

12 May 2026



Princes Road
Maldon
Essex CM9 5DL

www.maldon.gov.uk



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

CHIEF EXECUTIVE
Doug Wilkinson

Dear Councillor

You are summoned to attend the meeting of the;

NORTH WESTERN AREA PLANNING COMMITTEE

on **WEDNESDAY 20 MAY 2026 at 7.30 pm**

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

Please Note: All meetings will continue to 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 continue to 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.

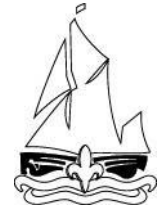
Yours faithfully

Chief Executive

COMMITTEE MEMBERSHIP:

(Appointed at the Statutory Annual Council meeting on 14 May 2026)

CHAIRPERSON	Councillor M F L Durham
VICE-CHAIRPERSON	Councillor L L Wiffen
COUNCILLORS	J C Hughes S J N Morgan C P Morley R H Siddall E L Stephens S White M E Thompson



**AGENDA
NORTH WESTERN AREA PLANNING COMMITTEE**

WEDNESDAY 20 MAY 2026

1. **Chairperson's notices**
 2. **Apologies for Absence**
 3. **Minutes of the last meeting** (Pages 7 - 16)

To confirm the Minutes of the meeting of the Committee held on 4 February 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. **25/00983/OUT - Land At Chasefield Farm, 64 Walden House Road, Great Totham, Essex** (Pages 17 - 38)

To consider the report of the Director of Place, Planning and Growth, (copy enclosed, Members' Update to be circulated)*.
 6. **Any other items of business that the Chairperson of the Committee decides are urgent**
-

Note:

1. The Council operates a facility for public participation. This will operate only in relation to the consideration and determination of planning applications under Agenda Item Nos. 5.
2. The Committee may consider representation from one objector, one supporter, a Parish / Town Council representative, and the applicant / agent. Please note that the opportunity to participate is afforded only to those having previously made written representation.
3. Anyone wishing to participate must register by completing [the online form](#) no later than noon on the working day before the Committee meeting.
4. For further information please see the Council's website – www.maldon.gov.uk/committees

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

NOTICES

Recording of Meeting

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

Fire

We do not have any fire alarm testing scheduled for this meeting. In the event of a fire, a siren will sound. Please use either of the two marked fire escape routes. Once out of the building please proceed to the designated muster point located on the grass verge by the police station entrance. Please gather there and await further instruction. If you feel you may need assistance to evacuate the building, please make a member of Maldon District Council staff aware.

Health and Safety

Please be advised of the different levels of flooring within the Council Chamber.

Closed-Circuit Televisions (CCTV)

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

Lift

Please be aware, there is not currently lift access to the Council Chamber.

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](#)

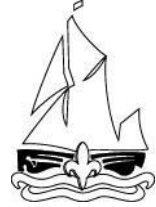
Local-scale

- [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
NORTH WESTERN AREA PLANNING COMMITTEE
4 FEBRUARY 2026**

PRESENT

Chairperson	Councillor M F L Durham, CC
Vice-Chairperson	Councillor M E Thompson
Councillors	J C Hughes, S J N Morgan, C P Morley, R H Siddall, E L Stephens and L L Wiffen
Officers (Maldon District Council)	Michael Johnson, Head of Service: Development Management & Building Control Matt Bailey, Senior Planning Officer

475. CHAIRPERSON'S NOTICES

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

476. APOLOGIES FOR ABSENCE

No apologies for absence were received

477. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 3 December 2025 be approved and confirmed.

478. DISCLOSURE OF INTEREST

Councillor J C Hughes declared they had a pecuniary interest in application 25/00730/FUL – Land West of 8 Captains Wood Road, Great Totham.

479. CHANGE TO THE ORDER OF BUSINESS

At this point, the Chairperson advised that he would be changing the order of business as set out on the agenda to consider Agenda Item 7 - 25/00730/FUL - Land West of 8 Captains Wood Road, Great Totham prior to Agenda Item 6 - 25/00430/OUT - Land North Of Captains Wood Road, Great Totham.

480. **25/00524/FUL - LAND ADJACENT BARROW COTTAGE, BASSETTS LANE, WOODHAM WALTER**

Application Number	25/00524/FUL
Location	Land Adjacent Barrow Cottage, Bassetts Lane, Woodham Walter
Proposal	Cessation of use of land for recreational camp site and erection of single self-build dwelling and associated works
Applicant	Ms Julia Ferrant
Agent	Mr Stephen Locke - Stephen Locke Associates
Target Decision Date	06.02.2026 (EoT – committee determination required)
Case Officer	Matt Bailey
Parish	Woodham Walter
Reason for Referral to the Committee / Council	Departure from the local plan Called in by Cllr Durham

The Officer presented the report. Following this the Agent Mark Nicholson addressed the Committee.

Councillor S J Morgan then stated that they did not think the application was sustainable or of good design, and proposed that the Committee refuse the application. This was not seconded.

Discussion over the design of the application then ensued. Following this Councillor R H Siddall proposed that the application be approved. This was duly seconded.

Upon a vote being taken the proposal passed and the application was approved

RESOLVED that this application be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans stated on the Decision Notice.
3. The materials used in the construction of the development hereby approved shall be as set out within the application form/approved plans and supporting statement.
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.

- 5 Prior to first occupation of the dwelling hereby approved, the foul drainage for the dwelling must either be connected to mains drainage or a small sewage treatment plant of adequate capacity for the dwelling. Any small sewage treatment plant installed must discharge treated effluent in a manner which complies with the "General Binding Rules" at the time of installation.
6. Prior to 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.
- 7 Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution of Residential Travel Information Packs for sustainable transport, as approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. This pack (including tickets) is to be provided by the Developer to the dwelling free of charge.
- 8 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.

- 9 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.

- 10 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.

481. 25/00730/FUL - LAND WEST OF 8 CAPTAINS WOOD ROAD, GREAT TOTHAM

Application Number	25/00730/FUL
Location	Land West of 8 Captains Wood Road, Great Totham
Proposal	Proposed self-build 4-bedroom detached house, garage and driveway.
Applicant	Nicholas Carlton
Agent	-
Target Decision Date	06.02.2026 (EoT – committee determination required)
Case Officer	Matt Bailey
Parish	Great Totham
Reason for Referral to the Committee / Council	Departure from the local plan

The Officer presented the report.

Following this Councillor R H Siddall proposed that they approve this application. This was duly seconded.

Upon a vote being taken this proposal was accepted.

RESOLVED that this application be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans stated on the Decision Notice_
3. The materials used in the construction of the development hereby approved shall be as set out within the application form/approved plans and Design and Access Statement.
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.

