



**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

to
**SOUTH EASTERN AREA PLANNING COMMITTEE
7 OCTOBER 2019**

Application Number	FUL/MAL/19/00782
Location	Bacons Cottages, Glebe Lane, Dengie
Proposal	Construction of annex for occupation by family members
Applicant	Mr & Mrs Maddocks
Agent	TMA Chartered Surveyors
Target Decision Date	09.10.2019
Case Officer	Louise Staplehurst
Parish	DENGIE
Reason for Referral to the Committee / Council	Member Call In – Councillor R P F Dewick Reason: Scale and bulk and public interest

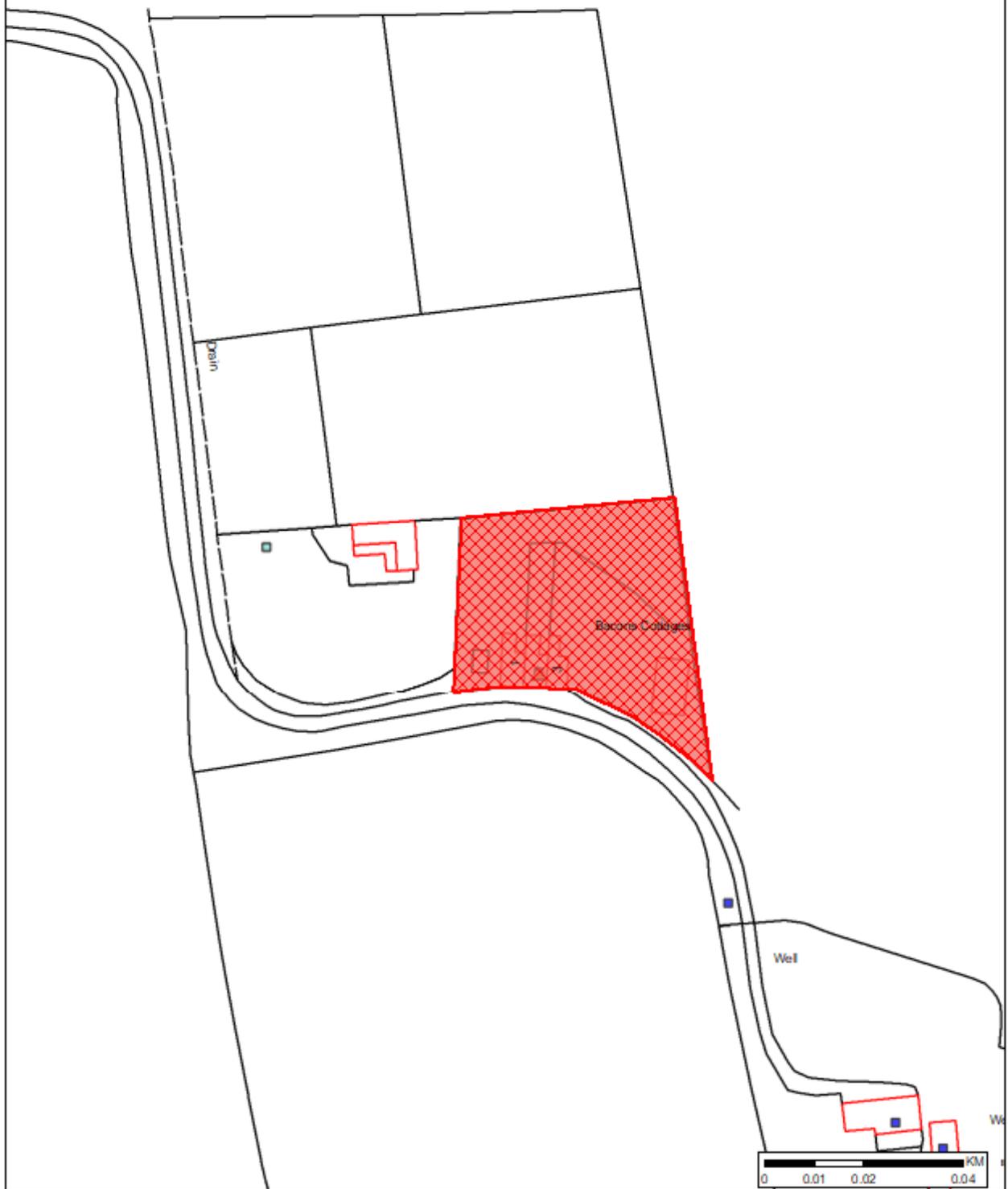
1. RECOMMENDATION

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

2. SITE MAP

Please see overleaf.

19/00782/FUL
Bacons Cottages



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	Organisation: Maldon District Council
	Department: Department
	Comments: South East Area Committee
	Date: 11/09/2019
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3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is located on the north side of Glebe Lane, outside of any defined settlement boundary. The dwelling on the site is a grade II listed building and is situated towards the south boundary of the site, adjacent to the road. Bacons Cottages were built in the mid/late 19th century as a row of three, two-storey timber-framed and weather boarded cottages; however, they have been converted into one dwelling. A detached brick outbuilding is located to the west of the cottages, with a recent cart lodge addition to the east of the site. The site is within an isolated rural location, with no immediate neighbours.
- 3.1.2 The application seeks permission for an outbuilding to be used as an annex by family members of the occupants of the main dwelling.
- 3.1.3 The development will be of a staggered design. In total, it will measure 16 metres wide, 8.1 metres deep, 2.5 metres high to the eaves and 4.4 metres high overall. The building will be formed of three parts. The northern-most section will measure 6 metres wide and 6 metres deep, the whole building will then step in 1 metre to the east, with the second section measuring 6 metres deep and 5 metres wide; the building steps in again by 1 metre to the east with the third section measuring 6 metres deep and 5 metres wide. There will be a covered porch over the front door measuring 2.9 metres wide and 1 metre deep.
