

07 October 2025



Princes Road
Maldon
Essex CM9 5DL

www.maldon.gov.uk



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

CHIEF EXECUTIVE
Doug Wilkinson

Dear Councillor

You are summoned to attend the meeting of the;

SOUTH EASTERN AREA PLANNING COMMITTEE

on **WEDNESDAY 15 OCTOBER 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 G C Siddall-Norman W Stamp, CC



**AGENDA
SOUTH EASTERN AREA PLANNING COMMITTEE**

WEDNESDAY 15 OCTOBER 2025

1. **Chairperson's notices**

2. **Apologies for Absence**

3. **Minutes of the last meeting** (Pages 7 - 12)

To confirm the Minutes of the meeting of the Committee held on 17 September 2025, (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. **24/00667/FUL, Burnham Waters Site Office, 1, Waters Avenue, Burnham on Crouch** (Pages 13 - 26)

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. 5.
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.

DISTRICT AND AREA PLANNING COMMITTEE 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 Development Plans and Other Material Considerations:

Statutory Development Plans

- [Maldon District Local Development Plan 2014-2029](#) - approved by the Secretary of State 21 July 2017
- [Burnham-On-Crouch Neighbourhood Development Plan](#) (Made 7 Sept 2017)
- [Wickham Bishops Neighbourhood Development Plan](#) (Made 30 June 2021)
- [Langford and Ulting Neighbourhood Development Plan](#) (Made 31 March 2022)
- [Great Totham Neighbourhood Development Plan](#) and [Village Design Statement](#) (Made 6 July 2022)
- [Mayland Neighbourhood Plan](#) (Made 25 September 2025)
- [Essex and Southend on Sea Waste Local Plan](#) 2017
- [Essex Minerals Local Plan](#) 2014

Other Material Considerations

Legislation

- [The Town and Country Planning \(Use Classes\) Order 1987](#) (as amended)
- [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](#)
- [Human Rights Act 1998](#)
- [The Planning and Compulsory Purchase Act 2004](#) (as amended)
- [The Town and Country Planning \(Control of Advertisements\) \(England\) Regulations 2007](#)
- [Localism Act 2011](#)
- [The Planning Act 2008](#)
- [Marine and Coastal Access Act 2009](#)
- [Equality Act 2010](#)
- [The Community Infrastructure Levy Regulations 2010](#) (as amended)
- [The Town and Country Planning \(Tree Preservation\) \(England\) Regulations 2012](#)
- [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](#)
- [The Town and Country Planning \(General Permitted Development\) Order 2015](#) (as amended)

- [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#)
- [Housing and Planning Act 2016](#)
- [The Self-build and Custom Housebuilding Regulations 2016](#)
- [The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017](#)
- [Neighbourhood Planning Act 2017](#)
- [The Town and Country Planning \(Brownfield Land Register\) Regulations 2017](#)
- [The Conservation of Habitats and Species Regulations 2017](#)
- [Environment Act 2021](#)
- [Levelling Up and Regeneration Act 2023](#)
- [The Biodiversity Gain \(Town and Country Planning\) \(Consequential Amendments\) Regulations 2024](#)
- [The Biodiversity Gain Requirements \(Exemptions\) Regulations 2024](#)
- [The Biodiversity Gain \(Town and Country Planning\) \(Modifications and Amendments\) \(England\) Regulations 2024](#)

National Planning Policy

- [National Planning Policy Framework \(NPPF\)](#)
- [Planning Policy for Travellers Sites 2024](#)
- Written Ministerial Statements – as / if referred to in the report
- Government Circulars – as / if referred to in the report

Guidance, Supplementary Planning Documents (SPD) and Design Statements

National-scale

- [National Planning Practice Guidance](#)

Sub-Regional / Essex-scale

- [Essex and South Suffolk Shoreline Management Plan \(SMP\)](#) - October 2010
- [South East Inshore Marine Plan](#) - June 2021
- [The Essex Design Guide](#)

District-scale

- [North Heybridge Garden Suburb Strategic Masterplan Framework – 2014](#)
- [Maldon District Design Guide SPD 2018](#)
- [Maldon and Heybridge Central Area Masterplan SPD – 2017](#)
- [South Maldon Garden Suburb Strategic Masterplan Framework SPD – 2018](#)
- [Maldon District Vehicle Parking Standards SPD – 2018](#)
- [Maldon District Renewable and Low Carbon Technologies SPD – 2018](#)
- [Maldon District Specialist Needs Housing SPD – 2018](#)
- [Maldon District Affordable Housing and Viability SPD – 2018- amended 2019](#)
- [Maldon District Green Infrastructure Strategy SPD - 2019](#)
- [Essex Coast Recreational Disturbance Avoidance Mitigation Strategy \(RAMS\) SPD - 2020](#)
- [North Quay Development Brief SPD - 2020](#)
- [Maldon District Five Year Housing Land Annual Supply Statement – May 2024](#)