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

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

- a) no waste materials should be burnt on the site, instead being removed by licensed waste contractors;
 - b) no dust emissions should leave the boundary of the site;
 - c) consideration should be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site;
 - d) hours of works: works should only be undertaken between 08:00 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays.
7. Prior to first occupation of the development the upgraded vehicle access shall be provided as shown in principle on planning drawing no. BPHDE03_HWAY. The access shall be provided with an appropriate dropped kerb vehicular crossing of the footway. The vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.
 8. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
 9. Prior to first occupation of the development, cycle parking shall be provided in accordance with Maldon District Council's Parking Standards. The approved facilities shall be secure, convenient, covered and retained at all times.
 - 10 Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution of Residential Travel Information Packs for sustainable transport, as approved by Essex County Council, to include six one day travel vouchers for use with the relevant local

public transport operator. This pack (including tickets) is to be provided by the Developer to the dwelling free of charge.

- 11 No development shall commence until information has been submitted and approved in writing by the local planning authority in accordance with the requirements of BS5837:2012 in relation to tree retention and protection as follows:

- Tree survey detailing works required
- Trees to be retained
- Tree retention protection plan
- Tree constraints plan
- Arboricultural implication assessment
- Arboricultural method statement (including drainage service runs and construction of hard surfaces)

The protective fencing and ground protection shall be retained until all equipment, machinery and surplus materials have been removed from the site. If within five years from the completion of the development an existing tree is removed, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement tree shall be planted within the site of such species and size and shall be planted at such time, as specified in writing by the local planning authority. The tree protection measures shall be carried out in accordance with the approved detail.

12. A Mobile Species Method Statement shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to hedgehogs and other small mammals during the construction phase.

The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

- 13 Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist, shall be submitted to and approved in writing by the local planning authority.

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

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

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

482. 25/00430/OUT - LAND NORTH OF CAPTAINS WOOD ROAD, GREAT TOTHAM

Application Number	25/00430/OUT
Location	Land North Of Captains Wood Road, Great Totham
Proposal	Outline application with all matters reserved, except for access for the erection of 2 new dwellings
Applicant	Mr S Hughes and Mr T Hayhoe
Agent	Mr Ian Coward - Collins & Coward
Target Decision Date	06.02.2026 (EoT – committee determination required)
Case Officer	Matt Bailey
Parish	Great Totham
Reason for Referral to the Committee / Council	Departure from the local plan

The Officer presented the report.

Following this Councillor R H Siddall proposed that this application be approved. This was duly seconded.

Upon a vote being taken this proposal passed.

RESOLVED that this application be **APPROVED** subject to the following conditions:

1. The development shall be carried out in accordance with plans and particulars relating to the appearance, landscaping, layout and scale of the site (hereinafter called "the reserved matters"), for which approval shall be obtained from the local planning authority in writing before any development is begun. The development shall be carried out fully in accordance with the details as approved.
2. Application(s) for the approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.
3. The development hereby permitted shall be begun within two years from the date of the final approval of the reserved matters. The development shall be carried out as approved.
4. The development hereby permitted shall be carried out in accordance with Brown & Cos site location plan.
5. If not first approved as part of any application for approval of reserved matters pursuant to condition 1 of this permission no works above ground level shall take place until written details of the proposed materials to be used in the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the materials and details as approved. .
6. If not first approved as part of any application for approval of reserved matters pursuant to condition 1 of this permission no works above ground level shall take place until full details of hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:
 - i. Proposed finished levels contours;

- ii. Means of enclosure;
- iii. Car parking layouts;
- iv. Other vehicle and pedestrian access and circulation areas;
- v. Hard surfacing materials;
- vi. Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting);
- vii. Proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc, indicating lines, manholes, supports);
- viii. Retained historic landscape features and proposals for restoration, where relevant.

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the occupation of any part of the development hereby approved unless otherwise agreed in writing by the local planning authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the local planning authority gives its written consent to any variation.

The hard landscape works shall be carried out as approved prior to the first use / occupation of the development hereby approved and retained and maintained as such thereafter.

7. If not first approved as part of any application for approval of reserved matters pursuant to condition 1 of this permission no development shall commence until satisfactory information has been submitted and approved in writing by the local planning authority in accordance with the requirements of BS5837:2012 in relation to tree retention and protection as follows:
 - Tree Protection Plan
 - Arboricultural Impact Assessment
 - Arboricultural Method Statement (including drainage service runs and construction of hard surfaces)

The protective fencing and ground protection shall be retained until all equipment, machinery and surplus materials have been removed from the site. If within five years from the completion of the development an existing tree is removed, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement tree shall be planted within the site of such species and size and shall be planted at such time, as specified in writing by the local planning authority. The tree protection measures shall be carried out in accordance with the approved detail.

8. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
9. Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. This pack (including tickets) are to be provided by the Developer to the dwelling free of charge.

10. 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)
11. No development works shall occur above ground level until details of the foul drainage scheme to serve the development have been 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.
12. All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (ROAVR, November 2025) as submitted with the 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.
13. No works above ground level shall take place until a Biodiversity Enhancement Strategy for protected and Priority species has been 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, orientations, and heights of proposed enhancement measures by appropriate maps and plans;
 - d) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
 - e) persons responsible for implementing the enhancement measures;
 - f) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.
14. Prior to installation of any external lighting to the dwelling, a scheme for sensitive lighting shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate, contour plans, drawings

and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

15. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:
 - a. the parking of vehicles of site operatives and visitors,
 - b. loading and unloading of plant and materials,
 - c. storage of plant and materials used in constructing the development,
 - d. wheel and underbody washing facilities.
 - e. no waste materials should be burnt on site, instead being removed by licensed waste contractors.
 - f. no dust emissions should leave the boundary of the site.
 - g. consideration to restricting the duration of noisy activities and in locating them away from the periphery of the site.
 - h. hours of works undertaken only between 0730 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays, and not at any time on Sundays and Public Holidays.

There being no other items of business the Chairperson closed the meeting at 8.09 pm.

