

03 February 2026



Princes Road  
Maldon  
Essex CM9 5DL

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CHIEF EXECUTIVE  
Doug Wilkinson

Dear Councillor

You are summoned to attend the meeting of the;

**SOUTH EASTERN AREA PLANNING COMMITTEE**

on **WEDNESDAY 11 FEBRUARY 2026 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.

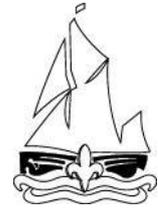
A copy of the agenda is attached.

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**

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**WEDNESDAY 11 FEBRUARY 2026**

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 14 January 2026 (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. **25/00446/FUL - Agricultural Building At Wraywick Farm, The Marshes, Southminster** (Pages 11 - 32)

To consider the report of the Director of Place, Planning and Growth, (copy enclosed, Members' Update to be circulated)\*.

6. **25/00857/FUL - Willowherb House, 81, Mountview Crescent, St Lawrence, Southminster, CM0 7NR** (Pages 33 - 42)

To consider the report of the Director of Place, Planning and Growth, (copy enclosed, Members' Update to be circulated)\*.

7. **25/00921/HOUSE - Paton Place, Nipsells Chase, Mayland CM3 6EJ** (Pages 43 - 52)

To consider the report of the Director of Place, Planning and Growth, (copy enclosed, Members' Update to be circulated)\*.

8. **25/01095/FUL, Bradwell Marina, Waterside Road, Bradwell on Sea, CM0 7RB** (Pages 53 - 60)

To consider the report of the Director of Place, Planning and Growth, (copy enclosed, Members' Update to be circulated)\*.

9. **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, 6, 7 and 8.
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](http://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](#)

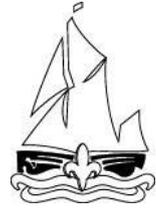
*Local-scale*

- [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  
14 JANUARY 2026**

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**PRESENT**

Chairperson	Councillor V J Bell
Vice-Chairperson	Councillor A Fittock
Councillors	M G Bassenger, A S Fluker, L J Haywood, W J Laybourn, M G Neall, R G Pratt, U G C Siddall-Norman and W Stamp, CC
Officers (Maldon District Council)	Mr Johnson, Head of Development Management and Building Control Mr Purvis, Principal Planner

**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 Bown

**3. MINUTES OF THE LAST MEETING**

**RESOLVED** that the Minutes of the meeting of the Committee held on 10 December 2025 be approved and confirmed.

**4. DISCLOSURE OF INTEREST**

Councillor A S Fluker declared that he knew the applicant for 25/00706/OUTM – Land east of Birch road, Tillingham.

**5. 25/00706/OUTM - LAND EAST OF BIRCH ROAD, TILLINGHAM**

<b>Application Number</b>	<b>25/00706/OUTM</b>
<b>Location</b>	Land East of Birch Road Tillingham
<b>Proposal</b>	Outline planning application for residential development of up to 36 dwellings (Use Class C3) with new vehicular and pedestrian access and associated open space, parking and landscaping with all matters reserved except access

<b>Applicant</b>	c/o WSP
<b>Agent</b>	Mr Joshua Webb - WSP
<b>Target Decision Date</b>	21.01.2026 (Extension of Time - EOT - Agreed)
<b>Case Officer</b>	Chris Purvis
<b>Parish</b>	<b>TILLINGHAM</b>
<b>Reason for Referral to the Committee / Council</b>	Councillor M G Neall has 'called in' the application due to concerns of this development being outside of the settlement boundary (policy S8) and would creep into the countryside; concerns with regards to layout and density, house types are not in line with others (policy D1); concern over housing mix and affordable housing levels (policy H1) and the location of affordable housing in area of the development (policy H2) Major Development Departure

The Officer presented the report. Following this an Objector John Williams and the Agent Michael Wood addressed the Committee.

A Member then raised their concerns over this application making reference to the reasons for refusal on the previous application on the site which included:

- The rural location of the site
- The site being outside of the settlement boundary
- Limited services, facilities and employment opportunities
- The poor quality and limited access to sustainable public transport, which would mean an increase in traffic movements and private vehicle ownership

The Member believed that this new application had not addressed these issues and stated that it is contrary to policies S1, S2, S8, D1, T1, T2 and H4. They then went on to note that they believe the density design has still not been addressed stating they thought it was contrary to policies S1 S8 and H4.

A Member then raised concerns over the grade two agricultural land that the site was proposed on, wanting to know why this had not been given a more substantial consideration questioning what the officer had taken consideration.

The officer responded that the site is 1.78 hectares in size and there is no requirement to ask natural England for comment on land below 20 hectares leading to its limited weight.

Following this, issues were discussed with the design and location of the site. Concerns about the entrance and exit to the site were raised with reference to the size of the proposed access being too small; additionally they thought the single entrance to the site was not enough and would lead to loss of amenity to current residents.

The location was questioned with the Member stating it was in the wrong place in reference to the settlement to constitute good design.

Councillor M G Neall then Proposed that they refuse this application it was duly seconded.

Following this Councillor V J Bell proposed that the Committee approve this application this was not seconded.

Before a vote occurred, members had a discussion to clarify the planning reasons for refusal to ensure they were robust and relevant.

The Chairperson then put Councillor Neall's proposal to the Committee. Upon a vote being taken this was passed.

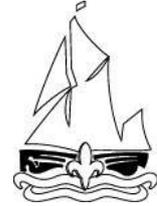
It was decided that Councillors Neall, Bassenger and Bell would represent Maldon District Council if this application was to go to appeal.

**RESOLVED** that the application be **REFUSED** with the reasons for refusal to be finalised with the Members and Chairperson of this Committee.

There being no other items of business the Chairperson closed the meeting at 8.57 pm.

V J BELL  
CHAIRPERSON

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**REPORT of  
DIRECTOR OF PLACE, PLANNING AND GROWTH**

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to  
**SOUTH EASTERN AREA PLANNING COMMITTEE  
11 FEBRUARY 2026**

<b>Application Number</b>	<b>25/00446/FUL</b>
<b>Location</b>	Agricultural Building At Wraywick Farm, The Marshes, Southminster
<b>Proposal</b>	Demolition of existing agricultural barns and construction of two residential dwellings, associated access, parking and landscaping
<b>Applicant</b>	Strutt and Parker (Farms) Ltd
<b>Agent</b>	Seth Williams - Smith Jenkins Ltd
<b>Target Decision Date</b>	18 February 2026
<b>Case Officer</b>	Matt Bailey
<b>Parish</b>	<b>Southminster</b>
<b>Reason for Referral to the Committee / Council</b>	Departure from the local plan

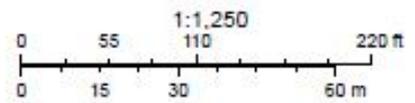
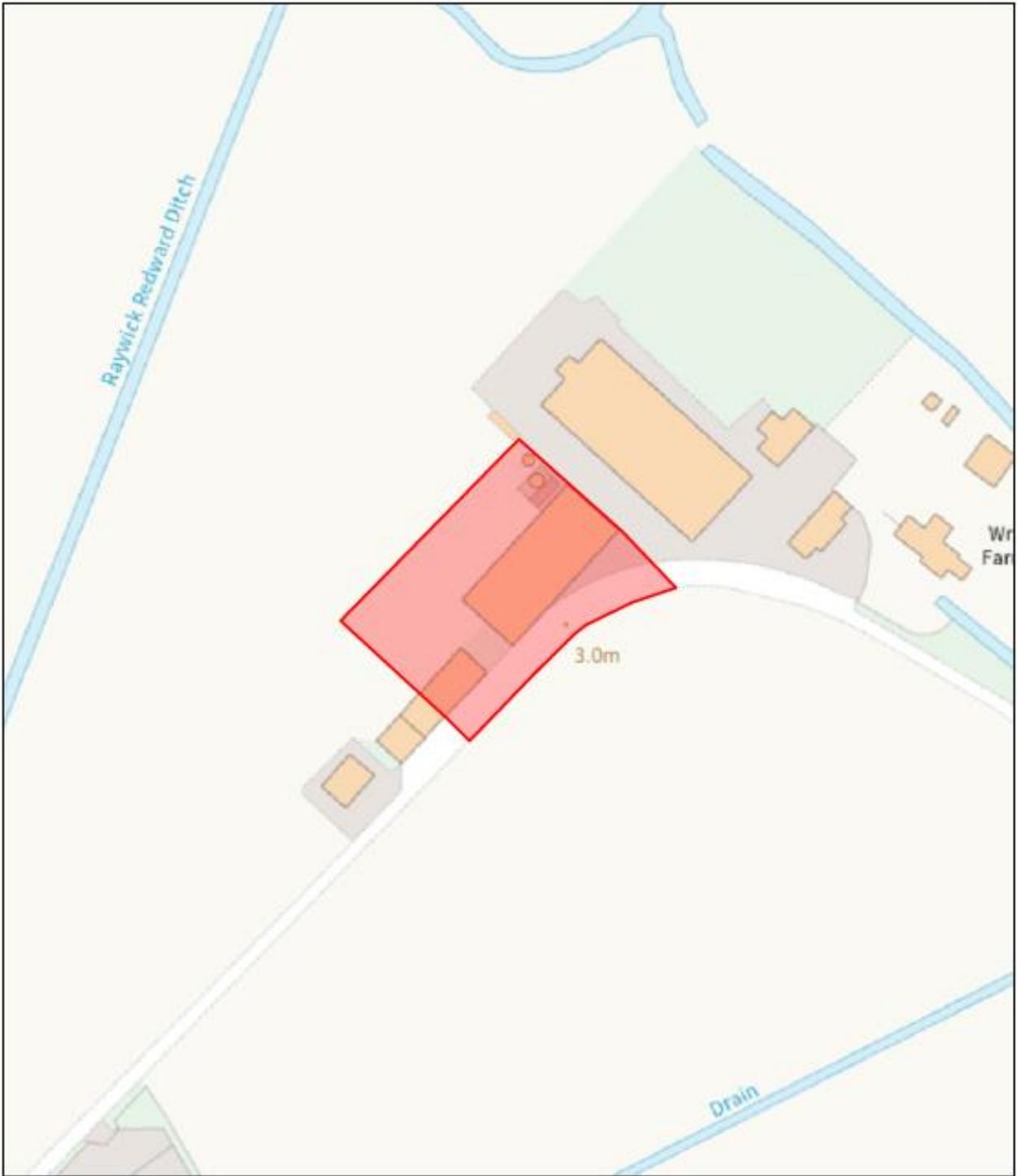
1. **RECOMMENDATION**

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

2. **SITE MAP**

Please see below.

25/00446/FUL



### **3. SUMMARY**

#### **3.1 Proposal / brief overview, including any relevant background information**

##### Site Description

- 3.1.1 The site is located on the northern side of The Marshes, accessed via a private drive which serves some residential dwellings, farm buildings and a wind farm. The site is outside of a defined settlement boundary and is in open countryside. Southminster is located 2.5km to the west of the site.
- 3.1.2 The site comprises a single storey, rectangular, steel framed barn building. The building is approximately 36m long by 16m wide. The building is approximately 8.5m high at the highest points, down to 3.2m at eaves level.
- 3.1.3 The site includes tanks and fencing to the rear which are proposed to be removed. Immediately to the northeast of the site is a large agricultural building and a residential dwelling is located further to the east.

