



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

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to  
**NORTH WESTERN AREA PLANNING COMMITTEE  
3 FEBRUARY 2020**

<b>Application Number</b>	<b>19/01197/FUL</b>
<b>Location</b>	Longwick Farm, Joyces Chase, Goldhanger, Essex
<b>Proposal</b>	Single storey salt processing plant with associated hard standing and external water and gas storage
<b>Applicant</b>	The Maldon Crystal Salt Co Ltd
<b>Agent</b>	Mr Nick Davey - The JTS Partnership
<b>Target Decision Date</b>	28.02.2020
<b>Case Officer</b>	Kathryn Mathews
<b>Parish</b>	<b>TOLLESHUNT MAJOR</b>
<b>Reason for Referral to the Committee / Council</b>	Major Application

**1. RECOMMENDATION**

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

**2. SITE MAP**

Please see overleaf.

Longwick Farm, Joyces Chase, Goldhanger  
19/01/97/FUL

The map shows a study area with a red hatched area indicating the study site. The site is located near a road network and a pond. A scale bar at the bottom indicates distances from 0 to 0.1 km. A north arrow is also present.



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Scale: 1:2,500

Organisation: Maldon District Council

Department: Department

Comments:	NW Area Committee
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Date: 17/01/2020

MSA Number: 100018588

### **3. SUMMARY**

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

- 3.1.1 The application site is land adjacent to the applicant's existing salt processing plant at Longwick Farm, situated to the east of the village of Goldhanger, which is accessed from Maldon/Goldhanger Road (B1026) to the north via a private road (Joyce's Chase). The site is located in the rural area and within the open, relatively flat coastal countryside but is not in an area known to be at risk of flooding. There are existing residential properties which share use of Joyce's Chase. The Blackwater Estuary is located approximately 500m to the south of the site and is the source of salt water used for salt production. The area of the application site is stated as being 0.61ha. The dimensions of the area of the application site where the development would be carried-out measures 61m in width x 100m in depth. The site currently accommodates a number of sheds and an area of hardsurfacing which were previously used as a landscape gardeners depot (reference 05/00564/FUL). The site also provides the means of access to the dwelling associated with Longwick Farm. The majority of the eastern and southern boundaries of the site are delineated by a boundary hedgerow.
- 3.1.2 The existing buildings at Longwick Farm consist of a dwellinghouse, within the applicant's ownership, and existing buildings and other ancillary equipment and structures associated with the use of the site for salt production.
- 3.1.3 The existing facility is surrounded by rolling farmland with open arable fields to the north, east, south and west. Ground levels within this site range between 10.25m AOD and 10.90m AOD, with a gentle east-west fall.
- 3.1.4 The proposed access to the site retains the current arrangement from Goldhanger Road (B1026) via Joyces Chase i.e. a shared private road approximately 1060m long which serves Longwick Farm, New Barn Cottages, Joyces Farm and Lauriston Farm Cottage, and the existing Maldon Salt Company salt processing facility.
- 3.1.5 The proposed development would be adjacent and to the south of the existing group of buildings at Longwick Farm.
- 3.1.6 The proposal is the construction of a new building (2,238sq.m.) which would be single storey in height with an L-shaped footprint, of similar design to the existing buildings at the site. The building would extend along the majority of the eastern and southern boundaries of the site. The proposed facility would accommodate a pan room (with potential capacity for 36 pans), drying/storage area, welfare facilities and ancillary rooms. The building proposed would have a footprint of a maximum of 89m in depth x a maximum of 49m in width. The building would have a pitched roof and the majority of the building (the pan room) would be 5m in height. The remaining part of the building would be a maximum of 8m in height. External materials would consist of weatherboarding above a brick plinth with a shallow pitched roof, to match the existing buildings. Associated equipment (including water and gas tanks) is also proposed within an area of hardstanding. The water tanks (8no.) (which would store water awaiting processing) would be 4m in height located roughly centrally within the site adjacent to the proposed building. The gas tanks (12no.) would be 1.5m in height

and located in the north-western corner of the site adjacent to the existing buildings on adjoining land. A total of 25 parking spaces are proposed (7 formal and 18 informal).