M F L DURHAM, CC
CHAIRPERSON



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

to
**NORTH WESTERN AREA PLANNING COMMITTEE
20 MAY 2026**

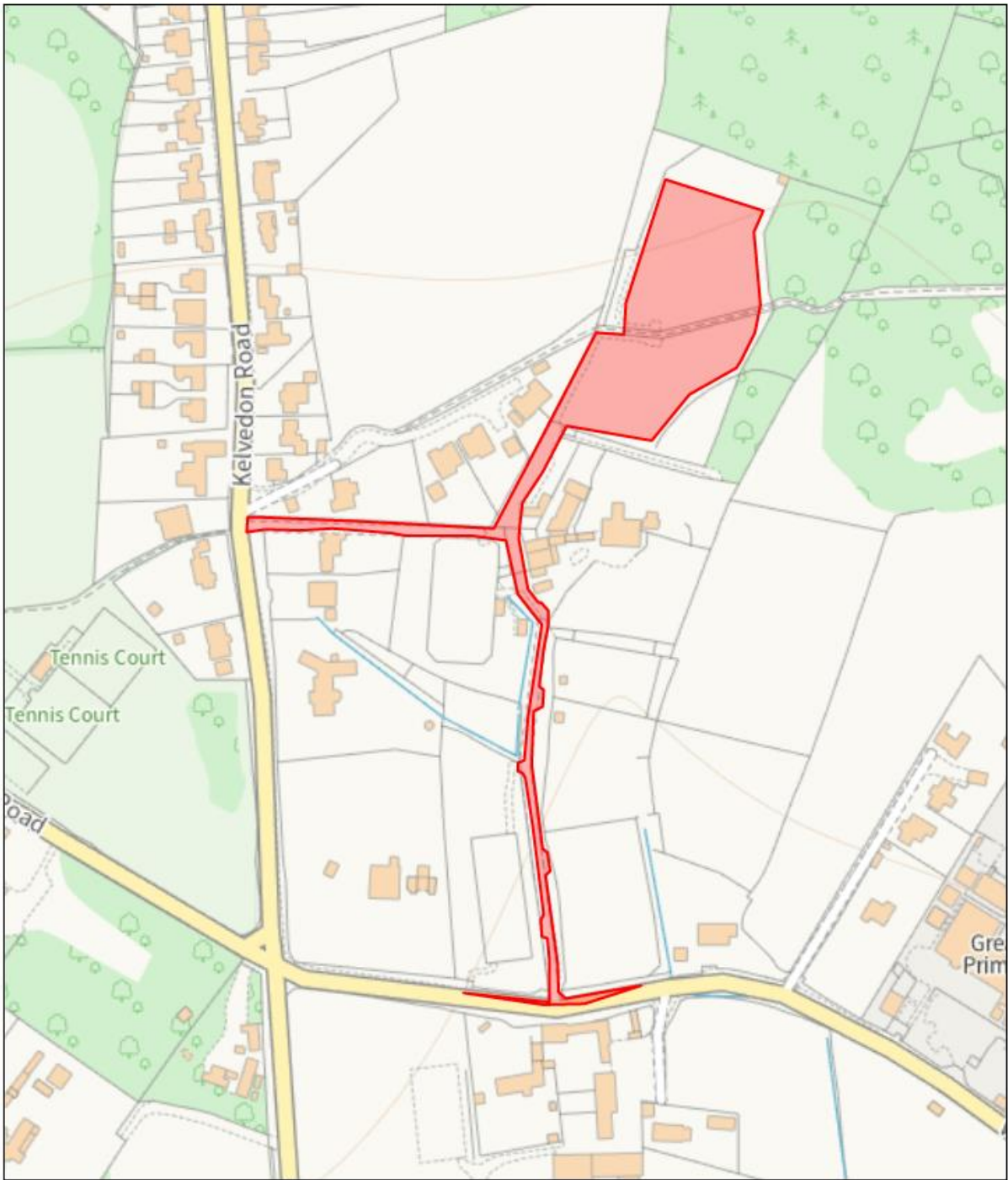
Application Number	25/00983/OUT
Location	Land At Chasefield Farm, 64 Walden House Road, Great Totham, Essex
Proposal	Outline application with all matters reserved for the construction of six new detached one and half storey and two storey dwellings with detached triple cart lodge on land at Chasefield Farm, 64 Walden House Road, Great Totham, Essex with private open space, access, parking, and landscaping.
Applicant	Mr & Mrs Edwards
Agent	Mr Mark Rickards - Bacchus Design Limited
Target Decision Date	2026
Case Officer	Matt Bailey
Parish	Great Totham
Reason for Referral to the Committee / Council	Called in by Councillor S J N Morgan <ul style="list-style-type: none"> • Development would result in urbanisation of the site and harm character and appearance contrary to Local Development Plan (LDP) policies S1, S8, D1 and H4. • The development would diminish the visual amenity of the public footpath which crosses the site • Notwithstanding the housing land supply position, the harms would not be outweighed by the limited contribution of 6 additional homes.

1. RECOMMENDATION

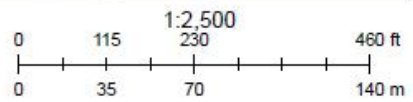
APPROVE subject to the applicant entering into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the planning obligations and subject to conditions as detailed in Section 8.

2. SITE MAP

Please see below.



5/6/2026, 9:31:32 AM



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MALDON DISTRICT COUNCIL

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3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

Site Description

- 3.1.1 The application site comprises land to the north of Chasefield Farm, 64 Walden House Road, Great Totham. It is accessed from the northern side of Walden House Road and forms part of a wider rural holding associated with No.64. The land is currently in paddock and equestrian use, with open grassed areas, trees, hedgerows and existing access arrangements from Walden House Road.
- 3.1.2 The site is outside the defined settlement boundary but close to existing built development at Walden House Road, Kelvedon Road and the wider Great Totham / Wickham Bishops area. The surrounding context is mixed in character, with dwellings, rural holdings, paddocks and open countryside.
- 3.1.3 The site is not located within a Conservation Area, but lies in close proximity to Great Ruffins, a grade II* listed building with its grade II registered garden to the north. The site is located within Flood Zone 1 and at low risk of fluvial flooding. Public Footpath No.4 (Great Totham) extends from east to west across the centre of the site.

Description of the Proposal

- 3.1.4 Outline application with all matters reserved is sought for the construction of six new detached one and half storey and two storey dwellings with detached triple cart lodge on land at Chasefield Farm, 64 Walden House Road, Great Totham, Essex with private open space, access, parking, and landscaping.
- 3.1.5 Whilst the application is in outline a series of indicative layout, house types, street scene and cart lodge drawings have been submitted as part of the application to illustrate how six detached dwellings could be accommodated on the site, served from the existing southern access from Walden House Road, with an internal private drive, passing places, private gardens, parking and associated landscaping.
- 3.1.6 The illustrative drawings show a mixture of one-and-a-half storey and two-storey detached dwellings. The Design and Access Statement explains that the design approach seeks to respond to the rural edge-of-settlement location through traditional domestic forms, pitched roofs, spacious plots and landscaping. The final access, layout, scale, appearance and landscaping details would be controlled at reserved matters stage.
- 3.1.7 The application is supported by a Planning, Design and Access Statement, Transport Statement, Preliminary Ecological Appraisal, Badger Survey Report, Biodiversity Net Gains (BNG) Assessment and metric information, Great Crested Newt District Level Licensing documentation, Heritage Statement, Arboricultural Report and Impact Assessment, Tree Protection Plan, and a Contaminated Land and Flood Risk Report.

Conclusion

- 3.1.8 The planning balance section of the report identifies the benefits and harms of this proposed development. Overall, in weighing up the benefits and the harms, it is considered that the benefits of the proposal, most notably the provision of housing in the context of the housing land supply position, outweigh the harms of the development, which in this instance comprises the effect on character and

appearance. On this basis, the recommendation is to grant planning permission subject to the conditions as set out in Section 8 of this report.

