

APOLOGIES Committee Services
Email: Committee.clerk@maldon.gov.uk

CHIEF EXECUTIVE
Doug Wilkinson

01 April 2025

Dear Councillor

You are summoned to attend the meeting of the;

SOUTH EASTERN AREA PLANNING COMMITTEE

on **WEDNESDAY 9 APRIL 2025** at **7.30 pm**

in the **Burnham Town Council Offices, Chapel Road, Burnham-on-Crouch, Essex, CM0 8JA.**

Please Note: All meetings will be live streamed on the [Council's YouTube channel](#) for those wishing to observe remotely. Public participants wishing to speak remotely at a meeting can do so via Microsoft Teams.

To register your request to speak / attend in person please complete a [Public Access form](#) (to be submitted by 12noon on the working day before the Committee meeting). All requests will be considered on a first-come, first-served basis.

A copy of the agenda is attached.

Yours faithfully

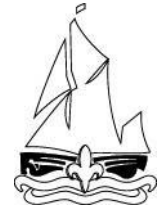


Chief Executive

COMMITTEE MEMBERSHIP:

CHAIRPERSON	Councillor V J Bell
VICE-CHAIRPERSON	Councillor A Fittock
COUNCILLORS	M G Bassenger D O Bown A S Fluker L J Haywood W J Laybourn M G Neall R G Pratt U C G Siddall-Norman W Stamp, CC





**AGENDA
SOUTH EASTERN AREA PLANNING COMMITTEE**

WEDNESDAY 9 APRIL 2025

1. **Chairperson's notices**

2. **Apologies for Absence**

3. **Minutes of the last meeting** (Pages 7 - 10)

To confirm the Minutes of the meeting of the Committee held on 11 December 2024 (copy enclosed).

4. **Disclosure of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, Other Registrable interests and Non-Registrable Interests relating to items of business on the agenda having regard to paragraph 9 and Appendix B 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. **24/00886/FUL and 24/00887/LBC Cartlodge Outbuilding Attached To South West Of Barn Reddings Farm Reddings Lane Tillingham Essex** (Pages 11 - 32)

To consider the report of the Assistant Director: Planning and Implementation, (copy enclosed, Members' Update to be circulated)*.

6. **Any other items of business that the Chairperson of the Committee decides are urgent**

Note:

1. The Council operates a facility for public participation. This will operate only in relation to the consideration and determination of planning applications under Agenda Item Nos. ??.
2. The Committee may consider representation from one objector, one supporter, a Parish / Town Council representative, and the applicant / agent. Please note that the opportunity to participate is afforded only to those having previously made written representation.
3. Anyone wishing to participate must register by completing [the online form](#) no later than noon on the working day before the Committee meeting.
4. For further information please see the Council's website – www.maldon.gov.uk/committees

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

NOTICES

Recording of Meeting

Please note that the Council will be recording and publishing on the Council's website any part of this meeting held in open session.

Fire

In the event of a fire, Officers will notify those present. Please use the fire exits marked with the green running man. The fire assembly point is Barclays Bank car park. Please gather there and await further instruction.

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)
- Great Totham Neighbourhood Development Plan (2022)
- Langford and Ulting Neighbourhood Development Plan (2022)

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
- The Levelling-up and Regeneration Act 2023

Supplementary Planning Guidance and Other Advice

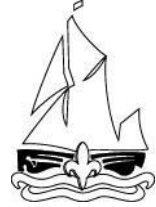
- i) Government policy and guidance
 - National Planning Policy Framework (NPPF) - 2023
 - Planning Practice Guidance (PPG)
 - Planning policy for Traveller sites - 2015

Supplementary Planning Guidance and Other Advice (continued)

- 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 Updated yearly
 - 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.

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**MINUTES of
SOUTH EASTERN AREA PLANNING COMMITTEE
11 DECEMBER 2024**

PRESENT

Vice-Chairperson Councillor A Fittock
(in the chair)

Councillors M G Bassenger, D O Bown, A S Fluker, L J Haywood,
W J Laybourn, M G Neall, R G Pratt, U C G Siddall-Norman
and W Stamp, CC

437. CHAIRPERSON'S NOTICES

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

438. APOLOGIES FOR ABSENCE

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

439. MINUTES OF THE LAST MEETING

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 13 November 2024 be received.

Minute No. 387 – 24/00017/FULM – Glebe Meadow, Adjacent King Georges Field, Station Road, Southminster, Essex

Councillor A S Fluker expressed some concern that the Minutes did not fully reflect the points he had raised at this meeting, particularly that the application was contrary to Policy D1 regarding both design (specifically the tapering between existing properties at Vicarage Court and the proposed new properties) and loss of amenity, and contrary to Policy S8 due to the size of the buffer zone, which he commented had reduced.

In response, the Head of Service: Development Management and Building Control provided Members with some guidance in respect of how Officers would have identified the reasons for refusal detailed in the Officers' report due to be considered at a later point on this agenda. He noted that reference to Policy S8 had not been included in the reasons for refusal and advised that this could be amended when the Committee considered the Officers' report.

Councillor Fluker then provided further detail of the points he had raised at the last meeting and he commented that the reasons for refusal should reference Policy S8.

Following further discussion, it was agreed that the second sentence in the second paragraph of this Minute would be amended to include reference to loss of amenity and

design. In the subsequent sentence the words ‘to the above policies’ would be replaced with reference to the specific policies D1 and S8. The exact wording was to be agreed with the Chairperson and Councillor Fluker outside of the meeting.

The Chairperson put the proposed amendment to the Committee, and this was duly agreed.

RESOLVED

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 13 November 2024 be confirmed.

440. DISCLOSURE OF INTEREST

There were none.

441. 24/00017/FULM - GLEBE MEADOW ADJACENT KING GEORGES FIELD, STATION ROAD, SOUTHMINSTER, ESSEX

Application Number	24/00017/FULM
Location	Glebe Meadow Adjacent King Georges Field, Station Road, Southminster, Essex
Proposal	Application for planning permission to create 36 no. one, two, three and four bedroom houses and maisonettes, associated landscaping, roads, parking and drainage infrastructure, plus a new area of public open space and the addition of a footway to the east side of Vicarage Court.
Applicant	Benferri Developments Limited
Agent	JCN Design & Planning
Target Decision Date	29.11.24 (EoT)
Case Officer	Lisa Page
Parish	SOUTHMINSTER
Reason for Referral to the Committee / Council	Major Application Call in Councillor A S Fluker – Policy D1

The Head of Service: Development Management and Building Control presented the report and reminded Members that this application had been deferred from the last meeting of the South Eastern Area Planning Committee and in accordance with the Council’s Constitution the constitutional brake invoked. The report provided further advice to Members following the last meeting and detailed three suggested reasons for refusal, taking into discussions at the last meeting and relevant Local Development Plan policies, should Members be minded to refuse the application.

In response to comments raised regarding the land ownership, the Head of Service provided guidance in respect of consideration given to this matter when any planning application was submitted. Comments specifically relating to the footpath were raised and the Head of Service advised that this land was under the ownership of the developer. Councillor A S Fluker asked that it be Minuted, that concerns had been raised regarding land ownership and the Committee was unhappy with this. Councillor M G Bassenger also commented and asked that it be minuted that the Committee did not agree that the developer had control of the footpath. Councillor Fluker further requested that it be minuted that Essex County Council Highways had not confirmed if they had visited the site and their consultation response appeared ambiguous as it

referred to an adopted highway and then stated the access road was not adopted by the Highways authority.