##### The Proposal

- 3.1.4 Planning permission is sought for the demolition of two existing agricultural farm buildings and their replacement with two detached dwellings. The barn to be demolished is subject of prior approval granted in January 2024 under Class Q of the GPDO (ref 23/01136/PACUAR) for the change of use of the agricultural building to two dwellinghouses (Use Class C3) and for associated operational development. This current planning application instead proposes to build two new build dwellings in lieu of the permitted Class Q conversion of the agricultural barn into two dwellings.
- 3.1.5 The existing barns to be demolished have an existing combined footprint of 605sqm and a volume of 3,365m<sup>3</sup>. The two proposed dwellings will be built over three levels, comprising of an under-croft level, lower accommodation level and upper level. Both proposed dwellings are of a similar size - Plot 1 extending to 252sqm and Plot 2 to 245sqm. The total footprint of the resulting development will be 427sqm and the volume 3,363m<sup>3</sup>.

All habitable accommodation within the dwellings has been placed at the lower and upper accommodation level, above the undercroft, to ensure there is an appropriate level of resilience to flood risk. Each dwelling will provide four bedrooms, albeit with differing layouts. Plot 1 would have two bedrooms on the lower accommodation level, with two on the upper level, and large kitchen dining space, study, living room and an outside terrace. Plot 2 would have one bedroom on the lower accommodation level and a further three bedrooms on the upper level, together with substantial kitchen/family/dining space, entrance hall, utility, study, a separate living room and two outside terrace areas.

Both plots would benefit from both front and rear gardens, with vehicular access will be provided from the existing metalled track to the front of each plot. Two parking spaces would be provided in the undercroft level of each dwelling, as well as bike

and bin storage. Access to the dwellings will be via stairs leading up to the main front and rear entrances. Photovoltaic panels are also proposed to the rear roof-slopes of the two dwellings.

### Conclusion

- 3.1.6 The application site is located outside of a defined settlement boundary and is within the open countryside, and as such the proposed development would constitute a departure from the local plan. However, in the absence of a 5 year housing land supply, the “titled balance” as set out in paragraph 11d of the National Planning Policy Framework (NPPF) applies unless *“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination”*
- 3.1.7 As explained within the report, whilst the site is not considered to be in a sustainable location, due to the fallback position that exists at the site by virtue of the recently granted prior approval for conversion of the barn, and the realistic prospect of that scheme being implemented in any event if planning permission were to be refused, the principle of creating residential units at the site is considered acceptable.
- 3.1.8 The overall design of the replacement structure is different to the original conversion scheme, insofar as the barn is demolished and replaced with two separate, slightly taller structures. However, the total volume of the scheme is almost identical to the existing arrangement, with the overall footprint significantly reduced. The design of the replacement structures remains rural in character with a traditional palette of materials. The development is therefore considered acceptable insofar as it would comprise a sensitive development that is comparative with the current appearance and in keeping with the local area both in terms of scale and architectural design. It is considered that a dwelling at the site would not result in any harm in terms of residential amenity, highways safety, or ecology and biodiversity.
- 3.1.9 It is considered that the proposed development accords with all other relevant policies contained within the approved Maldon District Local Development Plan (LDP) and the NPPF and is recommended for approval.

## **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
- 108-117 Promoting sustainable transport
- 123-127 Making effective use of land
- 128-130 Achieving appropriate densities
- 131-141 Achieving well-designed places
- 157-175 Meeting the challenge of climate change, flooding, coastal change
- 180-194 Conserving and enhancing the natural environment

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

- S1 Sustainable Development
- S2 Strategic Growth
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D2 Climate Change & Environmental Impact of New Development
- D3 Conservation and Heritage Assets
- H2 Housing Mix
- H4 Effective Use of Land
- N2 Natural Environment and Biodiversity
- T1 Sustainable Transport
- T2 Accessibility
- I1 Infrastructure Services
- I2 Health and Wellbeing

#### **4.3 Relevant Planning Guidance / Documents:**

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Maldon District Design Guide (MDDG)
- Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS)
- Vehicle Parking Standards (VPS) Supplementary Planning Document (SPD)

### **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 (TCPA 1990), and Paragraph 47 of the NPPF require that planning decisions are to be made in accordance with the 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 Policy S1 of the LDP states that ‘When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF’ and apply a number of key principles in policy and decision making set out in the Policy. This includes principle 2 “*Delivering a sustainable level of housing growth that will meet local needs and deliver a wide choice of high quality homes in the most sustainable locations*”.
- 5.1.3 To deliver the economic and residential growth in the District whilst protecting and enhancing the area’s natural, built and historic environment, LDP Policy S2 seeks to focus development on existing settlements subject to their role, accessibility and constraints.
- 5.1.4 Policy S8 of the LDP, flows from Policy S2 and steers new development towards the existing urban areas. Policy S8 does allow for development outside the rural areas where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided that it is for specified purposes. These specified purposes do not include new build general residential dwellings but does allow “*(m) development which complies with other policies of the LDP.*”

#### Five Year Housing Land Supply

- 5.1.5 As per Paragraph 78 of the NPPF, the Council as the Local Planning Authority (LPA) for the Maldon District should “*monitor their deliverable land supply against their housing requirements, as set out in adopted strategic policies*”. As the LDP is more than five years old, paragraph 77 requires LPAs to “*identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years’ worth of housing, or a minimum of four years’ worth of housing if the provisions in paragraph 226 apply*”. To this end, Maldon District Council prepares and publishes a 5 Year Housing Land Availability Report, annually, following the completion of the development monitoring activities associated with the LDP 2014-2029’s plan monitoring period of 1 April to 31 March. The latest 5 Year Housing Land Availability Report is expected to be published soon but the position has changed since the last report, for the year 2023/2024, which stated there was a 6.3 years’ supply.
- 5.1.6 Currently the Council can only demonstrate 2.7 years’ worth of housing land supply. This is due to changes through the latest NPPF (2024) which introduced a new method for assessing housing need that reflects the current Government’s approach to building more houses. This also means that policies with housing targets such as policy S2 in the LDP can be considered to be non-compliant with the NPPF and therefore out of date. This means that the NPPF requirements apply as the most up to date policy position.
- 5.1.7 Whilst the proposal is considered contrary to policy S8, in regard to settlement boundaries, the policy cannot be considered an up to date because the Council cannot demonstrate an up to date 5 year housing land supply (5YHLS) and therefore the principle of development proposals on sites such as this, as a windfall site, shall need to be considered on the basis of whether they are sustainable or not. This

means that the presumption in favour of sustainable development as set out in paragraph 11 of the NPPF is applicable.

- 5.1.8 Given the Council's current position in regard to not being able to demonstrate an up to date 5YHLS, the NPPF's titled balance of the presumption in favour of sustainable development as set out in paragraph 11d of the NPPF applies unless "*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination*".

#### Sustainable Development

- 5.1.9 It is necessary to assess whether the proposed development is '*sustainable development*' as defined in the NPPF. If the site is considered sustainable then the NPPF's '*presumption in favour of sustainable development*' applies. There are three dimensions to sustainable development as defined in the NPPF. These are the economic, social and environmental roles. The LDP through Policy S1 re-iterates the requirements of the NPPF. Policy S1 allows for new development within the defined development boundaries. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.
- 5.1.10 The NPPF's overarching objectives relating to sustainable development are set out in the form of three interdependent dimensions: Economic (supporting a strong and competitive economy); Social (delivering the homes, infrastructure and environments needed for present and future generations); and Environmental (protecting and enhancing the natural, built and historic environment, including addressing climate change). An assessment of the application scheme in relation to each dimension is set out below:

#### *Environmental Dimension*

- 5.1.11 A fundamental element of the environmental dimension is the locational sustainability of development, and the degree to which a site is accessible to services, facilities and sustainable modes of transport. Consideration must be given to a number of parameters - including (but not limited to) the distance to the nearest settlement; proximity of local shops and services, schools, healthcare; public transport access; safe walking routes/street lighting.
- 5.1.12 Whilst the site in this case is located in a remote rural location, with limited access to services, the existence of a lawful prior approval for the conversion of the agricultural building to two dwellings is a material consideration of significant weight. The prior approval establishes the principle of residential units at the site and represents a genuine and realistic fallback position that could be implemented were this application to be refused. The fallback is not merely theoretical: the building is capable of conversion in accordance with the approved Class Q details, and the extant consent remains capable of implementation without any further assessment of the principle of residential use.

5.1.13 National policy and case law (including *Mansell v Tonbridge & Malling BC* along with other more recent appeal decisions) confirm that a fallback may be afforded substantial weight where there is a reasonable prospect that it would be pursued. In this case, there is no evidence to suggest that the applicant would not proceed with the conversion scheme – indeed the applicant has confirmed that the development would go ahead in its approved form in any event. Given the existence of the prior approval and the relatively limited works required to commence development, this is considered realistic alternative to the new build scheme now proposed.

5.1.14 When comparing the proposed new-build dwellings with the prior approval fallback scheme, whilst the overall form and design is different, the total volume is similar – with a reduction in the overall footprint across the site. The design and appearance of the scheme would be slightly more domestic in character but retains rural traditional materials that are appropriate to the setting of the buildings. In terms of landscape and spatial impact it is considered that the minor increase in height of the two dwellings is offset by the removal of the larger barn and adjoining smaller barn. Although the proposal constitutes new buildings rather than a conversion, the resultant effects on the intrinsic character and beauty of the countryside, as referred to by Policy S8, would be broadly comparable to the existing structure. Therefore in light of the established prior approval fallback, it is considered that the proposal would not result in additional or unacceptable harm beyond that which could occur under the extant consent.

#### *Social Dimension*

5.1.15 The development would make a nominal contribution towards the supply of housing within the District as only two dwellings are proposed.

#### *Economic Dimension*

5.1.16 The development would make a nominal contribution to the local economy through the construction of two dwellings and additional custom for existing businesses from residents.

#### Summary of Principle of Development

5.1.17 Whilst the development is considered to be in an unsustainable location, outside of any settlement boundary and contrary to Policy S8 of the LPD, due to the fallback position that exists at the site by virtue of the recently granted prior approval for conversion of the barn, and the realistic prospect of that scheme being implemented in any event if planning permission were to be refused, the principle of creating two residential units at the site is considered acceptable, subject to compliance with all other relevant policies contained within the LDP.

## **5.2 Housing Provision and Mix**

5.2.1 The NPPF requires local planning authorities to establish their minimum local housing need through a local housing need assessment, using the standard method

set out in national planning practice guidance. This assessment forms the starting point for determining how many homes should be planned for, including the mix and types of housing needed for different groups within the community.