Local-scale

- [Heybridge Basin Village Design Statement – 2007](#)
- [Althorne Village Design Statement - 2015](#)
- [Woodham Walter Village Design Statement – 2017](#)

Maldon District Local Development Plan Review Evidence Base

- Various Conservation Area Appraisals
- [Maldon District Viability Study 2020](#)
- [Maldon District Economic Study 2020](#)
- [Maldon District Local Housing Needs Assessment 2021](#)
- [Maldon District Nature Conservation Study 2022](#)
 - [Assessment of Selected Sites](#)
 - [Maldon District Local Wildlife Sites Register 2022](#)
 - [Maldon Wildlife Sites Ratification Letter 2024](#)
- [Maldon District Rural Facilities Survey and Settlement Pattern 2023](#)
- [Maldon District Housing and Economic Land Availability Assessment \(HELAA\) 2023](#)
- [Maldon District Employment Land and Premises Study 2024](#)
 - [Appendix G](#)
 - [Appendix H](#)
 - [Appendix I](#)
 - [Appendix J](#)

All Background Papers are available for electronic inspection at the Maldon District Council Offices, Princes Road, Maldon, Essex CM9 5DL during [opening hours](#).



**MINUTES of
SOUTH EASTERN AREA PLANNING COMMITTEE
17 SEPTEMBER 2025**

PRESENT

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 and U G C Siddall- Norman

1. CHAIRPERSON'S NOTICES

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

2. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor W Stamp CC.

3. MINUTES OF THE LAST MEETING

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 20 August 2025 be received.

It was noted that in the list of those present in the meeting there was an error with Councillor U G C Siddal-Norman's initials.

Minute No. 177 – Apologies for Absence

It was noted that Councillor R G Pratt had sent his apologies, but these were not recorded.

The Chairperson advised that these would be corrected.

RESOLVED

- (ii) that subject to the above amendments, the Minutes of the meeting of the Committee held on 20 August 2025 be confirmed.

4. DISCLOSURE OF INTEREST

There were none.

5. **25/00301/FUL - LAND ADJACENT THE OLD POST OFFICE, MAIN ROAD, MUNDON, ESSEX**

Application Number	25/00301/FUL
Location	Land Adjacent The Old Post Office, Main Road, Mundon, Essex
Proposal	Demolition of existing outbuildings and construction of two bedroom dwelling and extended vehicle crossover.
Applicant	Mr Richard Wilson
Agent	FRONT. Architecture
Target Decision Date	19.09.2025 (EoT – committee determination required)
Case Officer	Matt Bailey
Parish	Mundon
Reason for Referral to the Committee / Council	Departure from the local plan (part of site outside of settlement boundary)

Following the Officers' presentation the Officer answered a concern Members had over the detail of the offsite parking within the construction management plan. The Officer responded that they were currently reviewing the wording for parking matters within the Construction Management Plan and that for this application it was reasonable to deal with parking on the street within a condition during the construction period.

A proposal to approve the application with the additional conditions discussed was put forward by Councillor A S Fluker and duly seconded. Upon a vote being taken this was then agreed by assent

RESOLVED that the application be **APPROVED** subject to the conditions as set out below and the submitted Unilateral Undertaking and upon conditions to be discussed about updating the Construction Management Plan to include containing parking within the site over the course of the construction.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans stated on the Decision Notice.
3. The materials used in the construction of the development hereby approved shall be as set out within the application form/approved plans.
4. No development work above ground level shall occur until a detailed Sustainable Urban Drainage Scheme as specified in the Essex Sustainable Drainage Systems Design Guide has been submitted in writing by the local planning authority. This must be conducted by a competent person and include written explanation of any data provided. The scheme shall subsequently be implemented prior to occupation of the development and should include and not be limited to:
 - Discharge rates/location
 - Storage volumes
 - Treatment requirement
 - Detailed drainage plan
 - A written report summarising the final strategy and highlighting any minor changes to the approved strategy

Where the surface water drainage strategy proposes the use of soakaways the details of the design and the results of a series of percolation tests carried out upon the subsoil in accordance with DG 365 2016. You are advised that in order to satisfy the soakaway condition the following details will be required:- details of the area to be drained, infiltration rate (as determined by BRE Digest 365), proposed length, width and depth of soakaway, groundwater level and whether it will be rubble filled.

The applicant must demonstrate that the system is an appropriate point of discharge for the site. The discharge hierarchy should be used to determine discharge location. This is particularly important when considering greenfield development which may currently discharge to a sewer but may have the capacity to discharge to a watercourse or to the ground. If not, then further information/assessment will be required to determine the suitability of the system to convey the proposed flows and volumes of water. Evidence will be required that the development will not increase risk to others. If the proposed discharge point is outside the development site then the applicant will need to demonstrate that the necessary permissions and or agreements to achieve connection are possible.

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

Prior to first occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed in writing, by the local planning authority.