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
- 60-80 Delivering a sufficient supply of homes
- 108-117 Promoting sustainable transport
- 123-127 Making effective use of land
- 128-130 Achieving appropriate densities
- 131-141 Achieving well-designed places
- 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 and Environmental Impact of New Development
- D5 Flood Risk and Coastal Management
- H2 Housing Mix
- H4 Effective Use of Land
- N2 Natural Environment, Geodiversity and Biodiversity
- T1 Sustainable Transport
- T2 Accessibility
- I1 Infrastructure and Services

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)

- Maldon District Vehicle Parking Standards Supplementary Planning Document (SPD) (2018)
- Maldon District Design Guide (MDDG) (2017)
- Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) SPD
- Wickham Bishops Village Design Statement

4.4 **Wickham Bishops Neighbourhood Plan (2022):**

- WBE n 01 Recreational Disturbance Avoidance and Mitigation
- WBE n 02 Biodiversity and Natural Habitats
- WBE n 06 New Development and Flood Risk
- WBF 02 Sustainable Means of Travel
- WBF 03 Highway Safety
- WBH 01 Design and Character

5. MAIN CONSIDERATIONS

5.1 Principle of Development

5.1.1 The LDP Proposals Map shows that the site is located outside the defined settlement boundary. Policy S8 (Settlement Boundaries and the Countryside) therefore applies. Policy S8 seeks to protect the countryside for its landscape, natural resources, ecological value and intrinsic character and beauty. Outside defined settlement boundaries, planning permission will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon, subject to the exceptions within the policy. The proposal does not fall within a listed exception and is therefore contrary to the spatial strategy in Policy S8. The weight to be given to that conflict must, however, be considered in the context of the Council's housing land supply position and the tilted balance in the NPPF.

Housing Land Supply Position

- 5.1.2 Policy S2 (Strategic Growth) plans for a minimum of 4,650 dwellings between 2014 and 2029, with strategic growth to be delivered through the main settlements and identified growth locations. Outside those locations, the policy provides for a proportion of development to be directed to rural villages in accordance with the settlement hierarchy and through windfall development.
- 5.1.3 The Council cannot currently demonstrate a five-year supply of deliverable housing sites. The housing requirement has also changed since adoption of the LDP, including through the revised standard method and the latest NPPF. Policies S2 and S8 remain part of the development plan and are the starting point for decision-making, but the absence of a five-year housing land supply means that the tilted balance in paragraph 11(d) of the NPPF is engaged.
- 5.1.4 At an extraordinary meeting of the Council on 17 June 2025, Members considered the Maldon District Council LDP Review Growth Options and agreed that strategic growth in the LDP Review should go into the towns and large villages, including Great Totham South and Wickham Bishops (Minute No. 100 refers). This does not

allocate the application site or predetermine the outcome of this application, but it is relevant background to the wider spatial context.

- 5.1.5 Policy H2 requires the dwelling mix for new residential development to reflect the latest housing needs and demands for the District. The illustrative proposal would provide six detached market housing type dwellings. The final mix, layout and detailed accommodation would be confirmed at reserved matters stage. The provision of six additional dwellings is a benefit of the proposal, although the scheme would not deliver affordable housing (and given it is not a major category development affordable housing is not automatically triggered to be provided) the weight benefit attributed to the housing provision is moderate having regard to the scale of development.

Recent Appeal Decisions

- 5.1.6 Recent appeal decisions in Wickham Bishops and the wider District demonstrate the importance of the Council's housing land supply position and the application of the tilted balance where proposals are otherwise in conflict with the settlement hierarchy. Each case must, however, be assessed on its own site-specific impacts.
- 5.1.7 On land at and rear of 9 Church Road an appeal was allowed and planning permission granted for the development of up to 50 dwellings (reference 23/00123/OUTM). In allowing the appeal, the Inspector gave significant weight to the Council's Five-Year Housing Land Supply (5YHLS) position (which following the NPPF changes in December 2024 fell below five years) and to the delivery of affordable housing.
- 5.1.8 On land rear of Pippins in Kelvedon Road an appeal was allowed and planning permission granted for the development of 25 dwellings (reference 24/00005/OUTM). In that case, the Inspector gave substantial weight to the Council's 5YHLS position and the provision of affordable housing and found only moderate harm to the character and appearance of the area.
- 5.1.9 The present application is materially different in scale and benefits. It would provide six market dwellings and no affordable housing. The lack of a 5YHLS means that the housing provision attracts positive weight, but the extent of that weight is considered moderate rather than substantial.

Sustainability Considerations

- 5.1.10 Policy S1 reflects the economic, social and environmental dimensions of sustainable development. The presumption in favour of sustainable development does not displace the statutory status of the development plan as the starting point for decision-making, but it requires the adverse impacts of granting permission to be assessed against the benefits in the circumstances of this case.
- 5.1.11 The site is close to existing settlements and services in Great Totham and Wickham Bishops. Future occupiers would not be wholly dependent on the private car, and the Highway Authority has not objected, subject to conditions and informatives included in a decision notice should planning permission be granted. The accessibility of the site attracts limited to moderate positive weight.
- 5.1.12 Subject to the detailed assessment below, the development would provide additional housing in a location close to existing built development. However, the proposal would also extend residential built form into countryside outside the settlement

boundary, and the effect on the character and appearance of the area is a central consideration.

5.2 Design Character and Appearance

- 5.2.1 Policy S8 seeks to protect the countryside for its landscape, natural resources, ecological value and intrinsic character and beauty. Policy D1 requires development to respect and enhance the character and local context of the area. The MDDG also expects development to respond to its setting and to avoid suburbanising effects in rural edge locations.
- 5.2.2 The application site is open paddock land on the southern side of Walden House Road. It has a rural edge-of-settlement character and contributes to the transition between built development and the surrounding countryside. The introduction of six dwellings, associated accesses, parking, domestic gardens, garages, lighting and domestic paraphernalia would materially alter that character.
- 5.2.3 Objections have been received in relation to the proposed effect of the development upon the enjoyment of the public footpath that traverses the site, and the loss of rural character as perceived by users of the path. Whilst views outwards from this section of the footpath would indeed be affected by the development, it is noted that the Inspector considering a similar proposal at Pippins (noted above) concluded that any harm in this regard would be moderate.
- 5.2.4 Furthermore, in comparison to Pippins, the existing paddock already has a managed and enclosed character. The combination of close maintenance, fencing and defined edges limits its contribution to the wider rural landscape. It does not display the same visual qualities as an open, wild grassland or agricultural field, with no enclosures and a less ordered appearance would contribute more strongly to rural character. Consequently, the baseline character of the land as compared to open countryside beyond its boundary is already compromised by a somewhat domesticated appearance, and its sensitivity to carefully designed development is correspondingly reduced. For this reason, it is considered that the proposal would result in only moderate harm to the character and appearance of the area.
- 5.2.5 The harm to character and appearance is not determinative in isolation because the tilted balance is engaged (as with the scheme at Pippins). Nevertheless, the conflict with Policy S8 and the moderate harm to countryside character are given moderate weight in the planning balance.

Detailed Design

- 5.2.6 All matters are reserved and the house type drawings, street scene and layout are illustrative. They do not fix the final design of the dwellings. However, they are useful in demonstrating that the site could potentially accommodate detached dwellings with pitched roofs, traditional proportions and a relatively spacious layout that would be capable of responding to the mixed rural and residential character of the area.
- 5.2.7 The illustrative scheme shows a mix of one-and-a-half storey and two-storey dwellings with detached garaging/cart lodge elements. Subject to reserved matters, the detailed design could use materials, roof forms, boundary treatments and landscaping that reflect the established domestic character of the surrounding area without appearing unduly prominent or urbanising.
- 5.2.8 A reserved matters submission would be required to demonstrate that the detailed layout, scale, appearance and landscaping are acceptable. Conditions restricting the

development to no more than six dwellings and requiring detailed landscaping, boundary treatment and tree protection are recommended. On that basis, the detailed design of the proposal is capable of being made acceptable.