A lengthy debate ensued with particular discussion had regarding the amenity of the site. Concern was expressed regarding loss of amenity and that the quality of life of residents that could occupy the proposed dwellings would be greatly impacted by noise and disturbance from adjacent existing developments. Reference was made at this point to the King George V Sports Field, the recently upgraded Multi-Use Games Area (MUGA), sports pavilion and community centre. Councillor Fluker asked that it be recorded that should the proposal go ahead along with the proposed changes to walls, street furniture, hedged and lampposts to accommodate the proposed footpath, he felt this would result in problems for some of the existing properties coming out from their garages straight onto a footpath.

It was noted that loss of amenity had been raised during discussions at the last meeting of the Committee and Members felt that this should have been included in the suggested reasons for refusal. The Head of Service advised that he had captured the additional points referred to in the debate and these could be incorporated into the reasons for refusal.

In response to concern raised regarding the proposed design and it being incongruous to the existing layout. The Head of Service advised that this could be included as a reason for refusal.

Councillor A S Fluker proposed that the application be refused, for reasons relating to the application being outside of the settlement boundary taking into consideration comments raised by the Planning Inspectorate regarding this (referring to a recent appeal decision granting 13 dwellings), there was no buffer zone and therefore Policy S8 would apply. The Officer advised he was unable to consider the S8 argument as he did not have the appeal decision with him.

Councillor W Stamp referred to an appeal decision relating to 2 Maldon Road, Burnham-on-Crouch and asked that it be Minuted that when the decision was made by the Committee a number of the points raised were not included in the reasons for refusal on the advice of Officers.

Following further discussion, Councillor Fluker proposed that the application be refused, contrary to Officers' recommendation for reasons relating to Policies S1, B1, H4 and S8. The Chairperson then referred to the suggested reasons for refusal set out in the Officers' report at paragraphs 2.4 and 2.5. Councillor Fluker requested that reference to design, settlement boundary, loss of amenity to existing and future occupants of the houses also be included, and he was happy to agree the wording of this outside of the meeting with the Chairperson and Head of Service. The Head of Service clarified that there would be three reasons for refusal, the impact on the amenities of the expected residents, Policy S8 and then the design referring to the incompatibility of the proposed housing type against the existing. He advised that the wording could be confirmed outside of the meeting.

Councillor Fluker clarified his earlier proposal and proposed that in reference to paragraph 2.4 (1) and (2) of the Officers' report in relation to design, the settlement boundary and loss of amenity that the application be refused. This proposal was duly seconded. Councillor Fluker then amended his proposal to include paragraph 2.5 (3) and this amendment was duly seconded.

The Chairperson put the proposal to the Committee, and this was duly agreed.

It was noted that in accordance with the appeal protocol, Councillor Fluker had previously nominated himself to be the Member to represent the Council at any appeal.

RESOLVED that this application be **REFUSED** for reasons as set out in paragraph 2.4 and 2.5 of the report in relation to design, the settlement boundary and loss of amenity.

There being no other items of business the Chairperson closed the meeting at 8.38 pm.

A FITTOCK
CHAIRPERSON



**REPORT of
ASSISTANT DIRECTOR: PLANNING AND IMPLEMENTATION**

to
**SOUTH EASTERN AREA PLANNING COMMITTEE
9 APRIL 2025**

Application Number	24/00886/FUL AND 24/00887/LBC
Location	Cartlodge Outbuilding Attached To South West Of Barn Reddings Farm Reddings Lane Tillingham Essex
Proposal	Continued use of The Dairy as holiday accommodation with retention of related alterations
Applicant	Mr & Mrs Skeggs - SB Agri Contracting
Agent	Mr Peter Le Grys - Stanfords
Target Decision Date	18.04.2025
Case Officer	Patrick Daly
Parish	TILLINGHAM
Reason for Referral to the Committee / Council	Member Call In Reasons: <ul style="list-style-type: none"> • D3 Conservation and Heritage Assets • S1 Sustainable Development • S8 Settlement Boundaries and the Countryside • E4 Agriculture and Rural Diversification • H4 Effective use of Land • H5 Rural Exception Schemes • H7 Agricultural and Essential Worker's Accommodation

1. RECOMMENDATIONS

24/00886/FUL:

REFUSE PLANNING PERMISSION for the reasons as detailed in Section 8
of this report.

24/00887/LBC:

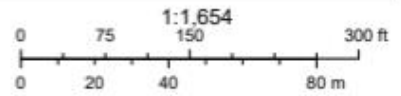
GRANT LISTED BUILDING CONSENT subject to the conditions as detailed
in Section 8 of this report.

2. SITE MAP



3/27/2025, 9:15:47 AM

- GMS BLPU Points
- ▭ Parish Polygon
- ▭ Ward Polygon
- ▭ OS Grid Tiles 1km



3. SUMMARY

Application site

- 3.1.1 The application site is located approximately 1km to the southeast of Tillingham, outside of the defined settlement boundary. It lies to the southeastern side of Reddings Lane, adjacent to a working commercial yard and consists of an existing outbuilding/cartlodge which is Grade II listed and connected to a wider 'L' shaped outbuilding that is also listed. The site is currently used as holiday accommodation without the benefit of planning permission, having previously been granted consent to be used as seasonal worker accommodation in 2015 (13/01060/FUL).
- 3.1.2 The application site includes an extant parking area to the north which is currently provides parking to the adjacent commercial business. The wider site consists of a commercial business that buys, sells and refurbishes used plant machinery, with the access to the yard derived from Reddings Lane, with the ingress/egress of large vehicles dissecting the application site. Two large storage buildings lie to the east of the site, with a further access to the south on Reddings Lane, beyond which is an existing dwelling. Further north, beyond the site, are two further storage buildings connected to the aforementioned commercial operations.
- 3.1.3 The surrounding area is primarily agricultural in nature, pepper dotted with dwellings throughout.

3.2 Proposal / brief overview, including any relevant background information

- 3.2.1 Retrospective planning permission under Section 73A of the Town and Country Planning Act (1990) is sought for the change of use from seasonal worker accommodation (C3) to holiday accommodation (Sui Generis). It is understood that the unauthorised change of use occurred sometime between 2019 and 2021. The scheme would, in effect, regularise the conversion of part of the consented workers accommodation (the western side that runs alongside Reddings Lane), which consists of 8no. bedrooms and associated internal communal areas.
- 3.2.2 The property would utilise the existing parking area to the north that currently serves the commercial business. The primary access would be derived from the north of the building via the existing commercial yard, with a secondary access to the south adjacent to the access to the adjoining storage buildings.
- 3.2.3 Although not explicit in the application, retrospective permission is also sought for the external alterations, which include the insertion of fenestration above what was consented in 13/01060/FUL and 13/01061/LBC. As the building is Grade II listed, an application for listed building consent for the proposed development is also considered. This includes the abovementioned fenestration and associated changes but also guttering and remedying brickwork.
- 3.2.4 Both applications have been supported by a Planning Statement, Tourism Appraisal and Heritage Assessment that seeks to justify the proposal and the plans and drawings submitted in conjunction.