- 5 Prior to first occupation of the dwelling hereby approved, the foul drainage for the dwelling must either be connected to mains drainage or a small sewage treatment plant of adequate capacity for the dwelling. Any small sewage treatment plant installed must discharge treated effluent in a manner which complies with the "General Binding Rules" at the time of installation.
- 6 Prior to the commencement of the development the applicant shall submit in writing a construction management plan to the local planning authority for approval. Within the construction management plan it must consider the following requirements:

The applicant should ensure the control of nuisances during construction works to preserve the amenity of the area and avoid nuisances to neighbours and to his effect:

- a) no waste materials should be burnt on the site, instead being removed by licensed waste contractors;
- b) no dust emissions should leave the boundary of the site;
- c) consideration should be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site;
- d) hours of works: works should only be undertaken between 08:00 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays.

If it is known or there is the likelihood that there will be the requirement to work outside of these hours or there will be periods where there will be excessive noise that will significantly impact on sensitive receptors Environmental Health at Maldon District Council must be notified prior to the works as soon as is reasonably practicable. The developer is advised to consult nearby sensitive

noise premises and may be advised to apply for a Prior Consent under Section 61 of the Control of Pollution Act 1974.

7. Prior to first occupation of the development and as shown in principle on planning drawing no. 202 Rev P03, the existing vehicular access shall be widened to accommodate a suitable shared dropped kerb vehicular crossing of the highway verge to enable safe vehicle access to the parking layouts. Full layout details to be agreed with the Highway Authority.
8. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
9. Prior to first occupation of the development, cycle parking shall be provided in accordance with Maldon District Council's Parking Standards. The approved facilities shall be secure, convenient, covered and retained at all times.
10. Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution of Residential Travel Information Packs for sustainable transport, as approved by ECC, to include six one day travel vouchers for use with the relevant local public transport operator. This pack (including tickets) is to be provided by the Developer to the dwelling free of charge.
11. All ecological mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (ACJ Ecology Associates, February 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.
12. The trees and hedges identified for retention on the approved plans which are attached to and form part of this permission shall be protected during the course of the development. The trees and/or hedges shall be protected by measures which accord with British Standard 5837:2012 (Trees in Relation to Construction). The protective fencing and ground protection shall be erected before the commencement of any clearing, demolition and building operations and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced protection zone(s) no materials shall be stored, no rubbish dumped, no fires lit and no buildings erected inside the fence, nor shall any change in ground level be made within the fenced area unless otherwise first agreed in writing by the local planning authority. If within five years from the completion of the development a tree or hedge shown to be retained is removed, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement shall be planted within the site of such species and size, and shall be planted at such time, as specified in writing by the local planning authority.
13. Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist, shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and

e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

- 14 Prior to installation of any external lighting, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify how lighting impacts will be avoided upon the Essex Estuaries SAC and the Crouch and Roach Estuaries SPA, Ramsar & SSSI and show how and where external lighting will be installed (through the provision of appropriate lighting plans, drawings and technical specifications) so that it can be clearly demonstrated that lighting will not result in impacts upon the statutory designated sites. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.
- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, no development falling within Schedule 2, Part 1, Classes A to H of the Order shall be carried out to the dwellinghouse hereby approved without the prior written permission of the Local Planning Authority.

There being no other items of business the Chairperson closed the meeting at 7.58 pm.