5.3 Trees and Landscaping

5.3.1 The application is supported by arboricultural information. The Council's Tree Adviser and Place Services Arboricultural consultee have not objected, subject to conditions requiring an Arboricultural Method Statement, tree protection measures, foundation details and hard and soft landscaping.

5.3.2 The reserved matters stage would allow detailed landscaping, boundary treatments, surfacing, planting and the relationship with the public right of way to be fully considered. Subject to the recommended conditions, the tree and landscape impacts can be appropriately managed.

5.4 Heritage Assets

5.4.1 Great Ruffins, to the north of the application site, is a grade II* listed building. Its garden was designated as a Grade II registered Park and Garden in August 2025. The heritage context is therefore sensitive, and the Council must have special regard to the desirability of preserving the setting of the listed building and must give great weight to the conservation of designated heritage assets.

5.4.2 The Conservation Officer identifies Great Ruffins as a large and distinctive house designed and built from 1903 by Arthur Heygate Mackmurdo as his own country residence, with significance derived from its architectural, artistic and historic interest. The Conservation Officer notes that there is no inter-visibility between the house and the application site due to intervening vegetation and that the contribution of the application site to the setting and significance of the listed building is limited.

5.4.3 In relation to the registered garden, the Conservation Officer explains that the garden has a strong axial quality with formal garden elements and a cedar avenue at its southern end. The application site is not visible from most of the garden, apart from its southern end, but it provides a pleasant rural setting to that part of the garden.

5.4.4 The Conservation Officer advises that the development would not harm the setting or significance of Great Ruffins as a grade II* listed building. However, the proximity of some of the proposed dwellings to the southern boundary of the registered garden is likely to cause a limited degree of less than substantial harm to the setting and significance of the garden, arising from potential effects on tranquillity, light spill and slight visual disruption.

5.4.5 The Conservation Officer has also referred to the recent appeal on land to the west, where the Inspector found that development would not compromise the settings of the nearby heritage assets or the contribution they make to significance. In the present case, the Conservation Officer concludes that heritage impact should not form a reason for refusal because the limited less than substantial harm would be outweighed by the public benefits associated with six additional houses.

5.4.6 It is agreed that the proposal would cause no harm to the setting or significance of the grade II* listed building and a limited degree of less than substantial harm to the registered garden. In accordance with the NPPF and Policy D3, that harm must be weighed against the public benefits of the scheme. Having regard to the limited degree of harm and the public benefits of additional housing, heritage impacts do not justify refusal.

5.5 Impact on Neighbouring Amenity

- 5.5.1 Policy D1 seeks to ensure that development protects the amenity of surrounding occupiers having regard to privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the MDDG.
- 5.5.2 The illustrative layout demonstrates that suitable separation can be achieved between the proposed dwellings and existing neighbouring properties. Whilst it is acknowledged that the access route and residential occupation would increase activity close to some neighbouring gardens, including in relation to Lawson Place and the wider Walden House Road area, the scale of the development is limited and the impacts would not be unacceptable subject to detailed design, boundary treatment, landscaping, lighting and construction management controls.
- 5.5.3 The final relationship between the proposed dwellings, existing dwellings, the public right of way and the registered garden boundary would be assessed at reserved matters stage. Conditions relating to construction management, construction hours, dust/noise controls, landscaping and lighting would ensure that impacts on amenity are appropriately controlled.

5.6 Highways, Access and Parking

- 5.6.1 Policy T2 seeks to ensure that development provides safe and suitable access and does not have an unacceptable impact on highway safety. Given the outline nature of the application, the proposals have been assessed on the basis that the internal layout drawings are illustrative – however the submission is supported by a Transport Statement which relates to the indicative access provided from Walden House Road.
- 5.6.2 The Highway Authority has been consulted on the proposals and raises no objection subject to conditions. The existing southern vehicular access would be used and widened to serve the development. Required visibility splays of 2.4 metres by 43 metres in each direction can be secured by condition, and the access would be required to be widened to 5.5 metres for at least the first 6 metres from the back edge of the highway boundary.
- 5.6.3 The Highway Authority has requested conditions securing a Construction Management Plan, visibility splays, access construction, bound surfacing within 6 metres of the highway boundary, cycle parking and Residential Travel Information Packs. These conditions are included in the recommendation.

Public Footpath

- 5.6.4 Public Footpath No.4 (Great Totham) crosses the site. The Highway Authority's Public Right of Way comments identify matters to be addressed at reserved matters stage, including clearance either side of the path, safe crossing arrangements, the location of parking close to the path, curtilage boundaries and future maintenance. As all matters are reserved and the layout is illustrative, these issues can be addressed through the detailed layout and landscaping submission. An informative is recommended to draw the applicant's attention to the need to keep the public right of way free and unobstructed and to respond to the Highway Authority's detailed comments.
- 5.6.5 Subject to the recommended conditions and informatives, the proposal would not result in an unacceptable impact on highway safety or the public right of way.

5.7 Flood Risk, Drainage and Contamination

- 5.7.1 The site is within Flood Zone 1 and the submitted flood risk information indicates a low risk of fluvial flooding. Detailed drainage arrangements would be considered at reserved matters and technical approval stages as necessary, and there is no drainage reason to withhold outline planning permission.
- 5.7.2 The Council's Environmental Health Officer has reviewed the application and recommends conditions relating to contaminated land, construction hours and the control of construction-related dust, noise, vibration and nuisance. These conditions are necessary and reasonable having regard to the former and current land use context and the proximity of neighbouring occupiers.
- 5.7.3 Subject to the recommended conditions, it is considered that the proposal would be acceptable in relation to flood risk, drainage, contamination and environmental health matters.

5.8 Ecology, Biodiversity Net Gains (BNG) and RAMS

- 5.8.1 The application is supported by a Preliminary Ecological Appraisal, Badger Survey Report, BNG Assessment, statutory metric information and Great Crested Newt District Level Licensing documentation including a signed Impact Assessment and Conservation Payment Certificate.
- 5.8.2 Place Services Ecology initially requested further information, but following receipt of updated information and the signed Great Crested Newt District Level Licensing documentation has confirmed no ecological objection subject to conditions and Natural England's formal comments on the Appropriate Assessment for Essex Coast RAMS.
- 5.8.3 Place Services Ecology is satisfied that there is sufficient ecological information to support determination. Conditions are recommended to secure implementation of the mitigation in the Preliminary Ecological Appraisal and Badger Survey Report, a time limit/review mechanism if development does not commence within 12 months, a Biodiversity Enhancement Strategy and a wildlife sensitive lighting strategy. The District Level Licensing process addresses Great Crested newt impacts.