Submitted Documents

- Location/Site Plan - Site location plan
- Location/Site Plan - 899/03B Site Layout Plan
- 899/06C Proposed Plan and north Elevation
- 899/07D Elevations

- Reddings Farm Holiday Planning Statement and Tourism Appraisal

Background

- 3.2.5 The site, known as the Cartlodge, was historically used as a barn in association with a wider farm holding. There are a large number planning and listed building applications on the site that relate to various uses, including in relation to a farm worker dwelling, storage of vehicles, storage of hay and others that are either solely in relation to the Cartlodge or are in conjunction with the wider commercial yard to the north and east.
- 3.2.6 Most pertinent to the background of the proposals are planning and listed building applications 12/00112/FUL together with 12/00113/LBC, 13/01051/FUL together with 13/01052/LBC and 13/01060/FUL together with 13/01061/LBC, with the latter applications effectively acting as renewals. These applications approved use of the site for farm worker accommodation, along with internal and external modifications of the listed building.
- 3.2.7 Initially, to address the retrospective use of the Cartlodge for holiday accommodation, the applicant submitted a variation of Condition 3 (23/00350/VAR) to facilitate the use of the consented worker accommodation for the additional use of staff accommodation for holiday purposes. This was refused in March 2023 as it conflicted with the description of development and could not be considered a Section 73 application in line with legislation. A further variation of condition was submitted (23/00588/FUL), again to vary Condition 3 to allow for the combined use of the Cartlodge for both seasonal workers and holiday accommodation but again, this was refused in January 2024.

3.3 Conclusion

- 3.3.1 The previous decisions are material planning considerations when assessing both 24/00886/FUL and 24/00887/LBC but nevertheless, a full assessment has been made regarding the proposals.
- 3.3.2 The Tourism Appraisal submitted by the Applicant, demonstrates insufficient evidence as to the need for the development. Moreover, the site is not suitably located, situated in the open countryside over 1km from the nearest settlement, with no pedestrian, cycle or sustainable modes of transport available.
- 3.3.3 In the absence of a parking survey and clearly demarcated bays, the number of parking spaces available in conjunction with the commercial business is unknown and in light of further constraints including the currently unused gated entrance to the north of the parking area, the proposals fail to demonstrate adequate parking.
- 3.3.4 The access arrangements give rise to pedestrian safety concerns within the site as visitors would cross into the commercial yard to access the property, which is used by a large number of large vehicles that by their nature, have limited visibility at proximity. The proposals also lack details regarding cycle parking and EV parking, with the latter difficult to implement as the land is in the ownership of the County Council Highways Authority.
- 3.3.5 The cramped and contrived nature of the internal layout of the property and the ratio of bedrooms (eight) in comparison to breakout/socialising communal space gives rise to amenity concerns, as visitors are stimulated to socialise outside, leading to noise and disturbance issues. The communal nature of the property compromises amenity

further given the level of comings and goings of people and cars, taxis, music and other clear amenity concerns.

- 3.3.6 With regards to the Listed Building Consent application, following the resubmission of the plans that include amendments to the scheme, the proposals are considered not cause harm to the heritage asset and as such are in accordance with relevant legislation, the National Planning Policy Framework (NPPF) and policies S1, D1 and H4 of the Local Development (LDP).

4. MAIN RELEVANT POLICIES

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

4.1 National Planning Policy Framework including paragraphs:

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 10-12 Presumption in favour of sustainable development
- 39 Decision-making
- 48-51 Determining applications
- 54-58 Planning conditions and obligations
- 84- 85 Supporting a prosperous rural economy
- 109-118 Promoting sustainable transport
- 131-141 Achieving well-designed places
- 202-221 Conserving and enhancing the historic environment

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

- S1 Sustainable Development
- S7 Prosperous Rural Communities
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D3 Conservation and Heritage Assets
- E4 Agricultural and Rural Diversification
- E5 Tourism
- H4 Effective Use of Land
- H7 Agricultural and Essential Workers' Accommodation
- N1 Green Infrastructure
- T1 Sustainable Transport
- T2 Accessibility

4.3 Relevant Planning Guidance / Documents:

- Planning Practice Guidance (PPG)
- Maldon District Design Guide Supplementary Planning Document (SPD) (MDDG) (2017)
- Maldon District Vehicle Parking Standards SPD (VPS)

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004), Section 70(2) of the Town and Country Planning Act 1990 (TCPA1990), and paragraph 47 of the National Planning Policy Framework require that planning decisions are to be made in accordance with the Development Plan (LDP) unless material considerations indicate otherwise. In this case the Development Plan comprises of the adopted Maldon District Local Plan 2014-2029 (The Local Development Plan or LDP).
- 5.1.2 The LDP has been produced in light of the NPPF (including 2024 iteration) and its emphasis on sustainable development and Policy S1 promotes the principles of sustainable development encompassing the three dimensions identified in the NPPF – an economic objective; a social objective; and an environmental objective.
- 5.1.3 Policy S7 of the LDP acknowledges that the Council will actively seek to support and facilitate sustainable economic development within the villages through a closed list of criteria. Relevant to this application is criterion 4). Criteria 4) seeks to support and facilitate rural diversification, tourism, leisure opportunities and green infrastructure in accordance with policies E4, E5, N1, N2 and N3 of the LDP. This is discussed below.
- 5.1.4 Along with Policies S1 and S2, Policy S8 of the approved LDP seeks to direct development within settlement boundaries in order to protect the intrinsic beauty of the countryside. The policy states that “The Council will support sustainable developments within the defined settlement boundaries”. The policy goes on to state that “development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided it is for...b) employment generating proposals (in accordance with policy E1) ...e) the re-use of a redundant or disused building that would lead to an enhancement to the immediate setting (in accordance with Policies E4 and D3) and f) rural diversification, recreation and tourism proposals (in accordance with Policies E4 and E5).
- 5.1.5 Given the above, of relevance in this instance is criterion f) of Policy S8 regarding rural diversification, recreation and tourism. This in turn leads onto policies E4 and E5 as appropriate.
- 5.1.6 In the first instance, attention is drawn to Policy E4 regarding rural diversification. Whilst the site is located in the countryside and would on the surface represent a diversification from its originally intended agricultural use, it should be noted that the straw baling and distribution business trading as Skeggs Straw Ltd ceased operations in early 2022. Whilst the seasonal workers accommodation in association with that business retained the agricultural ‘link’, this no longer remains. Attention is therefore drawn to Policy E5.
- 5.1.7 Policy E5 of the LDP acknowledges that “the Council will support development which contributes positively to the growth of local tourism in a sustainable manner and realise opportunities that arise from the District’s landscape, heritage and built environment”. For new tourist attractions, proposals must satisfy a closed list of criteria, which include an identified need for the provision and where possible there are good connections with other tourist destinations, the green infrastructure network and local services by sustainable methods of travel. There are also criteria relating to the impacts on the character and appearance of the area and natural and historic environment.
- 5.1.8 It is acknowledged that the Local Planning Authority determined in a report taken to Council on the 3rd November 2022 that Policy E5 requires review, partly due to the lack of guidance as to what evidence would be required to demonstrate an identified need for the provision and due to a lack of clarification as to why connections to other

tourism uses are required. Notwithstanding this, it is noted that an appeal determined in February 2023 (appeal reference APP/X1545/W/22/3301172; Limes View, Burnham Road, Althorne, ref. 21/01294/FUL) placed weight on Policy E5 and discusses how the need for the holiday let being proposed could not be established. In this case, the appellant had submitted a report by Destination Research. This report identified the 'need' as 'the ability of current supply to meet demand'. It is therefore considered that the Local Planning Authority can give weight to this policy and the weight to be given is up to the decision maker.

