 and Plot 2 would both have an open plan lounge and kitchen area, two bedrooms, one with an en-suite and a bathroom.
- 3.1.8 The bungalow within plot 3 measures approximately 12 metres wide, 11.5 metres when measured at its deepest point and 7.5 metres at its narrowest point. The bungalow would measure approximately 5.1 metres to ridge level at its highest point and 4 metres at its lowest point. The Internal floor area of the building would be approximately 85.2m². The bungalow would be positioned approximately 8 metres to the north east of Plot 2.
- 3.1.9 The bungalow within plot 4 would be identical in width, height, scale, design and appearance to Plot 3. It will be positioned approximately 2.4 metres to the east of Plot 3. The Internal floor area of the building would be approximately 85.2m². Plot 3 and Plot 4 would both have a porch area, hall/dining room, kitchen, living room, bathroom and two bedrooms, one with an en-suite.
- 3.1.10 The bungalows would be constructed using weather boarding for the walls and plain tiles (35 degree pitched roofs throughout).
- 3.1.11 For Plot 1 and Plot 2, a private amenity space in excess of 200m² would be provided. Plot 3 will have a rear garden area in excess of 700m², while Plot 4 will have an area of 139 m².
- 3.1.12 As stated above the access point from Fambridge Road, as shown on the proposed plans has been constructed along with the access track, which the proposed dwellings will be positioned around, and the turning area. Each bungalow will have two-off street parking spaces allocated to the front of the building.

3.2 Conclusion

- 3.2.1 The proposed development is identical to a previously approved scheme, although the original permission expired on 3rd June 2018, having regard to the planning history of the site and surrounding area, namely the allowance of the dwelling less than 10m from the site in May 2019, an objection in relation to the principle of the development or the sustainability credentials of the site would be unreasonable. Further, the proposed development is not considered to result in a detrimental visual impact, loss of amenity to the neighbouring occupiers or impact on highway safety. In addition, adequate amenity space and car parking provision are proposed to serve each dwelling. Therefore, the proposed development is considered to be in accordance with the requirements on the Maldon District Local Development Plan (MDLDP) and Government guidance contained within the National Planning Policy Framework (NPPF) and the National Planning Policy Guidance (NPPG).

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework 2019 including paragraphs:

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 10-12 Presumption in favour of sustainable development
- 38 Decision-making
- 47 – 50 Determining applications
- 54 – 57 Planning conditions and obligations
- 59 – 79 Delivering a sufficient supply of homes
- 102 – 111 Promoting sustainable transport
- 117 – 123 Making effective use of land
- 124 – 132 Achieving well-designed places

4.2 Maldon District Local Development Plan 2014 – 2029 approved by the Secretary of State:

- S1 Sustainable Development
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- H2 Housing Mix
- H4 Effective Use of Land
- T1 Sustainable Transport
- T2 Accessibility

4.3 Relevant Planning Guidance / Documents:

- Maldon District Vehicle Parking Standards SPD (VPS)
- Maldon District Design Guide SPD (MDDG)
- Planning Practice Guidance (PPG)

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, Section 70(2) of the 1990 Act and paragraph 47 of the NPPF require that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case the development plan comprises of the approved Local Development Plan (LDP).
- 5.1.2 The LDP, as approved, has been produced in light of the NPPF's emphasis on sustainable development and preferred policy S1 promotes the principles of sustainable development encompassing the three dimensions identified in the NPPF.
- 5.1.3 The application site lies just outside of the defined settlement boundary of North Fambridge as identified in the LDP and as such Policy S8 of the LDP would be applicable to this case. Policy S8 requires development to be directed to sites within settlement boundaries to prevent urban sprawl beyond existing settlements and to protect the District's landscape. Outside of the defined settlement boundaries, the Garden Suburbs and the Strategic Allocations, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and, provided it is for other uses as listed under Policy S8 (a)-(m). The application site is outside a development boundary and is in the

countryside for the purposes of application of the abovementioned planning policies. As such, the proposal is in conflict with the approved policies.

- 5.1.4 Whilst it is considered that the principle of four dwellings in this location would be contrary to Policy S8 of the LDP and core principles of the NPPF which directs new dwellings to the defined development boundaries, it is important to note that the site has been accepted for the construction of five dwellings, as outlined above (paragraphs 3.1.3 and 3.1.4). Although the permission for four dwellings on the application site has lapsed and it is noted that the principle of development on this site was determined when the Council did not have a 5YHLS which weighed in the proposals favor; it is considered, given the planning history, findings of the Inspectors for the appeals and that the construction of the dwelling in plot 5 (approved under references 16/00858/OUT, which was allowed at appeal, and 17/01426/RES) is well underway, that an objection to the principle of four dwellings on the site would be unreasonable. In this respect it is pertinent to note the following conclusion contained within the appeal decision for application reference 14/00076/OUT (APP/X1545/A/14/2219905):

'Paragraph 8 of the Framework makes it clear that the environmental, social and economic roles of sustainability are mutually dependant. When considering the balance of all three dimensions taken together, I conclude that this would amount to sustainable development pursuant to paragraph 7 of the Framework. Accordingly, there is a presumption in its favour as set out in paragraph 14. In the absence of adverse impacts to significantly and demonstrably outweigh the benefits, planning permission should be granted.'

- 5.1.5 In addition to the above, an appeal has been allowed for a further dwelling, along Buller Road, around 10m from the application site. Appeal reference APP/X1545/W/18/3206806 was allowed on 13th May 2019 and the Inspector for the appeal stated *'..planning law also requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Whilst in policy terms the appeal site falls outside of the defined limits of North Fambridge, visually it appears to sit comfortably within the built limits of the village. Its close proximity to local services and transport links also makes it a reasonably sustainable location, which is part of the reasoning behind Policies S1, S2 and S8.'*
- 5.1.6 In terms of sustainability and, whether the proposal is located in a sustainable location, in addition to the above, the application site has been assessed in this respect by two different Planning Inspectors for the construction of five bungalows (reference: APP/X1545/A/14/2219905 - Outline application for the construction of 4 x 2 bed detached bungalows with proposed access via Fambridge Road and APP/X1545/W/16/3163300 - Proposed 5th Plot for a small two bedroom bungalow). In both of these appeal decisions, both Planning Inspectors found that the location was sustainable with regard to access to local services. Whilst the outline and reserved matters permission for the construction of four bungalows has lapsed; the findings of the Inspectors are a material consideration when determining this case.
- 5.1.7 It is therefore considered that the general principle of residential development in this locality would amount to sustainable development and the principle would be

acceptable subject to other material considerations which will be discussed in the report below.

- 5.1.8 Therefore, notwithstanding the conflict with policy S8, given the above it is considered that the principle of the proposed four dwelling and the sustainability of the site in terms of accessibility to services is acceptable.

5.2 Housing Need and Supply

- 5.2.1 The proposal would provide four dwellings which are proposed to have two bedrooms. Policy H2 of the LDP contains a policy and preamble (paragraph 5.2.2) which when read alongside the evidence base from the Strategic Housing Market Assessment (SHMA) shows an unbalanced high number of dwellings of three or more bedrooms, with less than half the national average for one and two bedroom units. The Council therefore, encourages, in the Policy H2 the provision of a greater proportion of smaller units to meet the identified needs and demands. The Council's updated SHMA, published in June 2014, identifies the same need requirements for 60% of new housing to be for one or two bedroom units and 40% for three bedroom plus units.
- 5.2.2 The Council is therefore encouraged in Policy H2 to provide a greater proportion of smaller units to meet the identified needs and demands. As mentioned above, the proposal provides four x two bed dwellings. The provision of smaller units would have public benefits in terms of boosting local housing, in accordance with the SHMA and therefore, this weighs in favour of the proposal.