Biodiversity Net Gain

- 5.8.4 The statutory biodiversity metric identifies that the proposal does not achieve 10% biodiversity net gain within the red line site. However, this does not prevent determination of the outline application. It means that the statutory Biodiversity Gain Plan stage will need to demonstrate how the 10% net gain requirement will be met, including through on-site measures, off-site biodiversity units or, as a last resort, statutory biodiversity credits.
- 5.8.5 Place Services Ecology has confirmed that the submitted BNG assessment and metric information are sufficient for determination. The statutory biodiversity gain condition will apply to any permission and an informative is recommended to explain that a Biodiversity Gain Plan must be submitted and approved before development begins. On that basis, the application meets the requirements for determination stage, but further approval will be required before commencement.

Essex Coast RAMS

- 5.8.6 The site falls within the evidenced recreational Zone of Influence of the Essex Coast RAMS, which is an adopted SPD. The Local Planning Authority (LPA) is therefore required to undertake a project level Habitat Regulations Assessment (HRA) Appropriate Assessment and secure proportionate mitigation.
- 5.8.7 The development would result in a net gain of six dwellings. The HRA screening and appropriate assessment process identifies a likely significant effect in combination due to recreational disturbance but concludes that there would be no adverse effect on the integrity of the relevant European sites provided the required RAMS contribution is secured.
- 5.8.8 The Essex Coast RAMS tariff is £175.55 per dwelling for 2026/27. For six dwellings this results in a required contribution of £1,053.30. The applicant has confirmed agreement to the requirement and the contribution must be secured before permission is issued, either through the Council's standard RAMS contribution process or an appropriate planning obligation/undertaking.
- 5.8.9 Subject to the RAMS mitigation contribution being secured, and subject to the recommended ecology conditions and the statutory biodiversity gain condition/informative, there are no objections to the proposal with regard to ecology and biodiversity considerations having regard to Policy N2 and the NPPF.

5.9 Planning Balance and Sustainability

- 5.9.1 In assessing the overall planning balance, the benefits and harms of the proposed development must be weighed in the context of the tilted balance in paragraph 11(d) of the NPPF.
- 5.9.2 The benefits of the proposal are:
- The provision of six additional market dwellings - in circumstances where the Council cannot currently demonstrate a 5YHLS. Given the modest scale of the development and absence of affordable housing, this benefit is given moderate weight.
 - The site is close to existing settlements and local services and would make use of an existing access, with opportunities for walking, cycling and public transport. This attracts limited to moderate positive weight.
 - The proposal would deliver ecological mitigation and enhancement measures, including biodiversity enhancements for protected and priority species, subject to conditions. This attracts moderate positive weight.
 - The proposal would be required to deliver mandatory biodiversity net gain through the statutory regime. This is a neutral statutory requirement, but the associated enhancement measures attract positive weight as identified above.
- 5.9.3 The harms arising from the proposal are:
- The development would be outside the defined settlement boundary and would introduce built form, hardstanding, domestic paraphernalia and residential activity into an undeveloped rural edge-of-settlement site. This would conflict with Policy S8 and would cause moderate harm to the character and appearance of the area. This harm is given moderate weight.

- There would be limited less than substantial harm to the setting and significance of the grade II registered Garden of Great Ruffins. Great weight is given to the conservation of the designated heritage asset, but the degree of harm is limited and is outweighed by the public benefits of the proposal.
- There would be some loss and management of trees/hedgerow and a change to the experience of the public right of way, although these impacts can be mitigated through reserved matters and conditions. This is given limited to moderate weight.
- There are also a number of considerations that are neutral or capable of being made acceptable through conditions or other controls. These include highway safety and parking, drainage, contamination, construction impacts, residential amenity, ecology, RAMS mitigation and statutory BNG.

5.9.4 Overall, the conflict with Policy S8 and the moderate harm to character and appearance are acknowledged. However, when applying the tilted balance, the adverse impacts would not significantly and demonstrably outweigh the benefits of providing additional housing, together with the ecological enhancements and the ability to secure appropriate mitigation by condition. The limited less than substantial heritage harm is also outweighed by the public benefits. The application is therefore recommended for approval subject to conditions and the securing of the RAMS contribution.

6. ANY RELEVANT SITE HISTORY

- 6.1 No directly relevant planning history has been identified which would alter the assessment of this application.
- 6.2 The planning history for the wider site and surrounding land has been reviewed. Earlier proposals do not establish a constraint which would prevent the current outline application being determined on its own merits.
- 6.3 Previous decisions and appeal outcomes in the wider area have been taken into account where relevant to the application of the tilted balance and the assessment of countryside character impacts.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Great Totham Parish Council	Recommend refusal on the following grounds: the site lies outside the defined settlement boundary; the proposal represents overdevelopment; the scale, intensity and layout would not reflect the established pattern of development and would harm local character; the proposal would constitute backland development; and the site contributes to the separation between	Please see Assessment sections 5.1 and 5.2 and the planning balance.

Name of Parish / Town Council	Comment	Officer Response
	Great Totham and Wickham Bishops.	
Wickham Bishops Parish Council	Recommend refusal on the following grounds: notwithstanding the Council's housing land supply position, the harm outside the development boundaries would not be outweighed by six additional homes; the proposal would urbanise the site through built form, hardstanding and domestic paraphernalia; and the development would diminish the visual amenity of the rural public footpath.	Please see Assessment sections 5.1, 5.2, 5.4 and the planning balance.

7.2 Statutory Consultees and Other Organisations (*summarised*)

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Essex County Council Highways	No objection subject to conditions requiring a Construction Management Plan, visibility splays, access widening/construction, bound surface treatment, cycle parking and Residential Travel Information Packs. Informatives are recommended in relation to the public right of way, highway works and surface water discharge to the highway.	Please see Assessment section 5.4 and the proposed conditions / informatives.
Historic England	No comments to make.	Noted.
The Gardens Trust	Comment raising concern about potential erosion of the rural surroundings associated with Great Ruffins and the wider historic landscape setting.	Please see Assessment section 5.2.
Anglian Water	No objection/no comments requiring planning conditions.	Noted.

7.3 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objection subject to conditions relating to contamination, construction hours and controls for construction dust/noise/nuisance.	Please see Assessment section 5.5 and the proposed conditions.
Place Services Ecology	No ecological objection subject to conditions securing mitigation in the Preliminary Ecological Appraisal and Badger Survey Report, review of ecological mitigation if development does not commence within 12 months, a Biodiversity Enhancement Strategy	Please see Assessment section 5.6 and the proposed conditions / informatives.

Name of Internal Consultee	Comment	Officer Response
	and a wildlife sensitive lighting strategy. The response also identifies the need for Essex Coast RAMS mitigation and the statutory BNG process.	
Place Services Arboricultural	Support subject to conditions requiring an Arboricultural Method Statement, tree protection details, foundation details, and hard and soft landscaping details.	Please see Assessment section 5.2 and the proposed conditions.
Conservation Officer	No objection.	Please see Assessment section 5.2.
Place Services Archaeology	No objection and no archaeological condition requested.	Noted.