- 3.1.4 In terms of materials, the walls will be made of timber weatherboarding to match the existing car port, the roof will use slate tiles, the windows will be double glazed and made of timber and the doors will be timber and glazed.
- 3.1.5 The development will have one bedroom with an en-suite, a wet room, a sitting room and a kitchen/dining room. The supporting statement states that the occupiers of the development will rely on the main dwelling for clothes washing facilities.
- 3.1.6 A supporting statement has been submitted with the application justifying the need for the development and setting out the current family situation and why the development is the most suitable option.

3.2 Conclusion

- 3.2.1 It is considered that, due to the level of accommodation proposed within the development, its location within the site and that it will be occupied independently to the main dwelling, it is not considered to be an ancillary building and therefore the proposal is considered to relate to a new dwelling rather than annex accommodation. It is therefore considered that, due to the location of the proposal outside of the defined settlement boundaries, the proposed development would substantially alter the character of the area and have an unacceptable visual impact on the countryside through the urbanisation and domestication of the site, representing the sprawl of built form outside of a defined settlement boundary. Furthermore, the site would be disconnected from any existing settlement and by reason of its location, it would provide poor quality and limited access to sustainable and public transportation and would have limited access to services and facilities, to the detriment of the future

occupiers of the dwelling. The development would therefore be unacceptable and contrary to policies S1, S8, D1, H4 and T2 of the Maldon District Local Development Plan (MDLDP) (2017) and Government advice contained within the National Planning Policy Framework (NPPF) (2019).

