

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

**to
NORTH WESTERN AREA PLANNING COMMITTEE
06 AUGUST 2018**

Application Number	FUL/MAL/18/00674
Location	Observation Tower Mell Road Tollesbury Essex
Proposal	Single storey extension to the Observation Tower at Mell Farm for holiday accommodation, and the retention of existing small scale school visit use of the original tower
Applicant	Mr & Mrs Andrew St Joseph
Agent	Miss Elizabeth Thorogood - Whirledge And Nott
Target Decision Date	31 July 2018 - EOT: 7 August 2018
Case Officer	Yee Cheung
Parish	Tollesbury
Reason for Referral to the Committee / Council	Councillor / Member of Staff

1. RECOMMENDATION

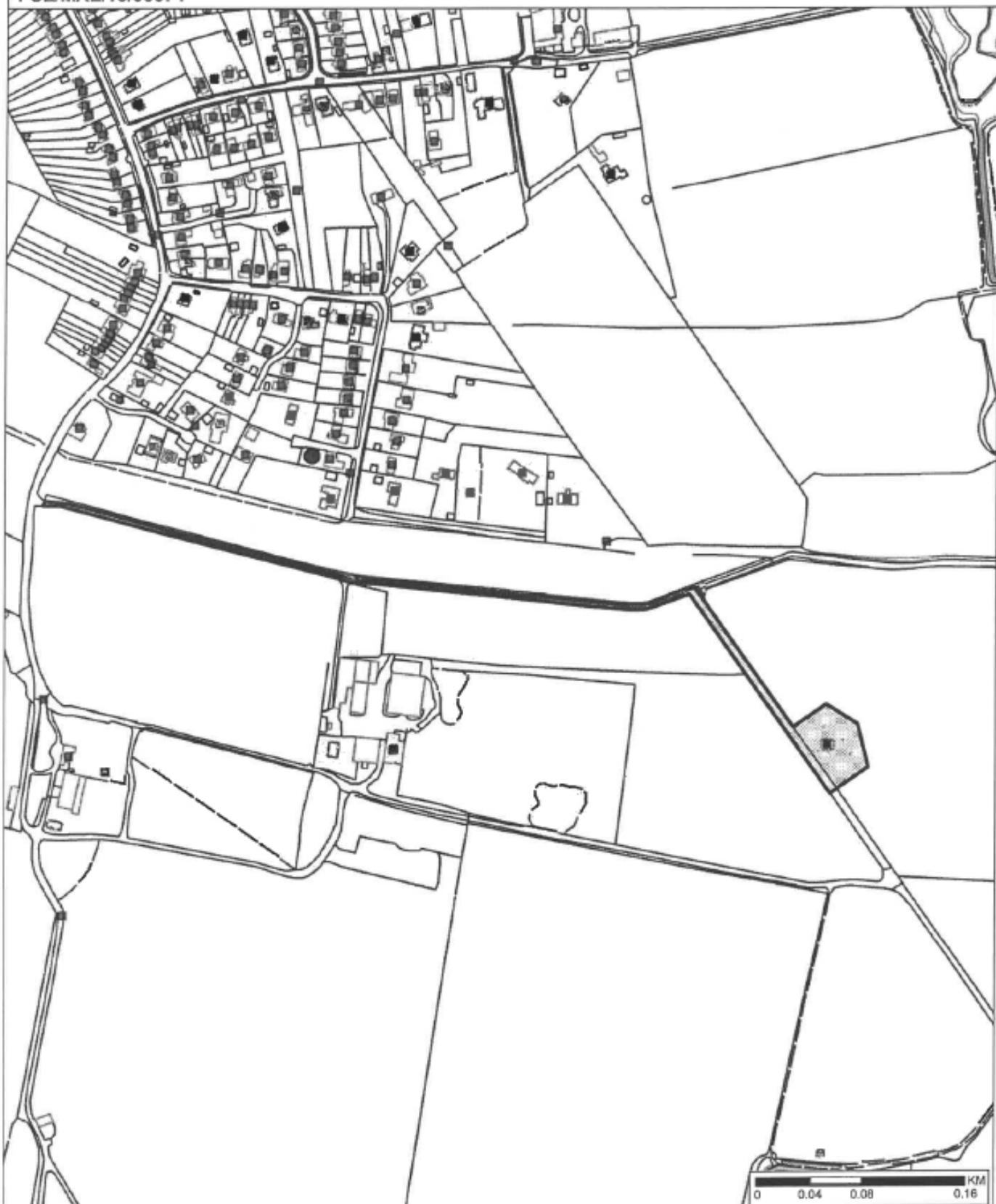
APPROVE subject to the conditions (as detailed in Section 8 of this report).