7.4 **Site Notice/Advertisement**

7.4.1 The application was advertised by way of site notices posted around and adjacent to the site on Walden House Road and within the surrounding area on 28 November 2025, with comments due by 19 December 2025. Notice was also given by way of a newspaper advertisement in the Maldon and Burnham Standard on 20 November 2025, with comments due by 11 December 2025.

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

7.5.1 Two letters of objection were received from interested parties - the reasons for objection are summarised as set out in the table below:

Objection Comment	Officer Response
The proposal would fail to achieve biodiversity net gain on site and would result in loss of modified grassland, trees and hedgerows.	Please see Assessment section 5.6. The statutory biodiversity gain condition will require an approved Biodiversity Gain Plan before development begins. Off-site units or statutory credits will be required if 10% net gain cannot be achieved on site.
Trees and hedgerow would need to be removed or managed to create the access, passing place and visibility splays.	Please see Assessment sections 5.2 and 5.4. The Tree Adviser raises no objection subject to conditions. The detailed reserved matters submission will need to address tree protection, landscaping and access works.
The access is unsuitable due to parked cars, activity associated with the nearby school, pedestrian and cycle safety, and the narrowness/traffic conditions of Walden House Road and Kelvedon Road.	Please see Assessment section 5.4. Essex County Council Highways raises no objection subject to conditions relating to the access, visibility, cycle parking, construction management and travel information packs.
The new access road and residential activity would cause noise, disturbance, light spill and pollution close to neighbouring gardens.	Please see Assessment section 5.3. The scale of development is limited, and the impacts can be controlled through reserved matters, boundary treatment, lighting and construction management conditions.

Objection Comment	Officer Response
The proposal would be outside the settlement boundary, would urbanise the site and would harm the character and appearance of the rural edge of the village.	Please see Assessment sections 5.1 and 5.2 and the planning balance. Moderate harm is identified and weighed against the benefits of the scheme.
The proposal would conflict with Policies S8, D8 and N2.	The relevant development plan policies have been assessed in the report. The proposal conflicts with Policy S8 in relation to development outside the settlement boundary, but the tilted balance is engaged. Ecology and amenity impacts can be made acceptable subject to conditions and statutory controls.

8. PROPOSED CONDITIONS INCLUDING HEADS OF TERMS FOR ANY SECTION 106 AGREEMENT

HEADS OF TERMS OF ANY SECTION 106 AGREEMENT

Secure the Essex Coast RAMS mitigation contribution of £1,053.30, or such other sum as may be required by the adopted tariff at the time the agreement is completed, towards mitigation for recreational disturbance impacts.

PROPOSED CONDITIONS

1. **Reserved matters**
Details of the access, appearance, landscaping, layout and scale, referred to in this permission as the reserved matters, shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.
REASON: The application as submitted does not give particulars sufficient for consideration of the reserved matters.

2. **Time limit for reserved matters**
Application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission. The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
REASON: To comply with the requirements of Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. **Approved plans**
The development hereby permitted shall be carried out in accordance with the approved location plan insofar as it defines the application site. The submitted layout, house type, street scene, access and landscaping drawings are illustrative only and shall not be treated as approved details of any reserved matter.
REASON: For the avoidance of doubt and in the interests of proper planning, as the application is in outline with all matters reserved.

4. **Number of dwellings**
No more than six dwellings shall be constructed pursuant to this permission.
REASON: In order to define the scope of the permission, safeguard the amenities of neighbouring occupiers, and ensure that the scale of development remains appropriate to the site and its surroundings in accordance with Policy D1 of the adopted Maldon District Local Development Plan.
5. **Construction Management Plan**
No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the construction period. The plan shall provide for:
- the parking of vehicles of site operatives and visitors;
 - loading and unloading of plant and materials;
 - storage of plant and materials used in constructing the development; and
 - wheel and underbody washing facilities.
- REASON: To ensure that on-road parking of construction vehicles in the adjoining roads does not occur, that loose materials and spoil are not brought out onto the highway, and that construction activity is appropriately managed in the interests of highway safety and residential amenity, in accordance with Policies D1, D2 and T2 of the adopted Maldon District Local Development Plan.
6. **Visibility splays**
Prior to first occupation of the development and notwithstanding the details shown on planning drawing no. 23/37/024 (or associated approved reserved matters plans), the access at its centre line shall be provided with clear to ground visibility splays with dimensions of 2.4 metres by 43 metres in each direction, as measured from and along the nearside edge of the carriageway. The visibility splays shall be provided before the access is first used by vehicular traffic and shall be retained free of any obstruction at all times.
REASON: To provide adequate inter-visibility between vehicles using the site access and those in the existing public highway, in the interests of highway safety and in accordance with Policy T2 of the adopted Maldon District Local Development Plan.
7. **Access construction**
Prior to first occupation of the development and notwithstanding the details shown on planning drawing no. 23/37/024, the southern existing vehicular access shall be widened to accommodate the proposed private drive. The access shall be constructed to a width of 5.5 metres for at least the first 6 metres from the back edge of the highway boundary and shall be provided with an appropriate dropped kerb crossing of the footway and verge. Full layout details shall first be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and the access shall be provided as approved prior to first occupation.
REASON: To ensure that vehicles can enter and leave the highway in a controlled and safe manner, and that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety and in accordance with Policy T2 of the adopted Maldon District Local Development Plan.

8. **Bound surface**
No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
REASON: To avoid the displacement of loose material onto the highway in the interests of highway safety and in accordance with Policy T2 of the adopted Maldon District Local Development Plan.
9. **Cycle parking**
Prior to first occupation of the development, cycle parking shall be provided in accordance with Maldon District Council's adopted parking standards. The approved facility shall be secure, convenient, covered and retained at all times.
REASON: To ensure that appropriate cycle parking is provided in the interests of highway safety, residential amenity and the promotion of sustainable transport, in accordance with Policies D1, D2 and T2 of the adopted Maldon District Local Development Plan.
10. **Residential Travel Information Packs**
Prior to first occupation of the development, the developer shall be responsible for the provision, implementation and distribution to each dwelling of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one-day travel vouchers for use with the relevant local public transport operator. The packs, including tickets, shall be provided by the developer to each dwelling free of charge.
REASON: In the interests of reducing the need to travel by private car and promoting sustainable transport choices, in accordance with Policies D2 and T2 of the adopted Maldon District Local Development Plan.
11. **Arboricultural Method Statement and tree protection**
No development, including ground works, shall take place until an Arboricultural Method Statement and Tree Protection Plan, including details of drainage service runs and construction access, have been submitted to and approved in writing by the Local Planning Authority. The approved tree protection measures shall be installed before development begins and shall be retained for the duration of construction. The development shall be carried out in accordance with the approved details.
REASON: To safeguard retained trees and vegetation during construction, in the interests of visual amenity, biodiversity and the character and appearance of the area, in accordance with Policies D1 and N2 of the adopted Maldon District Local Development Plan.
12. **Foundation details**
No development above slab level shall take place until details of the foundations of the dwellings and any associated structures, having regard to the proximity of retained trees, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: To ensure that construction works do not adversely affect retained trees and vegetation, in the interests of visual amenity, biodiversity and the character and appearance of the area, in accordance with Policies D1 and N2 of the adopted Maldon District Local Development Plan.