Identified Need

- 5.1.9 In response to the above, as part of the application, the Applicant has effectively submitted the same Planning Statement and Tourism Appraisal that accompanied 23/00350/VAR and 23/00588/FUL (both of which were ultimately refused), albeit with some updated information to reflect the current position of the business. The Appraisal includes a general overview of the current tourism climate, the impacts of self-catering accommodation on the economy and job creation, as well as discussing a rise in Fully Independent Travellers. However, there is little by way of how this relates directly to the Maldon District or the application site.
- 5.1.10 The report reiterates that "the business commenced in June 2021 and was primarily marketed through AirBnB and Booking.com". On recent review, the property is still being advertised on both websites and as such, its use for holiday accommodation appears to be ongoing.
- 5.1.11 Regarding the first criteria of Policy E5, which requires the application to identify need for the provision proposed, the Statement asserts that "the subsequent success proved that not only were significant numbers of people interested in visiting the Dengie, but the accommodation was of a standard that was desirable and affordable."
- 5.1.12 The Appraisal goes on to state that over a period of 14 months, the holiday units were occupied for 142 days. This is an occupancy rate of approximately 33% over this period. It is not considered that this rate, which is well below operating at full capacity, provides sufficient evidence of a need for the type of accommodation proposed. The reviews provided and proof of expenditure also do not demonstrate a need, nor that the site is sustainably located. Moreover, there is no evidence to suggest that this development, whilst achieving a low occupancy rate, has not taken this business from elsewhere. The fact that the units have also achieved a high rating does not demonstrate a need or that they are sustainably located, as explored later in this report.
- 5.1.13 Further on need, paragraph 6.6 of the report features of number of local attractions and paragraph 6.7 of the Appraisal provides a very limited search of alternative tourist accommodation within the immediate area. The occupancy rates of the alternative accommodations highlighted is not known and the Appraisal provides information regarding just one holiday accommodation provider (AirBnB), with no analysis of Booking.com provided. The Appraisal does not include accommodation offered to the southwest of the site in areas such as Burnham on Crouch, to which the Appraisal states it is "well connected" to.
- 5.1.14 Overall, the report does not demonstrate that the proposal is needed to help address a shortage in the supply of holiday accommodation and has not been linked to any niche or nearby tourist uses such as boating, bird watching, golf or shooting. Therefore, this information is not considered to be robust or reliable and provides insufficient evidence regarding the need for the accommodation.

Accessibility and Connectivity

- 5.1.15 From the outset it should be noted that tourists have different needs to those typically expected for occupiers of a dwelling. The likely needs, or at least wants, of a tourist would be directed towards attractions and hospitality venues. However, they are likely to also need access to shops, including food shops, in order to purchase gifts, souvenirs, and food to cook when not eating out. It is important within this context, to acknowledge that the Maldon District is a rural district and that the opportunities for sustainable transport solutions vary greatly between rural and urban areas.
- 5.1.16 The Tourism Appraisal submitted by the Applicant states that “visitors will have the benefit of utilising the series of well-connected public footpaths for dog walking. The myriad of rural sites and coastal scenery together with Bradwell and Tillingham villages, St Peter’s Chapel, Burnham on Crouch town centre and yacht clubs are well known.”
- 5.1.17 To recap on the site’s setting, the Cartlodge is located in the open countryside, outside of a defined settlement boundary, with the nearest village being Tillingham, approximately 1km to the east. It is classified as a ‘smaller village’ in the LDP and provides limited services and facilities, including a small convenience store, charity shop, hairstyling business, two pubs and a small medical centre. In terms of connectivity from the site to Tillingham, there are number of key points to consider:
- A Public Footpath (Tillingham 5) is located approximately 500 metres to the north (Stowe’s Lane) with access to this via Reddings Lane, which itself is a narrow country lane without pathway verge or street lighting;
 - The B1021, which would connect the site to the settlement of Tillingham is located approximately 70 metres to the south of the site. The B1021 has a speed limit of 60mph and is also unlit and without a footway, streetlighting or verge for large sections; and
 - A bus stop is located at Manor Road, approximately 500 metres to the south-east of the site but this is only accessible via the B1021, which as noted above is subject to the national speed limit without facilities for pedestrians. The services provided are infrequent and include a school bus services provided by Fords Coaches.
- 5.1.18 Drawing attention to Tillingham in the first instance, the services provided would not be sufficient to meet the likely needs of guests including access to evening hospitality or a food shop to support home cooking. As such, guests would regularly need to travel further afield to reach services, facilities, and attractions. Whilst Southminster is located approximately 4km to the south, again this settlement has limited facilities for tourists with only one larger convenience store and as such, Burnham-on-Crouch would be the likely destination some 8km to the south. The Applicant makes reference to Bradwell-on-Sea but this village is located further still than Tillingham whilst offering less facilities.
- 5.1.19 Assessing connectivity, the site is considered remote and there are no safe or attractive routes for pedestrians or cyclists, particularly during winter months, hours of darkness, or during periods of inclement weather. Future occupiers would therefore be highly reliant on the use of the car, as opposed to sustainable modes of transport, to access the facilities required for day to day living/leisure and other tourist destinations, particularly the settlements stated in the Appraisal which include, Tillingham, Bradwell and Burnham on Crouch.

- 5.1.20 Overall, the site is poorly located in respect of both larger and smaller settlements. The site lies disconnected from any of the limited services and facilities provided within the closest settlement of Tillingham, identified as a small village in the LDP and therefore, the occupiers of the holiday let would have a heavy reliance on private modes of transport.

Conclusion

- 5.1.21 In light of the above and the Tourism Appraisal submitted by the Applicant, it is considered that there is insufficient evidence to demonstrate need for the development. Moreover, the site is not sustainably located, situated in the open countryside over 1km from the nearest settlement, with no pedestrian, cycle or sustainable modes of transport available.
- 5.1.22 Whilst Policy E4 does not apply in this instance given the site's severance from its original agricultural use following the closure of the straw business, the proposal fails to accord with criteria 1 (identified need) and 2 (connectivity) of Policy E5 of the LDP.

5.2 Design and Impact on the Character of the Area

- 5.2.1 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. Indeed, good design is fundamental to high quality new development and its importance is reflected in the NPPF. Furthermore, 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.
- 5.2.2 The proposal seeks a change of use in the first instance and as such, the impact of the proposal on the wider character of the area is limited to comings and goings and any paraphernalia associated with its current/proposed use. In this context, no concerns are raised by officers.
- 5.2.3 Regarding the external alterations proposed, although not explicitly applied for in either application, are not considered to impact the character of the area as the building envelope would not be altered. The incisions into the buildings fabric to facilitate the additional fenestration is assessed in the context of the Grade II listed building and corresponding legislation in an earlier section of this report.
- 5.2.4 Given the above, the proposal complies with relevant parts of Policy D1 of the Maldon LDP concerning the character and appearance of the area.