2. SITE MAP

Please see overleaf.

Observation Tower, Mell Road, Tollesbury

FUL/MAL/18/00674



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Maldon District Council 100018588 2014

Scale: 1:4,000

Organisation: Maldon District Council

Department: Department

Comments: NW Committee 18/00674/FUL

Date: 24/07/2018

www.maldon.gov.uk

MSA Number: 100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is located outside the settlement of Tollesbury and is occupied by a six-sided WWII observation tower within the Mell Farm complex. The tower is sited on agricultural land to the east of an old railway track and overlooks the Tollesbury Marshes.
- 3.1.2 The building is constructed using facing brick and has a flat roof. It comprises of three floors and is structurally sound. Based on the Planning Statement submitted, it is understood that the tower was used for minor agricultural storage but is now used for school visits on an ad hoc basis by the children at the local Tollesbury Primary School no more than 10 times per year. Planning permission is sought to use the observation tower, primarily the second floor, for educational use / outdoor learning only.
- 3.1.3 The proposal also includes a single-storey extension to the east side of the tower to be used as holiday accommodation. The six-sided single storey extension to the tower would replicate the shape of the existing WWII observation tower. It would be approximately 2.9 metres in height with a flat (roof excluding the height of the glazed lantern). Each of the six sides would be approximately 4.8 metres in length. The span of the building would be approximately 8.3 metres. It will comprise of a bedroom with en-suite, a sitting out / dining area, small kitchen. A door opening will be created between the extension and the secondary lobby area where it accesses an existing W.C (wheelchair accessible). An existing window at ground floor currently serving the W.C (wheelchair accessible) will be repositioned from the north east elevation to the east elevation.
- 3.1.4 It is proposed that the single-storey extension would be constructed using external materials such as facing brickwork for the plinth and vertical timber cladding for the walls. The doors and window frames would be powder metal coated in grey colour.
- 3.1.5 There will be a patio area of approximately 2 metre in depth located south east of the single-storey extension.
- 3.1.6 Access to the site is via Mell Farm and along an existing agricultural farm track and then onto a disused railway track which is grassed over. A parking area for two vehicles is proposed next to the entrance to the tower.

3.2 Conclusion

- 3.2.1 It is concluded that on planning balance, the proposal to use the existing WWII observation tower for educational purposes and to construct a single-storey accommodation to the side of the tower for a holiday let would support the rural economy in terms of rural tourism and leisure development that benefit businesses in rural areas, local communities and visitors. The proposal would meet the requirement as set out at paragraph 83 of the NPPF where it supports the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural areas. The proposal would accord with policies S1,

S8, D1, E5 of the Maldon District Local Development Plan (LDP) and Government advice contained within the 2018 National Planning Policy Framework (NPPF).

4. MAIN RELEVANT POLICIES

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

4.1 National Planning Policy Framework July 2018 including paragraphs:

- 11 Presumption in favour of sustainable development
- 38 Decision-making
- 47-50 Determining applications
- 83-84 Supporting a prosperous rural economy
- 124-132 Achieving well-designed places
- 197 Non-designated heritage assets.

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

- S1 Sustainable Development
- S7 Prosperous Rural Communities
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D2 Climate Change & Environmental Impact of New Development
- D3 Conservation and Heritage Asset
- E5 Tourism
- T1 Sustainable Transport
- T2 Accessibility
- N2 Natural Environment and Biodiversity

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Guidance (NPPG)
- National Planning Policy Framework (NPPF)
- Car Parking Standards
- Maldon District Design Guide (MDDG)

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 LDP, as approved, has been produced in light of the former NPPF's emphasis on sustainable development and Policy S1 promotes the principles of sustainable

development encompassing the three dimensions identified in both the former and new version of the NPPF. Within the NPPF there is a presumption in favour of sustainable development (the ‘presumption’) which is central to the policy approach in the Framework, as it sets out the Government’s changes to the planning system and emphasizes the need to plan positively for appropriate new development.

