



**REPORT of
DIRECTOR OF PLANNING AND REGULATORY SERVICES**

to
NORTH WESTERN AREA PLANNING COMMITTEE
11 JUNE 2018

| | |
|---|---|
| Application Number | FUL/MAL/18/00160 |
| Location | Land South Of The Grange Herbage Park Road Woodham Walter Essex |
| Proposal | Residential development for one detached dwelling |
| Applicant | The Warren Estate Ltd |
| Agent | Mr David Wallis - Smart Planning Ltd |
| Target Decision Date | 18.04.2018 |
| Case Officer | Yee Cheung 01621 876220 |
| Parish | WOODHAM WALTER |
| Reason for Referral to the Committee / Council | Member Call In The planning application has been called in by Cllr Durham on the grounds of public interest and that some of the reasons for objection in consultation responses are not factually correct |

1.

RECOMMENDATION

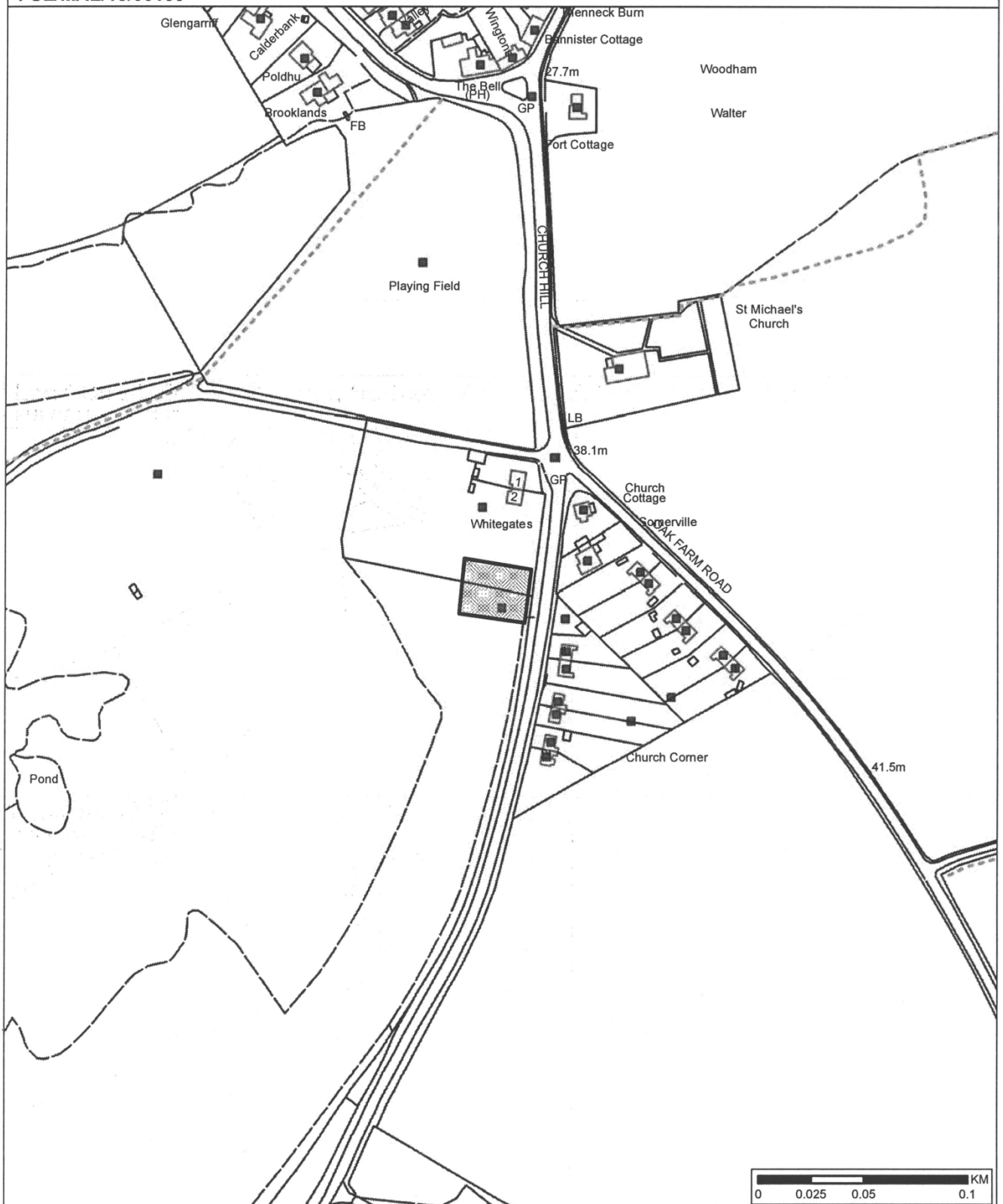
REFUSE for the reasons as detailed in Section 8 of this report.