- 3.1.7 It is stated as part of the application that the number of employees would increase from 10 full time equivalent to 25. Hours of opening are proposed as 07:00-18:00 Monday to Friday.
- 3.1.8 It is understood that the proposal would enable a doubling of the production of salt at Longwick Farm. Salt produced at the site would be transported to the applicant's existing site at Wycke Hill Business Park for packaging and distribution. It is understood that the proposal would not result in the need to change the existing water abstraction licence or any upgrade to the existing pump located at the edge of the Estuary. The applicant's other sites within the District at Wycke Hill and Downs Road would continue to operate as currently is the case. The farmhouse which lies to the west would be retained (there are no proposals as part of the current application to change the use of this building). Planning permission has previously been granted for use of the farmhouse (bought by the applicant in 2015) as a bed and breakfast business (reference 09/00642/FUL).
- 3.1.9 Staff will be on-site during normal working hours (principally 7am to 4pm) and all deliveries and salt transport would take place between these times.
- 3.1.10 The application is accompanied by a number of supporting documents. As part of the Planning and Economic Statement, the following information is provided: The company has been operating from Longwick Farm since 2005 and has since established storage, packing and offices on the Wycke Hill Business Park. Salt is produced at The Downs (7 pans) and Longwick Farm (30 pans). The salt is exported to 60 countries. The company has tripled output in the last 10 years, doubled in the last five and saw a 30% increase in 2018. A Royal Warrant was received in 2012. £8 million has been invested in capital infrastructure in the last 10 years and over 35 jobs have been created, most of which have gone to local people. The Downs and Longwick Farm are operating at near full capacity but the company aims to double output in the next five years, hence the current application. There are no opportunities to increase production at The Downs and transporting estuary water to a third production site would significantly increase production costs and increase traffic movements. The applicant is the only commercial producer of salt in the District and only one of a handful in the UK. In terms of economic impact, the company currently has 52 employees. The construction of the proposed facility will create some short term jobs and economic benefits. Once the facility is completed and running at near full capacity 14 full time equivalent jobs will be created at Longwick Farm. There will also be jobs created at the packing, distribution and support service teams at the applicant's Wycke Hill facility. The company will also be able to take on more apprentices. The proposal will enable the company to continue to expand its business further which will benefit the District's economy.
- 3.1.11 The Health Impact Assessment (HIA) submitted screens the proposal against a range of criteria, and concludes that it will have either a positive or neutral impact upon determinants of health.
- 3.1.12 Other supporting documents have also been submitted: Transport Statement; Noise Assessment rev.1; Design and Access Statement; Drainage Strategy; Preliminary

Ecological Appraisal including a Protected Species Assessment; Phase 1 Geoenvironmental Desk Study; the applicant's agent has also provided two letters addressed to the applicant thanking them for the works they have carried-out to maintain/repair Joyces Chase.

### **3.2 Conclusion**

- 3.2.1 The proposed development is considered to be acceptable in principle. Having assessed the impact of the development, it is concluded that the proposal would not result in a materially adverse impact on the character and appearance of the area, the amenity of the existing, local residents, highway safety, nature conservation and drainage. The development, therefore, is 'sustainable development' for which the NPPF provides a 'presumption in favour' of planning permission being granted.

## **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
- 80-82 Building a Strong, Competitive Economy
- 117-118 Making effective use of land
- 124-132 Achieving well-designed places
- 148-169 Meeting the challenge of climate change, flooding and coastal change
- 170-183 Conserving and enhancing the natural environment

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

- Policy S1 - Sustainable Development
- Policy S7 - Prosperous Rural Community
- Policy S8 - Settlement Boundaries and the Countryside
- Policy D1 - Design Quality and Design Quality
- Policy D2 – Climate Change & Environmental Impact of New Development
- Policy D5 – Flood Risk and Coastal Management
- Policy E1 – Employment
- Policy E4 – Agricultural and Rural Diversification
- Policy N1 – Green Infrastructure Network
- Policy N2 - Natural Environment, Geodiversity and Biodiversity
- Policy T1 - Sustainable Transport

- Policy T2 - Accessibility

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

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

### **5. MAIN CONSIDERATIONS**

- 5.1 The main issues which would require consideration as part of any planning application submitted for the development would be the principle of the development, the impact of the development on the character and appearance of the area, any impact on the amenity of existing residents, highway safety/parking, nature conservation and drainage.