5.3 Design and Impact on the Character of the Area

- 5.3.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high quality built environment for all types of development.
- 5.3.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The NPPF states that:
- 5.3.3 *"The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities".*
- 5.3.4 *"Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents".*
- 5.3.5 The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution in terms of:-

- (i) Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;
 - (ii) Height, size, scale, form, massing and proportion;
 - (iii) Landscape setting, townscape setting and skylines;
 - (iv) Layout, orientation, and density;
 - (v) Historic environment particularly in relation to designated and non-designated heritage assets;
 - (vi) Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
 - (vii) Energy and resource efficiency.
- 5.3.6 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG.
- 5.3.7 The application site lies outside of any defined development boundary. According to policies S1 and S8 of the LDP, the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. The policies stipulate that outside of the defined settlement boundaries, the Garden Suburbs and the Strategic Allocations, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided the development is for proposals that are in compliance with policies within the LDP, neighbourhood plans and other local planning guidance.
- 5.3.8 The proposed bungalows, of which there are two types, are traditional in terms of design, appearance and materials and comprise front and rear facing gables. They are considered to be of some architectural merit with attractive finishes and fenestration detailing. The overall scale of each bungalow is considered to be relatively modest and the layout is not considered to be overly dense for the rural area.
- 5.3.9 The application site is located in the Fambridge Drained Estuary Marsh Landscape Character Area, as identified with the Braintree, Brentwood, Chelmsford, Maldon and Uttlesford Landscape Character Assessment (2006) which forms part of the Council's evidence base. This character area is the hinterland of the marshes on the north shore of the narrow River Crouch. The landform is gently rolling country indented by many creeks, with scattered blocks of trees, linear tree belts, scrub and formerly elm-dominated hedgerows around pastures.
- 5.3.10 In the appeal decision for 14/00076/FUL (APP/X1545/A/14/2219905) the Planning Inspector considered that four bungalows would not significantly impact on the landscape character of the area particularly having regards to new development that was being constructed in close proximity of the application site at that time. The Planning Inspector also stated that the impact of the increased built form on this site would be minimal in light of housing along Rectory Road and Buller Road which already has an urbanising effect, this was balanced with the spacious layout shown on the indicative block plan. The Inspector concluded that whilst that development would reduce the openness of the site, it was considered that the single-storey and spacious nature of the development proposed would limit its impact on the landscape and would cause no material harm to the landscape or views from the countryside. The reserved matters application 16/00386/RES was approved on 3 June 2016 and it

is pertinent to note that the proposed bungalows are identical to those previously approved.

- 5.3.11 Whilst the above permissions lapsed on 3 June 2018, given the findings of the Inspector, detailed above and the fact the scheme is identical to that previously approved along with the advance stage of construction of the dwelling in plot 5 (approved under permissions 16/00858/OUT allowed at appeal, and 17/01426/RES) and the further residential development that has taken place in close proximity to the site, it is considered unreasonable to raise an objection in respect of the visual impact of the residential development on the wider locality or the existing site.
- 5.3.12 Given the above, it is not considered that the proposed bungalows, previously approved under references 16/00858/OUT and 17/01426/RES, would detrimentally impact the visual amenity of the site or surrounding area. Therefore, the proposal is considered to comply with policy D1, H4 and S8 in this respect.

5.4 Impact on Residential Amenity

- 5.4.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the MDDG. Similarly, policy D2 of the approved LDP requires all development to minimize all forms of possible pollution including air, land, water, odour, noise and light. Any detrimental impacts and potential risks to the human and natural environment will need to be adequately addressed by appropriate avoidance, alleviation and mitigation measures.
- 5.4.2 The application site fronts onto Buller Road to the north, Fambridge Road to the east and open countryside to the west. The application site includes plot 5 which is currently under construction in the south east corner of the site. To the south, the site abuts the end of the rear gardens of 'Miranda', 'The Acorns', 'Prospero' and 'Falstaff'.
- 5.4.3 The proposed dwellings are single-storey in nature, given this, the orientation, layout and the separation distance, it is not considered that the proposal would result in domination, a loss of light or overlooking to the neighbouring occupiers.
- 5.4.4 Further to the above, the closest dwelling to the proposed development is the dwelling being constructed in plot 5 and the impact on the residential amenity of the proposed scheme and the occupiers of this dwelling was considered during the assessment of 16/00858/OUT and 17/01426/RES. No concerns were raised at that time and it is not considered that there have been any significant changes to the site, surrounding area or policy position that would alter this stance.
- 5.4.5 Similarly to the above, the impact of the development on the residential amenity of the dwellings to the south of the site was assessed at the time of determining applications 14/00076/FUL and 16/00858/OUT and no concerns were raised. It is not considered that there have been any significant changes to the site, surrounding area or policy position that would alter this stance.

- 5.4.6 Therefore, it is not considered that the proposed bungalows, previously approved under references 16/00858/OUT and 17/01426/RES, would detrimentally impact the residential amenity of the neighbouring occupiers. Therefore, the proposal is considered to comply with policy D1, H4 and S8 in this respect.

5.5 Access, Parking and Highway Safety

- 5.5.1 Policy T1 of the approved LDP seeks to create additional sustainable transport opportunities. Policy T2 aims to create and maintain an accessible environment, requiring development proposals, inter alia, to provide sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.
- 5.5.2 The Council's adopted Vehicle Parking Standards SPD contains the parking standards which are expressed as minimum standards. This takes into account Government guidance which recognises that car usage will not be reduced by arbitrarily restricting off street parking spaces. Therefore, whilst the Council maintains an emphasis of promoting sustainable modes of transport and widening the choice, it is recognised that the Maldon District is predominantly rural in nature and there is a higher than average car ownership. Therefore, the minimum parking standards seek to reduce the negative impact unplanned on-street parking can have on the townscape and safety and take into account the availability of public transport and residents' reliance on the car for accessing, employment, everyday services and leisure. The key objectives of the standards are to help create functional developments, whilst maximising opportunities for use of sustainable modes of transport. This will enable people to sustainably and easily carry out their daily travel requirements without an unacceptable detrimental impact on the local road network, or the visual appearance of the development, from excessive and inconsiderate on street parking.
- 5.5.3 The proposed bungalows have two bedrooms leading to a requirement of two car parking spaces per dwelling. The car parking spaces have been demonstrated on the submitted plans and comply to the requirements in terms of the recommended parking bay size of 5.5m by 2.9m. Therefore, no concerns are raised in respect of the car parking provision to serve the development.
- 5.5.4 The proposal includes the creation of an access from Fambridge Road and access track and turning area (this element is retrospective as it has already been carried out on the site). The Highway Authority has been consulted and has raised no objection to the proposal in terms of highway safety. A turning area is proposed and therefore there is adequate space to safely turn in and out of the site. Therefore, there are no objections to the proposal in this respect.

5.6 Private Amenity Space and Landscaping

- 5.6.1 Policy D1 of the approved LDP requires all development to provide sufficient and usable private and public amenity spaces, green infrastructure and public open spaces. In addition, the adopted MDDG advises a suitable garden size for each type of

dwellinghouse, namely 100m² of private amenity space for dwellings with three or more bedrooms, 50m² for smaller dwellings and 25m² for flats.