V J BELL
CHAIRPERSON

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

to
**SOUTH EASTERN AREA PLANNING COMMITTEE
15 OCTOBER 2025**

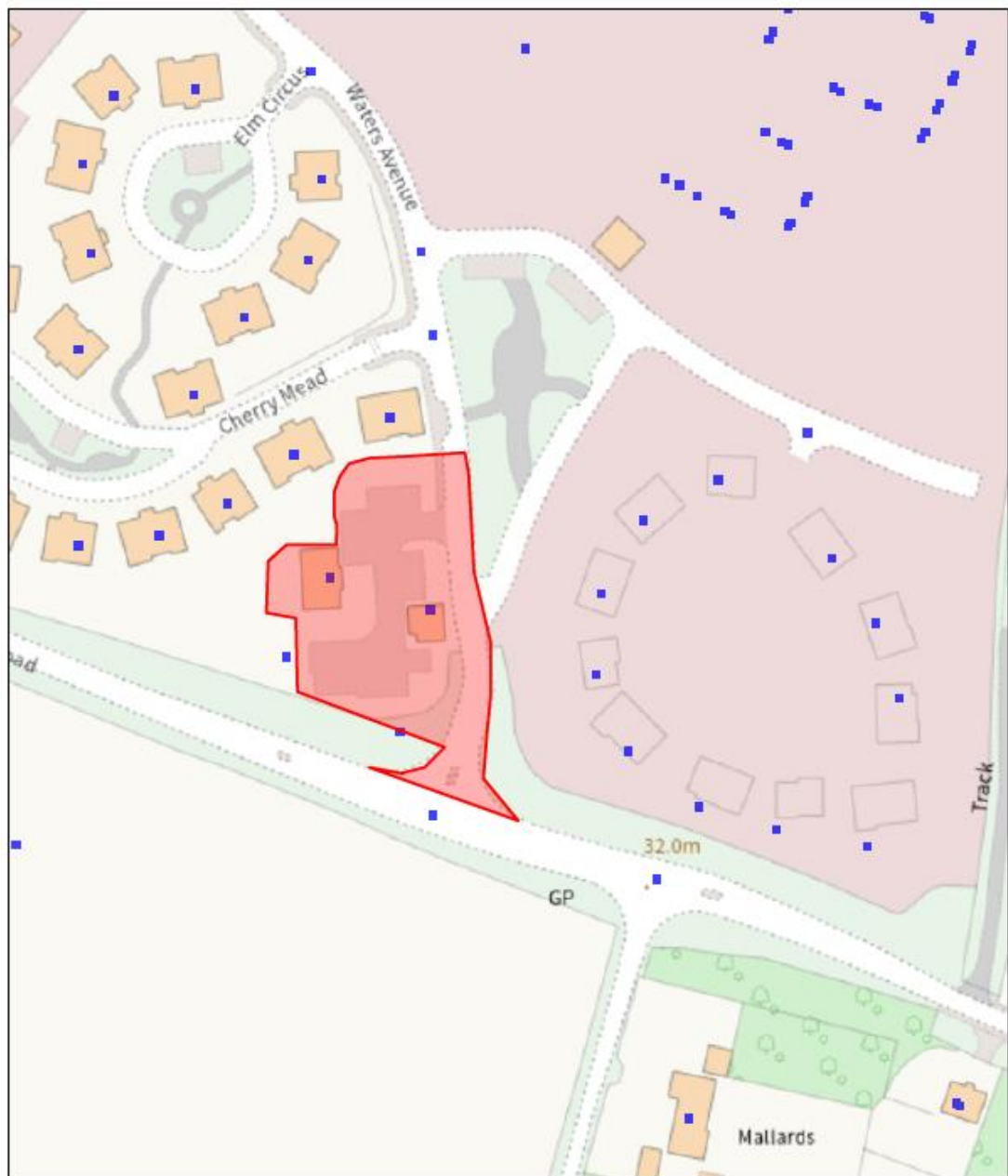
Application Number	24/00667/FUL
Location	Burnham Waters Site Office 1 Waters Avenue Burnham-on-Crouch
Proposal	Temporary period to use site office as site office and community hub: to include use as shop and cafe, with associated external alterations, and use of approved parking spaces as temporary outdoor seating area
Applicant	Mr Ian Holloway - Burnham Waters Limited
Agent	Mr Stewart Rowe - The Planning And Design Bureau Ltd
Target Decision Date	24.10.2025 (Time Extension Agreed)
Case Officer	Chris Purvis
Parish	BURNHAM NORTH
Reason for Referral to the Committee / Council	Referred by the Assistant Director – Planning and Implementation under Part 1(A)4 of the Area Planning Committee Terms of Reference in consultation with the Chairperson of the appropriate Area Committee where proposals of significant public interest, would have a significant impact on the environment, or should otherwise be referred to Members

1. RECOMMENDATION

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

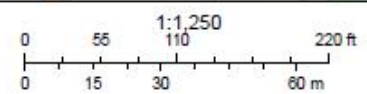
2. SITE MAP

Please see below.



9/26/2025, 11:21:09 AM

■ GMS BLPUs



3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

Site Description

- 3.1.1 The site forms part of the southern end of the Burnham Waters retirement community site and is adjacent to the north side of the B1010 Maldon Road. The site measures 0.29 hectares and is positioned directly to the west of site's entrance. There are currently two buildings in this part of the site, one is used as a security office and the other is the site office. It is the site office that is subject of this application. Within the site area is a road serving parking spaces along with landscaping.

Description of the Proposal

- 3.1.2 Planning permission is sought for a temporary period of three years to use the existing building of the site office, approved through outline planning application reference 18/00443/OUT and reserved matters approval 20/00846/RES, for a joint use as a site office and community hub. This will include use as shop and cafe, with associated external alterations, and use of the approved parking spaces as temporary outdoor seating area.
- 3.1.3 The application explains that the intention is for this temporary use to be delivered before the approved permanent shops are constructed on site and would therefore bridge the gap until the approved shops and other community uses are constructed and become available. This application intends to provide a temporary community hub for residents.
- 3.1.4 The layout plan shows an open plan seating and tables area adjacent the site entrance with a back bar and servery area. Other rooms include toilet facilities, a comms room and pantry/handwashing area. Externally to the south of the building open terrace areas would be provided for outdoor seating with tables and following site visit it is evident that this has already been installed in replacement of the previous parking spaces. A 2m high fence would be erected to the west elevation of the building which would also act as a screen for refuse storage.
- 3.1.5 Externally some minor changes are proposed to the building's elevations regarding slight amendments to windows and doors. Internally changes are proposed to remove some internal walls to create an open plan shop and café area.
- 3.1.6 The parking areas within the site would include 21 parking spaces following the external works to the front of the building.
- 3.1.7 The community hub/shop/café would be operated by one member of staff and would be open for residents between the hours of 07:30 to 23:00 Monday to Saturdays and 08:00 to 22:00 on Sundays and Bank Holidays. No ventilation for cooking is proposed as only small scale electrical kitchen items would be used such as a coffee machine, microwave and toaster etc. No amplified speech or music is intended.