- 5.1.3 It is necessary to assess whether the proposed development is ‘sustainable development’ with regard to three dimensions defined in the NPPF, which are an economic, social and environmental role. If the site is considered sustainable then the NPPF’s ‘presumption in favour of sustainable development’ applies.
- 5.1.4 Paragraphs 83 and 84 of the 2018 NPPF seeks to support a prosperous rural economy. This includes enabling *‘sustainable rural tourism and leisure developments which respect the character of the countryside’*. There is limited guidance contained in the NPPF on tourism, and the Good Practice Guide on Tourism, withdrawn on 7 March 2014, has now been replaced by the national guidance in the National Planning Practice Guidance where information is also limited but makes reference to the Visit England website for further guidance on tourism (Paragraph: 007 Reference ID: 2b-007-20140306 dated 06 03 2014).
- 5.1.5 Policy E5 of the LDP seeks to support tourism across the District providing there is a need, there are good connections to other tourist destinations, and there would be no significant impact upon amenity or the natural and historic environment. As part of the application submission, the Applicant has provided details in support of the proposal and has identified that there is a need for the provision proposed (Policy E5(1)). In the Planning Statement (Section 6.17) it states the East of England Tourism: Maldon District Tourism Strategy Research 2009 (which forms part of the evidence base for the new Local Plan) identifies the coast and marshes as one of the product strengths of the District, and goes on to identify the provision and quality of attractions / accommodation as a product weakness, stating that these areas are in need of improvement. This confirms that there is a need for good quality accommodation within the District and that the coast and marshes are popular destinations for visitors, making the Observation Tower at Mell Farm an ideal location for providing a high quality accommodation offer.
- 5.1.6 A Visit England research document: Self Catering accommodation (2014) sets out the market trends for self-catered accommodation and shows that the East of England is the second most popular region for these types of trips (Extract 1 below). Average annual growth in the self-catering sector is stronger than for England holidays as a whole (Extract 2 below), and outdoor activities account for the largest percentage of these types of trips. It is therefore considered that the holiday accommodation proposed at the tower would appeal to visitors to the area.

5.1.7 Extract 1 from Visit England: Self Catering Accommodation 2014

Region visited	% of trips taken by all trip takers	% of trips involving self-catering
West Midlands	7%	3%
East of England	9%	14%
East Midlands	7%	9%
London	8%	1%
North West	17%	13%
North East	4%	3%
South East	15%	8%
South West	23%	38%

5.1.8 Extract 2 from Visit England: Self Catering Accommodation 2014

The number of self-catered trips increased strongly in 2009, with 30% growth compared to 2008. Although the levels of yearly growth have varied since then, the average annual growth in the sector is stronger than for England holidays as a whole.																											
<table border="1"> <thead> <tr> <th>Number of domestic holidays Millions</th><th>Total England</th><th>Self-catering</th></tr> </thead> <tbody> <tr> <td>2008</td><td>39.75</td><td>4.69</td></tr> <tr> <td>2009</td><td>47.01</td><td>6.09</td></tr> <tr> <td>2010</td><td>43.54</td><td>5.90</td></tr> <tr> <td>2011</td><td>46.16</td><td>5.95</td></tr> <tr> <td>2012</td><td>45.99</td><td>6.11</td></tr> <tr> <td>2013</td><td>44.93</td><td>5.77</td></tr> <tr> <td>2014</td><td>40.74</td><td>5.79</td></tr> <tr> <td>Annual average growth 2008-2014</td><td>1%</td><td>4%</td></tr> </tbody> </table>	Number of domestic holidays Millions	Total England	Self-catering	2008	39.75	4.69	2009	47.01	6.09	2010	43.54	5.90	2011	46.16	5.95	2012	45.99	6.11	2013	44.93	5.77	2014	40.74	5.79	Annual average growth 2008-2014	1%	4%
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5.1.9 In addition to the above, the Applicant has been working closely with ‘Grove Cottages’, a Holiday Cottage Agency specialising in character / self-catering cottages in North Essex and South Suffolk. A letter dated June 2018 was submitted as part of the application from ‘Grove Cottages’ who supports of this project.

5.1.10 The application site is in close proximity of public footpaths. The network of footpaths allows visitors to have direct access to areas of environmental interests such as Tollesbury Wick marshes, Mill Farm marshes, Tollesbury Marina, and beyond. The observation tower, while not a listed building, is of considerable local historical interest. It is considered that by using the tower for educational purposes and tourism would attract visitors to the area and to help to secure the continued survival of the building. Further, the proposal would also ‘offer increased employment to a number of small local businesses both directly and indirectly, bringing additional revenue to small businesses in the District’.

5.1.11 The Economic Development has assessed the proposal and raises no objection as the development proposal would create an opportunity for additional income for both the farm business and neighbouring businesses by creating additional accommodation for visitors to the Maldon District in accordance with policy E5 of the LDP.