- 5.6.2 The proposed dwellings have two bedrooms and would therefore be classed as smaller dwellings requiring a private amenity area of 50m².
- 5.6.3 Plot 1 and Plot 2 would be served with a private amenity space in excess of 200m². Plot 3 would have a rear garden area in excess of 700m² and Plot 4 would have an amenity area of around 139 m². Therefore, no concerns in terms of the size of the space is raised.
- 5.6.4 It is noted that plot 4 forms a corner plot and the proposed private amenity area is adjacent to Buller Road and Fambridge Road. Whilst this would usually raise concerns as to the lack of privacy; in this instance a buffer between the proposed amenity space and Buller Road and Fambridge Road has been incorporated into the design. It is also noted that the area proposed is 139m² which is over double the recommended standard for a two bedroom dwelling. In addition, no concerns in this respect were previously raised. Therefore, no concerns in respect of the private amenity space are raised.
- 5.6.5 In terms of landscaping, plan number 01 shows that an existing hedgerow along the north and east boundary of the site will be retained. At the time of the previous application it was conditioned that the works were carried out in accordance with these details and it was noted that the hedges are still in place at the time of the Officer site visit and therefore, a condition will be implemented should this application be approved to ensure the continued retention of the hedges.

5.7 Other Material Considerations

Ecology regarding development within the zone of influence (ZoI) for the Essex Coast Recreational Avoidance Mitigation Strategy (RAMS).

- 5.7.1 Natural England has produced interim advice to ensure new residential development and any associated recreational disturbance impacts on European designated sites are compliant with the Habitats Regulations. The European designated sites within MDC are as follows: Essex Estuaries Special Area of Conservation (SAC), Blackwater Estuary SPA and Ramsar site, Dengie SPA and Ramsar site, Crouch and Roach Estuaries SPA and Ramsar site. The combined recreational ‘zones of influence’ of these sites cover the whole of the Maldon District.
- 5.7.2 Natural England anticipate that, in the context of the Local Planning Authority’s duty as competent authority under the provisions of the Habitat Regulations, new residential development within these zones of influence constitute a likely significant effect on the sensitive interest features of these designated sites through increased recreational pressure, either when considered ‘alone’ or ‘in combination’. Residential development includes all new dwellings (except for replacement dwellings), HMOs, student accommodation, residential care homes and residential institutions (excluding nursing homes), residential caravan sites (excluding holiday caravans and campsites) and gypsies, travellers and travelling show people plots.

- 5.7.3 Prior to the RAMS being adopted, Natural England advised that these recreational impacts should be considered through a project-level Habitats Regulations Assessment (HRA) Natural England have provided a HRA record template for use where recreational disturbance is the only HRA issue.
- 5.7.4 The application site falls within the 'Zone of Influence' for one or more of the European designated sites scoped into the emerging Essex Coast RAMS. This means that the development could potentially have a likely significant effect on the sensitive interest features of these coastal European designated sites, through increased recreational pressure.
- 5.7.5 The proposal is for four new dwellings and Natural England's general advice is that a Habitats Regulations Assessment (HRA) should be undertaken and a 'proportionate financial contribution should be secured' from the developer for it to be concluded that the development proposed would not have an adverse effect on the integrity of the European sites from recreational disturbance. The financial contribution is expected to be in line with the Essex Coast RAMS requirements to help fund strategic 'off site' measures (i.e. in and around the relevant European designated site(s)) targeted towards increasing the site's resilience to recreational pressure and in line with the aspirations of emerging RAMS.
- 5.7.6 To accord with Natural England's requirements, a Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Habitat Regulation Assessment (HRA) Record has been completed to assess if the development would constitute a 'Likely Significant Effect' (LSE) to a European site in terms of increased recreational disturbance, as follows:

HRA Stage 1: Screening Assessment – Test 1 - the significance test

Is the development within the zone of influence (ZoI) for the Essex Coast RAMS with respect to the below sites? Yes

Does the planning application fall within the following development types? Yes - The planning application relates to 4 dwellings.

Proceed to HRA Stage 2: Appropriate Assessment to assess recreational disturbance impacts on the above designated sites

Test 2 – the integrity test

Is the proposal for 100 houses + (or equivalent)? No

Is the proposal within or directly adjacent to one of the above European designated sites? No.

Summary of appropriate assessment

- 5.7.7 The application proposes the erection four dwellings. Given that the site is located within a zone of influence (ZoI) for the Essex Coast RAMS, it is excepted that the development would have likely significant effects on identified European sites. An

appropriate assessment should therefore be carried out to assess the implication of the proposed development on the qualifying features.

- 5.7.8 The Essex Coastal Recreational Avoidance and Mitigation Strategy is currently under preparation and it therefore, constitutes an emerging document for the Council. This document states that the flat rate for each new dwelling has been calculated at £122.30 and thus, the developer contribution should be calculated using this figure. As the proposal is for four dwellings a fee of £489.20 would be required. The developer has confirmed that they are agreeable to sign and submit a legal agreement to secure the abovementioned contribution. Therefore, should this be forthcoming the impact of the development will be considered to be mitigated. An update in this respect will be provided on the Members Update.

6. ANY RELEVANT SITE HISTORY

Application Number	Description	Decision
13/00765/OUT	Erection of 4No. 2 bed detached bungalows.	Refused
14/00076/OUT	Outline application for the construction of 4 x 2 bed detached bungalows with proposed access via Fambridge Road	Refused - Allowed at appeal.
15/00347/OUT	Erection of 10no. two-storey dwellinghouses with garages, a two-storey block of 2no. two-bedroom flats, and 1no. bungalow with associated parking and amenity areas, balancing pond, and new road including the formation of new vehicular and pedestrian access onto Fambridge Road.	Refused.
15/01278/OUT	Erection of 5 x two-storey dwellinghouses, two-storey block containing 2 flats, and 1No. bungalow with associated garages, parking and amenity areas, balancing pond, and new road including the formation of new vehicular and pedestrian access onto Fambridge Road (amended proposal).	Refused.
15/01336/FUL	Proposed 3No. new bungalows.	Refused.
16/00386/RES	Reserved matters application for the approval of appearance, landscaping, layout and scale on approved planning application OUT/MAL/14/00076 allowed on appeal APP/X1545/A/14/2219905 (Outline application for the construction of 4 x 2 bed detached bungalows with proposed access via Fambridge Road).	Approved.
16/00858/OUT	Proposal for a small two-bedroom bungalow (Plot 5). (Plots 1 to 4 as previously approved).	Refused - Allowed at appeal.
17/00606/FUL	Proposed 5 No. dwellings with associated parking and private amenity accessed via Buller Road	Refused.
17/00848/RES	Reserved matters application for the approval of appearance, landscaping and layout on approved planning application OUT/MAL/16/00858	Refused.

Application Number	Description	Decision
	(Proposal for a small two bedroom bungalow (Plot 5). (Plots 1 to 4 as previously approved).	
17/01162/FUL	Proposed 3No. dwellings with associated parking and private amenity accessed via Buller Road	Refused – Dismissed at appeal
17/01426/RES	Reserved matters application for the approval of appearance, landscaping & layout on application OUT/MAL/16/00858 approved on appeal APP/X1545/W/16/3163300 (Proposal for a small two bedroom bungalow (Plot 5). (Plots 1 to 4 as previously approved).	Approved.
18/05112/DET	Compliance of conditions notification of approved application RES/MAL/17/01426 (Reserved matters application for the approval of appearance, landscaping & layout on application OUT/MAL/16/00858 approved on appeal APP/X1545/W/16/3163300 (Proposal for a small two bedroom bungalow (Plot 5). (Plots 1 to 4 as previously approved)). Condition 3 - Materials. Condition 5 - Boundary treatments.	Conditions cleared.
19/00695/FUL	Proposed 2No. dwellings with associated parking and private amenity accessed via Buller Road	Refused.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
North Farnbridge Parish Council	No comment.	Noted.

7.2 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
ECC Highways	No objection subject to conditions.	Noted.