5.3 Impact on Residential Amenity

- 5.3.1 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).
- 5.3.2 The application site lies adjacent to two existing dwellings to the south and southeast. The proposals to change the use of the former farmhouse from its permitted use as workers accommodation to short-term holiday let, would not give rise to any anticipated impacts on existing residential amenity, as the uses are

deemed to be compatible. In terms of the current proposal, due consideration must be given to the internal layout of the property and concerns regarding both noise and parking.

- 5.3.3 In terms of the internal layout, the accommodation comprises eight individual bedrooms, communal kitchen and living space and shower and toilet cubicles. Whilst the property can be rented by large families, this layout is intended to offer itself to large gatherings of families and/or unrelated disparate groups attending stag/hen do's, weddings and other large gatherings.
- 5.3.4 The occupation of this accommodation would not be akin to a conventional residential dwelling given the size and layout of the property. The number of bedrooms (eight) and corresponding living/breakout space, as a proportion of the accommodation, is relatively small and it is reasonable to assume that visitors are likely to occupy the accommodation in a different manner than they would a smaller facility or standard C3 dwelling. Indeed, there is a greater potential for comings and goings of people, cars and taxis, socialising outside of the property at anti-social hours, BBQing and use of the garden/courtyard. What is more, this usage has been documented in letters of representation and has extended to playing ball games and parking with undue care on the surrounding highway, all of which compromise existing residential amenity. Relatedly, it is considered that the surrounding context of the commercial yard does not dilute lingering concerns regarding noise and disturbance.
- 5.3.5 In light of the above assessment, it is considered that by virtue of the internal layout of the property, existing residential amenity is compromised given the level of comings and goings and the ratio of breakout/socialising space in comparison to the number of bedrooms offered. This in turn, leads to a greater level of external socialising, leading to issues of noise and disturbance for neighbouring properties at unsocial hours. As such, the proposals do not accord with policy D1 of the Maldon LDP.

5.4 Access, Parking and Highway Safety

- 5.4.1 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 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 and include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards. 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.

Parking

- 5.4.2 Firstly, it should be noted that the Applicant has not submitted a Transport Statement, Parking Survey or Parking Layout in support of the proposals. The application involves the retention of the property as a holiday let (Sui Generis), as opposed to its consented use for worker accommodation (C3). The proposal includes an area to the north of the site that is currently used for parking in relation to the adjacent commercial business.

- 5.4.3 It is important to note that planning permission for the parking of HGV vehicles in association with the commercial yard was first approved at the proposed parking area in 2006 (06/01013/FUL) despite being on highway land. This parking was subsequently approved again under consent 13/01060/FUL and this arrangement has not been contested following various applications. As such, the area has and continues to be used in relation to the adjacent commercial business for large vehicles, staff and visitors.
- 5.4.4 The proposal for holiday accommodation and associated parking was reviewed by Essex County Council as the Highway Authority via 23/00588/FUL. In response to this application, Essex County Council (ECC) commented that as the Highway Authority, it could not sanction private parking on the public highway but given the aforementioned planning history, ECC have refrained from objecting to this application on highway and transportation grounds. It has however, reiterated that it cannot sanction private parking on the public highway.
- 5.4.5 Recent site visits have confirmed the parking area is not demarcated and has limited spaces to serve the proposals as the spaces are predominantly used by the adjacent business as staff parking. Furthermore, the northern section includes a currently unused gated entrance to the yard, which would seemingly constrain parking provision further when in use.
- 5.4.6 The Council's Vehicle Parking Standards SPD is silent on the holiday let accommodation. In general, parking for self-catering holiday homes would be expected to be in-line with residential dwellings (C3) subject to the number of bedrooms, visitor spaces, cycle storage and electric vehicle charging points as required but each application must be assessed on its own merits. It is considered that the previous seasonal workers accommodation was analogous to a standard residential dwelling (C3) and as it was located adjacent to the intended place of work, the demand for parking was much reduced.
- 5.4.7 In considering the application on its own merits, given the severance of this connection between the property and the farm holding, there is now a difference in parking needs required by the holiday accommodation. Notwithstanding the site's location in the open countryside with very limited pedestrian and cycle connectivity, given the number of bedrooms (eight) with potential occupancy capacity of 16 people and the bespoke layout of the property including shower and toilet cubicles, it is highly likely that the accommodation could be used by disparate parties at one time such as stag do's hen do's and other large gatherings, leading to several vehicles coming to the site from different locations. This has been raised in letters of representation where large congregations of vehicles and unauthorised parking on the surrounding highway are referred to. In this scenario, the use of the property would be more akin to hostel/hotel (C1) accommodation and the corresponding requirement of one space per bedroom would be triggered as part the Council's Vehicle Parking Standards SPD.
- 5.4.8 To reiterate, the Applicant has not provided any details as to the level of parking generated from the holiday let and has not provided a parking survey to demonstrate that there are sufficient parking spaces available to accommodate both the commercial business and holiday accommodation at peak times. It should be emphasised that no parking within the adjacent commercial business has been offered as part of the plans.
- 5.4.9 The parking area gives rise to concerns of further highway safety issues, as vehicles would reverse onto Reddings Lane or vice versa into an available space with restricted views given the presence of surrounding cars and larger vehicles.

However, as this arrangement has previously been consented via 06/01013/FUL and as Highways have not explicitly raised this issue, to refuse an application on this basis would not be considered unreasonable.

- 5.4.10 The applicant has not submitted details regarding locations for safe and secure cycle parking. Similarly, no details of electric vehicle (EV) parking have been provided and the opportunity for such provision is considered limited given that the parking area to the north is on the public highway and not within the control of the applicant.

Access

- 5.4.11 Turning to access, the application site is accessed via Reddings Lane, with the entrance to the property located to the north of the building via a small pedestrian gate, behind the main entrance to the commercial yard, which itself is barriered. It should be noted that the applicant is not proposing to make any alterations to the entrance as part of this application. There is a further doorway located to the southern elevation but this is a fire door and does not benefit from an external doorhandle and therefore, cannot be treated as a secondary entrance. Again, ECC Highways have not commented on the existing access arrangements and how this may affect ingress/egress of visitors in conjunction with the operations of the adjacent commercial business.
- 5.4.12 It should be emphasised that the adjacent commercial business buys, sells and refurbishes used plant machinery, including tractors, JCBs and mini diggers and at any one time, there are a large number of vehicles present that regularly enter and exit the yard. As the main entrance to the holiday let is set behind the main barriered vehicular ingress/egress, this arrangement invariably leads to pedestrian safety issues as visitors would be required to enter and cross the yard of the commercial business, in the path of vehicles that have limited visibility at proximity given the location of the vehicle cabins. For the aforementioned reasons, the existing access arrangements are considered unsuitable.