3.2 Conclusion

- 3.2.1 It is considered that the temporary period to use the site office as site office and community hub: to include use as shop and cafe, with associated external alterations, and use the approved parking spaces as temporary outdoor seating area is considered acceptable. Along with the proposed external changes to the building, the outdoors areas and the car park area this would not harm the appearance or

character of the locality and due to its relationship with the adjoining properties, would not result in any undue harm by way of overlooking or loss of amenity. It is therefore considered that the proposed development is in accordance with the relevant policies contained within the Local Development Plan (LDP), the Burnham on Crouch Neighbourhood Development Plan and the National Planning Policy Framework (NPPF)/ Planning Practice Guidance (PPG).

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
- 38 Decision-making
- 47-50 Determining applications
- 54-58 Planning Conditions and Obligations
- 85-89 Building a strong, competitive economy
- 90-95 Ensuring the vitality of town centres
- 96-108 Promoting healthy and safe communities
- 109-118 Promoting sustainable transport
- 131-141 Achieving well-designed places
- 161-186 Meeting the challenge of climate change, flooding, and coastal change
- 187-201 Conserving and enhancing the natural 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
- D2 Climate Change and Environmental Impact of New Development
- E1 Employment
- E2 Retail Provision
- E3 Community Services and Facilities
- N2 Natural Environment, Geodiversity and Biodiversity
- N3 Open Space, Sport and Leisure
- T1 Sustainable Transport
- T2 Accessibility
- I1 Infrastructure and Services
- I2 Health and Wellbeing

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Maldon District Vehicle Parking Standards Supplementary Planning Document (SPD) (2018)
- Maldon District Design Guide (MDDG) (2017)

4.4 Burnham-on-Crouch Neighbourhood Development Plan (2017)

- Policy CS.2 – Community Facilities

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 Policy S8 protects the countryside for its landscape, natural resource and ecological value as well its intrinsic character and beauty. This policy does include exceptions and point c) allows for community services and facilities to meet local need in accordance with policy E3. The proposal would not lead to any additional built form in this location, which is outside of the settlement of Burnham on Crouch but is within a site that has permission to become a community retirement village and is currently subject of that development. The proposal would lead to more activity in this location through its uses and outside areas of tables and seating. However, given the scale of the building these changes would be in-significant and the proposal would not have any significant impact upon the landscape/countryside nor contradict the criteria set out in policy S8.
- 5.1.2 Policy E3 seeks to enhance and retain provision of community services and facilities, particularly where they are essential to the local community. Chapter eight of the NPPG promotes social interaction and social inclusion. The outline planning permission and subsequent reserved matters approval have allowed for eight shops to be provided in the centre of the site, however, the applicant has explained that these eight shops won't be provided just yet and therefore to benefit the existing and new population on site, a temporary planning permission is sought for the existing site office building to be used as a joint use as a site office and community hub: to include use as shop and café. This would therefore bridge the gap of a lack of such facilities on site until the approved shops and other community uses are constructed and become available. This would promote the opportunities for social integration amongst the new community of residents on site, which would be beneficial for health and wellbeing having regard to the criteria in policy I2. This would also be beneficial with regard to policy CS.2 considerations of the Burnham-on-Crouch Neighbourhood Development Plan (BOCNDP) that require community facilities to be provided in relation to proposals for new housing development.
- 5.1.3 In principle there are no objections to this approach and policy S1 through bringing residents together as the on the site community develops. In terms of the environmental dimension of the NPPF and policy S1 providing this facility on site reduces the need to travel off site for the current residents of the site.
- 5.1.4 The existing permissions for the site have already been found to comply with policies H3 and I2 in creating this retirement community site.
- 5.1.5 Policy E2 permits town centre uses within the town centre areas defined in the LDP. Any edge of or out of centre locations (like this one) would be required to provide an impact assessment where the floorspace exceeds 1,000 sqm. In this instance the

floorspace involved is 107 sqm so is significantly less than the policy requirements. The small scale nature of the proposed changes are designed for the existing and new community on site and therefore are not considered to be of a scale that would be impact upon the Burnham on Crouch town centre.

- 5.1.6 Based on the policy assessment above the principle of the proposal is considered acceptable in this instance.

5.2 Design and Impact on the Character of the Area

- 5.2.1 Policy D1 seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution and is subject to various criteria. The NPPF also promotes good design which is fundamental to high quality new development and its importance is reflected in the NPPF.
- 5.2.2 When compared to the existing building the proposed changes to its external appearance are relatively minor involving changes to the windows and doors. This would not detract from the appearance of the building or the immediate surrounding area. Outside the table and chairs represents a new use and would increase activity in this location but this would also not detract from the appearance of the building nor the wider site given the small scale of activity that would be associated with this use.
- 5.2.3 The external works in forming the outside the table and chairs includes landscaping planting areas in planters and laid lawn, which would in time assist in visually improving this area.
- 5.2.4 Based on the above there are no objections raised to the external changes to the building and outside areas with regard to policy D1 or the guidance in the NPPF.