7.3 Representations received from Interested Parties

- 7.3.1 1 letter was received **objecting** to the application and the reasons for objection are summarised as set out in the table below:

Objection Comment	Officer Response
The existing bungalow is unsightly.	Noted.
To claim that no negative effect will ever	Please see assessment contained within

Objection Comment	Officer Response
become apparent if these properties are all placed on the site is quite simply an unsubstantiated endorsement.	report.
Wildlife concerns.	The site has already been cleared and partially developed.
Drainage concerns.	Please see condition
Highway concerns.	Please see section 5.5.

7.3.2 **1** letters were received **in support** of the application and the reasons for support are summarised as set out in the table below:

Supporting Comment	Officer Response
Bungalows are wheelchair friendly	This has not been specified within the application documents.
The bungalow nearly completed is very attractive.	Noted.
The entrance is a very safe entrance and exit from the busy Fambridge Road.	Noted.

8. PROPOSED 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 the approved drawings which are attached to and form part of this permission.
REASON: To ensure that the development is carried out in accordance with the details as approved.
- 3 The external surfaces of the development hereby approved shall be constructed of materials and finish as detailed within the application.
REASON: In order to ensure that the appearance of the development is appropriate for the rural locality in accordance with the requirements of policies D1 and H4 of the Maldon District Local Development Plan, and Government advice contained within the National Planning Policy Framework.
- 4 No development above ground level shall commence until details of the surface water and foul drainage scheme to serve the development hereby permitted shall be submitted to and agreed in writing by the Local Planning Authority. Such scheme shall include the means to prevent the discharge of surface water onto the highway. The scheme shall be implemented as approved prior to the first occupation of the development.
REASON: In order to ensure that an adequate drainage scheme serves the development in accordance with policy D5 of the Maldon District Local Development Plan, and Government advice contained within the National Planning Policy Framework.
- 5 Within the first available planting season (October to March inclusive)

following the commencement of the development the landscaping works as shown on the approved plan 01 dated April 2016 and specifications attached to and forming part of this permission shall be fully implemented. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

REASON: To protect the visual amenity of the rural area and the amenity of neighbouring residential properties in accordance with policies BE1, CC6 and CC7 of the adopted Maldon District Replacement Local Plan, policies D1, H4 and N2 of the Maldon District Pre-Submission Local Development Plan, and Government advice as contained within the National Planning Policy Framework.

- 6 Prior to the first occupation of the dwellings hereby approved, a 2 metre high close boarded timber fence shall be constructed on the southern boundary of the site and retained as such thereafter.

REASON: To protect the amenity of neighbouring residential property in accordance with policy D1 of the Maldon District Local Development Plan, and Government advice as contained within the National Planning Policy Framework.

- 7 Prior to the occupation of any of the proposed dwellings, a 1.5 metre x 1.5 metre, pedestrian visibility splay as measured from and along the highway, shall be provided on both sides of the vehicular access and shall thereafter be retained and kept free from obstruction. The visibility splays must not form part of the vehicular surface of the access.

REASON: In the interest of highway safety in accordance with policy T2 of the Maldon District Local Development Plan.



**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

to
**NORTH WESTERN AREA PLANNING COMMITTEE
3 FEBRUARY 2020**

Application Number	19/01197/FUL
Location	Longwick Farm, Joyces Chase, Goldhanger, Essex
Proposal	Single storey salt processing plant with associated hard standing and external water and gas storage
Applicant	The Maldon Crystal Salt Co Ltd
Agent	Mr Nick Davey - The JTS Partnership
Target Decision Date	28.02.2020
Case Officer	Kathryn Mathews
Parish	TOLLESHUNT MAJOR
Reason for Referral to the Committee / Council	Major Application

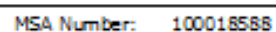
1. RECOMMENDATION

APPROVE subject to the conditions (as detailed in Section 8 of this report).

2. SITE MAP

Please see overleaf.

The map shows a study area with a red hatched region. Key features include a road network, a 'Tank', a 'Work' area, a 'Pond', and a '1.5m' scale bar. The red hatched area is located near the 'Work' area and the 'Pond'. The map also shows a '10.4m' scale bar and a '1.5m' scale bar. The map includes labels for 'Tank', 'Work', 'Pond', '1.5m', and '10.4m'.



3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is land adjacent to the applicant's existing salt processing plant at Longwick Farm, situated to the east of the village of Goldhanger, which is accessed from Maldon/Goldhanger Road (B1026) to the north via a private road (Joyce's Chase). The site is located in the rural area and within the open, relatively flat coastal countryside but is not in an area known to be at risk of flooding. There are existing residential properties which share use of Joyce's Chase. The Blackwater Estuary is located approximately 500m to the south of the site and is the source of salt water used for salt production. The area of the application site is stated as being 0.61ha. The dimensions of the area of the application site where the development would be carried-out measures 61m in width x 100m in depth. The site currently accommodates a number of sheds and an area of hardsurfacing which were previously used as a landscape gardeners depot (reference 05/00564/FUL). The site also provides the means of access to the dwelling associated with Longwick Farm. The majority of the eastern and southern boundaries of the site are delineated by a boundary hedgerow.
- 3.1.2 The existing buildings at Longwick Farm consist of a dwellinghouse, within the applicant's ownership, and existing buildings and other ancillary equipment and structures associated with the use of the site for salt production.
- 3.1.3 The existing facility is surrounded by rolling farmland with open arable fields to the north, east, south and west. Ground levels within this site range between 10.25m AOD and 10.90m AOD, with a gentle east-west fall.
- 3.1.4 The proposed access to the site retains the current arrangement from Goldhanger Road (B1026) via Joyces Chase i.e. a shared private road approximately 1060m long which serves Longwick Farm, New Barn Cottages, Joyces Farm and Lauriston Farm Cottage, and the existing Maldon Salt Company salt processing facility.
- 3.1.5 The proposed development would be adjacent and to the south of the existing group of buildings at Longwick Farm.
- 3.1.6 The proposal is the construction of a new building (2,238sq.m.) which would be single storey in height with an L-shaped footprint, of similar design to the existing buildings at the site. The building would extend along the majority of the eastern and southern boundaries of the site. The proposed facility would accommodate a pan room (with potential capacity for 36 pans), drying/storage area, welfare facilities and ancillary rooms. The building proposed would have a footprint of a maximum of 89m in depth x a maximum of 49m in width. The building would have a pitched roof and the majority of the building (the pan room) would be 5m in height. The remaining part of the building would be a maximum of 8m in height. External materials would consist of weatherboarding above a brick plinth with a shallow pitched roof, to match the existing buildings. Associated equipment (including water and gas tanks) is also proposed within an area of hardstanding. The water tanks (8no.) (which would store water awaiting processing) would be 4m in height located roughly centrally within the site adjacent to the proposed building. The gas tanks (12no.) would be 1.5m in height

and located in the north-western corner of the site adjacent to the existing buildings on adjoining land. A total of 25 parking spaces are proposed (7 formal and 18 informal).