5.1.12 It is considered the above development proposal would support the rural economy in terms of rural tourism and leisure development that benefit businesses in rural areas,

local communities and visitors. Further, the proposal would meet the requirement as set out in the NPPF where it supports the provision and expansion of tourist and visitor facilities. The proposal would therefore accord with policy E5(1) of the LDP and Government guidance contained within the 2018 NPPF.

5.2 Design and Impact on the Character of the Area

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

5.2.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The 2018 NPPF states that:

“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account local design standards, style guides in plans or supplementary planning documents”.

5.2.3 This principle is also set out in the approved LDP. The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution in terms of:-

- a) Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;
- b) Height, size, scale, form, massing and proportion;
- c) Landscape setting, townscape setting and skylines;
- d) Layout, orientation, and density;
- e) Historic environment particularly in relation to designated and non-designated heritage assets;
- f) Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
- g) Energy and resource efficiency

5.2.4 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.

5.2.5 The proposal is to construct a six-sided single-storey extension to the north east elevation of the observation tower to be used as a holiday let. It is proposed that the extension would be constructed using modern materials such as vertical timber cladding and grey metal windows and doors. The juxtaposition between the old tower and the new build would allow the contemporary extension to be ‘read’ as a later addition, without detracting from or competing with the host structure. The footprint and the shape of the development references that of the tower and is considered proportionate without harming its integrity. It is considered that on balance, the proposal would cause negligible harm to the building and if approved would help secure the continued survival of the building. The Conservation Officer has assessed the application due to its local historic interest and has raised no objection to the proposal. It is therefore considered that the development would not conflict with paragraph 197 of the NPPF or policy D3 of the LDP.

5.2.6 With regard to the development and its impact on the character and appearance of the area, the proposal is single-storey extension with a flat roof and is approximately 2.9 metres in height excluding the height of the glazed lantern which will add approximately 0.2 metre to the total height of the development to 3.1 metres, it is not considered that the development would appear visually intrusive, prominent or unduly dominant when viewed against the backdrop of the rural landscape. Existing mature hedgerows and field trees also provides effective screening to the new development where only glimpse of it and the tower can be seen from afar. In this respect, it is not considered that the development proposal would result in significant harm to the character and appearance of the rural area to such a degree to warrant refusal of this application. Therefore the proposal would accord with policies S1 and D1 of the LDP where the policies seek to conserve and enhance the natural and built environment.

5.3 Impact on Residential Amenity

5.3.1 The basis of policy D1 of the LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight.

5.3.2 Besides the existing occupiers at Mell Farm, who are also the Applicant for this planning application, there are no immediate adjacent neighbours to be affected by the development by way of overbearing, overshadowing or overlooking. The nearest dwelling houses to this application site are Marsh Farm House and No. 63 Wycke Lane which are located approximately 250 and 260 metres away to the north east and north west of the tower. In this respect, the development would accord with policy D1 of the LDP.

5.4 Access, Parking and Highway Safety

5.4.1 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 surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.

- 5.4.2 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.
- 5.4.3 The single-storey extension to form the holiday accommodation would have one bedroom only. Based on the Block Plan submitted it shows two parking spaces are being provided at the entrance to the tower. This provision exceeds the Vehicle Parking Standards by one space.
- 5.4.4 Access to the site would be via an entrance farm gate along Mell Road. This existing access is used for the transport of livestock. Vehicles would need permission from the Applicant to enter the agricultural track. Approximately 500 metres into the track, visitors would need to turn into another track (a disused railway line) for another 200 metres before reaching the observation tower. While the access track appears narrow on plan, there is sufficient space for vehicles to turn outside the designated access track without impacting on highway safety as the track does not allow any free flow traffic through the site.
- 5.4.5 Having considered the modest size of the development, its location, and how it would be managed by the Applicant i.e. booking the holiday accommodation in advance, it is not considered that the proposal would generate significant pedestrian or vehicular movement to and from the application site to justify refusal.
- 5.4.6 With regard to the educational use of the observation tower, it has been confirmed in an email correspondence dated 19 July 2018 that the school children (approximately 20-30 pupils at a time) from the local primary school will travel to the tower on foot. As such, there will be no vehicular movements (i.e. mini buses) or additional parking spaces required for the development proposal.
- 5.4.7 The Highway Authority has been consulted and raises no objection to the proposal.