4. MAIN RELEVANT POLICIES

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

4.1 National Planning Policy Framework 2019 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
- 54-57 Planning conditions and obligations
- 59-79 Delivering a sufficient supply of homes
- 102-111 Promoting sustainable transport
- 117-118 Making effective use of land
- 124-132 Achieving well-designed places
- 170-183 Conserving and enhancing the natural environment
- 184-202 Conserving and enhancing the historic environment

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

- S1 Sustainable Development
- S8 Settlement Boundaries and Countryside
- D1 Design Quality and Built Environment
- D3 Conservation and Heritage Assets
- H2 Housing Mix
- H4 Effective Use of Land
- T1 Sustainable Transport
- T2 Accessibility
- N2 Natural Environment and Biodiversity

4.3 Relevant Planning Guidance / Documents:

- Planning Practice Guidance (PPG)
- Maldon District Design Guide SPD
- Maldon District Vehicle Parking Standards SPD

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The proposal relates to the provision of annex accommodation in a detached outbuilding to the north east of the dwelling on the site, which would include one bedroom with an en-suite, a wet room, a sitting room and a kitchen/dining room. There would be no clothes washing facilities within the annex and therefore the occupiers of the annex would rely on the main dwelling for this.
- 5.1.2 It is a conventional expectation that annex accommodation will be ancillary to the host dwelling and good practice for the accommodation to have a functional link, shared services, amenities and facilities and for there to be a level of dependence on the occupants of the host dwelling by the occupants of the annex.
- 5.1.3 The proposed development would be located 20.2 metres from the host dwelling. Due to this distance, this is considered to erase any visual link between the dwelling and the proposed development. This is further exacerbated by the fact the dwelling and the development would be separated by a row of trees and therefore this creates a physical separation between the two. Therefore, the physical separation gives the sense of two separate curtilages. Whilst it is noted that it would be located within the residential curtilage of the site, the site has an open frontage and therefore it is considered that a subdivision of the site could occur.
- 5.1.4 Given that the development is separate to the main dwelling, concerns are raised in relation to the creation of a separate planning unit; this is exacerbated by the level of accommodation proposed which is considered to go beyond satisfying the functional needs of the occupier of an annex and the proposal could represent a self-contained unit of accommodation. The presence of primary accommodation within the proposed development does not necessarily mean that it would not be occupied as ancillary to the main dwelling, however due to the concerns raised in relation to the siting of the development and the possible separation between the main dwelling and the proposed development, it is not considered that it has been sufficiently demonstrated that it would be used ancillary to the host dwelling. The supporting evidence submitted with the application states that it would be occupied by the elderly parents of the occupiers of the main dwelling and that the only link between the annex and the main dwelling would be for clothes washing facilities and therefore it is considered that there would be a very limited relationship between the annex and the main dwelling in a functional way. It therefore appears that the development will be occupied independently of the main dwelling and therefore, it cannot be considered as an annex. The statement considers that the potential occupiers wish to maintain their independence as much as possible, with support only needed when their health eventually deteriorates. This indicates that the provision of accommodation is more for the convenience of the occupiers of the main dwelling rather than significant need benefiting the potential occupiers of the proposed development, which therefore supports the concern regarding the creation of a separate planning unit.
- 5.1.5 Having regard to the above, it is not considered that the proposal relates to a building that would be used ancillary to the existing dwelling on the site, due to its location, level of accommodation and that it would be occupied independently to the main

dwelling and therefore it is considered that the proposal relates to a new dwelling and the application will therefore be assessed as such.