13. **Hard and soft landscaping**
No development above slab level shall take place until a detailed hard and soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of planting, boundary treatments, surfacing, tree and hedgerow retention, replacement planting, measures adjacent to the public right of way and a timetable for implementation. The approved scheme shall be implemented in accordance with the approved timetable and retained thereafter.
REASON: To secure an appropriate landscape setting for the development, protect the character and appearance of the area, safeguard retained trees and hedgerows, and ensure appropriate treatment adjacent to the public right of way, in accordance with Policies D1 and N2 of the adopted Maldon District Local Development Plan and the Maldon District Design Guide SPD.
14. **Contaminated land investigation**
No development shall commence, except for site investigation works, until a scheme to deal with any contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an investigation and risk assessment, remediation strategy where necessary, verification arrangements and reporting of any unexpected contamination. The approved scheme shall be implemented in full before occupation of the development.
REASON: To ensure that risks from land contamination to future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, in accordance with Policies D1 and D2 of the adopted Maldon District Local Development Plan.
15. **Construction hours**
No construction works or deliveries to and from the site shall take place outside the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays, and at no time on Sundays or Public Holidays.
REASON: To protect the amenity of neighbouring occupiers from noise and disturbance arising from construction activity, in accordance with Policies D1 and D2 of the adopted Maldon District Local Development Plan.
16. **Construction dust, noise and nuisance**
No development shall commence until details of measures to control dust, noise, vibration and other construction-related nuisance have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented throughout the construction period.
REASON: To minimise adverse impacts arising from construction activity, including dust, noise, vibration and other nuisance, in the interests of residential amenity and the local environment, in accordance with Policies D1 and D2 of the adopted Maldon District Local Development Plan.
17. **Ecological Mitigation**
All mitigation measures and/or works shall be carried out in accordance with the Preliminary Ecological Appraisal (Greenlight, October 2025) and Badger Survey Report (Greenlight, October 2025) submitted with the application. This may include the appointment of an appropriately competent person, such as an ecological clerk of works, to provide on-site ecological expertise during construction where required by the approved ecological documents.
REASON: To conserve protected and Priority species and to enable the Local Planning Authority to discharge its duties under the Conservation of Habitats

and Species Regulations 2017, the Wildlife and Countryside Act 1981, and Section 40 of the Natural Environment and Rural Communities Act 2006, in accordance with Policy N2 of the adopted Maldon District Local Development Plan.

18. **Ecology Review**

If the development hereby approved does not commence within 12 months from the date of this permission, the approved ecological mitigation measures shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys to establish whether there have been changes in the presence and/or abundance of bats, tree roost features or badger activity and to identify any new ecological impacts. Where amended measures are required, they shall be submitted to and approved in writing by the Local Planning Authority before development commences and the development shall be carried out in accordance with the approved measures and timetable.

REASON: To ensure that ecological mitigation remains up to date and effective, to conserve protected and Priority species, and to enable the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981, and Section 40 of the Natural Environment and Rural Communities Act 2006, in accordance with Policy N2 of the adopted Maldon District Local Development Plan.

19. **Biodiversity Enhancement Strategy**

Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Preliminary Ecological Appraisal and Badger Survey Report, shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include the purpose and conservation objectives of the measures, detailed designs or product descriptions, locations shown on plans, persons responsible for implementation, and details of aftercare and long-term maintenance. The approved measures shall be implemented and retained thereafter.

REASON: To enhance protected, Priority and threatened species and secure biodiversity enhancement within the development, having regard to paragraph 187(d) of the National Planning Policy Framework and Section 40 of the Natural Environment and Rural Communities Act 2006, and in accordance with Policy N2 of the adopted Maldon District Local Development Plan.

20. **Wildlife sensitive lighting**

Prior to occupation, a lighting design strategy for biodiversity in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall identify sensitive areas/features for bats and show how and where external lighting will be installed so that it will not disturb or prevent bats and other wildlife using the site and adjoining habitats. All external lighting shall be installed and maintained in accordance with the approved strategy and no other external lighting shall be installed without the prior written approval of the Local Planning Authority.

REASON: To protect bats and other wildlife from the adverse effects of artificial lighting, to conserve protected and Priority species, and to enable the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981, and Section 40 of the Natural Environment and Rural Communities Act

2006, in accordance with Policy N2 of the adopted Maldon District Local Development Plan.

INFORMATIVES

1. **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 biodiversity gain condition. Development may not begin unless a Biodiversity Gain Plan has been submitted to the planning authority and the planning authority has approved the plan. Based on the information available, this permission is considered to require the approval of a Biodiversity Gain Plan before development begins because no statutory exemption or transitional arrangement is considered to apply.

2. **Essex Coast RAMS**

The permission is subject to securing the required Essex Coast RAMS mitigation contribution. Development should not proceed until the contribution has been secured in accordance with the Council's procedures.

3. **Public Right of Way**

The public's rights and ease of passage over Public Footpath No.4 (Great Totham) shall be maintained free and unobstructed at all times. The reserved matters submission should have regard to the Highway Authority's comments regarding clearance either side of the path, safe crossing arrangements, parking adjacent to the path, boundary treatments and future maintenance.

4. **Highway works**

All works within or affecting the highway shall be laid out and constructed by prior arrangement with, and to the requirements and specifications of, the Highway Authority. The applicant should contact Essex County Council Development Management before any such works commence.

5. **Advance Payments Code**

The applicant is advised that housing developments resulting in the creation of a new street serving more than five dwellings may be subject to the Advance Payments Code under the Highways Act 1980.

6. **Surface water and utilities**

There shall be no discharge of surface water from the development onto the highway. The applicant is also advised that any relocation of utility apparatus in the highway would be at the applicant's expense.

7. **Great Crested Newt District Level Licensing**

The applicant is reminded that the development must comply with the requirements of the Great Crested Newt District Level Licensing process and any associated certificate, licence or approval from Natural England.

APPLICATION PLANS / DOCUMENTS:

23/37/001 - Site location plan (1:1250) and block plan (1:500)

23/37/024 - Proposed site plan 1:200 - Option 3. 3 of 3

23/37/003 to 23/37/020 - Illustrative house type plans, roof plans and elevations

23/37/025 - Proposed cart lodge plan, elevations and roof plan

23/37/028 - Proposed street scene

SB11505 - Existing site plan/topographical survey sheets 1 to 4

Planning, Design and Access Statement, Greenlight Preliminary Ecological Appraisal, Greenlight Badger Survey Report, Greenlight Biodiversity Net Gains Assessment and statutory metric information, Great Crested Newt District Level Licensing documentation, Argyll Environmental Contaminated Land and Flood Risk Report, Moore Partners Arboricultural Report and Impact Assessment and Tree Protection Plan, Corrie Newell Heritage Statement, EAS Transport Statement, and Notice 1 served on Essex County Council Highways.

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