



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

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to  
**SOUTH EASTERN AREA PLANNING COMMITTEE  
10 FEBRUARY 2020**

<b>Application Number</b>	<b>19/01181/FUL</b>
<b>Location</b>	Mangapp Manor, Southminster Road, Burnham-on-Crouch
<b>Proposal</b>	Construction of outbuilding for storage of classic cars and motorcycles. Formal removal of additional use of property as a wedding venue.
<b>Applicant</b>	Mr Mark Sadleir
<b>Agent</b>	Mr Michael Lewis – Bailey Lewis
<b>Target Decision Date</b>	10.02.2020
<b>Case Officer</b>	Louise Staplehurst
<b>Parish</b>	<b>BURNHAM NORTH</b>
<b>Reason for Referral to the Committee / Council</b>	Major Application Member Call In by Councillor W Stamp Reason: D1

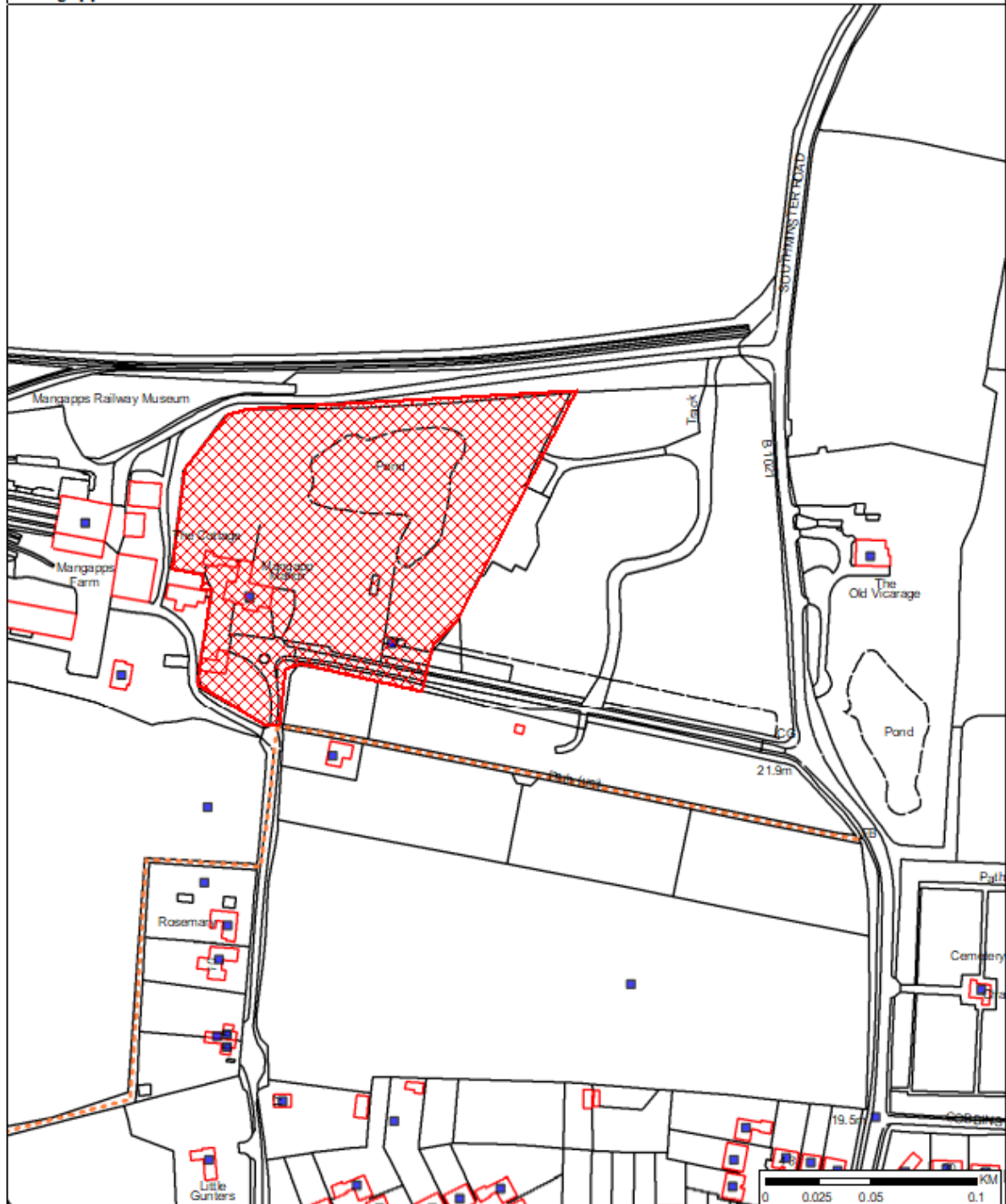
1. **RECOMMENDATION**


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

2. **SITE MAP**

Please see overleaf.