- 5.1.6 Policies S1, S2 and S8 of the approved MDLDP seeks to support sustainable development within the defined settlement boundaries. This is to ensure that the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. It is clearly stated that outside of the defined settlement boundaries, Garden Suburbs and Strategic Allocations, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon.
- 5.1.7 Policy S8 of the LDP indicates that outside defined settlements housing will not normally be allowed and that the landscape will be protected for its own sake. The site is outside the development boundary and is in the countryside for purposes of the application of planning policy. As such the proposal is in conflict with the approved policies. Policy S8 also includes a list of acceptable forms of development within the countryside which does not include new market dwellings.
- 5.1.8 The abovementioned policies are in compliance with the NPPF which, in order to promote sustainable development in rural areas, suggests that housing should be located where it will enhance or maintain the rural communities, such as small settlements. It is also stated that local authorities should avoid new isolated residential developments in the countryside, unless special circumstances indicate otherwise.
- 5.1.9 There are three dimensions to sustainable development as defined in the NPPF. These are the economic, social and environmental roles. This is carried through to local policies via policy S1 of the LDP which emphasises the need for sustainable development.
- 5.1.10 In economic terms, it is reasonable to assume that there may be some support for local trade from the development. This would however be extremely limited given the scale of the proposal of one dwelling. Equally, there is no guarantee that the limited construction works required for this development would be undertaken by local businesses, the economic benefits of the proposal are therefore considered minor.
- 5.1.11 In social terms, Dengie is identified as an 'Other Village' which is described as a rural village with no defined settlement boundary. It has no immediate access to public transport, employment opportunities, retail or education facilities. It is therefore considered to be located within an unsustainable location in this regard.
- 5.1.12 The environmental strand of sustainability will be assessed in the report below.
- 5.1.13 On the basis of the information provided, the proposal would not fall within any of the categories listed within policy S8 and is considered to be situated within an unsustainable location. It is therefore considered that the principle of development would be unacceptable unless material considerations outweigh this presumption.

5.2 Housing Need

- 5.2.1 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 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 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. The proposed dwelling will not make a significant contribution to the District's Housing Need, but it will result in the contribution of one dwelling. However, it is not considered that the provision of one residential unit would contribute substantially enough to the District's housing need as to justify residential development within the countryside.
- 5.2.2 In addition to the above, the Council has an up-to-date development plan which will generally deliver the housing required. As part of its Five-Year Housing Land Supply Statement, the Council has published information on its potential housing supply (5 year supply of housing plus an additional 5% buffer as required by the NPPF). The statement provided evidence that the Council is able to demonstrate a housing land supply in excess of five years against its adopted targets and therefore, meets the requirements of the NPPF in terms of housing delivery. Thus, the authority is able to meet its housing need targets without recourse to allowing development which would otherwise be unacceptable.

5.3 Design and Impact on the Character of the Area

- 5.3.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high-quality built environment for all types of development.
- 5.3.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The 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 any local design standards or style guides in plans or supplementary planning documents”.*
- 5.3.3 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.

5.3.4 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG (2017).

5.3.5 The 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.

5.3.6 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to pay special attention to desirability of preserving or enhancing the character or appearance of the conservation area. Similarly, policy D3 of the approved MDLDP states that development proposals that affect a heritage asset must preserve or enhance its special character, appearance, setting and any features and fabric of architectural or historic interest. Where a proposed development would cause less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal, including securing its optimum viable use.

5.3.7 The proposal would result in a form of residential intensification by creating a detached dwelling within the grounds of Bacons Cottages, which would be visible from Glebe Lane. The proposed dwelling would be located 20.2 metres northeast of the existing dwelling on the site and there are no other immediate neighbouring properties. Whilst it is noted there are other buildings within the land owned by the occupiers of Bacons Cottages, these are buildings used in relation to the dwelling of Bacons Cottage, consisting of a cart lodge, outbuilding and stables and therefore they are not considered to have the same visual impact as the erection of a dwelling. The proposed development would cause material harm to the character and openness of the countryside by resulting the domestication and urbanisation of the site and the sprawl of built form beyond the settlement boundary. The intrinsic character of the countryside is that it should be open and free from unnecessary development. Erecting a dwelling in this location would therefore erode the character and appearance of the site and represent the intrusion of residential development into the site. The erection of a dwelling would therefore cause the sprawl of development and would be visible from Glebe Lane to the south and as such it is considered that the

dwelling would have a visual impact on the countryside that is contrary to the policies of the LDP.

- 5.3.8 Notwithstanding the concerns regarding the location of the proposed development, its overall design, fenestration and use of materials could be found acceptable when viewed in isolation.
- 5.3.9 Whilst it is noted that the Council's Conservation Officer has not objected and that the proposal would not cause significant harm to the listed building, this is not considered to outweigh the harm identified above.