2. **SITE MAP**

Please see overleaf.

Land South Of The Grange, Herbage Park Road, Woodham Walter

FUL/MAL/18/00160



| | | |
|--|---------------|---------------------------|
|  <p>Copyright For reference purposes only. No further copies may be made. This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Maldon District Council 100018588 2014</p> | Scale: | 1:2,500 |
| | Organisation: | Maldon District Council |
| | Department: | Department |
| | Comments: | NW Committee 18/00160/FUL |
| | Date: | 30/05/2018 |
| www.maldon.gov.uk | MSA Number: | 100018588 |

3. SUMMARY

3.1 **Proposal**

- 3.1.1 The application relates to an area of land measuring approximately 32 metres deep and on average 26 metres in width located to the south of The Grange (formerly known as Whitegates) to the west of Herbage Park Road outside the settlement boundary of Woodham Walter.
- 3.1.2 The site is bounded by existing vegetation and is free from any built form of development. It forms a part of the wider Nature Conservation Area (NCA) for the Warren Golf Club. The NCA was set up when planning permission was approved for the construction of 26 new timber holiday lodges (planning reference: **FUL/MAL/11/00953** dated 13 September 2012). The purpose of the NCA was to be used for nature conservation management and ecological purposes for the site was also secured by a S106 legal agreement which was signed and dated on 31 July 2012.
- 3.1.3 Planning permission is sought for the construction of a dwelling within the plot. The dwelling measures approximately 12.8 metres in width, 8.1 metres in depth with a height of 9.3 metres to ridge level. At ground floor of the dwellinghouse, a lounge, study / bedroom, a w.c and an open plan kitchen / dining area are proposed. Four bedrooms (one with en-suite) and a family bathroom are proposed at first floor level.
- 3.1.4 In addition to the dwelling, a detached garage is proposed which will be positioned forward and to the side of the dwelling. The garage appears on the illustrative site plan, but not the submitted site layout plan. Full details of the proposed garage have not been submitted and despite officers requesting further details, no floor plans have been provided and only a single elevation of the garage has been submitted. It is therefore the case that it would not be appropriate to approve the development where inadequate information has been provided to clarify the development proposed. However, for the purposes of assessing the proposed development, it is noted that the footprint of the garage is shown to measure 6.6 metres by 8 metres with a ridge height of 6 metres and it is noted that the plans indicate that two parking spaces would be provided. A dormer would be provided to the south elevation, which the applicant has verbally confirmed will provide light only with no intention for the first floor to be used as habitable accommodation. In the absence of plans it is not possible to confirm this, but a condition could be imposed to enforce this. All comments made below with respect to the proposed garage are therefore written on the basis of some assumptions being made in relation to its appearance and scale that have not been adequately clarified by the Applicant.
- 3.1.5 The proposed dwelling would be set back from the highway by about 16.7 metres. An area of hardstanding and turning area is proposed to the front of the building. The pedestrian / vehicular access point to the site would be off Herbage Park Road.
- 3.1.6 It is proposed that the dwelling and garage would be constructed using traditional materials such as facing brickwork, timber cladding, and roof tiles.