#### **5.2 Principle of Development**

- 5.2.1 It is necessary to assess whether the proposed development is ‘sustainable development’. If the development is considered to be sustainable, the NPPF’s ‘presumption in favour of sustainable development’ applies. The NPPF is clear that sustainable development is at the heart of the planning system. The Framework’s definition of sustainable development has three key dimensions that are mutually dependent upon each other and need to be balanced. These are the economic, social and environmental roles. This requirement is carried through to local policies via policy S1 of the approved Local Development Plan (LDP) which emphasises the need for sustainable development.
- 5.2.2 The site is located beyond any existing settlement boundary identified in the adopted LDP and within the countryside. The Council’s spatial strategy is to focus new development within settlement boundaries (Policies S1 and S8) but Policy S8(b) does allow for employment generating proposal (in accordance with Policy E1) and S8(f) allows for rural diversification (in accordance with Policies E4 and E5).
- 5.2.3 Policy E5 (Tourism) would not be directly relevant to the consideration of the proposal but Policy E4 states that the Council will support the development of new buildings or activities associated with agriculture and other land based rural businesses where:-
- There is a justifiable and functional need for the building/activity;
  - The function of the proposed building activity is directly linked, and ancillary to, the existing use; and
  - The building/activity could not be reasonably be located in existing towns, villages or allocated employment areas.
- 5.2.4 Policy E1 states the following: “Proposals to develop vacant employment sites and buildings, or to modernise or redevelop existing employment sites and buildings will be viewed favourably, especially where this supports the retention of existing businesses and/or provides employment space that meets the current needs of local businesses in the District [and the] Council will support improvements to the quality

of all employment sites and will work with partners to maintain their viability by encouraging the provision of adequate infrastructure and supporting facilities”. The proposal complies with this Policy. Policy S7 and the Maldon District Council’s Economic Prosperity Strategy 2013-2029 would also support the proposal.

- 5.2.5 Based on the information provided as part of the application submitted, it is considered that the proposal satisfies all of the above criteria of Policy E4 as the development would allow the business, which is currently at near full capacity, to expand which would be a benefit to the local economy, the function of the new buildings would be directly linked to the existing use and it would not be practicable to transport the sea water to an existing urban area for processing. The economic benefit weighs in favour of planning permission being granted for the development proposed. However, in-line with previous planning permissions granted for development at the site, any planning permission granted for the new development would need to be subject to a condition which limited the use of the premises to The Maldon Crystal Salt Company for the production of salt using water collected from the River Blackwater and as defined within Class B1( c) of Part B of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order) and for no other purpose. The reason this condition was previously imposed was as the original and subsequent permissions were granted on an exceptional basis due to the need for the company to be in this location for salt extraction from water piped from the river estuary, which still applies.

### **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 This principle has been reflected to 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:-

- Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;
  - Height, size, scale, form, massing and proportion;
  - Landscape setting, townscape setting and skylines;
  - Layout, orientation, and density;
  - Historic environment particularly in relation to designated and non-designated heritage assets;
  - Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
  - 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 Policy S1 of the LDP sets out a list of key principles in policy and decision making including emphasising the importance of high-quality design in all development (principle 5).
- 5.3.6 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.
- 5.3.7 Essex County Council (ECC) published a detailed Landscape Character Assessment (2003 by Chris Blandford Associates). This was updated in 2006 at a more detailed district level and the Site in this study, falls within the E1 Tolleshunt Coastal Farmland. The sensitivity of this area to change is moderate to high due to the open character of the landscape.
- 5.3.8 The Landscape & Visual Impact Assessment submitted concludes that, “although a new building in this location would have a slight degree of adverse impact on the local landscape character and visual amenity, it is considered that the new structure would not detract from the wider landscape setting as it is well designed and appropriately placed”.
- 5.3.9 The site is located within the countryside which is typically flat and open in this coastal environment. The nearest public footpath is located around 350m to the southwest.
- 5.3.10 The visual impact of the development would be localised in the context of the landscape within which it is located particularly given the height and design of the building proposed which would be comparable with and be seen within the context of the group of existing buildings at the site. The new development would also use materials which are in keeping with the vernacular. The proposed building would be significant in size, particularly in relation to its footprint. However, it is acknowledged that the limited height and low profile of the building along with the



fact that the proposed building would be adjacent to and comparable to existing buildings at the site in terms of their height, design and external materials used, would help to minimise the adverse visual impact of the development.