Conclusion

- 5.4.13 Given the above, in the absence of a Transport Statement and Parking Survey, the amount of parking generated has not been determined and the correspondingly, the number of parking spaces available in conjunction with the commercial business is also unknown and this is compounded further by the lack of demarcation of the parking area. Even so, there are further constraints unidentified by the Applicant, namely a used gated entrance to the north of the parking area that would conceivably limit the amount of non-demarcated spaces available.
- 5.4.14 The unchanged access arrangements give rise to pedestrian safety concerns as visitors would cross into the commercial yard to access the property, which is also used by a large number of large vehicles that by their nature, have limited visibility at proximity.

5.5 Impact on Designated Heritage Assets

- 5.5.1 In accordance with sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Council must have special regard to the desirability of preserving the listed buildings, their settings and any features of special architectural or historic interest which they possess. Paragraph 212 of the NPPF requires that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the

asset's conservation'. In accordance with paragraph 215 of the NPPF, such harm must be weighed against the public benefits of the proposal.

- 5.5.2 Similarly, policy D3 of the approved Maldon District Local Development Plan states that development proposals that affect heritage assets must preserve or enhance its special character, appearance, setting and any features and fabric of architectural or historic interest. Where a proposed development would cause less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 5.5.3 Conversely, the external alterations to the building, specifically along the Reddings Lane elevation have not been explicitly applied for as part of this application but it is noted that there are a number of discrepancies between previous consents on the site and what has been implemented, including the number, extent and design of the fenestration, unauthorised brickwork and guttering. Whilst from a planning perspective, the extent of the fenestration is considered broadly acceptable and replacement brickwork and guttering do not require planning permission, these alterations give rise to impacts on the fabric of the Grade II listed building, which have not been fully assessed.
- 5.5.4 As the building is listed, the alterations must be assessed against the relevant aforementioned legislation. Whilst the change of use would not harm the significance of the heritage asset, the Council's Conservation and Heritage Officer considers that the extent of alterations to the property including the extent of fenestration, remediating brickwork and guttering that have not garnered the relevant consents, has led to less than substantial harm to the significance of the heritage asset.

Significance

- 5.5.5 The Cartlodge forms part of a U-shaped group of three mid-19th century grade II listed agricultural buildings, originally used to accommodate cattle. The elevations are characterised by red brick with hipped roofs clad in clay pantiles at either end. with entrance areas to the north including black weatherboarding, albeit these being unauthorised additions.
- 5.5.6 The Cartlodge was part of wider landholding that included Reddings East and West to the south (15th and 16th century respectively and both Grade II listed) and the attached threshing barn to the north (Grade II listed) and are noted to have heritage value as a group. It should be noted however that both Reddings East and West are now separated from the Cartlodge by thick foliage, which has somewhat severed their relationship.
- 5.5.7 Turning to significance, the application building derives its architectural and historic interest as an example of a Victorian shelter shed enclosing one side of a farmyard:
- In its historic value, the building demonstrates the increased emphasis on cattle farming in region and the shift to model-farm layouts in the mid-19th century; and
 - Its architectural interest is derived from its traditional, vernacular form, construction and materials. Its rural setting, its relationship with the other 19th-century farm buildings on the site, and its relationship with Old Reddings East and West, which were formerly of the same landholding that collectively, enhance the ability to appreciate the building's significance.

Existing Conditions of the Heritage Asset

5.5.8 Notwithstanding consents 12/00113/LBC and 13/01061/LBC, the existing site conditions of the heritage asset differ from what was approved. The plans originally submitted as part of this application(s) (24/00886/FUL and 24/00887/LBC) largely reflected the extant situation and as such is it important to provide a brief overview, as outlined below:

Western Elevation

5.5.9 Nine slit windows were inserted, larger in size and at a higher level close to the building's soffit, two of which replace a previously blocked window and doorway. Additional larger conventional windows at both northern and southern ends, both of which are unsympathetic modern window with top-hung fanlight.

5.5.10 The corresponding brickwork is pointed in hard, grey-coloured cement mortar. Large-section plastic gutters and downpipes (and a plastic soilvent pipe) have been installed.

5.5.11 All of the above are considered detracting to the building's traditional agricultural design and ultimately unsympathetic to the historic fabric of the listed building.

Northern Elevation

5.5.12 Following the removal of a pedestrian doorway to the left of the frontage and a large, gated opening to the right, a smaller window was installed and the remaining void infilled by red brick, which is considered a poor match to the original colour and texture of the building and is bedded in unsympathetic grey cement mortar. The entrance porch is acceptable given its finish in weatherboarding.

5.5.13 It should be noted that the northern elevation also includes railings and an oil tank but neither have been included on the drawings with this application and therefore cannot be considered.

Southern Elevation

5.5.14 An asymmetrical casement window with a top-opening fanlight, replicating those installed on the western and northern elevation has been installed in place of window and door with 19th -century-style side-hung windows, each casement having a single horizontal glazing bar.

5.5.15 An access ramp in has been installed leading up to the door, with modern stretcher bond brick, concrete base and secured with black railings, although it is noted that it does not meet the ground fully. It should be noted that the Conservation and Heritage Officer has not expressly objected to the ramp's inclusion.

Roof

5.5.16 The approved scheme included four roof lights on the eastern elevation to serve the some of the bedrooms, although it should be noted that the internal layout was not built out to the approved plans. To date, no rooflights have been installed.

Internal Alterations

5.5.17 As highlighted above, the applicant has also implemented internal alterations that differ to the approved plans, including raised floor level, additional bedroom beyond the seven that were consented, served with a corridor running along the east side of the building. Different configurations of the kitchen and dining spaces have been implemented to what was approved. Although it is considered that the impact of the implemented scheme on the building's internal fabric and character is no greater than that of the approved scheme.

Revised Plans

- 5.5.18 In light of the extant conditions of the heritage asset, it was considered that the proposals as constructed would cause less than substantial harm to the significance of the Carlodge Grade II designated heritage asset and the threshing barn to the north (Grade II listed) and as the applicant was unable to demonstrate need for the holiday accommodation in accordance with policy, there are no public benefits that would outweigh the harm identified.
- 5.5.19 To ameliorate the above concerns, the applicant has submitted revised plans that are more sympathetic to the historic fabric of the heritage asset and would remediate the harm to the listed buildings to an acceptable degree.
- 5.5.20 The previous gated opening at the northern elevation that was replaced with a contemporary window will now be substituted for a larger window opening, akin to what was originally approved. Likewise, the window on the southern elevation will be replaced with more sympathetic fenestration.
- 5.5.21 The applicant proposes the replacement of cement mortar with lime mortar and the replacement of the plastic rainwater goods with metal rainwater goods, which are deemed acceptable. No internal alterations are proposed to accord with the original consents.
- 5.5.22 The Conservation and Heritage Officer notes that a degree of harm would remain with regards to the slit windows as the number of windows on the west elevation is deemed excessive and by themselves would cause 'less than substantial' harm. However, as the windows are already in situ, the reconfiguration of the openings would have little benefit and could result in further damage. In combination with the remedial work identified, that harm should be of a low magnitude.
- 5.5.23 The applicant has proposed timescales for implementing the remedial work, with rainwater goods and lime mortar to be completed by 30 September 2025 and the fenestration by 31 January 2026. Both timetables are considered reasonable, and conditions will attached to the effect should consent be granted.
- 5.5.24 Overall, in light of the revised plans, the Conservation and Heritage Officer has no longer objects to the proposals subject to relevant conditions highlighted above.