- 5.2.2 The recently published Local Housing Needs Assessment (October 2025) (LHNA) is an assessment of housing need for Maldon District as well as sub areas across the District. The LHNA is wholly compliant with the latest NPPF and up to date Planning Practice Guidance and provides the Council with a clear understanding of the local housing need for affordable housing, the need for older persons housing, the need for different types, tenures and sizes of housing, the housing need for specific groups and the need to provide housing for specific housing market segments such as self-build.
- 5.2.3 The LHNA concludes that the District has an increasing need for smaller dwellings, with the biggest requirement for three bed dwellings; specifically, 10% one bedrooms, 35% two bedrooms, 35% three bedrooms and 20% for four+ bedroom market dwellings.
- 5.2.4 The Council's Technical Advice Note on Housing Mix (November 2025) (TAN) explains that for small sites (developments of 1-9 homes or less than 0.5 ha) the LHNA guidance will be used to influence a mix of unit sizes, but notes that the delivery of a precise mix on such schemes is not always achievable – due to the often constrained nature of small site development.
- 5.2.5 The proposal in this case would provide for an additional four bedroom dwelling. Whilst this is considered a benefit in planning balance terms (and meets the requirement for dwellings of the largest identified group within the LHNA), given that the net increase in housing is two dwellings, this factor is considered to carry only limited to moderate beneficial weight in the consideration of the merits of the scheme.

### **5.3 Design and Impact on the Character of the Area**

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

- 5.3.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. 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. Policy H4 of the LDP requires development which includes alteration, extension and / or addition to a building to maintain, and where possible enhance, the character and sustainability of the original building and the surrounding area; be of an appropriate scale and design that makes a positive contribution to the character of the original building and the surrounding area and where possible enhance the sustainability of the original building; and not involve the loss of any important landscape, heritage features or ecology interests.
- 5.3.3 In addition, Policy H4 requires all development to be design-led and to seek to optimise the use of land having regard, amongst other things, to the location and the setting of the site, and the existing character and density of the surrounding area. The policy also seeks to promote development which maintains, and where possible enhances, the character and sustainability of the original building and the surrounding area; is of an appropriate scale and design that makes a positive contribution to the character of the original building and the surrounding area and where possible enhances the sustainability of the original building; and does not involve the loss of any important landscape, heritage features or ecology interests.
- 5.3.4 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG (2017).
- 5.3.5 The site is located outside of a defined settlement boundary, and therefore countryside policies apply. According to Policies S1 and S8 of the LDP, the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. The policies stipulate that outside of the defined settlement boundaries, the Garden Suburbs and the Strategic Allocations, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided the development is for proposals that are in compliance with policies within the LDP, neighbourhood plans and other local planning guidance.
- 5.3.6 As noted above, whilst the overall form and design of the proposed two dwellings is different to the existing barn (and the prior approval scheme), the total volume is similar – with a reduction in the overall footprint across the site. The design and appearance of the scheme would be slightly more domestic in character by virtue of the creation of two detached properties – however the architectural approach incorporates traditional materials that are appropriate to the setting of the buildings in its agricultural context.
- 5.3.7 In terms of landscape and spatial impact it is considered that the minor increase in height of the two dwellings is offset by the removal of the larger barn and adjoining smaller barn. Although the proposal results in the creation of two new dwellings than a conversion of the larger barn structure, the resultant effects on the intrinsic character and beauty of the countryside, as referred to by Policy S8, would be broadly comparable to the existing barn. Therefore in light of the established prior

approval fallback, it is considered that the proposal would not result in additional or unacceptable harm beyond that which could occur under the extant consent.

- 5.3.8 On this basis it is considered that the proposal would not result in any harm to the character and appearance of the area, and would therefore accord with Policies S1, S8, D1 and H4 of the LDP, and the policies and guidance in the National Planning Policy Framework.

#### **5.4 Impact on Residential Amenity**

- 5.4.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the MDDG (2017).
- 5.4.2 The proposed dwellings would be sited approximately 50m to the west of an existing residential property known as Wraywick Farmhouse. Given the considerable separation distance between the proposed dwellings and the presence of a retained larger barn structure to the north, no concerns are raised in respect of potential impacts upon the living conditions of neighbouring residents in terms of loss of privacy or overlooking. Although the proposed dwellings are slightly taller than the converted barn scheme, this would not result in any overshadowing due to the separation distance between the properties.
- 5.4.3 Overall it is considered that the proposal would not materially harm the amenity of the occupiers of existing or proposed residential properties, in compliance with the NPPF and Policy D1 of the LDP.

#### **5.5 Access, Parking and Highway Safety**

- 5.5.1 Policy T2 aims to create and maintain an accessible environment, requiring development proposal, inter alia, to sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.
- 5.5.2 The Council's adopted VPS SPD contains the parking standards which are expressed as maximum standards. This takes into account Government guidance which encourages the reduction in the reliance on the car and promotes methods of sustainable transport.
- 5.5.3 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 and cycle routes.

- 5.5.4 In accordance with the Council's Parking Standards (2018), a dwelling with 4 no. bedrooms must provide 3 no. parking spaces. Each dwelling in this case would provide two undercroft spaces and two additional spaces to the front driveway (four in total) and as such satisfies this requirement.
- 5.5.5 Essex County Council Highways have been consulted on the proposal and have raised no objection to the proposal subject to proposed conditions relating to the provision of cycle parking prior to occupation.
- 5.5.6 For the reasons set out above it is therefore considered that the proposed development is in accordance with policy T2 of the LDP and the Maldon District VPS SPD.

## **5.6 Private Amenity Space and Landscaping**

- 5.6.1 Policy D1 of the approved LDP requires all development to provide sufficient and usable private and public amenity spaces, green infrastructure and public open spaces. In addition, the adopted Maldon District Design Guide SPD advises a suitable garden size for each type of dwellinghouse, namely 100m<sup>2</sup> of private amenity space for dwellings with 3 bedrooms or more.
- 5.6.2 The gardens proposed in this case would far exceed this requirement and as such the scheme is considered to be acceptable in terms of amenity space provision.
- 5.6.3 The amended layout of front garden landscaping would increase the amount of soft landscaping following the removal of the larger barn structure existing hardstanding areas surrounding (along with removal of superfluous structures and tanks adjacent to the proposed dwellings).

## **5.7 Living Conditions for Prospective Occupiers**

- 5.7.1 The submitted plans show a floorspace for the dwellings of approximately 252sqm and 245 sqm respectively, which would comply with the minimum gross internal floor area as specified in the Nationally Described Space Standards (March 2015). There is also acceptable light and ventilation proposed for all the habitable rooms.
- 5.7.2 It is therefore considered that in relation to living conditions the proposal accords with the NPPF and Policies S1, S8, D1, H4 of the approved LDP and the MDDG SPD

## **5.8 Flood Risk**

- 5.8.1 Policy D5 of the LDP sets out the Council's approach to minimising flood risk. Policy S1 of the same Plan requires that new development is either located away from high risk flood areas or is safe and flood resilient when it is not possible to avoid such areas. Policy D5 of the LDP also acknowledges that all development must demonstrate how it will maximise opportunities to reduce the causes and impacts of flooding through appropriate measures such as Sustainable Drainage Systems (SuDS).

- 5.8.2 The site is entirely within Flood Zone 3 and presents a high risk of flooding. The application is supported by a Flood Risk Assessment, Flood Warning and Evacuation Plan and Structural Survey Addendum.
- 5.8.3 The Environment Agency (EA) has reviewed the submitted documents and raised no objection to this application. Reference is made by the EA to the Sequential and Exception Tests – however as noted above the fallback position of two dwellings and hence the principle of residential development at the site is already established.
- 5.8.4 The submitted plans and FRA demonstrate that the residential accommodation would be accommodated on the first floor of the building, above flood levels, to provide safe refuge.
- 5.8.5 With regard to drainage, the proposal has been reviewed by the Council's Environmental Health Officer, who has stated that a condition should be imposed requiring the submission of a surface water drainage scheme and to ensure provision of appropriate foul drainage. These conditions are included in the recommendation.

## **5.9 Ecology**

- 5.9.1 The presence of protected species is a material consideration, in accordance with the NPPF (2021), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981, as well as Circular 06/05. In the UK, the requirements of the EU Habitats Directive is implemented by the Conservation of Habitats and Species Regulations 2010 (the Conservation Regulations 2010). Where a European Protected Species ('EPS') might be affected by a development, it is necessary to have regard to Regulation 9 (5) of the Conservation Regulations 2010, which states "a competent authority, in exercising any of their functions, must have regards to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions."
- 5.9.2 The site falls within the 'Zone of Influence' for one or more of the European sites scoped into the Essex Coast RAMS. This means that residential development could potentially have a significant effect on the sensitive interest features of these coastal European designated sites, through increased recreational pressure etc. and such effects should be mitigated against. The LPA should prepare a Habitat Regulation Assessment (HRA) assessment to secure a per dwelling tariff by a legal agreement for delivery of visitor management measures at the designated sites.
- 5.9.3 A development proposing an additional 2 no. dwellings falls below the scale at which bespoke advice is given from Natural England. To accord with NE's requirements and strategy advice, an Essex Coast RAMS HRA record has been completed to assess if the development would constitute a 'Likely Significant Effect' (LSE) to a European site in terms of increased recreational disturbance. The findings from HRA Stage 1: Screening Assessment, are listed below:

HRA Stage 1: Screening Assessment

Test 1 – the significance test

Is the development within the Zone of Influence (Zol) for the Essex Coast RAMS with respect to the below sites? Yes

Does the planning application fall within the following development types? Yes, the development is for an additional 2 no. dwellings (i.e. net increase of dwellings at the site is 2 no. dwellings)

Test 2 – The integrity test

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

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

5.9.4 As the answer is no, it is advised that, should planning permission be forthcoming, a proportionate financial contribution should be secured in line with the Essex Coast RAMS requirements. Provided this mitigation is secured, it can be concluded that this planning application will not have an adverse effect on the integrity of the named European sites from recreational disturbance, when considered ‘in combination’ with other development. Natural England does not need to re-consult on this Appropriate Assessment.

5.9.5 The Essex Coastal Recreational Avoidance and Mitigation Strategy has been adopted. This document states that the flat rate for each new dwelling has been calculated at a figure of £169.45 and thus, the developer contribution should be calculated at this figure. Since a contribution towards RAMS has already been paid by the applicant in relation to the dwellings permitted under the prior approval scheme, adequate mitigation has already been secured for the creation of new dwellings at the site and no further contributions are required.

5.9.6 With regard to site specific ecological matters, the applicant has submitted a Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment followed by the Bat Presence and Absence Surveys (Crossland Ecology). The Council’s appointed Ecology Consultant have confirmed that there is sufficient ecological information available to support determination of this application – and has recommended a series of planning conditions are proposed which would ensure that the development is carried out in accordance with the recommendations set out within the above reports in respect of ecology and biodiversity, and requiring the submission of a Biodiversity Enhancement Strategy and sensitive lighting scheme.

## **5.10 Planning balance and sustainability**

5.10.1 One of the key priorities within the NPPF 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 an economic, social and environmental objective as set out in the NPPF.

5.10.2 The proposal would deliver social and economic benefits including contributing towards the housing mix through the creation of two additional dwellings. There would also be economic activity associated with the prospective occupier of the dwellings. Whilst the dwellings would be located outside of a defined settlement boundary, as set out above in light of the fallback position set by the recent grant of prior approval for conversion of the existing barn to residential use, the principle of development is considered acceptable – particularly given the broad similarities between the prior approval scheme and the current design. As also outlined above it is not considered that the proposed development would result in a detrimental impact on the character and appearance of the area, nor would the design and layout of the proposal result in harm to neighbouring amenity. The proposal would provide adequate car parking, cycle parking, amenity space and living conditions for prospective occupants.