3.2 Conclusion

- 3.2.1 The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development at Paragraph 14 and sets out the three strands of sustainable development at Paragraph 7. Also, Paragraphs 7 and 8 of the NPPF are clear that all three dimensions of sustainability must be met for the development to be acceptable.
- 3.2.2 The proposal lies outside the settlement boundary of Woodham Walter village and therefore the development would be contrary to Policy S8 of the Maldon District Local Development Plan (LDP). While the development would provide a dwelling, create jobs during the construction of the dwelling and contribute to the economic dimension of sustainability, albeit for a limited period and that the future occupiers of the site would help to support the local services and facilities, it is considered that the concerns relating to the proposal and harmful effects on the character and appearance of the rural area are substantial. It is considered that the benefits arising from the development would not outweigh the environmental harm caused as a result of its negative impact on the rural locality. Therefore proposal would not amount to a sustainable form of development and would not benefit from the presumption in favour of development set out in the NPPF or would it accord with the aims of Policies S1, S2, S8, D1 and H4 of the LDP and the National Policy Practice Guidance.

4. MAIN RELEVANT POLICIES

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

4.1 National Planning Policy Framework 2012 including paragraphs:

- 14 Presumption in favour of sustainable development
- 17 Core Planning Principles
- 56-68 Requiring Good Design
- 186-187 Decision-taking
- 196-198 Determining applications

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
- H4 Effective Use of Land
- T1 Sustainable Transport
- T2 Accessibility
- N1 Green Infrastructure Network
- N2 Natural Environment and Biodiversity
- I1 Infrastructure and Services

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Guidance (NPPG)
- National Planning Policy Framework (NPPF)
- Essex Design Guide (EDG)
- Car Parking Standards
- Maldon District Design Guide (MDDG)
- Woodham Walter Village Design Statement (Endorsed on 13 June 2017)

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The Council is required to determine planning applications in accordance with its adopted Development Plan unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) and Section 70(2) of the Town and Country Planning Act 1990 (TCPA1990)).
- 5.1.2 The Local Development Plan (LDP), as approved, has been produced in light of the NPPF's emphasis on sustainable development and Policy S1 promotes the principles of sustainable development encompassing the three dimensions identified in the NPPF.
- 5.1.3 Policy S8 of the LDP defines the settlements of the Maldon District within which residential development is to be generally directed. The policy goes on to state 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 for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided that the development falls within one of thirteen specific, defined categories. This list of acceptable development does not include general open market new-build housing.
- 5.1.4 The application site is outside a development boundary and is in the countryside for the purposes of application of the abovementioned planning policies. As such the proposal is in conflict with the approved policies.
- 5.1.5 The Council published its latest Policy Advice Note regarding the Council's current status on the Five-Year Housing Land Supply 2016 / 2017 in September 2017 which demonstrates that a five year housing land supply is available and it is noted that the housing policies of the LDP are up-to-date.
- 5.1.6 The application site lies within a rural area beyond the settlement boundary of Woodham Walter. Whilst the village contains a number of services, access to the village would be via either public footpath at a minimum distance 200m or approximately 300m by way of unlit highway with village services further still. Both routes of access would be unlit. However, Woodham Walter is classed as a smaller village by policy S8 of the LDP which states that such a village contains few or no services and facilities with limited or no access to public transport and very limited employment opportunities. Therefore potential future occupiers would be heavily

reliant upon private vehicles for their day to day needs. The proximity of leisure facilities within the golf club complex are not considered to result in sustainable development.

- 5.1.7 It is considered that the principle of a new dwelling on this plot would be contrary to policy S8 of the LDP and core principles of the NPPF which directs new dwellings to the defined development boundaries in order to promote sustainability and protect the countryside for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. Local and national policies aim to achieve sustainable development by balancing development requirements with environmental protection. This balance is done through the preparation of the LDP, which should be viewed as the Council's definition of sustainability. The proposal does not accord with the LDP and is therefore not considered sustainable. Detailed assessment of the character and appearance of the area, highway safety, and impact on residential amenity will be discussed in the report below.