- 5.3.11 As a result the proposed development should integrate well into the surrounding landscape and its proposed position means that it would not be readily visible, blending with those already established and an accepted feature of the landscape. As part of the Design and Access Statement submitted it states that the existing hedging would be retained and reinforced if necessary but that it is not intended to provide additional planting around the new building as this would represent an alien form of landscaping as barns and other agricultural structures are found in isolation within the landscape. However, Officers agree with the recommendation within the Landscape and Visual Impact Assessment that additional planting is necessary to help to assimilate the development into its rural surroundings in the form of hedgerows and trees to the west and in the north-eastern corner. This could be required by condition if planning permission were to be granted.
- 5.3.12 In terms of external lighting, as part of the Design and Access Statement submitted, it is stated that there are no proposals to install external flood lighting but small bulkhead type fitting would be installed over external doors.
- 5.3.13 Based on the above, no objections to the proposal due to its impact on the character and appearance of the area are raised.

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

- 5.4.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the MDDG (2017).
- 5.4.2 There are isolated residential properties in the vicinity of the site which share use of Joyce's Chase with the applicant's business. There is a dwellinghouse immediately to the west of the site but this is within the ownership of the applicant. Concerns have been raised by local residents regarding the adverse impact of the applicant's business and the additional impact which would result from the extra development proposed.
- 5.4.3 It is noted that lorry movements are currently limited to a maximum of 12 between 7am on Monday to 6pm on Friday (application reference 10/00932/FUL) and no deliveries or collections are permitted except between the hours of 8am and 6pm on weekdays (excluding Bank Holidays) (application reference 12/00663/FUL). It would be reasonable and necessary to impose similar conditions if planning permission were to be granted for the development proposed.
- 5.4.4 As part of the application it is stated that, currently, there is one HGV visiting the site per day on average and that the proposal would increase this to an average of two per day but these movements would continue to be within the existing limit of a maximum of 12 lorry movements referred to above and so a refusal of planning permission based on harm caused by lorry movements could not be sustained.

- 5.4.5 The application is accompanied by a Noise Assessment which concludes that the Longwick Farm salt works are situated in a rural location, with the nearest noise sensitive receptors (NSR) being farmhouses approximately 180m to the east and 330m to the west. The calculated rating of plant from the salt works extension is at least 10dBA below current background noise levels. Noise from the new building is therefore predicted to have a low impact on the NSRs.
- 5.4.6 Based on the above and as the Environmental Health Officer has raised no objections to the proposal, a refusal of planning permission due to the impact of the development on existing residents could not be sustained. A Construction Method Statement could be required by condition if planning permission were to be granted to minimise disruption and disturbance during the construction period.

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

- 5.5.1 Policy T2 aims to create and maintain an accessible environment, requiring development proposal, inter alia, to sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.
- 5.5.2 The Council's adopted Vehicle Parking Standards SPD contains the parking standards which are expressed as minimum standards. This takes into account Government guidance which encourages the reduction in the reliance on the car and promotes methods of sustainable transport.
- 5.5.3 The Transport Statement submitted concludes that the scheme incorporates appropriate levels of parking and will not have a material impact upon the local highway network. It is stated that currently, Longwick Farm generates between 6 – 9 car trips per day (12 - 18 car movements) with the majority of movements arriving at the site between 0600 – 0700 and leaving the site between 1200– 1300. In addition to car movements which are primarily associated with staff there are around 2 – 4 commercial trips per day. On average throughout the week there are 2 LGVs and 1 HGV which enter and leave the site per day. All commercial movements are generally undertaken between 0700 – 1500. The development proposals will increase the number of staff from 10 to 25 once the expansion is fully operational and working to capacity (anticipated to be around 5 years). With 25 staff on site, there could be a total of between 30 – 48 car movements per day at the site with around 10 – 18 arrivals between 0600 – 0700 and 5 – 13 departures between 1200 – 1300. As part of the Transport Statement it is stated that the development could result in an additional 1 HGV and 2 LGVs entering and exiting the site per day when the site is operating at full capacity.
- 5.5.4 Previous planning application reference 10/00932/FUL was for an additional building which is subject to the following planning condition (condition 14): "There shall be no more than 12 lorry movements between 7:00am Monday and 18:00pm Friday each week unless otherwise agreed in writing by the Local Planning Authority...". This condition is only applicable to the building the subject of that planning permission and the overall site is not subject to a restriction on the number of vehicle / HGV

movements. It is anticipated that, in total there will be around 10 HGVs per week when the site is operating at full capacity which would be within the lorry movement limits referred to above. This limit could be imposed in relation to the currently proposed development, through a planning condition, if planning permission were to be granted.