5.10.3 Whilst the contribution that two additional dwellings would make towards housing land supply is considered limited, it is not considered that there are any harms caused by the development that would significantly and demonstrably outweigh these benefits - and as such the development is considered sustainable. The proposal therefore accords with policies S1, S8, D1, H4 and T2 of the LDP.

## 6. ANY RELEVANT SITE HISTORY

Ref	Proposal	Decision
23/00774/PACUAR	Proposed conversion of an agricultural building to form 5 dwellings.	Withdrawn
23/01136/PACUAR	Prior notification for the change of use of an agricultural building to two dwellinghouses (Use Class C3) and for associated operational development	Prior Approval Granted

## 7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

### 7.1 Parish/ Town Council (summarised)

Name of Parish/Town Council	Comment	Officer Response
Southminster Parish Council	Recommend refusal – site is in an unsustainable location	Reference made to fall back position of prior approval scheme – see section 5.1 for response

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

Statutory Consultee	Comment	Officer Response
ECC Highways	No objection, subject to condition relating to cycle parking provision	Noted - see Section 5.5
Environment Agency	We have no objection to the proposed development but strongly	Noted – see Section 5.8

Statutory Consultee	Comment	Officer Response
	recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA), referenced ECL1055-2 and dated March 2025, are adhered to. More information on flood risk is available below.	
Natural England	Appropriate Assessment required	Noted – AA completed and set out in section 5.9

### 7.3 Internal Consultees (summarised)

Internal Consultee	Comment	Officer Response
Environmental Health	No objection subject to conditions relating to foul and surface water drainage	Noted, see section 5.8
Ecology	<b>No objection subject to conditions requiring compliance with submitted PEA, submission of Biodiversity Enhancement Strategy and Sensitive Lighting Strategy</b>	Noted, see section 5.9

### 7.4 Representations received from Interested Parties (summarised):

- 7.4.1 The application was advertised by way of a site notice posted on the 6<sup>th</sup> August 2025 (with expiry date for comments set at 28<sup>th</sup> August 2025. The notice was affixed in a prominent position at eye level to a wooden stake immediately adjoining the site.
- 7.4.2 Notice was also given by way of newspaper advertisement posted in the Maldon and Burnham Standard, published on 12<sup>th</sup> June 2025 (with expiry date for comments set at 3<sup>rd</sup> July 2025).
- 7.4.3 No third-party comments have been received in relation to the proposals

## 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) The Town & Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out in accordance with the approved plans stated on the Decision Notice.  
Reason: To ensure that the development is carried out in accordance with the details as approved.

- 3 The materials used in the construction of the development hereby approved shall be as set out within the application form/approved plans and Design and Access Statement.  
Reason: To ensure the external appearance of the development is appropriate to the locality in accordance with policy D1 of the approved Local Development Plan and the guidance contained in the Maldon District Design Guide SPD.
- 4 No development works above ground level shall occur until details of the surface water drainage scheme to serve the development shall be submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development. The scheme shall ensure that for a minimum:
- 1) The development should be able to manage water on site for 1 in 100 year events plus 40% climate change allowance.
  - 2) Run-off from a greenfield site for all storm events that have a 100% chance of occurring each year (1 in 1 year event) inclusive of climate change should be no higher than 10/l/s and no lower than 1/l/s. The rate should be restricted to the 1 in 1 greenfield rate or equivalent greenfield rates with long term storage minimum rate 1l/s or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield)
- 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.
- 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.
- Reason: To avoid the risk of water flooding and pollution in accordance with Policy D2 of the Local Development Plan.
- 5 Prior to the first occupancy, the foul drainage for the dwellings must either be connected to mains drainage or a small sewage treatment plant of adequate capacity for the dwellings. Any small sewage treatment plant installed must discharge treated effluent in a manner which complies with the "General binding rules: small sewage discharge to the ground" guidance at the time of installation.  
Reason: To ensure the adequate provision of foul water drainage in accordance with Policy D5 of the Maldon District Local Development Plan (2017).
- 6 The development hereby submitted shall be carried out strictly in accordance with the approved Flood Risk Assessment (FRA), referenced ECL1055-2 dated March 2025, and associated Flood Warning and Evacuation Plan referenced ECL1055-2b dated July 2025. The approved mitigation and flood resilience measures contained within the FRA shall be fully implemented prior to first occupation (or first use) and retained thereafter.

Prior to first occupation of the development, a copy of the approved Flood Warning and Evacuation Plan (FWEP) shall be provided to the occupier(s) of each unit and shall thereafter be made available to all subsequent occupiers/tenants.

Reason: To ensure safe management of flood risk and safe evacuation/refuge during flood events, in accordance with Policy D2 of the Local Development Plan.

- 7 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.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy D1 and T2 of the Local Development Plan.

- 8 All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Crossland Ecology, March 2025) and Bat Emergence Survey Report (Crossland Ecology, August 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.

Reason: To enhance protected and Priority species and habitats in accordance with Policy N2 of the Maldon District Approved Local Development Plan and guidance contained within the National Planning Policy Framework.

- 9 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.

Reason: To enhance protected and Priority spaces and habitats in accordance with Policy N2 of the Maldon District Approved Local Development Plan and guidance contained within the National Planning Policy Framework.

- 10 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.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2023 and s40 of the NERC Act 2006 (Priority habitats & species) and in order to ensure that the interests of ecology and biodiversity or protected species are addressed in accordance with policy N2 of the Maldon District Local Development Plan.

- 11 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.

Reason: To enable the Local Planning Authority to retain control over future extensions, alterations, or outbuildings in the interests of protecting the character of the area, residential amenity, and the design integrity of the development, in accordance with Policy D1 and D3 of the Local Development Plan.

## **INFORMATIVES**

### 1 Contamination

Should any land or groundwater contamination be found that was not previously identified or not considered in a scheme agreed in writing with the Local Planning Authority, the site or part thereof should be re-assessed by a competent person in accordance with the Essex Contamination Land Consortium's Land Contamination Technical Guidance for Applicants and Developers and UK best-practice guidance.

### 2 Highway Works

- All highway related details shall be agreed with the Highway Authority;
- There shall be no discharge of surface water from the development onto the Highway;
- All works affecting the highway to be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be addressed for the attention of the Development Management Team at SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU or emailed to [development.management@essexhighways.org](mailto:development.management@essexhighways.org)

### 3 General Good Practice Mitigation to avoid Ecological impacts during the construction phase

To avoid killing or injuring small animals which may pass through the site during the construction phase, it is best practice to ensure the following measures are implemented:

- a) Trenches, pits or holes dug on site should be covered over at night. Alternatively, ramps (consisting of a rough wooden plank) or sloped/stepped trenches could be provided to allow animals to climb out unharmed;
- b) materials brought to the site for the construction works should be kept off the ground on pallets to prevent small animals seeking refuge;
- c) rubbish and waste should be removed off site immediately or placed in a skip, to prevent small animals using the waste as a refuge; and
- d) should any protected species or evidence of protected species be found prior to or during the development, all works must immediately cease and a suitably qualified ecologist must be contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

#### 4 Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Maldon District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

#### **APPLICATION PLANS**

- ASC.25.079 - Elevations, Sections & Internals
- ASC.22.764 - Elevations And Sections
- ASC.25.078 - Topographical Survey
- 22055-PE0120 - Site Elevation
- 22055-L0001 - Location Plan

- 22055-PP0010 - Proposed Site Layout
- 22055-PP0100 - Plot 01 - Plans And Elevations
- 22055-PP0200 - Plot 02 - Plans And Elevations
- 22055-SKS0130 - Proposed Sections
- Planning Statement
- Design and Access
- Preliminary Ecological Appraisal
- Bat Survey Report
- Draft Biodiversity Gain Plan
- Flood Risk Assessment
- Flood Warning and Evacuation Plan

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**REPORT of  
DIRECTOR OF PLACE, PLANNING AND GROWTH**

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to  
**SOUTH EASTERN AREA PLANNING COMMITTEE  
11 FEBRUARY 2026**

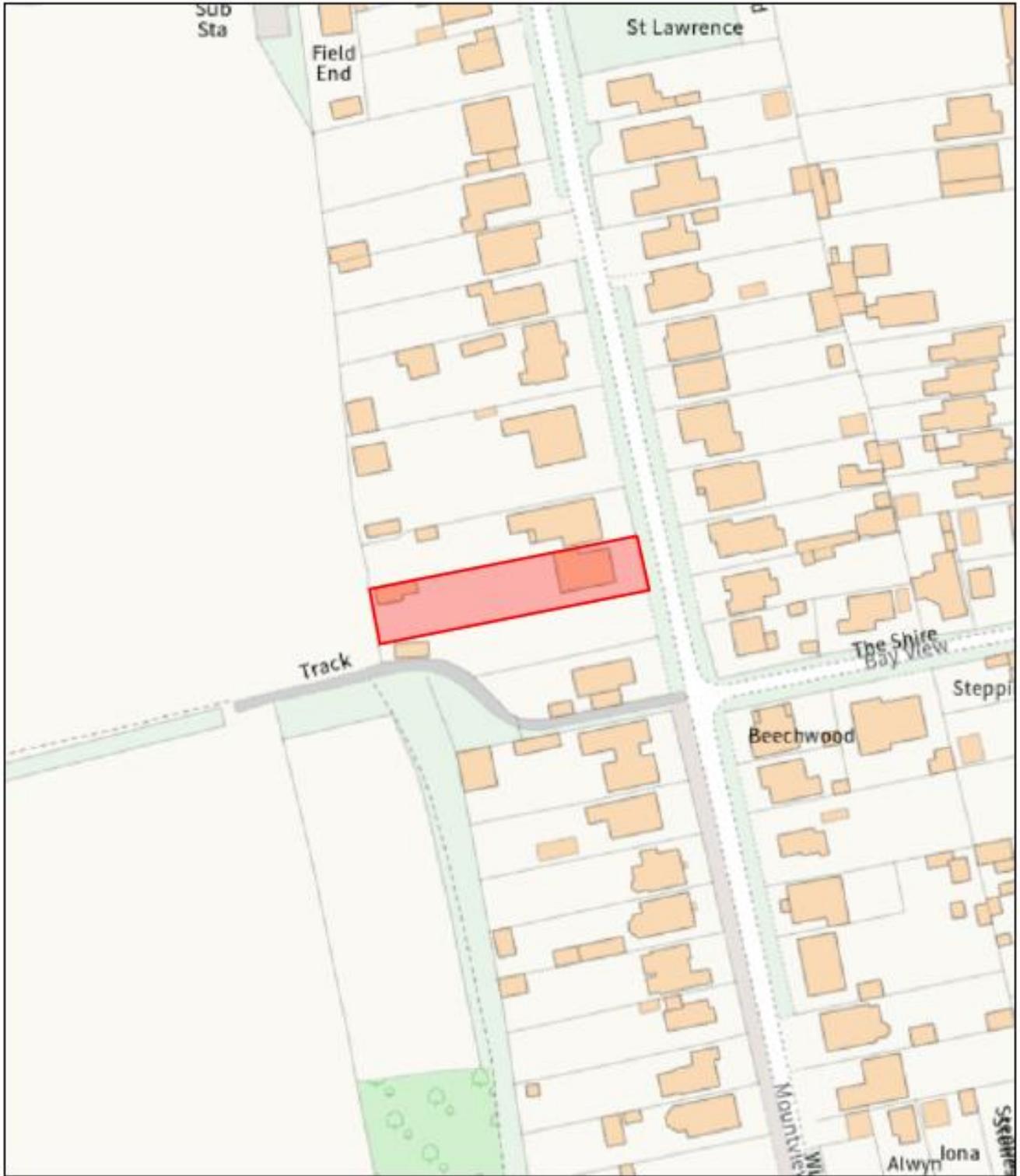
<b>Application Number</b>	<b>25/00857/FUL</b>
<b>Location</b>	Willowherb House, 81 Mountview Crescent, St Lawrence Southminster CM0 7NR
<b>Proposal</b>	S73A application for change of use of part of rear garden for cattery business; erection of 2 No. catteries measuring 6.4m x 3.9m (one cattery already constructed)
<b>Applicant</b>	Mr & Mrs Castle
<b>Target Decision Date</b>	13 February 2026 (Extension of Time)
<b>Case Officer</b>	Matt Bailey
<b>Parish</b>	St Lawrence
<b>Reason for Referral to the Committee / Council</b>	Departure from Local Plan

1. **RECOMMENDATION**

**APPROVE** for the reasons as detailed in Section 8 of this report.

2. **SITE MAP**

Please see below.