5.3 Access, Parking and Highway Safety

- 5.3.1 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.
- 5.3.2 The Council's adopted Vehicle Parking Standards (VPS) SPD (2018) 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.
- 5.3.3 The proposed temporary use would not result in any changes to the access and nor would this impact upon highway safety in terms of vehicle movements associated with this temporary use. Essex County Council as the Local Highway Authority raise no objections to the application.
- 5.3.4 The VPS requires 1 space per 20 sqm of floorspace for a retail use and 1 space per 5 sqm of floorspace for food and drink locations, both these requirements apply to outside of town centre locations. The building measures 107 sqm of internal floorspace but only half of that provides floorspace for the shop/cafe use which measures around 55 sqm of floorspace and a need for a total of 23 parking spaces.

- 5.3.5 The approved arrangement provides for 25 parking spaces but based on the parking standards this provided a nine parking space overprovision of parking spaces based on the approved uses in this location, that being the office and maintenance building. The external works in providing the outdoor table and chairs location has resulted in the loss of nine parking spaces to the front of the building on its eastern and southern sides, however, four additional parking spaces have been formed to the southern side of the car park and one additional space to a bank of previously three parking spaces at the northern edge of the car park. There is a net loss of five parking spaces and this application generates a need of 23 parking spaces in total. Whilst only 21 parking spaces would be provided the deficiency of two parking spaces is not considered to present a parking issue especially taking account of how far the development of the site has progressed and the likely demand for parking in this location for this use. It should also be noted that the use is aimed at the existing residents of the site that could also walk to the site using the private routes through the site.
- 5.3.6 It should be noted that the security office is located within the red lined application site and therefore this use would need to also use the car parking facilities, but the security office only employs two members of staff at any one time so would not generate significant parking demand that cannot be accommodated within the car parking area.
- 5.3.7 For cycle parking no details have been provided but to the front of the building there would be room for a cycle parking area and given the scale of this proposal such details in this instance can be secured through a planning condition.
- 5.3.8 On the basis of the above, it is considered that the proposal is acceptable with respect to access, parking and highway safety, in compliance with Policy T2 of the LDP.

5.4 Impact on Neighbouring Amenity

- 5.4.1 The basis of policy D1 in 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.
- 5.4.2 The nearest neighbouring properties are those new bungalows built on the site and the nearest is 15m from the building. The external changes to the building would not lead to any overlooking or loss of privacy issues upon this or any nearby bungalow on the site. The only potential impact upon these nearby bungalows would arise from noise and disturbance from the temporary use of the building and in particular the external seating areas. The external seating areas are located to the south and east of the building furthest away from the nearest properties. Planning conditions can be imposed to limit hours of use and deliveries, not allow for any amplified speech or music to prevent any harm to amenity.
- 5.4.3 On the basis of the above, it is considered that the proposal would not materially harm the amenity of the occupiers of the nearby residential properties, in compliance with the NPPF and Policy D1 of the LDP.

5.5 Other Matters

- 5.5.1 With regard to ecology and Biodiversity Net Gain, this part of the site has been recently developed and does not contain any habitats. The applicant's Biodiversity Assessment and BNG Covering Letter explains this and identifies mitigate measures

and mandatory Biodiversity Net Gain so that this temporary proposal can achieve the 10% Biodiversity Net Gain requirement. The applicant has provided a plan showing 4 trees to be planted pursuant to the Biodiversity Net Gain Assessment, along with the recently installed existing planting areas at the site. Place Services Ecology have no objections to the application but suggest a list of planning conditions. Having reviewed these conditions they are not considered necessary for the temporary planning permission sought through this application, so the conditions are not included in the recommendation section to this application.