- 3.1.7 It is stated as part of the application that the number of employees would increase from 10 full time equivalent to 25. Hours of opening are proposed as 07:00-18:00 Monday to Friday.
- 3.1.8 It is understood that the proposal would enable a doubling of the production of salt at Longwick Farm. Salt produced at the site would be transported to the applicant's existing site at Wycke Hill Business Park for packaging and distribution. It is understood that the proposal would not result in the need to change the existing water abstraction licence or any upgrade to the existing pump located at the edge of the Estuary. The applicant's other sites within the District at Wycke Hill and Downs Road would continue to operate as currently is the case. The farmhouse which lies to the west would be retained (there are no proposals as part of the current application to change the use of this building). Planning permission has previously been granted for use of the farmhouse (bought by the applicant in 2015) as a bed and breakfast business (reference 09/00642/FUL).
- 3.1.9 Staff will be on-site during normal working hours (principally 7am to 4pm) and all deliveries and salt transport would take place between these times.
- 3.1.10 The application is accompanied by a number of supporting documents. As part of the Planning and Economic Statement, the following information is provided: The company has been operating from Longwick Farm since 2005 and has since established storage, packing and offices on the Wycke Hill Business Park. Salt is produced at The Downs (7 pans) and Longwick Farm (30 pans). The salt is exported to 60 countries. The company has tripled output in the last 10 years, doubled in the last five and saw a 30% increase in 2018. A Royal Warrant was received in 2012. £8 million has been invested in capital infrastructure in the last 10 years and over 35 jobs have been created, most of which have gone to local people. The Downs and Longwick Farm are operating at near full capacity but the company aims to double output in the next five years, hence the current application. There are no opportunities to increase production at The Downs and transporting estuary water to a third production site would significantly increase production costs and increase traffic movements. The applicant is the only commercial producer of salt in the District and only one of a handful in the UK. In terms of economic impact, the company currently has 52 employees. The construction of the proposed facility will create some short term jobs and economic benefits. Once the facility is completed and running at near full capacity 14 full time equivalent jobs will be created at Longwick Farm. There will also be jobs created at the packing, distribution and support service teams at the applicant's Wycke Hill facility. The company will also be able to take on more apprentices. The proposal will enable the company to continue to expand its business further which will benefit the District's economy.
- 3.1.11 The Health Impact Assessment (HIA) submitted screens the proposal against a range of criteria, and concludes that it will have either a positive or neutral impact upon determinants of health.
- 3.1.12 Other supporting documents have also been submitted: Transport Statement; Noise Assessment rev.1; Design and Access Statement; Drainage Strategy; Preliminary

Ecological Appraisal including a Protected Species Assessment; Phase 1 Geoenvironmental Desk Study; the applicant's agent has also provided two letters addressed to the applicant thanking them for the works they have carried-out to maintain/repair Joyces Chase.

3.2 Conclusion

- 3.2.1 The proposed development is considered to be acceptable in principle. Having assessed the impact of the development, it is concluded that the proposal would not result in a materially adverse impact on the character and appearance of the area, the amenity of the existing, local residents, highway safety, nature conservation and drainage. The development, therefore, is 'sustainable development' for which the NPPF provides a 'presumption in favour' of planning permission being granted.

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework 2019 including paragraphs:

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 10-12 Presumption in favour of sustainable development
- 38 Decision-making
- 47-50 Determining applications
- 80-82 Building a Strong, Competitive Economy
- 117-118 Making effective use of land
- 124-132 Achieving well-designed places
- 148-169 Meeting the challenge of climate change, flooding and coastal change
- 170-183 Conserving and enhancing the natural environment

4.2 Maldon District Local Development Plan 2014 – 2029 approved by the Secretary of State:

- Policy S1 - Sustainable Development
- Policy S7 - Prosperous Rural Community
- Policy S8 - Settlement Boundaries and the Countryside
- Policy D1 - Design Quality and Design Quality
- Policy D2 – Climate Change & Environmental Impact of New Development
- Policy D5 – Flood Risk and Coastal Management
- Policy E1 – Employment
- Policy E4 – Agricultural and Rural Diversification
- Policy N1 – Green Infrastructure Network
- Policy N2 - Natural Environment, Geodiversity and Biodiversity
- Policy T1 - Sustainable Transport

- Policy T2 - Accessibility

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Car Parking Standards
- Maldon District Design Guide SPD (MDDG)

5. MAIN CONSIDERATIONS

- 5.1 The main issues which would require consideration as part of any planning application submitted for the development would be the principle of the development, the impact of the development on the character and appearance of the area, any impact on the amenity of existing residents, highway safety/parking, nature conservation and drainage.

5.2 Principle of Development

- 5.2.1 It is necessary to assess whether the proposed development is ‘sustainable development’. If the development is considered to be sustainable, the NPPF’s ‘presumption in favour of sustainable development’ applies. The NPPF is clear that sustainable development is at the heart of the planning system. The Framework’s definition of sustainable development has three key dimensions that are mutually dependent upon each other and need to be balanced. These are the economic, social and environmental roles. This requirement is carried through to local policies via policy S1 of the approved Local Development Plan (LDP) which emphasises the need for sustainable development.
- 5.2.2 The site is located beyond any existing settlement boundary identified in the adopted LDP and within the countryside. The Council’s spatial strategy is to focus new development within settlement boundaries (Policies S1 and S8) but Policy S8(b) does allow for employment generating proposal (in accordance with Policy E1) and S8(f) allows for rural diversification (in accordance with Policies E4 and E5).
- 5.2.3 Policy E5 (Tourism) would not be directly relevant to the consideration of the proposal but Policy E4 states that the Council will support the development of new buildings or activities associated with agriculture and other land based rural businesses where:-
- There is a justifiable and functional need for the building/activity;
 - The function of the proposed building activity is directly linked, and ancillary to, the existing use; and
 - The building/activity could not be reasonably be located in existing towns, villages or allocated employment areas.
- 5.2.4 Policy E1 states the following: “Proposals to develop vacant employment sites and buildings, or to modernise or redevelop existing employment sites and buildings will be viewed favourably, especially where this supports the retention of existing businesses and/or provides employment space that meets the current needs of local businesses in the District [and the] Council will support improvements to the quality

of all employment sites and will work with partners to maintain their viability by encouraging the provision of adequate infrastructure and supporting facilities”. The proposal complies with this Policy. Policy S7 and the Maldon District Council’s Economic Prosperity Strategy 2013-2029 would also support the proposal.

- 5.2.5 Based on the information provided as part of the application submitted, it is considered that the proposal satisfies all of the above criteria of Policy E4 as the development would allow the business, which is currently at near full capacity, to expand which would be a benefit to the local economy, the function of the new buildings would be directly linked to the existing use and it would not be practicable to transport the sea water to an existing urban area for processing. The economic benefit weighs in favour of planning permission being granted for the development proposed. However, in-line with previous planning permissions granted for development at the site, any planning permission granted for the new development would need to be subject to a condition which limited the use of the premises to The Maldon Crystal Salt Company for the production of salt using water collected from the River Blackwater and as defined within Class B1(c) of Part B of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order) and for no other purpose. The reason this condition was previously imposed was as the original and subsequent permissions were granted on an exceptional basis due to the need for the company to be in this location for salt extraction from water piped from the river estuary, which still applies.

5.3 Design and Impact on the Character of the Area

- 5.3.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high-quality built environment for all types of development.

- 5.3.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The NPPF states that:

“The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents”.