5.5 Private Amenity Space and Landscaping

- 5.5.1 Policy D1 of the LDP requires all development to provide sufficient and usable private and public amenity spaces, green infrastructure and public open spaces.
- 5.5.2 The single-storey extension to the observation tower would not affect any private amenity space as the proposed use is a holiday let and not for permanent occupation. As such, the provision of a private amenity space would not be necessary for this type of development. In terms of landscaping, it is noted on site that soft landscaping / young planting has been introduced around the perimeter of the application site. The submitted plans show the area of hard landscaping such as the patio area and car parking area but do not show any soft landscaping within or around the site. Therefore is not considered unreasonable to impose a condition for a scheme of soft landscaping to be submitted to and approved by the Council should the application be approved.

5.6 Other Material Considerations

5.6.1 While the observation tower is not a listed building, the Conservation Officer was consulted due to its local historic interest as it is an important survival of the network of WWII coastal defences. It was advised that the observation tower should be regarded as a non-designated heritage asset for the purposes of Paragraph 197 of the NPPF.

5.6.2 The Essex Historic Environment Record (EHER) has assessed the application and advised that the proposed extension will impact on the World War II Naval Watchtower. The six-sided, brick-built tower stands by the former route of the railway line to Tollesbury Pier (EHER: 45184) and the River Blackwater approximately half a mile to the S.E. The tower was built in the 1940s and was a Naval Watchtower used as a control centre for mines in the River Blackwater and its environs (EHER 10726). The tower also contained maritime Radio Direction Finding equipment, later called radar. This would monitor the approaches to the estuary for enemy shipping. An aerial on the third storey would have turned originally by hand. Around the tower there are a number of head-high brick walls, abutting the tower, giving open enclosures. These may have been for housing fuel or stores. It is clear that the tower has been altered in a number of ways, either during or after World War II. It is not known whether there were further structures associated with either the watchtower or the railway. It is possible therefore that the proposed development will impact on archaeological deposits and finds, these are both fragile and finite in nature. EHER has recommended that if this proposal is approved that a full archaeological condition is attached to the planning consent. This would accord with policy D3 of the LDP and in line with advice contained at paragraph 197 of the NPPF.

5.6.3 With regard to surface water and foul drainage, the Environmental Health Services has raised no objection subject to conditions to be imposed should the application be approved. A surface water drainage condition would be reasonable as the site is in close proximity to important marshes. The case officer does not consider that a foul drainage scheme would be necessary for this site as the principle tower already has two W.C. at ground floor and it is likely that the drainage from the en-suite would be connected to the same system.

6. ANY RELEVANT SITE HISTORY

6.1 No relevant planning history for this site.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Tollesbury Parish Council	Recommend Approval of this application	Noted

7.2 Statutory Consultees and Other Organisations (*summarised*)

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Emergency Planner	Not in a Flood Zone. No comment to make on this application	Noted
Environment Agency	No reply at the time of writing this report	Any comments received will be reported on the Members Update
Highway Authority	No objection	Noted in the officer report
Natural England (NE)	NE has no comments to make on this application.	Noted

7.3 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Economic Development	No objection to this proposal as it will create an opportunity for additional income for both the farm business and neighbouring businesses by creating additional accommodation for visitors to the District.	Noted in the officer report
Conservation Officer	The proposal does not conflict with policy D3 of the LDP. No objection subject to conditions requiring archaeological building recording and agreement of materials prior to commencement.	Noted in the officer report
Environmental Health Services	<p>In the Flood Zone. Environment Agency (EA) should be consulted.</p> <p>No objection subject to conditions regarding to surface water and foul drainage to be imposed should the application be approved</p>	<p>EA has been consulted but no reply has been received at the time of writing this report. Any comments received will be reported on the Members Update. Irrespective of this, the Emergency Planner has confirmed that the site is not in the Flood Zone.</p> <p>Surface water and foul drainage has been noted in the officer report</p>

7.4 Representations received from Interested Parties (*summarised*)

7.4.1 Two letter of representation were received **in support** of the application and the reasons for support are summarised as set out in the table below:

Supporting Comment	Officer Response
The proposed development is in keeping with the locality; would make a contribution to and enhance the leisure economy; and that environmental and other risks are low	Noted in the officer report
The tower is a valuable asset as it supports outdoor learning an inside space for teaching and shelter as well as toilet/washing facilities.	