- 5.5.5 In terms of parking provision for vehicles, bicycles and motorcycles, the standards as set out in the adopted Vehicle Parking Standards SPD for Maldon District Council are as follows:

Car parking: 1 parking space per 50sq.m. for Class B1 uses (excluding offices)

Cycle parking: 1 per 100sq.m. for staff and 1 per 200sq.m. for visitors

Motorcycle parking: a minimum of 1 PTW parking space or 1 PTW parking space per 25 car parking spaces

- 5.5.6 This would equate to 45 car parking spaces, 23 cycle parking spaces for staff and 12 cycle parking spaces for visitors, and 2 PTW parking spaces. However, as the development would result in a total of up to 25 staff at the Longwick Farm site as a whole, and given the nature of the particular use proposed which would be an expansion of the existing business, a requirement for 45 car parking spaces would be excessive. It is considered that the provision of space for up to 25 parking spaces (which would equate to one space per staff member) would be sufficient in this case based on the current ratio of on-site parking to floorspace to ensure that all parking occurs on-site and the yard remains clear and unobstructed.

- 5.5.7 As part of the Design and Access Statement submitted it is stated that covered cycle storage would be provided within the building but the floorplan submitted does not include any provision for cycle storage. However, provision of cycle storage and PTW parking could be secured through the imposition of a condition if planning permission were to be granted.

- 5.5.8 Based on the above, no objections to the proposed due to highway safety, access and parking are raised.

## **5.6 Nature Conservation**

- 5.6.1 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.

- 5.6.2 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).

- 5.6.3 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.

- 5.6.4 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.
- 5.6.5 The site is in close proximity to the Blackwater Estuary SPA and Ramsar, and the Essex Estuaries SAC, (around 500m to the south). Due to the scale of the development proposed and as water from the Estuary is the raw material used, the planning application is accompanied by an ecological report which assesses the impact of the proposal.
- 5.6.6 A Preliminary Ecological Appraisal including a Protected Species Assessment has been submitted as part of the application. As part of this Assessment it is stated that the construction zone is approximately 0.52ha and includes improved short grassland, gravel driveway and parking area, hardstanding, brick wall, hedgerow on the eastern and southern boundaries and two outbuildings used for storage. A medium population of great crested newts was discovered using local ponds. No other signs or evidence of protected, priority or rare species were identified or were likely to be present. Two old bird nests were identified in the hedgerow, one active robin nest was found in one outbuilding and one active great tit nest was found in the hedgerow on the southern boundary. The features of highest ecological value on the site were the hedgerows and these habitats are proposed for retention. The majority of the site was very low in ecological value. The proximity of local ponds (40m west and 160m south east) means that the risk of great crested newts crossing the site and using hedgerows around the site boundary was very high. Therefore, the risk of impact and harm to great crested newts from the proposed development was also considered high. Mitigation and a Natural England development site licence for great crested newts will be required for the development to proceed legally. The following mitigation with respect to Great Crested Newts is recommended: exclusion fencing prior to development commencing and trapping to clear the site of Great Crested Newts; compensation of terrestrial habitat loss. Impact avoidance precautionary measures and habitat compensation for bats, nesting birds and small mammals are also provided in the Assessment (protection of boundary hedgerow (along the eastern and southern boundaries of the site); dismantling outbuildings by hand and not within the bird nesting season; and the provision of bird boxes).
- 5.6.7 The site is close to the statutorily designated Blackwater Estuary SSSI, SPA, RAMSAR and SAC designated primarily for its rare coastal habitats and waterfowl they attract. As part of the Assessment submitted, the risk of impact (direct or indirect) was considered negligible given the small scale of the proposed development, as no additional housing is proposed and due to the type of works at the commercial site.
- 5.6.8 The Assessment submitted concludes that, with the recommendations followed as described, development could proceed with a minimal risk of harm or impact to protected, priority or rare species, habitats or local conservation value. Biodiversity enhancement net-gain recommendations are also included in the report in accordance with national planning policy.