- 5.3.3 This principle has been reflected to the approved LDP. The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution in terms of:-

- Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;
 - Height, size, scale, form, massing and proportion;
 - Landscape setting, townscape setting and skylines;
 - Layout, orientation, and density;
 - Historic environment particularly in relation to designated and non-designated heritage assets;
 - Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
 - Energy and resource efficiency.
- 5.3.4 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG (2017).
- 5.3.5 Policy S1 of the LDP sets out a list of key principles in policy and decision making including emphasising the importance of high-quality design in all development (principle 5).
- 5.3.6 The application site lies outside of any defined development boundary. According to policies S1 and S8 of the LDP, the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. The policies stipulate that outside of the defined settlement boundaries, the Garden Suburbs and the Strategic Allocations, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided the development is for proposals that are in compliance with policies within the LDP, neighbourhood plans and other local planning guidance.
- 5.3.7 Essex County Council (ECC) published a detailed Landscape Character Assessment (2003 by Chris Blandford Associates). This was updated in 2006 at a more detailed district level and the Site in this study, falls within the E1 Tolleshunt Coastal Farmland. The sensitivity of this area to change is moderate to high due to the open character of the landscape.
- 5.3.8 The Landscape & Visual Impact Assessment submitted concludes that, “although a new building in this location would have a slight degree of adverse impact on the local landscape character and visual amenity, it is considered that the new structure would not detract from the wider landscape setting as it is well designed and appropriately placed”.
- 5.3.9 The site is located within the countryside which is typically flat and open in this coastal environment. The nearest public footpath is located around 350m to the southwest.
- 5.3.10 The visual impact of the development would be localised in the context of the landscape within which it is located particularly given the height and design of the building proposed which would be comparable with and be seen within the context of the group of existing buildings at the site. The new development would also use materials which are in keeping with the vernacular. The proposed building would be significant in size, particularly in relation to its footprint. However, it is acknowledged that the limited height and low profile of the building along with the

fact that the proposed building would be adjacent to and comparable to existing buildings at the site in terms of their height, design and external materials used, would help to minimise the adverse visual impact of the development.

- 5.3.11 As a result the proposed development should integrate well into the surrounding landscape and its proposed position means that it would not be readily visible, blending with those already established and an accepted feature of the landscape. As part of the Design and Access Statement submitted it states that the existing hedging would be retained and reinforced if necessary but that it is not intended to provide additional planting around the new building as this would represent an alien form of landscaping as barns and other agricultural structures are found in isolation within the landscape. However, Officers agree with the recommendation within the Landscape and Visual Impact Assessment that additional planting is necessary to help to assimilate the development into its rural surroundings in the form of hedgerows and trees to the west and in the north-eastern corner. This could be required by condition if planning permission were to be granted.
- 5.3.12 In terms of external lighting, as part of the Design and Access Statement submitted, it is stated that there are no proposals to install external flood lighting but small bulkhead type fitting would be installed over external doors.
- 5.3.13 Based on the above, no objections to the proposal due to its impact on the character and appearance of the area are raised.

5.4 Impact on Residential Amenity

- 5.4.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the MDDG (2017).
- 5.4.2 There are isolated residential properties in the vicinity of the site which share use of Joyce's Chase with the applicant's business. There is a dwellinghouse immediately to the west of the site but this is within the ownership of the applicant. Concerns have been raised by local residents regarding the adverse impact of the applicant's business and the additional impact which would result from the extra development proposed.
- 5.4.3 It is noted that lorry movements are currently limited to a maximum of 12 between 7am on Monday to 6pm on Friday (application reference 10/00932/FUL) and no deliveries or collections are permitted except between the hours of 8am and 6pm on weekdays (excluding Bank Holidays) (application reference 12/00663/FUL). It would be reasonable and necessary to impose similar conditions if planning permission were to be granted for the development proposed.
- 5.4.4 As part of the application it is stated that, currently, there is one HGV visiting the site per day on average and that the proposal would increase this to an average of two per day but these movements would continue to be within the existing limit of a maximum of 12 lorry movements referred to above and so a refusal of planning permission based on harm caused by lorry movements could not be sustained.

- 5.4.5 The application is accompanied by a Noise Assessment which concludes that the Longwick Farm salt works are situated in a rural location, with the nearest noise sensitive receptors (NSR) being farmhouses approximately 180m to the east and 330m to the west. The calculated rating of plant from the salt works extension is at least 10dBA below current background noise levels. Noise from the new building is therefore predicted to have a low impact on the NSRs.
- 5.4.6 Based on the above and as the Environmental Health Officer has raised no objections to the proposal, a refusal of planning permission due to the impact of the development on existing residents could not be sustained. A Construction Method Statement could be required by condition if planning permission were to be granted to minimise disruption and disturbance during the construction period.

5.5 Access, Parking and Highway Safety

- 5.5.1 Policy T2 aims to create and maintain an accessible environment, requiring development proposal, inter alia, to sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.
- 5.5.2 The Council's adopted Vehicle Parking Standards SPD contains the parking standards which are expressed as minimum standards. This takes into account Government guidance which encourages the reduction in the reliance on the car and promotes methods of sustainable transport.
- 5.5.3 The Transport Statement submitted concludes that the scheme incorporates appropriate levels of parking and will not have a material impact upon the local highway network. It is stated that currently, Longwick Farm generates between 6 – 9 car trips per day (12 - 18 car movements) with the majority of movements arriving at the site between 0600 – 0700 and leaving the site between 1200– 1300. In addition to car movements which are primarily associated with staff there are around 2 – 4 commercial trips per day. On average throughout the week there are 2 LGVs and 1 HGV which enter and leave the site per day. All commercial movements are generally undertaken between 0700 – 1500. The development proposals will increase the number of staff from 10 to 25 once the expansion is fully operational and working to capacity (anticipated to be around 5 years). With 25 staff on site, there could be a total of between 30 – 48 car movements per day at the site with around 10 – 18 arrivals between 0600 – 0700 and 5 – 13 departures between 1200 – 1300. As part of the Transport Statement it is stated that the development could result in an additional 1 HGV and 2 LGVs entering and exiting the site per day when the site is operating at full capacity.
- 5.5.4 Previous planning application reference 10/00932/FUL was for an additional building which is subject to the following planning condition (condition 14): "There shall be no more than 12 lorry movements between 7:00am Monday and 18:00pm Friday each week unless otherwise agreed in writing by the Local Planning Authority...". This condition is only applicable to the building the subject of that planning permission and the overall site is not subject to a restriction on the number of vehicle / HGV

movements. It is anticipated that, in total there will be around 10 HGVs per week when the site is operating at full capacity which would be within the lorry movement limits referred to above. This limit could be imposed in relation to the currently proposed development, through a planning condition, if planning permission were to be granted.

- 5.5.5 In terms of parking provision for vehicles, bicycles and motorcycles, the standards as set out in the adopted Vehicle Parking Standards SPD for Maldon District Council are as follows:

Car parking: 1 parking space per 50sq.m. for Class B1 uses (excluding offices)

Cycle parking: 1 per 100sq.m. for staff and 1 per 200sq.m. for visitors

Motorcycle parking: a minimum of 1 PTW parking space or 1 PTW parking space per 25 car parking spaces

- 5.5.6 This would equate to 45 car parking spaces, 23 cycle parking spaces for staff and 12 cycle parking spaces for visitors, and 2 PTW parking spaces. However, as the development would result in a total of up to 25 staff at the Longwick Farm site as a whole, and given the nature of the particular use proposed which would be an expansion of the existing business, a requirement for 45 car parking spaces would be excessive. It is considered that the provision of space for up to 25 parking spaces (which would equate to one space per staff member) would be sufficient in this case based on the current ratio of on-site parking to floorspace to ensure that all parking occurs on-site and the yard remains clear and unobstructed.

- 5.5.7 As part of the Design and Access Statement submitted it is stated that covered cycle storage would be provided within the building but the floorplan submitted does not include any provision for cycle storage. However, provision of cycle storage and PTW parking could be secured through the imposition of a condition if planning permission were to be granted.

- 5.5.8 Based on the above, no objections to the proposed due to highway safety, access and parking are raised.

5.6 Nature Conservation

- 5.6.1 Policy S1 includes a requirement to conserve and enhance the natural environment, by providing protection and increasing local biodiversity and geodiversity, and effective management of the District's green infrastructure network.