5.2 Housing Need and Mix

- 5.2.1 The proposal would provide a detached four / five bedroom dwelling (open market). Policy H2 of the LDP contains a policy and preamble (paragraph 5.2.2) which when read alongside the evidence base from the Strategic Housing Market Assessment (SHMA) shows an unbalanced high number of dwellings of three or more bedrooms, with less than half the national average for one and two bedroom units. The Council therefore, encourages, in Policy H2 the provision of a greater proportion of smaller units to meet the identified needs and demands. The Council's updated Strategic Housing Market Assessment (SHMA), published in June 2014, identifies the same need requirements for 60% of new housing to be for one or two bedroom units and 40% for three bedroom plus units.
- 5.2.2 The NPPF is clear that housing should be provided to meet an identified need as set out in Paragraph 50 of the NPPF where it requires local authorities to "*plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community*" and "*identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand*". In this instance, the proposed dwelling would fail to assist in meeting the housing shortfall need as set out in the SHMA and Policy H2 of the LDP. The provision of a four / five bedroom dwelling on this plot would not meet the SHMA and policy requirements of Policy H2 of the LDP and therefore any benefits from the proposal in terms of housing provision should be given minimal weight.

5.3 Design and Impact on the Character of the Area

- 5.3.1 National planning policy places great importance on the design of the built environment and states that high quality design should ensure that new development is visually attractive, responsive to local character, helps to promote healthy communities, and creates buildings which are durable, adaptable, and function well within the surrounding area to create a safe and accessible environment. Good design should enable and encourage people to live healthy lifestyles, reduce the risk of crime, create accessible environments which are inclusive for all sectors of society, and increase opportunities for social interaction.

- 5.3.2 Policy D1 of the LDP states that all development must, amongst other things, respect and enhance the character and local context and make a positive contribution in terms of: (b) Height, size, scale, form, massing and proportion; (d) Layout, orientation, and density; (2) Provide sufficient and useable private and public amenity spaces; (4) Protect the amenity of surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight.
- 5.3.3 It is also pertinent to note that in December 2017, the Local Planning Authority adopted the Maldon District Design Guide (MDDG) which is an adopted Supplementary Planning Document and is now a key mechanism for the delivery of design quality within the district. This new guide, not only looks at overall layout and form, but also the individual characteristics of the natural and built environment. This document is now a material consideration in the assessment of all planning applications.
- 5.3.4 The application site lies outside of any defined development boundary. According to policies S1 and S8 of the LDP, the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. The policies stipulate that outside of the defined settlement boundaries, the Garden Suburbs and the Strategic Allocations, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided the development is for proposals that are in compliance with policies within the LDP, neighbourhood plans and other local planning guidance.
- 5.3.5 The proposal is for the construction of a detached dwellinghouse and garage with off-street parking and turning area to the front of the property. Based on the Proposed Site Layout Plan submitted (Drawing No: 16.3872/P201 Revision B dated 12 January 2018 on plan), it shows the dwellinghouse to be set back from the highway by about 16.7 metres from Herbage Park Road with an area of hardstanding to the front. To the north east of the site, a detached double garage is proposed and will be positioned perpendicular to the road.
- 5.3.6 Woodham Walter as a village is referred to in the Braintree, Brentwood, Chelmsford, Maldon and Uttlesford Characterisation Assessment document as being an Arcadian settlement. It is a typical English Village with outlying groups of settlement; it is distinguished from a Hamlet by the fact that it has its own church and a centre. Being a dispersed rural settlement with a central core, it is categorised as 'Rural in a sparse setting' in Department for Environment Food and Rural Affairs (DEFRA) Rural-Urban Classification for Output Areas in England.
- 5.3.7 The application site lies outside the settlement boundary of Woodham Walter and is bounded by existing vegetation. In the Woodham Walter Village Design Statement (WWVDS), it identifies the application site as Church Corner. Formed at the point where Oak Farm Road and Herbage Park Road converge, Church Corner sits on rising ground adjacent to the Grade II* Elizabethan St Michaels Church, occupying a triangular site fronted by the rendered C19th Church Cottage. In Oak Farm Road are three pairs of mid C20th slate roofed, rendered semi-detached houses with casement windows which are mirrored in Herbage Park Road, which also has a rendered bungalow of the same period.