5.6 Planning Balance and Conclusion

- 5.6.1 The key priority within the NPPF, stated at paragraphs 7 and 8, is the provision of sustainable development. This requires any development to be considered against the three dimensions within the definition of 'sustainable development' providing for economic, social and environmental objectives as set out in the NPPF.
- 5.6.2 In judging whether the scheme should be granted, it is necessary to set out the weight attributed to the planning benefits which the proposal offers, against the harm which would arise from the proposed development.
- 5.6.3 The main impacts of the proposal which are benefits are:
- Providing tourist accommodation for the District. This is given limited weight considering the inadequate level of need demonstrated;
 - Economic benefits flowing from visitors to the area. This is given limited weight considering the size and location of the proposal;
 - Employment opportunities arising from the proposals. This is given limited weight considering the employment generated from the site would be limited to one part-time job; and

- The long-term use of a listed building. This is given limited weight considering that the proposal is not considered acceptable in planning terms and therefore cannot be considered its optimum viable use.

5.6.4 The main impacts of the development that are harmful are:

- The discordance with the development plan. This is given significant weight given the location of the site outside of the settlement boundary;
- Permitting an inappropriate use of the property in an unsustainable location. This is given significant weight given the purpose of the planning system, as set out in the NPPF, is to achieve sustainable development;
- The impacts of the proposals on neighbouring amenity are given very substantial weight in light of the aforementioned context of noise, disturbance and indiscriminate parking;
- Inadequate parking provision that may lead to indiscriminate parking on the highway and relatedly, highways and pedestrian safety concerns. This is given very moderate weight; and
- The access arrangements to enter the property which would give rise to pedestrian safety concerns. This is given substantial weight in the planning balance.

5.6.5 The planning balance is not a mathematical exercise whereby an amount of weights of benefits equals an acceptable scheme, but instead provides a rounded view of the proposals overall. It is important to recognise the benefits of the scheme but also the significant harms identified with this particular proposal which are of importance to decision making. On the merits of this particular proposal, the harms clearly outweigh the benefits.

Heritage Balance

5.6.6 Paragraph 212 of the NPPF requires that “when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”. Accordingly, significant weight is given to the impact of the development on heritage assets.

5.6.7 In this instance, in light of the revised plans and the proposed alterations to the elevations of the heritage asset, the harm in this instance is considered to be of low magnitude.

6. ANY RELEVANT SITE HISTORY

- **23/00588/FUL** - S73 application for the additional use of staff accommodation as holiday unit, Refused – 24/01/2024
- **23/00350/VAR** - Variation of condition 3 (Accommodation to be used by seasonal workers) on planning application 13/01060/FUL (Conversion of vacant farm buildings to form accommodation for agricultural farm workers. Alterations to Listed Building to enable conversion of farm buildings to form accommodation for agricultural farm workers. Renewal of application FUL/MAL/12/00112). Refused – 28/03/2023
- **14/00578/FUL** - Erection of open sided storage barn. Approved – 24/06/2015
- **13/01061/LBC** - Conversion of vacant farm buildings to form accommodation for agricultural farm workers Alterations to Listed Building to enable conversion of farm

- buildings to form accommodation for agricultural farm workers. Renewal of application LBC/MAL/12/00113. Grant listed building Consent - 11/11/2013
- **13/01060/FUL** - Conversion of vacant farm buildings to form accommodation for agricultural farm workers. Alterations to Listed Building to enable conversion of farm buildings to form accommodation for agricultural farm workers. Renewal of application FUL/MAL/12/00112. Approved – 11/11/2013
 - **13/01052/LBC** - Conversion of part of barn into offices, continued use for paint spraying purposes in conjunction with the use of part of the farm for the storage, repair and refurbishment of agricultural contracting equipment and retention of external flue. Alterations to Listed Building to enable conversion of part of barn into offices, formation of paint spray unit and retention of external flue. Grant listed building consent – 23/01/2014
 - **13/01051/FUL** - Conversion of part of barn into offices, continued use for paint spraying purposes in conjunction with the use of part of the farm for the storage, repair and refurbishment of agricultural contracting equipment and retention of external flue. Alterations to Listed Building to enable conversion of part of barn into offices, formation of paint spray unit and retention of external flue. Approved – 24/06/2015
 - **13/01050/FUL** - Erection of new workshop building to be used for the repair of agricultural contracting equipment and in conjunction with use of part of farm for the storage, repair and refurbishment of agricultural contracting equipment for the purpose of sale. Approved – 11/11/2013
 - **13/00696/FUL** - Erection of open sided storage barn. Approved – 21/10/2013
 - **12/00122/FUL** - Erection of open sided storage barn. Approved – 24/05/2012
 - **12/00121/LBC** - Alterations to Listed Building to enable conversion of part barn into offices, formation of paint spraying unit and retention of external flue. Grant listed building consent – 12/11/2012
 - **12/00120/FUL** - Conversion of part of barn into offices, continued use for paint spraying purposes in conjunction with the use of part of farm for the storage, repair and refurbishment of agricultural contracting equipment and retention of external flue. Approved – 12/11/2012
 - **12/00113/LBC** - Alterations to Listed Building to enable conversion of farm buildings to form accommodation for agricultural farm workers. Grant listed building consent – 12/11/2012
 - **12/00112/FUL** - Conversion of vacant farm building to form accommodation for agricultural farm workers. Approved – 12/11/2012
 - **12/00111/FUL** - Erection of new workshop building and wash down area. Approved – 12/11/2012
 - **11/01131/AGR** - Open sided storage barn. Refused – 12/01/2012
 - **10/00966/FUL** - Change of use (retrospective) of part of yard for the purpose of outside storage of paint and machinery and other materials associated with the development permitted under application FUL/MAL/06/01013 and for the stationing of two portacabins for office use, one portacabin for staff facilities and two static caravans for seasonal agricultural staff occupancy. Refused – 7/04/2011
 - **10/00534/FUL** - Change of use (retrospective) of agricultural land and mixed storage of straw. Approved – 9/09/2010
 - **10/00530/FUL** - Change of use (retrospective) of part of yard for the purpose of outside storage of plan and machinery and other materials associated with the development under application FUL/MAL/06/01013 and for the stationing of two portacabins for office use, one portacabin for staff use and two static caravans for seasonal agricultural staff occupancy. Refused – 14/09/2010

- **10/00258/AGR** - Agricultural straw barn. Refused – 21/05/2010
- **09/00998/FUL** - Mixed agricultural storage and distribution. Refused – 15/06/2010
- **06/01013/FUL** - Storage for lorry and trailer storage of construction equipment associated with workshop facilities. Approved – 19/15/2006
- **87/00517/FUL** - Proposed farm workers dwelling. Approved – 07/08/1987

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

7.1 Representations received from Parish/Town Councils

Name of Parish / Town Council	Comment	Officer Response
Tillingham Village Council	No response received at the time of writing this report	Noted, any updates will be reported through the Members update process.

7.2 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Local Highway Authority	The Highway Authority cannot sanction private parking on public highway. The applicant has ample room within their blue line to provide off-street parking within their curtilage.	Noted, discussed in Section 6.2 of this report.