### **3. SUMMARY**

#### **3.1 Proposal / brief overview, including any relevant background information**

- 3.1.1 The application comprises a detached single storey residential property located on the western side of Mountview Crescent, within the settlement of St Lawrence. The majority of the site lies within the defined settlement boundary, with the rear section of the site (containing the proposed cattery structures) positioned just outside of the settlement boundary.
- 3.1.2 The area is predominantly residential in character, with surrounding properties being similar in style and scale to the application property. The site is situated within a rural residential area with open fields to the rear (west).
- 3.1.3 Planning permission is sought for a cattery business located to the rear garden of the property. The development comprises an existing building and would also involve the construction of an additional building, to be used to accommodate the cattery business. The business would be operated by the owner of the property. The use of the existing building has been put on hold pending the outcome of this planning application. The applicants are experienced in the cattery business having previously run larger cattery business in Rainham, Kent.
- 3.1.4 The cattery structures are of timber construction, each measuring 3.9m deep by 6.4m wide and with a mono-pitched roof at a height sloping from 1.8m-2.2m. Each cattery would accommodate up to ten cats during use, albeit it is indicated that in usual circumstances usage would be much lower.
- 3.1.5 The cattery is operated as a small scale home business with the majority of customers using a collection service provided by the applicant, but in some circumstances dropping off the cats to Mountview Crescent. Where such instances may occur, a booking is required to ensure that no more than one customer is in attendance at the site at any one time.
- 3.1.6 The business would be run on this appointment only basis with a maximum opening time of 4 hours per day Monday to Saturday only, and during non-peak times (10am–12pm and 2pm–4pm) to ensure minimal impact on local traffic. The applicant has advised that the anticipated number of customers visiting the site would be in the order of one or two visitors every other day.
- 3.1.7 All bookings and payments are made online and by telephone with paperwork completed electronically. On making an appointment, each owner is provided with a confirmation email which confirms the time and date of the appointment. The day before another email is sent to customers reminding them of their appointment time, address and where they can safely park (driveway).

#### **3.2 Conclusion**

- 3.2.1 The proposed cattery use would not harm the appearance or character of the locality as it would be contained within the curtilage of the site and operated as a home

business, ancillary to the residential use of the site. The cattery structures themselves are domestic in appearance, limited in scale and are considered appropriate to a residential garden in terms of their design.

- 3.2.2 The applicant has demonstrated that use is not likely to result in any adverse noise impacts and as such there is unlikely to be an impact on the amenities of adjoining residents by way of excessive noise and disturbance – this is in any event to be controlled by way of a Noise Management Plan. Any customer visits to the site would be restricted to one at any time, with time restrictions – which would prevent any adverse parking conflicts. The scale and impact of the development is considered to be minimal and therefore, there are no objections in relation to the business use. The proposal is therefore in accordance with the relevant policies set out in the Local Development Plan.

#### **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
- 10-14 Presumption in favour of sustainable development
- 39 Decision-making
- 48-51 Determining applications
- 56-59 Planning conditions and obligations
- 124-130 Making effective use of land
- 131-141 Achieving well-designed places

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

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

##### **4.3 Relevant Planning Guidance / Documents:**

- National Planning Policy Framework (NPPF)
- Maldon District Design Guide SPD
- Maldon District Vehicle Parking Standards SPD

## **5. MAIN CONSIDERATIONS**

### **5.1 Principle of Development**

- 5.1.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004, Section 70(2) of the 1990 Act and paragraph 47 of the NPPF require that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case the development plan comprises the approved Local Development Plan (LDP).
- 5.1.2 The Council's LDP contains clear policies regarding the location of employment uses. Policy **E1** explains that *"new employment development will be directed to the District's main settlements, existing employment sites and designated areas, in order to promote sustainable patterns of growth and reduce the need to travel by private car."*
- 5.1.3 Similarly, Policy **S8** seeks to protect the countryside from inappropriate forms of development, stating that *"the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. Outside of the defined settlement boundaries, the Garden Suburbs and the Strategic Allocations, planning permission will only be granted for development in the countryside where it is for a use identified within the policy."*
- 5.1.4 In this case, only part of the application site lies outside of the settlement boundary – with the proposed cattery structures themselves being located in this section of the site and the main house located within the settlement boundary. Therefore, a balanced approach should be taken to assessing the impact of the proposed business in terms of policies E1 and S8.
- 5.1.5 The application site is located within a residential area. The proposal relates to a cattery business operated by the owner occupiers of No 81 Mountview Crescent – and as such comprises a home business, ancillary to the main residential use of the property. The NPPF states *"Planning permission will not normally be required to home work or run a business from home, provided that home working or a business use is incidental to the use as a dwellinghouse."* The proposed cattery structures in this case are limited in scale and based on evidence submitted with the application would not result in a significant number of vehicular trips so as to be considered a standalone business use to the rear garden. The proposal is therefore considered to be ancillary to the main residential use of the site.
- 5.1.6 The proposed cattery would therefore not result in any harm to the character or surrounding area and would be supported in principle, subject to conditions restricting the use of the structures as ancillary to the main dwelling, and compliance with the submitted noise management plan.

### **5.2 Impact on Residential Amenity**

- 5.2.1 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 Maldon District Design Guide (MDDG) (2017).

- 5.2.2 Whilst the proposed cattery buildings are located to the far end of the rear garden of the property, consideration must be given to the potential impact of the proposed development in terms of residential amenity – notably in terms of possible noise impacts and the effect of comings and goings associated with the business use.
- 5.2.3 The applicant has provided a Noise Assessment Report and associated Noise Management Plan (NMP) as part of their submission. It is noted that there is no applicable standard for assessing pet noise, and that proposals for catteries (unlike kennels) are rarely considered to result in high noise levels – evidence has been submitted supporting this point.
- 5.2.4 Notwithstanding the limited likelihood of any noise disturbance caused by the cattery business, the submitted NMP provides clarification on procedures which will prevent any potential noise at the site, including use of doors /windows and ventilation, drop-off/collection protocols at the site via a booking system at specific times of the day, and cleaning/maintenance routines.
- 5.2.5 The limited size and design (timber shed like structures) of the cattery units would not result in any harm to neighbouring properties in terms of loss of daylight to garden spaces – likewise it is not considered that the direct route through the garden to the catteries for collection/drop off procedure would result in any amenity harm, subject to compliance with the NMP.
- 5.2.6 Therefore, subject to conditions, it is not considered that the development would represent an unneighbourly form of development or give rise to overlooking or overshadowing, in accordance with the stipulations of Policy D1 of the LDP.

### **5.3 Access, Parking and Highway Safety**

- 5.3.1 Policy T2 aims to create and maintain an accessible environment, requiring development proposal, inter alia, to sufficient parking facilities having regards 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.
- 5.3.2 The application property benefits from off road parking for 2-3 vehicles to the front driveway. The applicant's submitted information (together with the submitted NMP) state that, as part of the service, the majority of cats which are accommodated within the catteries would be collected/dropped off to the pet owner's address, as opposed to being collected/dropped off by their owners at the application property. Any customers wishing to drop off/collect at Mountview Crescent would only be able to do so by way of an online booking system, which would ensure that no more than one customer would be in attendance at the site at any one time. Opening hours for this are also limited to 10:00am–12:00 noon and 2:00pm–4:00pm and at no time on Sundays or Bank Holidays.

- 5.3.3 Delivery of cattery goods (food/litter) would be combined trips and would only take place one every two weeks – again limited to the operating hours above.
- 5.3.4 The applicant has also provided trip generation data for their previous (slightly larger 17 room) home cattery business in Rainham which shows an average of 2.4 check-ins per day with 9-16 day stays. Given the more rural setting of St Lawrence the applicant considers that the number of visitors per day is likely to be lower than at their previous property since customers are more likely to use the pet taxi service for home collection/drop-off.
- 5.3.5 Given the likely limited number of vehicles attending the site on any one day, and the availability of parking space to the front driveway, it is not considered the proposed cattery business would result in demonstrable increase in car parking that would cause harm to the local area. Therefore, the development would be acceptable in terms of parking and highway safety.

**6. ANY RELEVANT SITE HISTORY**

No other planning history relating to the site

**7. CONSULTATIONS AND REPRESENTATIONS RECEIVED**

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

Name of Parish / Town Council	Comment	Officer Response
St Lawrence Parish Council	St. Lawrence Parish Council Oppose this development. Noting the application is against the LDP. It is in an unsuitable position. No catteries within MDC are within settlement boundaries. They are in rural areas well removed from other dwellings which reduces nuisance. There is no evidence of need for a cattery in the village - the local model for cats is that neighbours care for cats when owners are away - on a reciprocal basis. This is a village house with an average size garden but the proposal would see a large part of that garden taken over by a commercial operation. There is no precedent for such a development within the village. There are at least 5 very large dogs' resident at the property. Insufficient offroad parking which means customers would be parking on the unmade and unadopted road which is maintained by residents. There does not seem to be any recognition of this. St Lawrence has just one road in and	Noted – principle of development addressed in section 5.1.  Anecdotal comment regarding need for cattery (and neighbours looking after each other's cats) versus the evidence submitted by the applicant.

Name of Parish / Town Council	Comment	Officer Response
	<p>additional traffic to serve a business that is not for the benefit of the community can only add to the general misery for residents. The, very sketchy, plans show two buildings each to house 5 cats (both already erected). The buildings are just wooden sheds and were put up in about a day.</p> <p>The planning application does not give enough information to indicate the size of the individual pens but it appears that they would not meet the current welfare standards for boarding catteries in terms of size, zones, heating etc. The regulations for catteries indicate that the latest standards for welfare apply to any new development - which this would be. Part of the site is within a flood zone but no flood risk assessment is included. There is also a watercourse at the end of the garden which serves as a drainage ditch</p>	<p>Animal welfare issues raised not a planning consideration, however it is noted that a 3 year licence for the operation has been obtained from Environmental Health.</p>

## 7.2 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objection subject to compliance with Noise Management Plan	Noted

## 7.3 Site Notice / Advertisement

- 7.3.1 The application was advertised by way of a site notice posted on the 4 November 2025 (with an expiry date for comments set at 20 November 2025). The notice was affixed in a prominent position to the nearest telegraph pole to south of the property along Mountview Crescent.
- 7.3.2 Notice was also given by way of newspaper advertisement posted in the Maldon and Burnham Standard, published on the 30 October 2025 (with expiry date for comments set at 20 November 2025).