- 5.3.8 Facing the gable end of Church Cottage is the plain tile roofed, parget rendered Arts and Crafts Whitegates (originally two cottages now known as The Grange). Indigenous hedgerows form most boundaries and views west, and east down to The Wilderness, are constrained by the density and height of hedgerows and trees.
- 5.3.9 Having assessed the dwellinghouse and (as far as possible) the detached garage, it is considered that the proposed built form of development, would be visually prominent in the open rural landscape as shown on the submitted plans thus creating an unwelcome form of development which would materially and adversely encroach onto the rural landscape and significantly detract from the natural beauty, quality and amenity of the countryside. As the site at present is free from any built form of development, it does not comprise of any domestic paraphernalia within the plot that impact on the character and appearance of the area. With the position of the new dwelling and garage, its associated residential paraphernalia, access, boundary treatment, turning area and hardstanding, the development proposal would cause noticeable and demonstrable harm to the rural setting of the site and its immediate surrounding.
- 5.3.10 Having taken into account the above, it is considered that the visual impact of the development on the character and appearance of the site and surroundings would significantly and demonstrably outweigh the benefits of the proposal when assessed against policies S1, D1 and H4 of the Local Development Plan, and Government advice contained within the National Planning Framework. The proposal would also be contrary to the WWVDS which has been endorsed by the Council.

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 Maldon District Design Guide (MDDG, 2017).
- 5.4.2 Taking into consideration the siting of the proposed dwelling, and its relationship to the surrounding area, it is considered that the development would not have a detrimental impact on the amenity of any nearby residential occupiers, by way of overshadowing, overlooking or loss of privacy. In this respect, the proposal would accord with policy D1 of the Local Development Plan, the MDDG and the Government guidance contained within the NPPF.

5.5 Access, Parking and Highway Safety

- 5.5.1 Policy T2 of the LDP aims to create and maintain an accessible environment, requiring development proposal, inter alia, to sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.

- 5.5.2 The Council's adopted Vehicle Parking Standards SPD contains the parking standards which are expressed as maximum standards. This takes into account Government guidance which encourages the reduction in the reliance on the car and promotes methods of sustainable transport. The Council's Vehicle Parking Standards state that for four bedrooms or more dwellings, a maximum of three car parking spaces should be provided.
- 5.5.3 Based on the Site Layout Plan submitted, two car parking spaces will be provided in the form of the detached garage. Further off-street parking spaces would be provided within the front of the new build. It is considered that the car parking provision would meet policy requirement contained within policies T2 and D1 of the LDP.
- 5.5.4 With regard to the access point to the site, a letter of representation was received concerning the access point of the development and potentially could result in on-street parking which would result in obstruction to the existing occupiers at Church Corner. The Highway Authority has assessed the submission and raises no objection subject to conditions.

5.6 Private Amenity Space and Landscaping

- 5.6.1 With regard to the size of amenity spaces, the Council has adopted the Essex Design Guide (EDG) as guidance to support its policies in assessing applications for residential schemes. The EDG indicates that for three or more bedroom dwellings at least 100m² of amenity space would be required. This policy requirement is also reflected in Section C07 'Residential Outdoor Amenity' of the Maldon District Design Guide (MDDG). Policy D1 of the Local Development Plan indicates the need for amenity space in new development and that the spaces provided must be useable.
- 5.6.2 Based on the Site Layout Plan submitted, it shows that the garden area would be approximately 180m². As the garden size for the proposed dwelling would be in excess of 100m², the proposal would therefore meet the requirements contained within Policy D1 of the LDP, The EDG and the MDDG.