- 5.6.2 Policy D1 requires that, amongst other things, all development must respect and enhance the character and local context and make a positive contribution in terms of the natural environment particularly in relation to designated and non-designated sites of biodiversity/geodiversity value (criterion f).

- 5.6.3 Policy N1 states that open spaces and areas of significant biodiversity or historic interest will be protected. There will be a presumption against any development which may lead to the loss, degradation, fragmentation and/or isolation of existing or proposed green infrastructure.

- 5.6.4 Policy N2 states that, any development which could have an adverse impact on sites with designated features, priority habitats and/or protected or priority species, either individually or cumulatively, will require an assessment as required by the relevant legislation or national planning guidance. Where any potential adverse effects to the conservation value or biodiversity value of designated sites are identified, the proposal will not normally be permitted.
- 5.6.5 The site is in close proximity to the Blackwater Estuary SPA and Ramsar, and the Essex Estuaries SAC, (around 500m to the south). Due to the scale of the development proposed and as water from the Estuary is the raw material used, the planning application is accompanied by an ecological report which assesses the impact of the proposal.
- 5.6.6 A Preliminary Ecological Appraisal including a Protected Species Assessment has been submitted as part of the application. As part of this Assessment it is stated that the construction zone is approximately 0.52ha and includes improved short grassland, gravel driveway and parking area, hardstanding, brick wall, hedgerow on the eastern and southern boundaries and two outbuildings used for storage. A medium population of great crested newts was discovered using local ponds. No other signs or evidence of protected, priority or rare species were identified or were likely to be present. Two old bird nests were identified in the hedgerow, one active robin nest was found in one outbuilding and one active great tit nest was found in the hedgerow on the southern boundary. The features of highest ecological value on the site were the hedgerows and these habitats are proposed for retention. The majority of the site was very low in ecological value. The proximity of local ponds (40m west and 160m south east) means that the risk of great crested newts crossing the site and using hedgerows around the site boundary was very high. Therefore, the risk of impact and harm to great crested newts from the proposed development was also considered high. Mitigation and a Natural England development site licence for great crested newts will be required for the development to proceed legally. The following mitigation with respect to Great Crested Newts is recommended: exclusion fencing prior to development commencing and trapping to clear the site of Great Crested Newts; compensation of terrestrial habitat loss. Impact avoidance precautionary measures and habitat compensation for bats, nesting birds and small mammals are also provided in the Assessment (protection of boundary hedgerow (along the eastern and southern boundaries of the site); dismantling outbuildings by hand and not within the bird nesting season; and the provision of bird boxes).
- 5.6.7 The site is close to the statutorily designated Blackwater Estuary SSSI, SPA, RAMSAR and SAC designated primarily for its rare coastal habitats and waterfowl they attract. As part of the Assessment submitted, the risk of impact (direct or indirect) was considered negligible given the small scale of the proposed development, as no additional housing is proposed and due to the type of works at the commercial site.
- 5.6.8 The Assessment submitted concludes that, with the recommendations followed as described, development could proceed with a minimal risk of harm or impact to protected, priority or rare species, habitats or local conservation value. Biodiversity enhancement net-gain recommendations are also included in the report in accordance with national planning policy.

- 5.6.9 Natural England have raised no objections to the proposal: European sites - Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development; Sites of Special Scientific Interest - Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development. In conclusion, based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
- 5.6.10 Based on the above, the potential impact on protected species could be adequately mitigated and, as a result of the nature, scale and location of the development proposed, the development would not have an adverse impact on the European Sites. Therefore, no objections to the proposal on the grounds of nature conservation are raised.

5.7 Drainage

- 5.7.1 Policy D5 of the Local Development Plan sets out the Council's approach to minimising flood risk. The site is located within Flood Zone 1 and so is not at risk of tidal or fluvial flooding.
- 5.7.2 As part of the Drainage Strategy submitted it is stated that an attenuation storage/tank would be provided in the form of the granular sub-base under the concrete yard slab which will limit the discharge rate from the site to 2.0 litres per second, for all events up to the 1:100 year event and including a 40% climate change allowance. As part of the Strategy it is stated that, whilst this is marginally above the Qbar greenfield rate, it is the lowest rate of discharge that is practically achievable (while avoiding excessive risk of blockage) and represents a significant reduction compared to the current discharge rates. Foul water drainage would be dealt with by a small treatment plant. The cleaned water would then discharge into the yard sub-base.
- 5.7.3 Essex County Council SuDS have issued a holding objection to the proposal. The applicant has responded to the concerns which have been raised and a further response from Essex County Council SuDS Team is awaited. Provided that these concerns are adequately addressed, no objections to the proposal based on drainage would be raised. Therefore, at this time, subject to a positive outcome from the discussions, it is not considered that the application should be recommended for refusal. However, if this has not been resolved by the time of the Planning Committee, this matter will need to be revisited.

5.8 Other Matters

- 5.8.1 A Phase 1 Geoenvironmental Desk Study has been submitted as part of the application which advises that a, "plausible pollutant linkage has not been identified and remediation is considered unnecessary". The Environmental Health Officer has raised no objections to the development proposed. Based on the above, no concerns are raised to the development proposed in relation to contamination (Policy D2).

6. ANY RELEVANT SITE HISTORY

- **15/05160/DET** - Compliance of conditions notification for approved application FUL/MAL/14/00916 (Proposed bag tank/bladder storage with bunding). Condition 5 - incident response plan – Approved 28.10.2015
- **15/05120/DET** - Compliance of conditions notification of approved application FUL/MAL/14/00916 (Proposed bag tank/bladder storage with bunding). Condition 3 - Landscaping scheme, condition 4 - sample of Bladder Tank material – Approved 15.09.2015
- **14/00916/FUL** – proposed bag tank/bladder storage with bunding – appeal allowed 18.5.2015
- **13/05025/DET** - Compliance of conditions notification FUL/MAL/10/00932 (Single storey processing plant, associated hard standing, and external water and gas storage tanks) Condition 5 soft landscaping scheme- Approved 19.03.2013
- **13/05020/DET** - Compliance with Conditions Notification: Condition 10 for approved application FUL/MAL/05/00124 (Demolition of existing building and erection of salt processing plant with associated and ancillary development) – Approved 14.03.2013
- **12/00665/FUL** - Application to vary Condition 2 of planning application FUL/MAL/10/00932 to read: 'The premises shall only be used for the production of salt using water collected from the River Blackwater and as defined within Class B1(c) of Part B of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order) and for no other purpose'. – Appeal allowed 15.10.2013
- **12/00664/FUL** - Erection of 1.8 metre high sliding folding gates to screen skip container – Approved 02.10.2012
- **12/00663/FUL** - Application to vary Condition 9 of planning application FUL/MAL/05/00124 to read: 'There shall be no staff on site undertaking operational activities except between the hours of 7:00 a.m. and 6:00 p.m. on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays (except Bank Holidays)' – Approved 07.03.2013 and conditioned as follows: There shall be no staff on site undertaking operational activities except between the hours of 7.00am and 6.00pm on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays (except Bank Holidays). Deliveries and collections to and from the premises shall only be undertaken between the hours of 8am to 6pm on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays (except Bank Holidays). No lorries shall be parked on the hardstanding forecourt of the development unless loading or unloading at anytime.
- **10/00932/FUL** – Proposed single storey salt processing plant, associated hardstanding, and external water and gas storage tanks – Approved 01.02.2011 and conditioned to include the following: There shall be no more than 12 lorry movements between 7:00 am Monday and 18:00pm Friday each week unless otherwise agreed in writing by the local planning authority. A written record shall be maintained at the site showing all movements in and out of the site by vehicles in excess of 7.5 tonne gross vehicle weight. Such records shall contain the vehicle registration and operating companies' identity and

time/date of movement. The records shall be made available for inspection by the local planning authority.