- 5.6.9 Natural England have raised no objections to the proposal: European sites - Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development; Sites of Special Scientific Interest - Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development. In conclusion, based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
- 5.6.10 Based on the above, the potential impact on protected species could be adequately mitigated and, as a result of the nature, scale and location of the development proposed, the development would not have an adverse impact on the European Sites. Therefore, no objections to the proposal on the grounds of nature conservation are raised.

## **5.7 Drainage**

- 5.7.1 Policy D5 of the Local Development Plan sets out the Council's approach to minimising flood risk. The site is located within Flood Zone 1 and so is not at risk of tidal or fluvial flooding.
- 5.7.2 As part of the Drainage Strategy submitted it is stated that an attenuation storage/tank would be provided in the form of the granular sub-base under the concrete yard slab which will limit the discharge rate from the site to 2.0 litres per second, for all events up to the 1:100 year event and including a 40% climate change allowance. As part of the Strategy it is stated that, whilst this is marginally above the Qbar greenfield rate, it is the lowest rate of discharge that is practically achievable (while avoiding excessive risk of blockage) and represents a significant reduction compared to the current discharge rates. Foul water drainage would be dealt with by a small treatment plant. The cleaned water would then discharge into the yard sub-base.
- 5.7.3 Essex County Council SuDS have issued a holding objection to the proposal. The applicant has responded to the concerns which have been raised and a further response from Essex County Council SuDS Team is awaited. Provided that these concerns are adequately addressed, no objections to the proposal based on drainage would be raised. Therefore, at this time, subject to a positive outcome from the discussions, it is not considered that the application should be recommended for refusal. However, if this has not been resolved by the time of the Planning Committee, this matter will need to be revisited.

## **5.8 Other Matters**

- 5.8.1 A Phase 1 Geoenvironmental Desk Study has been submitted as part of the application which advises that a, "plausible pollutant linkage has not been identified and remediation is considered unnecessary". The Environmental Health Officer has raised no objections to the development proposed. Based on the above, no concerns are raised to the development proposed in relation to contamination (Policy D2).

**6. ANY RELEVANT SITE HISTORY**

- **15/05160/DET** - Compliance of conditions notification for approved application FUL/MAL/14/00916 (Proposed bag tank/bladder storage with bunding). Condition 5 - incident response plan – Approved 28.10.2015
- **15/05120/DET** - Compliance of conditions notification of approved application FUL/MAL/14/00916 (Proposed bag tank/bladder storage with bunding). Condition 3 - Lanscaping scheme, condition 4 - sample of Bladder Tank material – Approved 15.09.2015
- **14/00916/FUL** – proposed bag tank/bladder storage with bunding – appeal allowed 18.5.2015
- **13/05025/DET** - Compliance of conditions notification FUL/MAL/10/00932 (Single storey processing plant, associated hard standing, and external water and gas storage tanks) Condition 5 soft landscaping scheme- Approved 19.03.2013
- **13/05020/DET** - Compliance with Conditions Notification: Condition 10 for approved application FUL/MAL/05/00124 ( Demolition of existing building and erection of salt processing plant with associated and ancillary development ) – Approved 14.03.2013
- **12/00665/FUL** - Application to vary Condition 2 of planning application FUL/MAL/10/00932 to read: 'The premises shall only be used for the production of salt using water collected from the River Blackwater and as defined within Class B1(c) of Part B of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order) and for no other purpose'. – Appeal allowed 15.10.2013
- **12/00664/FUL** - Erection of 1.8 metre high sliding folding gates to screen skip container – Approved 02.10.2012
- **12/00663/FUL** - Application to vary Condition 9 of planning application FUL/MAL/05/00124 to read: 'There shall be no staff on site undertaking operational activities except between the hours of 7:00 a.m. and 6:00 p.m. on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays (except Bank Holidays)' – Approved 07.03.2013 and conditioned as follows: There shall be no staff on site undertaking operational activities except between the hours of 7.00am and 6.00pm on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays (except Bank Holidays). Deliveries and collections to and from the premises shall only be undertaken between the hours of 8am to 6pm on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays (except Bank Holidays). No lorries shall be parked on the hardstanding forecourt of the development unless loading or unloading at anytime.
- **10/00932/FUL** – Proposed single storey salt processing plant, associated hardstanding, and external water and gas storage tanks – Approved 01.02.2011 and conditioned to include the following: There shall be no more than 12 lorry movements between 7:00 am Monday and 18:00pm Friday each week unless otherwise agreed in writing by the local planning authority. A written record shall be maintained at the site showing all movements in and out of the site by vehicles in excess of 7.5 tonne gross vehicle weight. Such records shall contain the vehicle registration and operating companies' identity and