5.7 Other Material Considerations

- 5.7.1 The application site forms a part of the wider Nature Conservation Area (NCA) for the Warren Golf Club. The NCA was set up when planning permission was approved for the construction of 26 new timber holiday lodges (planning reference: 11/00953/FUL dated 13 September 2012). The purpose of the NCA was to be used for nature conservation management and ecological purposes for the site was also secured by a S106 legal agreement which was signed and dated on 31 July 2012. It is important to note that should the application be approved, a deed of variation would be required to amend the S106 legal agreement to exclude the piece of land where this dwellinghouse and garage will be sited upon.
- 5.7.2 The Coast and Countryside Officer has considered the proposal and as the site form a part of the NCA, the development is likely to impact on the Local Wildlife Site, contrary to policies N1 and N2 of the LDP.

- 5.7.3 The Planning Statement accompanying the application states that the site was a former minerals extraction site and as such should be treated as previously developed land, as it has not been restored. The Statement quotes, in part, the definition of PDL provided in the NPPF (2012). The full definition is as follows:

'Previously Developed Land (PDL): Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.'

- 5.7.4 Aerial photographs from 2000 show this site as being wooded and clearly outside the former working area of The Warren Pit. Similarly, aerial photographs from 2006 and 2014, and Google earth images from 2017 show the application site to be wooded and not a minerals extraction site. Therefore, the site is excluded from the definition of PDL, as it is *'land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.'* (NPPF 2012). If the application site was formerly used for mineral extractions then the site should be excluded as it would not the full definition of the PDL.

6. ANY RELEVANT SITE HISTORY

- **FUL/MAL/01/00120** - Use of gravel pit for recreational purposes (mountain boarding). Approved 24.05.2001.
- **FUL/MAL/02/00462** - Retention of planning permission ref: **FUL/MAL/01/00120** (use of gravel pit for recreational purposes (mountain boarding) without compliance with condition No. 1 to allow the use on a permanent basis). Approved 28.06.2002.
- **FUL/MAL/05/00798** - Change of use of disused gravel pit to site for 48 holiday lodges with formation of associated access tracks, landscaping and construction of central administrative and facilities building. Approved 25.01.2006.
- **FUL/MAL/07/01159** - Location of temporary show home for a six month period. Approved 29.11.2007.
- **FUL/MAL/11/00953** - Proposed addition of 26 new timber holiday lodges plus associated infrastructure within the existing Herbage Park Holiday Park. Approved: 13.09.2012.
- **FUL/MAL/15/00590** - Variation of condition 3 on approved planning permission **FUL/MAL/11/00953** (Proposed addition of 26 new timber holiday lodges plus associated infrastructure within the existing Herbage Park Holiday Park) Variation: holiday accommodation occupancy period. Variation of condition 2 on approved planning permission. Approved: 21.09.2015

- **FUL/MAL/05/00798** (Change of use of disused gravel pit to site for 48 holiday lodges with formation of associated access tracks, landscaping and construction of central administrative and facilities building) Variation: holiday accommodation occupancy period. Approved: 21.09.2015.
- **FUL/MAL/16/01373** - 28 new holiday lodges with associated infrastructure and access. Approved: 08.03.2017

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

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

| Name of Parish / Town Council | Comment | Officer Response |
|--------------------------------------|---|--|
| Woodham Walter Parish Council | <p>The DAS is inaccurate</p> <p>No mention of a bank or changes in site level</p> <p>The development will be significant and detrimental to the area contrary to the WWVDS</p> <p>The access point is not on the opposite side of 10 and 11 Herbage Park Road</p> | <p>The inaccuracy of the DAS has been highlighted to the Applicant on several occasions and should have been amended to reflect the current development proposal</p> <p>The site level rises from the highway and is not mentioned in Applicant's DAS. Should the application be approved, a condition would be imposed to ensure that the site gradient has been taken into account</p> <p>The WWVDS has been referred to in the officer report</p> <p>The access point to the application site is diagonally opposite No. 7 Herbage Park Road, not directly in front of the property</p> |

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 | Noted in the officer report |