- **10/00616/FUL** - Proposed single storey salt processing plant, associated hardstanding and external water and gas storage tanks – Refused 30.09.2010
- **10/00301/FUL** - Proposed salt processing plant – Withdrawn
- **09/00642/FUL** - Change of use of bedroom 4 and second living/dining area to bed and breakfast use. Construct a cart lodge with bedroom and ensuite over. Bedroom and ensuite to be used as bed and breakfast use – Approved 03.02.2010
- **05/00564/FUL** – Continued use of use of former farm buildings by a landscape business – Approved 18.07.2005
- **05/00124/FUL** - Demolition of existing building and erection of salt processing plant with associated and ancillary development – Approved 19.04.2005

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

7.1 **Representations received from Parish / Town Councils**

Name of Parish / Town Council	Comment	Officer Response
Tolleshunt Major Parish Council	The proposed new building is of a size that will have a considerable impact on the open rural nature of the surrounding area and will be visible for some considerable distance. The Parish Council shares the concerns of residents living along Joyces Chase that an increased number of lorries accessing this plant will cause damage to the surface of this private Chase over which the Salt Plant has right of access. Noise and pollution from the plant will also have an adverse impact on residents of nearby properties, given the length of the proposed operating hours.	<p>Noted – refer to sections 5.3 and 5.4 of report.</p> <p>The maintenance and condition of the access track is a civil matter to be resolved privately between the relevant parties. It is understood that the applicant does maintain and repair the access track and have stated that they would continue to do so.</p>

7.2 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Essex County Council SuDS Team	Holding objection	Noted – the applicant has responded to the concerns raised and a further response from Essex County Council SuDS Team is awaited.
Essex County Council Highways	No objections	Noted – refer to section 5.5 of report
Natural England	No objections - based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.	Noted – refer to section 5.6 of report

7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Health Officer	No comments to make.	Noted
Countryside and Coast Manager	No response received.	

7.4 Representations received from Interested Parties

- 7.4.1 **Two** letters were received **objecting** to the application and the reasons for objection are summarised as set out in the table below:

Objection Comment	Officer Response
Can only be approved if improved track maintenance, management and safety is secured to Maldon/Parish Council approval. Relevant track signage is also required. The Post Office have written to local residents threatening to suspend deliveries to their address unless the condition of the access is improved.	The maintenance and condition of the access track is a civil matter to be resolved privately between the relevant parties. It is understood that the applicant does maintain and repair the access track and have stated that they would continue to do so.
Would add to existing harm to amenity of local residents. Existing condition limiting delivery hours is not being complied with.	Noted – refer to section 5.4 of report. Non-compliance with existing conditions would be a matter which would need to be investigated by the Council's planning enforcement

Objection Comment	Officer Response
	officers.

8. **PROPOSED 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 premises shall only be used by The Maldon Crystal Salt Company for the production of salt using water collected from the River Blackwater and as defined within Class B1(c) of Part B of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order) and for no other purpose.
REASON: The salt plant facility is approved on an exceptional basis where it is considered that justification is appropriate to do so in accordance with Policies S1, S8 and E4 of the Maldon District Approved Local Development Plan.
- 3 Samples of the materials to be used in the construction of the external surfaces of the building hereby permitted shall be submitted to and approved in writing by the local planning authority prior to their use on site. The development shall be carried out using the approved materials.
REASON: In the interests of the character and appearance of the area in accordance with Policies S1, S8 and D1 of the Maldon District Approved Local Development Plan and the NPPF.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), details of any gates, fences, walls, railings and piers to be constructed within the site shall be submitted to and approved in writing by the local planning authority. No part of the development hereby approved shall be occupied until any agreed boundary treatments have been carried out in accordance with the approved details with the approved scheme retained as such thereafter.
REASON: In the interests of character and appearance of the area in accordance with Policies S1, S8 and D1 of the Maldon District Approved Local Development Plan and the NPPF.
- 5 The approved soft landscaping scheme shall be carried out within the first available planting season (October to March inclusive) following the commencement of the development. If within a period of five years from the date of the planting the native hedgerow or any tree or is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another plant of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.
REASON: In the interests of character and appearance of the area in accordance with Policies S1, S8 and D1 of the Maldon District Approved Local Development Plan and the NPPF.
- 6 The proposed parking and turning areas as indicated on the approved plan drawing no.3371:002rev.B shall be provided prior to the first occupation of the building hereby permitted and retained as such in perpetuity. No further

areas of hard standing or vehicular parking areas shall be constructed unless otherwise agreed in writing by the local planning authority.

REASON: In order to ensure that sufficient space is available within the site for the parking of vehicles for staff and visitors to the premises to accord with Policy T2 of the Maldon District Approved Local Development Plan.

- 7 There shall be no staff on site undertaking operational activities except between the hours of 7:00 a.m. and 6:00 p.m. on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays (except Bank Holidays).

REASON: In the interests of the amenities of the neighbouring residents in accordance with Policy D1 of the Maldon District Approved Local Development Plan and the NPPF.

- 8 Deliveries and collections to and from the premises shall only be undertaken between the hours of 8:00 a.m. to 6:00 p.m. on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays (except Bank Holidays). No lorries shall be parked on the hardstanding forecourt of the development unless loading or unloading at anytime.

REASON: In the interests of the amenities of the neighbouring residents in accordance with Policy D1 of the Maldon District Approved Local Development Plan and the NPPF.

- 9 No goods, plant, machinery, merchandise, packaging, waste containers, skips or materials shall be stored outside the building hereby permitted unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of character and appearance of the area in accordance with Policies S1, S8 and D1 of the Maldon District Approved Local Development Plan and the NPPF.

- 10 No external illumination shall be provided at the site except for small bulkhead type fittings above external doors.

REASON: In the interests of character and appearance of the area in accordance with Policies S1, S8 and D1 of the Maldon District Approved Local Development Plan and the NPPF.

- 11 No additional floor space shall be created within the building hereby approved (for example, through a mezzanine floor).

REASON: The amount of floorspace proposed is approved on an exceptional basis in accordance with Policies S1, S8 and E4 of the Maldon District Approved Local Development Plan.

- 12 No extraction equipment or vents shall be incorporated into the external fabric of the building hereby permitted unless details have been submitted to and gained the prior written approval of the local planning authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.

REASON: In the interests of the amenities of the neighbouring residents in accordance with Policy D1 of the Maldon District Approved Local Development Plan and the NPPF.

- 13 The descaling process shall only take place between 9am and 6pm on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays (except Bank Holidays).

REASON: In the interests of the amenities of the neighbouring residents in accordance with Policy D1 of the Maldon District Approved Local Development Plan and the NPPF.

- 14 There shall be no more than 12 lorry movements associated with the use of Longwick Farm by the applicant between 7:00 am Monday and 18:00pm Friday each week. A written record shall be maintained at the site showing all movements in and out of the site by vehicles in excess of 7.5 tonne gross vehicle weight. Such records shall contain the vehicle registration and operating companies' identity and time/date of movement. The records shall be made available for inspection by the local planning authority.
REASON: In the interests of the amenities of the neighbouring residents in accordance with Policy D1 of the Maldon District Approved Local Development Plan and the NPPF.
- 15 The building hereby permitted shall not be occupied until weather protected storage for bicycles and parking for PTWs at the site have been provided in accordance with details which shall have been submitted to and gained the prior written consent of the local planning authority. The development shall be completed and retained in accordance with the approved details.
REASON: To encourage the use of alternatives to the private car as a means of transport in accordance with Policy D1 of the Maldon District Approved Local Development Plan and the NPPF.

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