6. **ANY RELEVANT SITE HISTORY**

6.1 Relevant planning history.

Ref	Proposal	Decision
18/00443/OUT	Create retirement community consisting of 103No. one, two and three-bedroom bungalows (class C.3), 70 bedroom two-storey care home building (class C.2) and 55 bedroom two-storey assisted living apartment building (class C.3) including affordable housing. Erect ancillary community centre, 8No. shops (class A.1) with 8No. key workers apartments over in two-storey building, two-storey medical centre (GP, dental, optician, and dispensing chemist), and construct single-storey office and Maintenance Buildings. Lay Out Amenity and Sports Facilities Including Outdoor Swimming Pool, tennis courts, allotments and open spaces. Lay out estate roads, footpaths and surface water drainage infrastructure including swales and detention Basin. Form vehicular and pedestrian accesses onto B1010 Maldon Road and Tinkers Hole, and create associated hard and soft landscaping	Approved at full Council on 13.09.2019 and subject to conditions and s106
20/00846/RES	Reserved matters application for the approval of appearance, scale & landscaping on approved planning application 18/00443/OUT (Create retirement community consisting of 103No. one, two and three-bedroom bungalows (class C.3), 70 bedroom two-storey care home building (class C.2) and 55 bedroom two-storey assisted living apartment building (class C.3) including affordable housing. Erect ancillary community centre, 8No. shops (class A.1) with 8No. key workers apartments over in two-storey building, two-storey medical centre (GP, dental, optician, and dispensing chemist), and construct single-storey office and Maintenance Buildings. Lay Out Amenity and Sports Facilities Including Outdoor Swimming Pool, tennis courts, allotments and open spaces. Lay out estate roads, footpaths and surface water drainage infrastructure including swales and detention Basin. Form vehicular and pedestrian accesses onto B1010 Maldon Road and Tinkers Hole, and create associated hard and soft landscaping)	Approved 14.10.2020
22/01007/VARM	Variation of conditions 15 (site access construction), 16, (site access layout), 17 (new footpaths) and 31 (approved drawings) on approved planning permission 18/00443/OUT (Create retirement community consisting of 103No. one, two and three-bedroom bungalows (class	Approved 09.03.2023

Ref	Proposal	Decision
	C.3), 70 bedroom two-storey care home building (class C.2) and 55 bedroom two-storey assisted living apartment building (class C.3) including affordable housing. Erect ancillary community centre, 8No. shops (class A.1) with 8No. key workers apartments over in two-storey building, two-storey medical centre (GP, dental, optician, and dispensing chemist), and construct single-storey office and Maintenance Buildings. Lay Out Amenity and Sports Facilities Including Outdoor Swimming Pool, tennis courts, allotments and open spaces. Lay out estate roads, footpaths and surface water drainage infrastructure including swales and detention Basin. Form vehicular and pedestrian accesses onto B1010 Maldon Road and Tinkers Hole, and create associated hard and soft landscaping) (as amended by 22/00807/NMA) to accommodate amendment to site access	
22/01139/VARM	Variation of condition 1 (drawings), condition 3 (boundary treatments), condition 4 (details of soft landscaping), condition 7 (external materials), condition 14 (waste management/refuse points) and condition 18 (external plant/machinery) of reserved matters approval reference 22/00703/VARM (Variation of condition 7 (phasing plan) on reserved matters approval 20/00846/RES (Reserved matters application for the approval of appearance, scale & landscaping on approved planning application 18/00443/OUT (Create retirement community consisting of 103No. one, two and three-bedroom bungalows (class C.3), 70 bedroom two-storey care home building (class C.2) and 55 bedroom two-storey assisted living apartment building (class C.3) including affordable housing. Erect ancillary community centre, 8No. shops (class A.1) with 8No. key workers apartments over in two-storey building, two-storey medical centre (GP, dental, optician, and dispensing chemist), and construct single-storey office and Maintenance Buildings. Lay Out Amenity and Sports Facilities Including Outdoor Swimming Pool, tennis courts, allotments and open spaces. Lay out estate roads, footpaths and surface water drainage infrastructure including swales and detention Basin. Form vehicular and pedestrian accesses onto B1010 Maldon Road and Tinkers Hole, and create associated hard and soft landscaping))) to accommodate amendment to site access, revised external materials and enclosures for refuse storage and external plant/machinery.	Approved 21.04.2023

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

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

Name of Parish / Town Council	Comment	Officer Response
Burnham on Crouch Town Council	Recommend refusal due to a conflict with the NPPF as this does not conserve or enhance the development. Incompatible with the rural character of the location and adjacent roads. Concerns that this will delay time building the proposed development and impact upon other local cafes.	See section 5 of the report that assessing the application

7.2 **Statutory Consultees and Other Organisations** (*summarised*)

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Essex County Council Highways	No objection	No comments required

7.3 **Internal Consultees** (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objection as no noise concerns or comments for this application. No objections to the revised layout	Noted
Place Services Ecology	No objection subject to conditions for a biodiversity strategy, wildlife sensitive lighting, an optional condition for habitat management and monitoring plan or a biodiversity gain condition as an informative	Having review the conditions they are not considered necessary for the temporary planning permission sought through this application so the conditions are not included in the recommendation section to this application

7.4 **Representations received from Interested Parties** (*summarised*)

7.4.1 **3 responses** received **commenting** on the application and summarised as set out in the table below:

Objection Comment	Officer Response
Excuses - The developer seems to have	No response required.