5.4 Impact on Residential Amenity

- 5.4.1 The basis of policy D1 of the approved LDP seeks to ensure that the development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the MDDG (2017).
- 5.4.2 The proposed dwelling would be located over 20 metres from the existing dwelling on the application site, with a row of trees in between. Whilst it cannot always be ensured that these trees will remain, due to the separation distance and the proposed dwelling being single storey, it is not considered that it would have a significant impact in terms of a loss of light or a loss of privacy to the existing dwelling.
- 5.4.3 There are no other immediate neighbouring dwellings and therefore there are no concerns in relation to the impact on the residential amenity of neighbouring sites.
- 5.4.4 It is considered that the future occupiers of the proposed dwelling would have acceptable living conditions and would not be overlooked or overshadowed by the existing dwelling on the site, due to the separation distance of over 20 metres.

5.5 Access, Parking and Highway Safety

- 5.5.1 Policy T2 aims to create and maintain an accessible environment, requiring development proposals, inter alia, to provide sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.
- 5.5.2 The Council's adopted Vehicle Parking Standards SPD contains the parking standards which are expressed as minimum standards. This takes into account Government guidance which recognises that car usage will not be reduced by arbitrarily restricting off street parking spaces. Therefore, whilst the Council maintains an emphasis of promoting sustainable modes of transport and widening the choice, it is recognised that the Maldon District is predominantly rural in nature and there is a higher than average car ownership. Therefore, the minimum parking standards seek to reduce the negative impact unplanned on-street parking can have on the townscape and safety and take into account the availability of public transport and residents' reliance on the car for accessing, employment, everyday services and leisure. The key objectives of

the standards are to help create functional developments, whilst maximising opportunities for use of sustainable modes of transport. This will enable people to sustainably and easily carry out their daily travel requirements without an unacceptable detrimental impact on the local road network, or the visual appearance of the development, from excessive and inconsiderate on street parking.

5.5.3 The existing site provides sufficient parking for at least three vehicles, for the existing dwelling and the additional bedrooms in the proposed dwelling. Therefore, there is no objection to the level of car parking provided.

5.5.4 There are no alterations proposed to the access of the site.

5.6 Private Amenity Space and Landscaping

5.6.1 Policy D1 of the approved LDP requires all development to provide sufficient and usable private and public amenity spaces, green infrastructure and public open spaces. In addition, the adopted MDDG SPD advises a suitable garden size for each type of dwellinghouse, namely 100m² of private amenity space for dwellings with three or more bedrooms, 50m² for smaller dwellings and 25 m² for flats.

5.6.2 The proposal would result in some loss of amenity space. However, there is sufficient private amenity space situated to the rear of the existing dwelling which is in excess of the required standards. Therefore, there is no objection in this regard.

5.7 Ecology and Impact on Designated Sites

5.7.1 Policy S1 includes a requirement to conserve and enhance the natural environment, by providing protection and increasing local biodiversity and geodiversity, and effective management of the District's green infrastructure network.

5.7.2 Policy D1 requires that, amongst other things, all development must respect and enhance the character and local context and make a positive contribution in terms of the natural environment particularly in relation to designated and non-designated sites of biodiversity/geodiversity value (criterion f).

5.7.3 Policy N1 states that open spaces and areas of significant biodiversity or historic interest will be protected. There will be a presumption against any development which may lead to the loss, degradation, fragmentation and/or isolation of existing or proposed green infrastructure.

5.7.4 Policy N2 states that, any development which could have an adverse impact on sites with designated features, priority habitats and/or protected or priority species, either individually or cumulatively, will require an assessment as required by the relevant legislation or national planning guidance. Where any potential adverse effects to the conservation value or biodiversity value of designated sites are identified, the proposal will not normally be permitted.