7.3 Internal Consultees (*summarised*)

| Name of Internal Consultee | Comment | Officer Response |
|-----------------------------------|---|---|
| Environmental Health Services | No objection subject to conditions relating to surface water drainage, foul drainage and informative to be imposed | Noted. The surface water drainage and foul drainage details can be submitted and approved by the Council should the application be approved |
| The Coast and Countryside Officer | Object as the proposal is contrary to policies I1, N1, N2 and S8 | Noted in the officer report |
| Tree Officer | The tree report has adequately assessed the quality and impact of the proposal in relation to the trees. Landscaping to be submitted to compensate for the loss of trees. | Noted and will be conditioned should the application be approved. |
| Planning Policy Team | Object. Site is outside the development boundary contrary to policies S1 and S8 of the LDP. Also not Previously Developed Land | Noted in the officer report under Other Considerations. |

7.4 Representations received from Interested Parties (*summarised*)

- 7.4.1 4 letters were received **objecting** to the application and the reasons for objection are summarised as set out in the table below:

| Objection Comment | Officer Response |
|---|---|
| The application is a lie as the plans originally show 4 dwellings. | Noted. The Site Layout Plan (Drawing No: 16.3872/P201 Revision B dated 12 January 2018) shows one dwelling and garage, and has been assessed with one residential unit on this plot, not 4 dwellings on site. |
| The road is narrow and site access would be dangerous / Parking will be an issue. | |
| Impact on wildlife / woodland. | With regard to parking and access point, the Highway Authority has considered this and raises no objection to the proposal. |
| Increase in crime. | |
| Loss of view. | The impact on wildlife / woodland has been addressed in Section 5.7 of the officer report. |
| Devaluing properties. | |
| The property would result in loss of privacy to The Grange. | Loss of view / devaluing properties / financial gain are not material planning |
| Financial gain and will not benefit the | |

| Objection Comment | Officer Response |
|---|---|
| village. | considerations. |
| Lack of local amenities. | In terms of increase in crime, there is no evidence that the construction of one dwelling would contribute to the level of crime to the area and therefore would be unreasonable for the Council to refuse the application for this reason. |
| The proposal would set a precedent for further development. | |
| Shortage of starter / affordable homes. | The proposal would not set a precedent for further development as each case is considered on its own merits and determined against Development Plan Policies. |
| Noise and disturbance could go on for months. | With regard to the shortage of starter / affordable homes, this is addressed in Section 5.2 of the officer report. |
| | Noise and disturbance can be controlled by planning conditions should the application be approved. |

8. **REASON FOR REFUSAL**

Policies S1 and S8 of the Maldon District LDP seek to provide control over new buildings in rural areas that are beyond defined settlement boundaries, to ensure that new residential developments are directed to appropriate and sustainable locations and that the countryside is protected for its landscape value as well as its intrinsic character and beauty. The application site is in a rural location outside of the defined settlement boundary for Purleigh where policies of restraint apply. The Council can demonstrate a five year housing land supply to accord with the requirements of the NPPF. The site has not been identified by the Council for development to meet future needs for the District and does not fall within either a Garden Suburb or Strategic Allocation for growth identified within the LDP to meet the objectively assessed needs for housing in the District. The development of this site does not therefore constitute sustainable development. In addition, as far as can be assessed given the absence of complete and adequate plans, the proposed development would be an unwelcome visual intrusion into an undeveloped part of the countryside, resulting in an urbanisation of the site to the detriment of the character and appearance of the rural area. The application site is currently free from any built form of development which has a wholly rural and tranquil feel and makes a positive contribution to the character and appearance of the area. The proposal, if approved, would represent an unacceptable threat to biodiversity and would be detrimental to local wildlife interests in the area. As such, the proposal would be contrary to policies D1, S1, S2, S8, H4 and N2 of the Maldon District LDP, the MDDG, WWVDS (endorsed) and the core planning principles and guidance contained in the NPPF.

INFORMATIVE

The Applicant is advised that any future planning applications for this site should be accompanied with full plans.