Objection Comment	Officer Response
said that war in foreign lands and the pandemic has led to the changes	
Build what got approved - This development seems to be constantly changing and this change is delaying the provision of the originally agreed facilities	The reasons for the temporary planning permission sought are clear and relevant to the current stage of the development process at the site with some properties now occupied and therefore the applicant is temporary looking to provide on site facilities to benefit the local community. There is nothing preventing applicants from making changes like this sought and that needs to be assessing planning terms as set out in this report.
Conflict with NPPF - Not sympathetic to local character and history, including the surrounding built environment and landscape setting	See section 5 of the report that assessing the application
Incompatible with LDP - The proposal does not align with policy S8	See section 5.1 of the report that assessing the application
Conflict with Burnham Neighbourhood Plan - Contrary to policy HO.8	Policy HO.8 of the BOCNDP refers to Housing Design Principles so this is not a relevant policy for the purposes of assessing this planning application.
Visual Impact and Inadequate Justification for Temporary Use - Detracts from the visual quality of the countryside	See section 5.2 of the report that assessing the application
Further change to the area - The temporary commercial structure and parking would have a further change to the area	See section 5.3 of the report that assessing the application

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 and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in complete accordance with the approved plans on the decision notice.
REASON To ensure that the development is carried out in accordance with the details as approved, in accordance with National Planning Policy Framework and policy D1 of the Maldon District Local Development Plan.
3. The use hereby permitted shall be discontinued and the building shall be restored to its condition immediately prior to this planning permission being authorised on or before the expiry of the date of this planning permission in accordance with a scheme of work previously submitted to and approved in writing by the local planning authority on or before 3 months prior to the planning permission's expiration unless before that date a formal planning application for the continuation of such use has been approved by the local planning authority.
REASON Due to the temporary nature of this planning permission and to ensure that the building is used for the purposes it was originally permitted, in the

interests of nearby residential amenity and in accordance with National Planning Policy Framework and policy D1 of the Maldon District Local Development Plan.

4. As the landscaping scheme has already been implemented on site, if within a period of five years from the date of the planting of any plant, or any plant planted in its replacement, is removed, uprooted, destroyed, 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 in the same place.

REASON To secure appropriate landscaping of the site in the interests of visual amenity and the character of the area in accordance with policy D1 of the Maldon District Local Development Plan.

5. Prior to the first operational use of the building details of the trees to be planted as shown Biodiversity Net Gain Updated Landscape Plan shall be submitted to and approved in writing by the local planning authority. The trees shall be planted as approved within the first available planting season (October to March inclusive) following the commencement of the development, unless otherwise first agreed in writing by the local planning authority. 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 its replacement, is removed, uprooted, destroyed, 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 in the same place, unless the local planning authority gives its written consent to any variation.

REASON To secure appropriate landscaping of the site in the interests of visual amenity and the character of the area, and to contribute to Biodiversity Net Gain in accordance with policy D1 of the Maldon District Local Development Plan.

6. The areas as shown demarcated for outdoor tables and chairs associated with this use shall only be used for this purpose for the duration of this temporary planning permission.

REASON Due to the temporary nature of this planning permission and to ensure that the building is used for the purposes it was originally permitted, in the interests of nearby residential amenity and in accordance with National Planning Policy Framework and policy D1 of the Maldon District Local Development Plan.

7. The vehicle parking area(s) as marked out on site shall be retained in this form at all times for the use hereby permitted. The vehicle parking area(s) shall not be used for any purpose other than the parking of vehicles that are related to this approved use.

REASON In the interests of highway safety and to ensure that adequate car parking provision is available in accordance with policy T2 of the Maldon District Local Development Plan.

8. Prior to the first operational use of the building details of the number, size, location, design and materials of secure and weather protected cycle parking to serve the use hereby permitted shall be submitted to and agreed in writing with the local planning authority. The agreed facilities shall be installed on site prior to the first use of the building and shall thereafter be permanently retained for sole use as cycle parking for the users and visitors of the development.

REASON To reduce reliance on the use of private cars, in the interests of sustainability, highway safety and amenity in accordance with policy T2 of the Maldon District Local Development Plan.

9. The use hereby permitted shall only be undertaken between 0730 hours and 2300 hours on weekdays and between 0800 hours and 2200 hours on Saturdays and not at any time on Sundays and Public Holidays.

REASON In the interests of nearby residential amenity and to ensure that the development remains integrated with its surroundings as required by policy D1 of the Maldon District Local Development Plan.

10. Deliveries to and collections from the site shall only be undertaken between 0730 hours and 2300 hours on weekdays and between 0800 hours and 2200 hours on Saturdays and not at any time on Sundays and Public Holidays.

REASON In the interests of nearby residential amenity and to ensure that the development remains integrated with its surroundings as required by policy D1 of the Maldon District Local Development Plan.

11. There shall be no amplified sound used in the building hereby permitted/on the site.

REASON In the interests of the amenity and to mitigate the impact of development in accordance with by policy D1 of the Maldon District Local Development Plan.

APPLICATION PLANS / DOCUMENTS:

Application plans:

- DWG-BW-COU-01 – Site Outline Plan
- 6765-O-1201-P1 – Site Office – Plans and Elevations (as approved)
- DWG-BW-COU-02 – Site Plan
- DWG-BW-COU-03 – Ground Floor Plan
- DWG-BW-COU-04 – Front & Side Elevations
- Section A-A & Fence Detail
- Biodiversity Net Gain Updated Landscape Plan

Application supporting documents:

- Covering letter
- Planning Statement
- Biodiversity Net Gain ('BNG') Assessment documents

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