5.7.5 In terms of off-site impacts, Natural England have advised that this development falls within the 'Zone of Influence' (ZoI) for one or more of the European designated sites scoped into the emerging Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS). It is anticipated that, without mitigation, new

residential development in this area and of this scale is likely to have a significant effect on the sensitive interest features of these coastal European designated sites, through increased recreational pressure when considered ‘in combination’ with other plans and projects. The Essex Coast RAMS is a large-scale strategic project which involves a number of Essex authorities, including Maldon District Council (MDC), working together to mitigate the effects arising from new residential development. Once adopted, the RAMS will comprise a package of strategic measures to address such effects, which will be costed and funded through developer contributions. Natural England advise that Maldon District Council must undertake a Habitats Regulations Assessment (HRA) to secure any necessary mitigation and record this decision within the planning documentation.

- 5.7.6 Natural England has produced interim advice to ensure new residential development and any associated recreational disturbance impacts on European designated sites are compliant with the Habitats Regulations. The European designated sites within MDC are as follows: Essex Estuaries Special Area of Conservation (SAC), Blackwater Estuary SPA and Ramsar site, Dengie SPA and Ramsar site, Crouch and Roach Estuaries SPA and Ramsar site. The combined recreational ‘Zones of Influence’ of these sites cover the whole of the Maldon District.
- 5.7.7 Natural England anticipate that, in the context of the local planning authority’s duty as competent authority under the provisions of the Habitat Regulations, new residential development within these zones of influence constitute a likely significant effect on the sensitive interest features of these designated sites through increased recreational pressure, either when considered ‘alone’ or ‘in combination’. Residential development includes all new dwellings (except for replacement dwellings), Houses in Multiply Occupation (HMOs), student accommodation, residential care homes and residential institutions (excluding nursing homes), residential caravan sites (excluding holiday caravans and campsites) and gypsies, travellers and travelling show people plots.
- 5.7.8 Prior to the RAMS being adopted, Natural England advised that these recreational impacts should be considered through a project-level Habitats Regulations Assessment (HRA) – Natural England has provided an HRA record template for use where recreational disturbance is the only HRA issue.
- 5.7.9 As the proposal is for less than 100 houses (or equivalent) and not within or directly adjacent to one of the designated European sites, Natural England does not provide bespoke advice. However, Natural England’s general advice is that a Habitats Regulations Assessment (HRA) should be undertaken and a ‘proportionate financial contribution should be secured’ from the developer for it to be concluded that the development proposed would not have an adverse effect on the integrity of the European sites from recreational disturbance. The financial contribution is expected to be in line with the Essex Coast RAMS requirements to help fund strategic ‘off site’ measures (i.e. in and around the relevant European designated site(s)) targeted towards increasing the site’s resilience to recreational pressure and in line with the aspirations of emerging RAMS and has currently been set at £122.30 per dwelling.
- 5.7.10 To accord with Natural England’s requirements, an Essex Coast RAMS HRA Record has been completed to assess if the development would constitute a ‘Likely

Significant Effect' (LSE) to a European site in terms of increased recreational disturbance, as follows:

HRA Stage 1: Screening Assessment – Test 1 - the significance test (see APPENDIX 1)

Is the development within the zone of influence (ZoI) for the Essex Coast RAMS with respect to the below sites? Yes

Does the planning application fall within the specified development types? Yes

HRA Stage 2: Appropriate Assessment- Test 2 – the integrity test

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

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

Summary of Appropriate Assessment – as a competent authority, the local planning authority concludes that the project will not have a likely significant effect on the sensitive interest features of the European designated sites due to the scale and location of the development proposed. Based on this and taking into account that Natural England's interim advice is guidance only, it is not considered that mitigation, in the form of a financial contribution, is necessary, in this case.

- 5.7.11 Notwithstanding the guidance of Natural England, it is considered that the likely impact of the development of the scale proposed, in this location would not have a likely significant effect or be sufficiently harmful as a result of additional residential activity to justify the refusal of planning permission.