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

- 7.4.1 One letter was received in support of the application, highlighting the need for the cattery in the local area as an essential service, the misconception of possible noise and disturbance, the limited trips it would generate.

- 7.4.2 An online petition of 43 signatures has also been received in support of the application.
- 7.4.3 No other third party objections have been received.

## **8. PROPOSED CONDITIONS**

- 1 The development hereby permitted shall be carried out in accordance with the approved plans as shown on the decision notice.  
Reason: To ensure that the development is carried out in accordance with the details as approved.
- 2 The cattery business use hereby approved shall be carried out only within the two cattery structures as identified on approved Location Plan drawing no. Block Plan L02, and shall be used solely in connection with and ancillary to the residential use of the dwellinghouse known as Willowherb House, 81 Mountview Crescent, St Lawrence Southminster CM0 7NR. The structures shall not be used as separate planning units or for any other commercial purpose (including any use within Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to the Class in any statutory instrument revoked and re-enacting that order. For the avoidance of doubt, the buildings shall not be let, rented, managed or sold independently to the main dwelling.  
Reason: To ensure that the development remains ancillary to the residential use of the dwellinghouse and does not result in an independent commercial use, and to satisfactorily protect the residential amenities of nearby occupiers and the visual amenity of the surrounding countryside to comply with Policies D1 and S8 of the Approved Local Development Plan.
- 3 No separate or additional access, hardstanding, boundary fences or curtilage shall be formed to create a distinct plot separation to the main dwelling of Willowherb House, 81 Mountview Crescent, St Lawrence Southminster CM0 7NR.  
Reason: To ensure that the character of the site itself and the countryside of which it forms part, are protected by ensuring the Willowherb House, 81 Mountview Crescent, St Lawrence Southminster CM0 7NR, in compliance with Policies D1 and S8 of the Approved Local Development Plan.
4. The cattery business hereby approved shall be operated in accordance with the approved Noise Management Plan submitted as part of the application.  
Reason: To protect the amenities of the neighbouring properties in accordance with Policy D1 of the Approved Local Development Plan

## **INFORMATIVES**

All works affecting the highway to be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be addressed for the attention of the Development Management Team via email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org)

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**REPORT of  
DIRECTOR OF PLACE, PLANNING AND GROWTH**

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to  
**SOUTH EASTERN AREA PLANNING COMMITTEE  
11 FEBRUARY 2026**

<b>Application Number</b>	<b>25/00921/HOUSE</b>
<b>Location</b>	Paton Place, Nipsells Chase, Mayland CM3 6EJ
<b>Proposal</b>	Construction of dormer windows to facilitate loft conversion, including one balcony, and two Juliet balconies to the rear.
<b>Applicant</b>	Mr & Mrs K Paton
<b>Target Decision Date</b>	13 February 2026 (Extension of Time)
<b>Case Officer</b>	Matt Bailey
<b>Parish</b>	<b>Mayland</b>
<b>Reason for Referral to the Committee / Council</b>	Councillor / Member of Staff

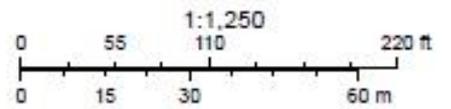
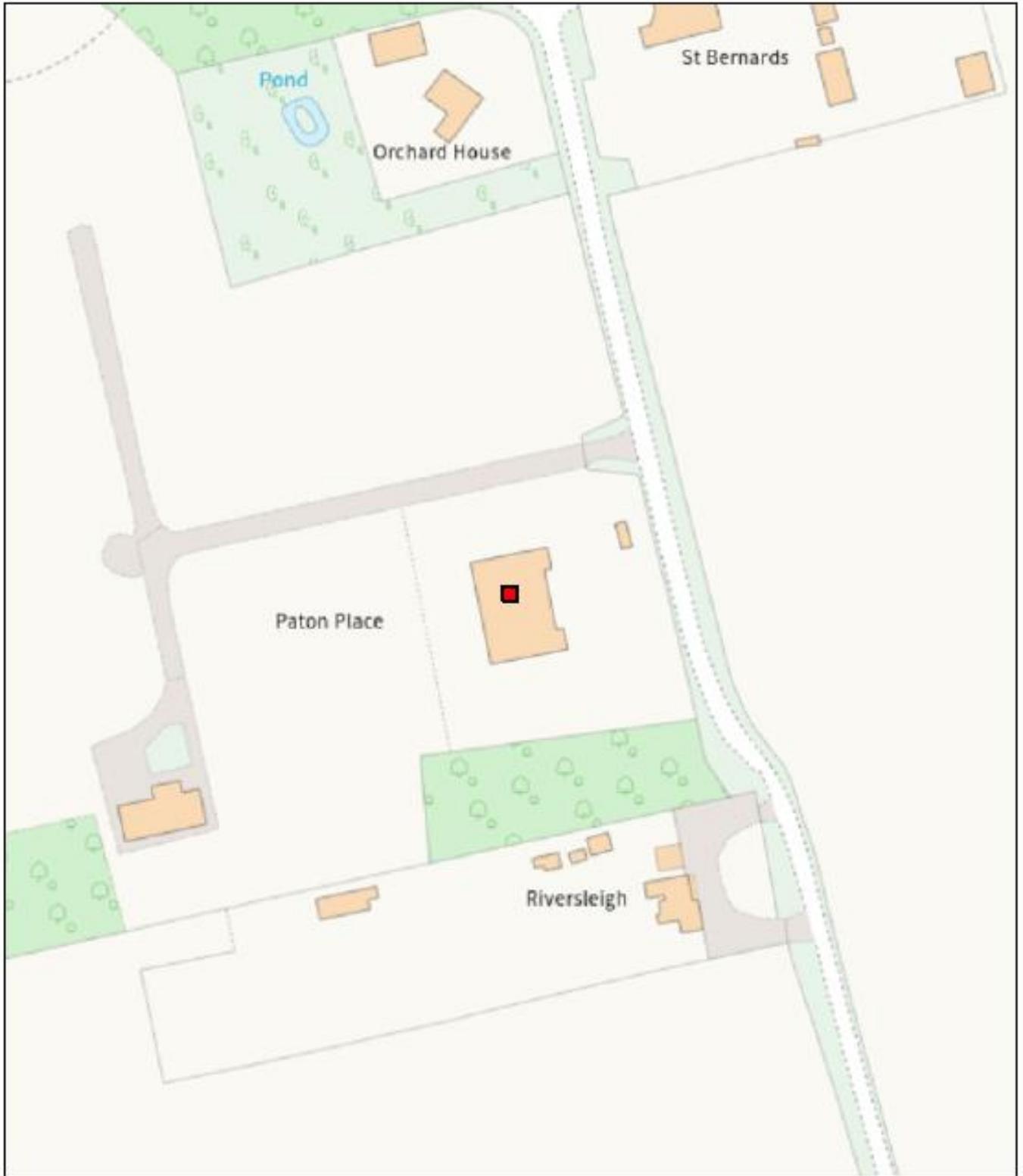
1. **RECOMMENDATION**

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

2. **SITE MAP**

Please see below.

25/00921/HOUSE



### **3. SUMMARY**

#### **3.1 Proposal / brief overview, including any relevant background information**

- 3.1.1 The application site is located to the west of Nipsells Chase to the north of the settlement boundary of Mayland and forms part of a designated wildlife site. The self-build live/work dwelling to which the proposal relates, located to the south-eastern side of the site, was constructed pursuant to planning permission granted under application ref 21/00628/FUL and subsequently varied under application 21/01240/VAR, with a further application to amend the proposals approved under application 23/00749/FUL.
- 3.1.2 Access to the site is taken from the western side of Nipsells Chase, which adjoins the access track and leads to a wider field where planning permission has been granted for a barn, stable and ménage. A building has been erected to the southeast of the application site where the permission for the barn was granted. The majority of the wider site is a largely open area of grassed land with a number of young trees. The edges of the site feature denser and more mature trees and hedgerow soft landscaping. To the north of the site is the residential property of Orchard House and to the south is the residential property of Riversleigh.
- 3.1.3 Planning permission is sought for the construction of dormer windows to facilitate a loft conversion, including one balcony, and two Juliet balconies to the rear. The insertion of two dormer windows to the front elevation, one to the rear and velux windows to the side roof slopes will enable the conversion of the loft space to create 4 no. ensuite bedrooms with a central living space, with access to a small central balcony to the rear elevation. The two rear (west) facing bedrooms would benefit from Juliet balconies overlooking the rear garden space.
- 3.1.4 During the course of the application, amended drawings have been submitted by the applicant which have removed two originally proposed side dormers from the scheme, replacing these with velux windows to reduce any potential impact / overlooking of properties to the north and south of the site.

#### **3.2 Conclusion**

- 3.2.1 It is considered that the proposed development, by reason of its sensitive design would not harm the character and appearance of the local area or the self-build live/work dwelling; and due to the relationship with the adjoining properties would not result in any undue harm by way of overlooking or loss of amenity. The proposed development does not impact on the provision of amenity space and car parking. The proposal would therefore comply with the policies set out within the Maldon District Local Development Plan (LDP) and the guidance contained within the National Planning Policy Framework (NPPF) and the Maldon District Design Guide. (MDDG)

### **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
- 10-14 Presumption in favour of sustainable development
- 39 Decision-making
- 48-51 Determining applications
- 56-59 Planning conditions and obligations
- 124-130 Making effective use of land
- 131-141 Achieving well-designed places

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

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

#### **4.3 Relevant Planning Guidance / Documents:**

- National Planning Policy Framework (NPPF)
- **Maldon District Design Guide SPD**
- Maldon District Vehicle Parking Standards Supplementary Planning document (SPD)

### **5. MAIN CONSIDERATIONS**

#### **5.1 Principle of Development**

5.1.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004, Section 70(2) of the 1990 Act and paragraph 47 of the NPPF require that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case the development plan comprises of the approved LDP.

5.1.2 Planning permission for the self-build live/work dwelling subject of this application was granted at South-East Area Planning Committee in August 2021 (ref 21/00628/FUL) and subsequently varied in April 2022 (ref 21/01240/VAR) and again in September 2023 (ref 23/00749/FUL). The dwelling has now been constructed and occupied and therefore the permission sought for householder planning permission in this instance should be assessed against the backdrop of the existing “as built” live/work dwelling.

- 5.1.3 The principle of altering an existing dwellinghouse and of providing facilities in association with residential accommodation is considered acceptable in line with policies S1 and H4 of the approved LDP.
- 5.1.4 Whilst the majority of alterations to the roof proposed by this application would usually be considered permitted development (with the exception of the rear central balcony), condition 12 of the most recent permission (23/00749/FUL) states that *“Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no dormer window or other form of addition or opening shall be constructed in the roof of the building hereby permitted without planning permission having been obtained from the local planning authority.”*
- 5.1.5 An application for the proposed additions is therefore required and has been submitted accordingly in order to allow the Council to assess the proposals against other relevant policies contained within the LDP.