time/date of movement. The records shall be made available for inspection by the local planning authority.

- **10/00616/FUL** - Proposed single storey salt processing plant, associated hardstanding and external water and gas storage tanks – Refused 30.09.2010
- **10/00301/FUL** - Proposed salt processing plant – Withdrawn
- **09/00642/FUL** - Change of use of bedroom 4 and second living/dining area to bed and breakfast use. Construct a cart lodge with bedroom and ensuite over. Bedroom and ensuite to be used as bed and breakfast use – Approved 03.02.2010
- **05/00564/FUL** – Continued use of use of former farm buildings by a landscape business – Approved 18.07.2005
- **05/00124/FUL** - Demolition of existing building and erection of salt processing plant with associated and ancillary development – Approved 19.04.2005

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

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

<b>Name of Parish / Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
Tolleshunt Major Parish Council	The proposed new building is of a size that will have a considerable impact on the open rural nature of the surrounding area and will be visible for some considerable distance. The Parish Council shares the concerns of residents living along Joyces Chase that an increased number of lorries accessing this plant will cause damage to the surface of this private Chase over which the Salt Plant has right of access. Noise and pollution from the plant will also have an adverse impact on residents of nearby properties, given the length of the proposed operating hours.	<p>Noted – refer to sections 5.3 and 5.4 of report.</p> <p>The maintenance and condition of the access track is a civil matter to be resolved privately between the relevant parties. It is understood that the applicant does maintain and repair the access track and have stated that they would continue to do so.</p>

## 7.2 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Essex County Council SuDS Team	Holding objection	Noted – the applicant has responded to the concerns raised and a further response from Essex County Council SuDS Team is awaited.
Essex County Council Highways	No objections	Noted – refer to section 5.5 of report
Natural England	No objections - based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.	Noted – refer to section 5.6 of report

## 7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Health Officer	No comments to make.	Noted
Countryside and Coast Manager	No response received.	

## 7.4 Representations received from Interested Parties

- 7.4.1 **Two** 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
Can only be approved if improved track maintenance, management and safety is secured to Maldon/Parish Council approval. Relevant track signage is also required. The Post Office have written to local residents threatening to suspend deliveries to their address unless the condition of the access is improved.	The maintenance and condition of the access track is a civil matter to be resolved privately between the relevant parties. It is understood that the applicant does maintain and repair the access track and have stated that they would continue to do so.
Would add to existing harm to amenity of local residents. Existing condition limiting delivery hours is not being complied with.	Noted – refer to section 5.4 of report. Non-compliance with existing conditions would be a matter which would need to be investigated by the Council's planning enforcement



Objection Comment	Officer Response
	officers.