8. PROPOSED CONDITIONS

- 1 The development hereby permitted shall begin no later than three years from the date of this decision.
REASON: To comply with Section 91(1) of The Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development shall be carried out in accordance with the following approved plans and documents: Location Plan; Site Plan; ST.JOSEPH/04/01; ST.JOSEPH/04/02; ST.JOSEPH/04/03; and ST.JOSEPH/04/04.
REASON: For the avoidance of doubt as to the extent of this permission.
- 3 No development shall take place until samples of the facing material to be used have been submitted to and approved in writing by the local planning authority. The works must then be carried out in accordance with the approved details.
REASON: To ensure that the external materials to be used in the development are acceptable in accordance with Policy D1 of the Maldon District LDP and Government advice contained in the NPPF.
- 4 No development shall take place until full details of both hard and soft landscape works to be carried out have been submitted to and approved in writing by the local planning authority. These details shall include the layout of the hard landscaped areas with the materials and finishes to be used and details of the soft landscape works including schedules of shrubs and trees to be planted, noting the species, stock size, proposed numbers/densities and details of the planting scheme's implementation, aftercare and maintenance programme. The hard landscape works shall be carried out as approved prior to the beneficial occupation of the development hereby approved unless otherwise first agreed in writing by the local planning authority. The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development, unless otherwise first agreed in writing by the local planning authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the local planning authority gives its written

consent to any variation.

REASON: To ensure the soft and hard landscaping are appropriate and to protect the visual amenity of the area in accordance with Policies S1 and D1 of the Maldon District LDP and Government advice as contained in the NPPF.

5 Details of the siting, height, design and materials of the treatment of all boundaries including gates, fences, walls, railings and piers shall be submitted to and approved in writing by the local planning authority. The boundary treatment as approved shall be constructed prior to the first use/occupation of the development to which it relates and be retained as such thereafter.

REASON: To ensure the details of the boundary treatment are appropriate and to protect the visual amenity of the area in accordance with Policies S1 and D1 of the Maldon District LDP and Government advice as contained in the NPPF.

6 Prior to the commencement of the development 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.

REASON: To prevent the undue contamination of the site in accordance with Policy D2 of the Maldon District LDP.

7 No development including any site clearance or groundworks of any kind shall take place within the site until the applicant or their agents; the owner of the site or successors in title has submitted an archaeological assessment by an accredited archaeological consultant to establish the archaeological significance of the site. Such archaeological assessment shall be approved by the local planning authority and will inform the implementation of a programme of archaeological work. The development shall be carried out in a manner that accommodates such approved programme of archaeological work.

REASON: To protect the site which is of archaeological interest in accordance with Policy D3 of the Maldon District LDP and Government advice contained in the NPPF

8 No development including any site clearance or groundworks of any kind shall take place within the site until the applicant or their agents; the owner of the site or successors in title has secured the implementation of a programme of archaeological work from an accredited archaeological contractor in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The development shall be carried out in a manner that accommodates the approved programme of archaeological work.

REASON: To protect the site which is of archaeological interest in accordance with Policy D3 of the Maldon District LDP and Government advice contained in the NPPF

9 The accommodation within the extension of the building hereby approved shall be occupied solely as holiday accommodation and shall not be occupied as a person's sole or main place of residence and shall not be occupied by the same person or persons for more than 28 days at a time within any six week period.

REASON: To ensure the use of the site is appropriate to the locality in this rural area and to prevent permanent residential occupation of the holiday let having regard to the guidance and provisions of the NPPF, and policies S1, S7, S8, D1 and E5 of the Maldon District LDP.

10 The owners/operators shall maintain an up to date register of the names of all persons who stay within the approved holiday accommodation on the site, the duration of their stay, and an indication of their main home addresses by way of road name and town, and shall make this information available at all reasonable times to the local planning authority.

REASON: To ensure the use of the site is appropriate to the locality in this rural area

and to prevent permanent residential occupation of the holiday let having regard to the guidance and provisions of the NPPF, and policies S1, S7, S8, D1 and E5 of the Maldon District LDP.

11 The observation tower shall only be used for ten functions per year for educational purposes in accordance with the submitted supporting Planning Statement prepared by Whirledge And Nott.

REASON To limit the number and noise of vehicle and pedestrian movements and in the interests of protecting the rural area in accordance with policies D1, T2 and N2 of the Maldon District LDP and Government advice contained within the NPPF.

INFORMATIVES

Health and Safety

The Applicant is advised to consult Environment Services on any requirements we may have regarding Health & Safety matters at the premises.

Waste Management

The Applicant should consult the Waste and Street Scene Team at Maldon District Council to ensure that adequate and suitable facilities for the storage and collection of domestic waste and recyclables are agreed, and that the site road is constructed to accommodate the size and weight of the Council's collection vehicles.

Construction

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

- 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 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.