## **5.2 Character and Appearance**

- 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.
- 5.2.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. Similar support for high quality design and the appropriate layout, scale and detailing of development is required by Policy D1 and H4 of the LDP and is found within the MDDG Guide (2017).
- 5.2.3 A successful development needs to integrate well with the existing streetscene. Visual cues such as rhythm, proportions and alignments taken from adjacent buildings should be used to inform the design of the development.
- 5.2.4 The external works proposed to the self-build live/work dwelling in this instance would result in the creation of three dormer windows (two to the front roof slope, one to the rear) together with the insertion of eight small velux windows to the side roof slopes. The dormer windows are considered to be sympathetically designed both in terms of their proportionate size, symmetrical positioning and use of materials to match the existing dwelling. The velux windows likewise are positioned in a sensitive manner and sized appropriately so as not to significantly alter the appearance of the roof form.
- 5.2.5 The Juliet balconies to the rear and central recessed balconies face onto the rear garden space and as such are orientated so as not to affect the overall appearance of the dwelling when viewed from either the public realm or neighbouring properties. In any event these additions are likewise sympathetic to the overall architectural style of the dwelling.
- 5.2.6 In summary it is considered that the proposal, by reasons of detailed design and appearance would not result in demonstrable harm to the character and appearance of the existing self-build live/work dwelling, the Maldon Conservation Area or the locality in accordance with policies D1, D3 and H4 of the LDP.

### **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.
- 5.3.2 The dwelling known as Riversleigh lies over 40 metres to the south of the site and the dwelling known as Orchard House lies over 80 metres to the north of the site. The proposed dormer windows, Juliet balconies and the central balcony are all positioned to the front and rear roof-slopes, which face east and west respectively. As such, none of these openings would result in any increased overlooking or loss or privacy to the neighbouring properties.
- 5.3.3 Whilst velux windows are proposed to the side elevations, such openings, Due to the significant separation distance, and the single storey nature of the development, it is not considered that the alterations to the proposal would result in an impact on the residential amenity of neighbouring sites by way of a loss of light or a loss of privacy, nor is it considered to be overbearing.

### **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 regards 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.
- 5.4.2 The conversion of the loft space to create 4 bedrooms would result in an increased requirement for parking at the site over and above the existing live/work dwelling. However, given that the property benefits from a generously sized off road parking for 5-6 vehicles to the front driveway, no concerns are raised in respect of any potential shortfall in provision. Therefore, the development would be acceptable in terms of parking and highway safety.

### **5.5 Private Amenity Space and Landscaping**

- 5.5.1 Policy D1 of the approved LDP requires all development to provide sufficient and usable private and public amenity spaces, green infrastructure and public open spaces. In addition, the adopted Essex Design Guide SPD advises a suitable garden size for each type of dwellinghouse, namely 100sqm of private amenity space for dwellings with three or more bedrooms.
- 5.5.2 The proposed amendments would not impact on the level of amenity space to be provided. Therefore, no objection is raised.

## 6. ANY RELEVANT SITE HISTORY

- **23/00749/FUL** – Amendment of condition 2 of 21/01240/VAR. Alterations to scale of the dwelling, the fenestration, design and materials. Approved 21.09.2023
- **23/00564/NMA.** – Non-material amendment following grant of planning permission 21/01240/VAR (Variation on condition 2 and removal of condition 8 on approved planning application 21/00628/FUL (Proposed construction of a single storey self build live/work dwelling)). Amendment sought: Alterations to fenestration and external. Refused 24.07.2023
- **23/00266/VAR** - Variation of condition 2 (plans) and removal of condition 13 (dormer windows) on approved Planning Permission 21/01240/VAR (Variation on condition 2 and removal of condition 8 on approved planning application 21/00628/FUL (Proposed construction of a single storey self build live/work dwelling)). Withdrawn 23.05.2023
- **23/05015/DET** - Compliance with conditions notification 21/01240/VAR Variation on condition 2 and removal of condition 8 on approved planning application 21/00628/FUL (Proposed construction of a single storey self build live/work dwelling) Condition 3 - Materials, Condition 4 - Hard and soft Landscaping, Condition 5- Boundary Treatment, Condition 6 -Cycle Parking, Condition 7 - Parking spaces, Condition 9 - Surface water drainage, Condition 15- Biodiversity Enhancement and Mitigation. Condition 16- Biodiversity Enhancement Strategy for Protected and Priority species. Condition cleared 03.04.2023.
- **21/01240/VAR** - Variation on condition 2 and removal of condition 8 on approved planning application 21/00628/FUL (Proposed construction of a single storey self build live/work dwelling). Approved 06.04.2022
- **21/00628/FUL** - Proposed construction of a single storey self build live/work dwelling. Approved 11.08.2021
- **21/00102/FUL** - Construction of a single storey dwelling. Withdrawn 26.05.2021
- **18/00816/HRN** - Hedgerow removal notice for clearance either side of entrance. Area 1 (Southern side) - 2.5m. Area 2 (Northern side) - 3m. Allowed to proceed 21.09.2018
- **17/01060/DD** - T1 - Elm - Fell. T2 - Wild Pear - Fell. T3 - Wild Pear - Fell. Can works proceed under 5 day D&D **\*\*5 Day Notice\*\***. Approved 16.10.2017
- **17/01043/AGR** - Prior notification for permeable hardstanding, with edging stones. Refused 12.10.2017
- **17/00736/FUL** - Proposed construction of a new detached single storey dwelling. Refused 29.08.2017

Applications within the wider site:

- **18/00280/FUL** - Construction of an apple storage barn – Approved 10.05.2018
- **18/00839/FUL** - Change of use of land to equestrian and erection of building to be used for storage of agricultural machinery and stabling of six horses – Approved 20.06.2019
- **20/05040/DET** - Compliance with conditions notification 18/00280/FUL (Construction of an apple storage barn) Condition 3 – Materials. Discharged 23.07.2020
- **20/00345/FUL** - Variation of condition 2 and 8 on approved planning permission 18/00839/FUL (Change of use of land to equestrian and erection of building to be used for storage of agricultural machinery and stabling of six horses) – Approved 01.07.2020
- **20/00574/FUL** - Variation of condition 2 on approved planning permission 18/00280/FUL (Construction of an apple storage barn). Approved 10.08.2020
- **20/00733/FUL** - An equestrian arena to ride in the wet winter months. The arena is to be made of an equestrian sand mix. – Approved 12.11.2020
- **22/05055/DET** - Compliance with conditions notification 21/01240/VAR (Variation on condition 2 and removal of condition 8 on approved planning application 21/00628/FUL (Proposed construction of a single storey self build live/work dwelling)) Condition 3 - Materials, Condition 4 - Landscaping, Condition 5- Boundary Treatment, Condition 6 - Cycle Parking, Condition 7 - Parking Spaces, Condition 8 - Surface Water Drainage, Condition 9 - Foul Drainage, Condition 15 - Biodiversity Strategy, Condition 16 - External Lighting. Conditions part discharged part refused 25.08.2022
- **23/00076/FUL** - Change of use from agricultural building to 2 bedroom bungalow (C3 Use) and alterations to fenestration. Pending Decision.
- **23/00664/FUL** - Renewal of existing consent. Declined to Determine 02.08.2023
- **23/00782/FUL** - Renewal of existing consent. Declined to Determine.
- **23/00796/FUL** - Retain structure for mixed use. Agricultural storage, office, reception/rec area, cake and jam making studio. Declined to Determine 23.08.2023
- **23/00798/FUL** - Retention of the agricultural building known as The Apple Store to C3 residential, to form a 2 bed bungalow. No external alterations apart from 2 additional windows. Declined to Determine 23.08.2023

## **7. CONSULTATIONS AND REPRESENTATIONS RECEIVED**

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

<b>Name of Parish / Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
Mayland Parish	Object:	Principle of

Name of Parish / Town Council	Comment	Officer Response
Council	<ul style="list-style-type: none"> <li>• Policy D1 – Design out of character with surrounding properties; siting, scale and bulk would have a detrimental impact upon the amenity of neighbouring residents</li> <li>• Permission granted for a bungalow. Would circumvent planning process if made into a house</li> <li>• Original planning conditions need to be adhered to as stated in planning permission granted</li> <li>• Reason stated for needing a bungalow in the first instance was because of needing access for disabled person. If property turned into a house this would contravene this reason.</li> <li>• Loss of bungalow stock if turned into a house</li> <li>• Could create loss of light to neighbouring properties</li> </ul>	<p>development addressed in section 5.1.</p> <p>Design issues considered in section 5.2</p> <p>Amenity issues considered in section 5.3</p>

## 7.2 Internal / External Consultees *(summarised)*

7.2.1 No other consultees required

## 7.3 Site Notice / Advertisement

7.3.1 The application was advertised by way of a site notice posted on the 16 December 2025 (with an expiry date for comments set at 9 January 2026). The notice was affixed in a prominent position to the nearest telegraph pole to north of the entrance to the property along Nipsells Chase.

7.3.2 Notice was also given by way of newspaper advertisement posted in the Maldon and Burnham Standard, published on the 18 December 2025 (with expiry date for comments set at 8 January 2026).

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

7.4.1 No other third party comments have been received.

## 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 accordance with the approved plans documents as shown on the decision notice.

Reason:To ensure that the development is carried out in accordance with the details as approved.

3. The materials used in the construction of the development hereby approved shall be as set out within the application form/plans.

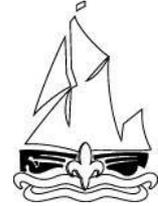
Reason:In the interest of the character and appearance of the area in accordance with policy D1 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework and the Maldon District Design Guide.

4. The velux windows hereby approved to the north and south facing roof slopes shall be installed so that the bottom of the glazed/openable section is set at a minimum height of 1.7 metres above the finished floor level of the room served. The rooflights shall thereafter be retained as installed.

Reason:To safeguard the privacy of neighbouring occupiers in accordance with policy D1 of the approved Local Development Plan.

### **APPLICATION PLANS**

- R01 Rev C - Location Plan
- R02 - Existing Floor, Roof Plans, Elevations
- R04 Rev G - Proposed Floor, Roof Plan, Elevations and Sections
- R11 Rev C - Proposed Site Plan



**REPORT of  
DIRECTOR OF PLACE, PLANNING AND GROWTH**

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to  
**SOUTH EASTERN AREA PLANNING COMMITTEE  
11 FEBRUARY 2026**

<b>Application Number</b>	<b>25/01095/FUL</b>
<b>Location</b>	Bradwell Marina – Waterside Road – Bradwell on Sea – CM0 7RB
<b>Proposal</b>	Proposed location of Beacon Structure on land at seaward entrance to marina
<b>Applicant</b>	Mr A Thurtle – Port Flair Ltd
<b>Agent</b>	Ms Sarah Threlfall – TMA Chartered Surveyors
<b>Target Decision Date</b>	18 February 2026
<b>Case Officer</b>	Hayley Sadler
<b>Parish</b>	<b>Bradwell on Sea</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In Cllr Fluker has called in the application for the following policy reasons: LDP policy D1 (Design Quality and Built Environment) and E5 (Tourism)

**1. RECOMMENDATION**

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

**2. SITE MAP**

Please see below.