7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objections	Noted
Heritage and Conservation	Less than substantial harm caused by the alterations to the building. No public benefits identified	Addressed in Section 6.3 of this report

7.4 Representations received from Interested Parties

7.4.1 33 letters were received in total: 26 in support and 7 in objection. The reasons are summarised in the table below:

Objecting Comment	Officer Response
Use - Unauthorised changes of use	- Addressed in Section 6.1 and 'Background' section in this report

<ul style="list-style-type: none"> - The original permission for workers accommodation was granted with strict conditions - The building's use will not support economic growth in the District - The use is at odds with the building's Grade II listing - This application is not for agricultural use and classed as rural diversification - The property has been occupied during December and January where existing conditions on the workers accommodation prohibit 	
<p>Amenity</p> <ul style="list-style-type: none"> - The property is located only 7m from the nearest dwellinghouse and has led to instance of privacy and overlooking issues - Significant noise and disturbance associated with the comings and goings of large numbers of guests - Property has a history of accommodating 16+ guests at any one time Property has a history of hosting parties with amplified music and fireworks - No amenity space for the property - Southern fire access is used as a smoking area and socialising outside - Large groups have socialised on the road given the lack of space internally in the property - Instances of antisocial behaviour have been documented - Instances of guests trespassing on adjacent properties - The application is not supported by any management plans or evidence or address noise generated by the site 	<ul style="list-style-type: none"> - Addressed at section 6.5
<p>Location</p> <ul style="list-style-type: none"> - The property is located outside of a settlement boundary of Tillingham and unsuitably located in the countryside - The property is located away from local services and provides limited benefits to them. - Visitors must use private vehicles as there are no pedestrian, cycle or public transport facilities - No safe pedestrian facilities for those walking and the surrounding 	<ul style="list-style-type: none"> - Addressed in Section 6.1

<p>roads are subject to the national speed limit</p> <ul style="list-style-type: none"> - These types of properties should be located in towns or villages 	
<p>Access</p> <ul style="list-style-type: none"> - Significant concerns with pedestrian and visitor safety at the northern entrance that crosses the commercial yard - Southern fire exit opens up right next to another access for the commercial yard 	<ul style="list-style-type: none"> - Addressed in Section 6.2
<p>Parking</p> <ul style="list-style-type: none"> - No car parking onsite - Car parking on the highway - Four to eight cars typically park around the accommodation 	<ul style="list-style-type: none"> - Addressed in Section 6.2
<p>Employment</p> <ul style="list-style-type: none"> - The business offers no real discernible employment, with those employed only being part-time. 	<ul style="list-style-type: none"> - The property would generate some employment which is included as a planning benefit and weighted accordingly.
<p>Environment</p> <ul style="list-style-type: none"> - The proposals do nothing to enhance the surrounding environment 	<ul style="list-style-type: none"> - Addressed in Sections 6.3, 6.4 and 6.5

Supporting Comment	Officer Response
<p>Accommodation</p> <ul style="list-style-type: none"> - The benefit of having an accommodation of this size and availability in the area for tourists, visitors and large groups - The accommodation caters for large groups of tourists and business visitors 	<ul style="list-style-type: none"> - Addressed in sections 6.1 and 6.5
<p>Employment</p> <ul style="list-style-type: none"> - Employment opportunities generated from the development including cleaning staff and maintenance 	<ul style="list-style-type: none"> - Whilst the property would generate a modicum of employment it is not considered the level created is sufficient to be warrant assessment as part of this report
<p>Economic Benefits to Wider Area</p> <ul style="list-style-type: none"> - Visitors go to nearby attractions, restaurants, shops, pubs etc. - Brings other benefits to the wider community 	<ul style="list-style-type: none"> - Addressed in Section 6.1
<p>Sustainability</p> <ul style="list-style-type: none"> - Its location is good for business 	<ul style="list-style-type: none"> - Noted

travellers to the area, as otherwise they would have to stay further afield and more time on the road, leading to greater emissions.	
Heritage - Without this use, the building would fall into disrepair	- Noted

8. **PROPOSED CONDITIONS AND REASONS FOR REFUSAL**

24/00886/FUL:

REFUSE PLANNING PERMISSION for the following reasons:

1. The holiday accommodation is in an unsustainable location within the open countryside with limited connectivity to services and facilities for pedestrians, cyclists and for the use of public transport. Accordingly, users of the accommodation would be heavily reliant on travel by private car. Furthermore, insufficient information has been submitted to demonstrate that there is an identified need for the tourist accommodation in this location. The development therefore represents an inappropriate and unsustainable form of development contrary to Policies S1, S8 and E5 of the approved Maldon District Local Development Plan and the provisions of the National Planning Policy Framework.
2. The proposed development, by reason of its failure to provide adequate on-site car parking provision, would be detrimental to public amenity and the convenience of highway users caused by overspill and indiscriminate parking. Intensification of vehicular activity in the setting may also prejudice the safety of users of the highway or the passage of utility and emergency vehicles. As such the proposal is contrary to Policies D1 and T2 of the approved Maldon District Local Development Plan, the Vehicle Parking Standards SPD of the local planning authority and the provisions of the National Planning Policy Framework especially at paragraphs 135 a) and 139.
3. By virtue of the combined access of the commercial yard and the holiday accommodation and the main entrance to the building on the northern elevation closest to the yard, the proposals fail to provide for a safe and secure ingress/egress for visitors. As such, the proposals would prejudice the safety of pedestrians and other users of the highway. The proposal is contrary to Policies D1 and T2 of the approved Maldon District Local Development Plan, the Vehicle Parking Standards SPD of the local planning authority and the provisions of the National Planning Policy Framework.
4. By virtue of the number of bedrooms and the limited internal communal space provided, the use of property as tourist accommodation would be detriment to the residential amenity of surrounding properties with regards to noise, disturbance, vehicular trips and indiscriminate highway parking. As such the proposals are contrary to Policies D1 and H4 of the Maldon District Local Development Plan and the provisions of the National Planning Policy Framework.

24/00887/LBC:

GRANT LISTED BUILDING CONSENT for the following reasons:

1. The works hereby permitted shall be carried out in accordance with the approved plans as stated on the Decision Notice.
REASON: To ensure that the works are carried out in accordance with the details as approved.
2. All areas of unauthorised cement pointing shall be carefully raked out and the brickwork re-pointed using lime mortar (incorporating no element of cement) by the 30th of September 2025. Prior to commencing the re-pointing works, a sample area of re-pointing of no more than 1 sqm shall be carried out and approved by the local planning authority. The applicant shall notify the local planning authority when the sample pointing is ready to be viewed.
REASON: To ensure that the works are carried out in accordance with the details as approved.
3. All existing plastic rainwater goods shall be replaced by black metal rainwater goods by the 30th of September 2025.
REASON: To ensure that the works are carried out in accordance with the details as approved.
4. All new windows shall be of black painted timber.
REASON: To ensure that the works are carried out in accordance with the details as approved.
5. Those windows which do not conform to the approved plans shall be replaced in compliance with the approved plans by the 31st of January 2026.
REASON: To ensure that the works are carried out in accordance with the details as approved.

Application plans:

- Location/Site Plan - Site location plan
- Location/Site Plan - 899/03B Site Layout Plan
- 899/06C Proposed Plan and north Elevation
- 899/07D Elevations