## 8. **PROPOSED CONDITIONS**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with Section 91(1) of The Town & Country Planning Act 1990 (as amended).
- 2 The premises shall only be used by The Maldon Crystal Salt Company for the production of salt using water collected from the River Blackwater and as defined within Class B1(c) of Part B of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order) and for no other purpose.  
REASON: The salt plant facility is approved on an exceptional basis where it is considered that justification is appropriate to do so in accordance with Policies S1, S8 and E4 of the Maldon District Approved Local Development Plan.
- 3 Samples of the materials to be used in the construction of the external surfaces of the building hereby permitted shall be submitted to and approved in writing by the local planning authority prior to their use on site. The development shall be carried out using the approved materials.  
REASON: In the interests of the character and appearance of the area in accordance with Policies S1, S8 and D1 of the Maldon District Approved Local Development Plan and the NPPF.
- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), details of any gates, fences, walls, railings and piers to be constructed within the site shall be submitted to and approved in writing by the local planning authority. No part of the development hereby approved shall be occupied until any agreed boundary treatments have been carried out in accordance with the approved details with the approved scheme retained as such thereafter.  
REASON: In the interests of character and appearance of the area in accordance with Policies S1, S8 and D1 of the Maldon District Approved Local Development Plan and the NPPF.
- 5 The approved soft landscaping scheme shall be carried out within the first available planting season (October to March inclusive) following the commencement of the development. If within a period of five years from the date of the planting the native hedgerow or any tree or is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another plant of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.  
REASON: In the interests of character and appearance of the area in accordance with Policies S1, S8 and D1 of the Maldon District Approved Local Development Plan and the NPPF.
- 6 The proposed parking and turning areas as indicated on the approved plan drawing no.3371:002rev.B shall be provided prior to the first occupation of the building hereby permitted and retained as such in perpetuity. No further

areas of hard standing or vehicular parking areas shall be constructed unless otherwise agreed in writing by the local planning authority.

REASON: In order to ensure that sufficient space is available within the site for the parking of vehicles for staff and visitors to the premises to accord with Policy T2 of the Maldon District Approved Local Development Plan.

- 7 There shall be no staff on site undertaking operational activities except between the hours of 7:00 a.m. and 6:00 p.m. on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays (except Bank Holidays).

REASON: In the interests of the amenities of the neighbouring residents in accordance with Policy D1 of the Maldon District Approved Local Development Plan and the NPPF.

- 8 Deliveries and collections to and from the premises shall only be undertaken between the hours of 8:00 a.m. to 6:00 p.m. on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays (except Bank Holidays). No lorries shall be parked on the hardstanding forecourt of the development unless loading or unloading at anytime.

REASON: In the interests of the amenities of the neighbouring residents in accordance with Policy D1 of the Maldon District Approved Local Development Plan and the NPPF.

- 9 No goods, plant, machinery, merchandise, packaging, waste containers, skips or materials shall be stored outside the building hereby permitted unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of character and appearance of the area in accordance with Policies S1, S8 and D1 of the Maldon District Approved Local Development Plan and the NPPF.

- 10 No external illumination shall be provided at the site except for small bulkhead type fittings above external doors.

REASON: In the interests of character and appearance of the area in accordance with Policies S1, S8 and D1 of the Maldon District Approved Local Development Plan and the NPPF.

- 11 No additional floor space shall be created within the building hereby approved (for example, through a mezzanine floor).

REASON: The amount of floorspace proposed is approved on an exceptional basis in accordance with Policies S1, S8 and E4 of the Maldon District Approved Local Development Plan.

- 12 No extraction equipment or vents shall be incorporated into the external fabric of the building hereby permitted unless details have been submitted to and gained the prior written approval of the local planning authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.

REASON: In the interests of the amenities of the neighbouring residents in accordance with Policy D1 of the Maldon District Approved Local Development Plan and the NPPF.

- 13 The descaling process shall only take place between 9am and 6pm on Mondays, Tuesdays, Wednesdays, Thursdays and Fridays (except Bank Holidays).

REASON: In the interests of the amenities of the neighbouring residents in accordance with Policy D1 of the Maldon District Approved Local Development Plan and the NPPF.

- 14 There shall be no more than 12 lorry movements associated with the use of Longwick Farm by the applicant between 7:00 am Monday and 18:00pm Friday each week. A written record shall be maintained at the site showing all movements in and out of the site by vehicles in excess of 7.5 tonne gross vehicle weight. Such records shall contain the vehicle registration and operating companies' identity and time/date of movement. The records shall be made available for inspection by the local planning authority.  
REASON: In the interests of the amenities of the neighbouring residents in accordance with Policy D1 of the Maldon District Approved Local Development Plan and the NPPF.
- 15 The building hereby permitted shall not be occupied until weather protected storage for bicycles and parking for PTWs at the site have been provided in accordance with details which shall have been submitted to and gained the prior written consent of the local planning authority. The development shall be completed and retained in accordance with the approved details.  
REASON: To encourage the use of alternatives to the private car as a means of transport in accordance with Policy D1 of the Maldon District Approved Local Development Plan and the NPPF.