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### **3. SUMMARY**

#### **3.1 Proposal / brief overview, including any relevant background information**

- 3.1.1 The application site is located on the western side of Waterside Road outside the settlement boundary of Bradwell on Sea. The site is occupied by Bradwell Marina located adjacent to the River Blackwater. The site also lies within Flood Zone 2 & 3.
- 3.1.2 Planning permission is sought for a non-illuminated beacon structure which would measure 3 metres in width, 3 metres in depth and have an overall height of 12.2 metres. The structure would be white painted fibreglass. Black text writing will be added to the front and rear elevations, which would be 'WELCOME' horizontally at the top, 'TO BRADWELL MARINA' vertically down and 'VHF CHANNEL 80 and 01621 776235' horizontally across the bottom. The beacon will sit on a concrete foundation base which will measure 4.5 metres in width and depth.
- 3.1.3 The proposed beacon structure would be located at the end of a strip of raised riverbed at the entrance to the Marina from the river side of the marina and would be fixed to a 3x3 metre base.

#### **3.2 Conclusion**

- 3.2.1 The proposed development, by reason of its size and location would have a detrimental impact on the visual amenity of the surrounding coastal location. The proposal is therefore considered to be contrary to the requirements of policies S1, S8, D1, H4, N2 and T2 of the approved Local Development Plan (LDP), guidance contained within the Maldon District Design Guide (MDDG) and the National Planning Policy Framework (NPPF)

### **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
- 10-14 Presumption in favour of sustainable development
- 39 Decision-making
- 48-51 Determining applications
- 56-59 Planning conditions and obligations
- 124-130 Making effective use of land
- 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
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D5 Flood Risk and Coastal Management
- H4 Effective Use of Land
- N2 Natural Environment, Geodiversity and Biodiversity
- T2 Accessibility

#### **4.3 Relevant Planning Guidance / Documents:**

- National Planning Policy Framework (NPPF)
- Maldon District Design Guide SPD
- Planning Practice Guidance (PPG)

### **5. MAIN CONSIDERATIONS**

#### **5.1 Principle of Development**

- 5.1.1 The main considerations in the determination of this application are the principle of the development, the impact of the proposal on the character and appearance of the area, any impact on the amenity of the occupiers of neighbouring residential properties and highways/parking.

#### **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.
- 5.2.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. Similar support for high quality design and the appropriate layout, scale and detailing of development is required by Policy D1 and H4 of the LDP and is found within the MDDG (2017).
- 5.2.3 A successful development needs to integrate well with the existing streetscene. Visual cues such as rhythm, proportions and alignments taken from adjacent buildings should be used to inform the design of the development.
- 5.2.4 The 12.2 metre beacon structure would be sited at the end of a strip of raised land to the west of the main marina area at the seaward entrance of the marina. The strip of land is also a public right of way known as Footpath 7. This strip of land currently forms a barrier between the River Blackwater and the marina itself. The surrounding area within the marina is predominantly flat landscape.
- 5.2.5 The applicant's 'planning statement' states that the structure was previously located at Admiralty Pier (also known as the Ganges Pier) at Shotley Point in Suffolk. The planning statement also states that *'In our opinion, these photographs demonstrate that the structure is wholly suited to the marine and coastal environment, and that it has been previously successfully used in such a location.'* Whilst its previous location is noted, there is no other clear connection to justify the siting within Bradwell Marina. In planning terms, each development needs to have regard to its individual and specific context, which includes physical as well as policy context, historical and any other specific designation an area may have.
- 5.2.6 The proposed beacon structure would be an incongruous addition to the site by reason of its height, material, colour and as such would stand in stark contrast to the surrounding generally low-lying and flat landscape and as such would have an incongruous and negative impact on the character and appearance of the site and the surrounding 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 proposed development is a considerable distance from any residential dwellings, with the closest dwelling being over 200 metres away from the proposed structure. To the east of the application site approximately 120 metres away is the Bradwell Outdoor Centre. Due to the degree of separation and the nature of the proposed development. It is not considered to result in an unneighbourly form of development. Therefore, the development is considered to be in accordance with the stipulations of D1 of the LDP.

### **5.4 Access, Parking and Highway Safety**

- 5.4.1 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.
- 5.4.2 The proposed development would not impact on the access for vehicles or impact of the parking provision at the site. The location of the proposed structure would be located on a public right of way, Footpath 7. The Public Right Of Way team at Essex Highways Authority has been consulted and have advised that there is no objection to the proposed structure subject to recommended informatives which can be included if the application were to be approved, and therefore the development would accord with the requirements of Policy D1 of the LDP, and it would not have a detrimental impact on the public safety.

### **5.5 Flood Risk**

- 5.5.1 Policy D5 of the LDP sets out the Council's approach to minimising flood risk. Policy S1 of the same Plan requires that new development is either located away from high risk flood areas or is safe and flood resilient when it is not possible to avoid such areas.
- 5.5.2 The site is located within Flood Zones 2 or 3. A Flood Risk Assessment (FRA) has been submitted as part of the application. The FRA states that 'The proposed structure is a "water compatible" use providing the basis for water-based recreation, within the definitions in Table 2 of The Technical Guidance to the NPPF.' The beacon will also be secured to a concrete base with the work being undertaken by special contractors with experience working in the marine environment.
- 5.5.3 The Environment Agency have been consulted on the application and have advised they have no objection. Therefore, no objections to the proposal are raised with respect to flood risk subject to the imposition of a condition to ensure the development is carried out in accordance with the submitted FRA if the application were to be approved.

### **5.6 Impacts on European Designated sites and Ecology**

- 5.6.1 The site lies within the Estuary (Mid-Essex Coast Phase 4) Special Protection Area (SPA), the Essex Estuaries Special Area of Conservation (SAC) and Marine Conservation Zone (MCZ), the Blackwater Estuary Special Sites of Scientific Interests (SSSI) and is also a Ramsar site. Policy N2 of the LDP states that "*All development should seek to deliver net biodiversity and geodiversity gain where*

*possible. Any development which could have an adverse effect on sites with designated features, priority habitats and / or protected or priority species, either individually or cumulatively, will require an assessment as required by the relevant legislation or national planning guidance.” Conservation and enhancement of the natural environment is also a requirement of the NPPF.*

- 5.6.2 The Conservation of Habitats and Species Regulations 2017, section 24 (Assessment of implications for European sites) states that:

*‘Where it appears to the appropriate nature conservation body that a notice of a proposal under section 28E(1)(a) of the WCA 1982 relates to an operation which is or forms part of a plan or project which -  
(a) is likely to have a significant effect on a European site (either alone or in combination with other plans or projects), and  
(b) is not directly connected with or necessary to the management of that site, they must make an appropriate assessment of the implications for that site in view of that site’s conservation objectives.’*

- 5.6.3 Where any plan or project may have a “likely significant effect” (LSE) on a European site (as in this case) the Habitat Regulation Assessment (HRA) process must be followed. This is generally considered to consist of four stages which are:

1. Screening for an LSE
2. Appropriate Assessment (AA) and the Integrity Test
3. Alternative Solutions
4. Imperative reasons of overriding public interest (IROPI) and compensatory measures

- 5.6.4 The Local Planning Authority has carried out a screening exercise to determine whether there would likely be any significant effects resulting from the development on protected sites. It is considered that the development will result in minimal construction activity due to the limited construction work involved, and its sitting is not likely to result in significant effects with regards to recreational pressures on conservation areas. Whilst it would be located on a Public Right Of Way, it is not considered that there would be any significant intensification of its use over and above what currently takes place, which would require mitigation via the Essex Coast Recreational Disturbance Avoidance and a Mitigation Strategy (RAMS) HRA Record, and as such one would not be required.

- 5.6.5 Natural England were consulted due to the location of the proposed development and they have advised that based on the plans submitted the proposed development will not have significant adverse impacts on statutory protected nature conservation site or landscapes and therefore, no objection is raised.

- 5.6.6 A Biodiversity Net Gain (BNG) Statement has been submitted with the application, which states that the proposal is considered to be exempt for the requirements of BNG as a result of the ‘de-minimis exemption’ as less than 25sqm of land will be impacted and that there are no priority habitats inside the red line boundary.

- 5.6.7 The Council’s Ecology Consultant has assessed the information provided and advised that the mitigation measures identified in the submitted construction method statement ensures that the construction takes place outside of the over-wintering bird period (November-February), with minimal impact to the ground and it also confirms that no lighting will be used in the construction. Therefore, subject to the submitted construction method statement being carried out in full no objection is raised subject to recommended conditions if the application were to be approved.

5.6.8 With regard to BNG Place Services have advised that they are satisfied that the development is exempt from the statutory requirement of mandatory biodiversity net gains.

## 5.7 Other Matters

5.7.1 The Council's River Bailiff has been consulted on the application as the application falls with Blackwater estuary. They have advised that subject to notifying Trinity House in respect of lights prior to the installation of the navigation mark, no objection is raised. No illumination is proposed on the beacon, and a condition to secure details of any proposed illumination could be imposed if the application were to be approved.

## 6. ANY RELEVANT SITE HISTORY

- **24/00929/ADV** – Advertisement consent for 1No. welcome sign at seaward entrance to Bradwell Marina - Refused – 23 January 2025

## 7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

### 7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Bradwell on Sea Parish Council	No response	Noted

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

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Public Footpath Officer	No objection	Noted – refer to section 5.4 of report
Environment Agency	No objection	Noted – refer to section 5.5 of report
Palace Services – Ecology	No objection	Noted – refer to section 5.6 of report
Natural England	No objection	Noted – refer to section 5.6 of report

### 7.3 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
River Bailiff	No objection	Noted – refer to section 5.7 of report

### 7.4 Site Notice / Advertisement

7.4.1 The application was advertised by way of a site notice posted on the 30 December 2025 (with expiry date for comments set at 21 January 2026). Two site notices were affixed at eye level to two lampposts within the application site, in prominent positions.

7.4.2 Notice was also given by way of newspaper advertisement posted in the Maldon and Burnham Standard, published on the 24 December 2025 (with expiry date for comments set at 15 January 2026).

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

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

Supporting Comment	Officer Response
The beacon will provide an excellent visual reference marker that will significantly assist safe navigation into the marina especially in poor visibility	Whilst these comments have been noted, the matters raised are not planning considerations.
Bradwell Marina is a safe haven at nearly all states of the tide, the local Coastguard Rescue Team have attended a number of incidents where boats have had difficulty entering the marina	
The beacon will be beneficial for those undertaking professional RYA courses all year round, as it would provide an excellent visual reference and navigation marker	

**8. PROPOSED REASON FOR REFUSAL**

1 The proposed development by reason of its size and position, would result in an incongruous addition and be out of keeping with the existing rural coastal character of the area, being harmful to the visual amenity of the surrounding area. The proposed development would therefore be contrary to policies D1 and H4 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.

Plans

- TMA/1022/01
- TMA/1022/02
- TMA/1022/03
- TMA/1022/04
- Planning Design and Access Statement
- Construction Method Statement
- Photographs
- Biodiversity Net Gain (BNG) Statement