5.8 Other Material Considerations

- 5.8.1 It is noted that it would not be considered reasonable or necessary to condition the development to be used ancillary to the main dwelling as it cannot be considered an ancillary development, due to the level of accommodation provided, its location within the site and that it would be occupied independently to the existing dwelling on the site. It is therefore considered that a condition in regard to the building being used ancillary to the main dwelling would not meet the six tests, as set out within the PPG and the NPPF and therefore cannot be included.
- 5.8.2 Whilst the Council is sympathetic to the situation of the occupiers of the dwelling and their relatives and regard is had to the justification within the supporting statement, it is not considered that the justification provided justifies the harm identified within the assessment above.
- 5.8.3 The Council's Environmental Health team have requested conditions in relation to surface water drainage and foul drainage. It is noted the plans submitted with the application state that a Biodisk package treatment plant will be used for foul drainage. However, a condition requiring this to be carried out would be included if the application were to be approved. No details regarding surface water drainage have been submitted, however the site is surrounded by a large expanse of fields and therefore details in relation to surface water drainage are not considered necessary.

5.8.4 The Council’s Conservation Officer has recommended conditions in relation to samples of the materials to be submitted. If the application were to be approved, this would be included in order to protect the special character of the listed building on the site.

6. ANY RELEVANT SITE HISTORY

- **FUL/MAL/03/00850** – Change of use of land to paddock incorporating the erection of stabling for 2 horses, incorporating small hay store & tack room for private use only – Approved
- **LBC/MAL/03/01187** – Internal and external alterations and replacement of windows – Approved
- **FUL/MAL/04/00187** – Amendment to siting and size of stables (FUL/MAL/03/00850) – Approved
- **FUL/MAL/04/00766** – Outdoor riding arena in field behind stables. 40m x 20m, against existing fence line. – Approved
- **FUL/MAL/06/00697** – Retention of floodlighting to outdoor riding arena – Approved

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Asheldham and Dengie Parish Council	No response	N/A

7.2 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objections subject to conditions	Comments noted
Conservation Officer	The proposal would cause some minor harm to the setting of the listed building due to the erosion of the rural setting. However, the impact is limited by the modest scale of the annex, its distance from the dwelling and the intervening vegetation. The design of the building is unusual but the use of slate and timber cladding reference the materials on the dwelling.	Comments noted.

Name of Internal Consultee	Comment	Officer Response
	<p>The annex poses a minor conflict with the requirement to preserve the setting of listed buildings but could be outweighed by public benefits.</p> <p>No objection subject to a condition requiring samples of weatherboarding and slate to be submitted.</p>	

7.3 Representations received from Interested Parties

7.3.1 1 letter was received **in support** of the application and the reasons for support are summarised as set out in the table below:

Supporting Comment	Officer Response
<p>Strongly support this application</p> <p>Both MDC and national government have a policy of marking housing provision for the elderly and encouraging care at home. These aims are what the application seeks to achieve. Family can care and support each other, allowing independence for longer.</p> <p>The siting, scale and design of the new building will blend in well with the surrounding area. It will not visually impact on Bacons Cottages.</p> <p>It has no adverse impacts on neighbours.</p>	<p>Comments noted.</p> <p>There is no objection to the principle of having annex accommodation. The concerns are set out in section 5.2.</p> <p>See section 5.2.</p> <p>See section 5.3.</p>

8. REASON FOR REFUSAL

1 The application site lies outside of the defined settlement boundaries where policies of restraint apply. The Council can demonstrate a five-year housing land supply to accord with the requirements of the National Planning Policy Framework. 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 Maldon District Local Development Plan to meet the objectively assessed needs for housing in the District. The proposed development would substantially alter the character of the area and have an unacceptable visual impact on the countryside through

the urbanisation and domestication of the site, representing the sprawl of built form outside of a defined settlement boundary. Furthermore, the site would be disconnected from any existing settlement and by reason of its location, it would provide poor quality and limited access to sustainable and public transportation and would have limited access to services and facilities, to the detriment of the future occupiers of the dwelling. The development would therefore be unacceptable and contrary to policies S1, S8, D1, H4 and T2 of the Maldon District Local Development Plan and guidance contained within the National Planning Policy Framework.