**19/01181/FUL**  
**Mangapp Manor**



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	Organisation: Maldon District Council
	Department: Department
	Comments: SEAC
	Date: 24/01/2020
	MSA Number: 100018588

### **3. SUMMARY**

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

- 3.1.1 The application site is an irregular shape measuring approximately 1.9ha and is located on the western side of Southminster Road, outside of the defined settlement boundary. The site is accessed along a private track and is currently occupied by a dwellinghouse and a number of outbuildings, which have a residential and wedding venue use. To the north of the site is a large pond.
- 3.1.2 The application site is located on the northern side of Mangapp Chase, which features a low-density arrangement of dwellings. To the north of the application site is open countryside and Mangapps Farm and Railway Museum is located to the west. To the southeast of the site is a field which benefits from outline planning permission to erect up to 80 dwellings (14/00845/OUT, APP/X15454/W15/3009772).
- 3.1.3 The application site forms the grounds of Mangapp Manor, which has a mixed use of residential and a wedding venue. In March 2008, planning permission (08/00027/FUL) was granted on the area of land to the east of the residential curtilage to erect a marquee for the use of wedding receptions and functions. This permission was subsequently amended under the terms of 08/00516/FUL which varied the number of guests allowed at the functions and the access arrangements. Following this an application was approved (09/00007/FUL) to allow civil ceremonies to take place in the ground floor 'drawing room' of the Manor House.
- 3.1.4 The area of land to the east of the site, beyond the pond was considered under application 08/00516/FUL to be outside of the recognised domestic curtilage. However, it is noted that the area of land formed a part of the grounds of Mangapp Manor and its residential use.
- 3.1.5 Planning Permission is sought to remove the wedding venue use from the site and revert it back wholly to residential use. It is also proposed to construct an outbuilding towards the southeast corner of the site, to be used for the storage of cars and motorcycles.
- 3.1.6 The proposed building would have a hipped design. It will measure 8.5 metres deep and 15.6 metres wide. It will have an eaves height of 2.7 metres and a ridge height of 6.2 metres. There will be two gable projections to the north and south elevation, which will measure 6 metres wide and 0.9 metres deep. They will measure 2.7 metres high to the eaves and 5.4 metres high overall. There will be a clock tower located on top of the roof. There will be two shutters and one door on the south elevation, a high-level window on the east and west elevation and three sets of glazing on the north elevation.
- 3.1.7 The materials consist of plain tiles, black painted weatherboarding, a red brick plinth and black stained window frames.

- 3.1.8 It is noted that this application is a resubmission of two previously refused applications, 18/01374/FUL and 19/00656/FUL. The reason for refusal for 18/01374/FUL was:

*'The proposed outbuilding, as a result of its siting, scale, bulk and design would be unduly detached from the host dwelling and would have a substantial and unacceptable visual impact on the intrinsic character and beauty of the countryside. This would be exacerbated by the substantial increase in built form and the fact the development is located outside of Mangapp Manor's curtilage resulting in the urbanisation of the countryside. The proposal is therefore unacceptable and contrary to policies S1, S8, D1 and H4 of the Maldon District Local Development Plan, policy HO.8 of the Burnham-on-Crouch Neighbourhood Development Plan and the guidance contained within the National Planning Policy Framework.'*

- 3.1.9 The difference between application 18/01374/FUL and 19/00656/FUL are:

- The style, design and materials of the outbuilding
- A reduction in size
- A supporting statement justifying the location and design of the proposed outbuilding

- 3.1.10 The reason for refusal for application 19/00656/FUL was:

*'The proposed outbuilding, as a result of its siting, scale, bulk and design would be unduly detached from the host dwelling and would have a substantial and unacceptable visual impact on the intrinsic character and beauty of the countryside. This would be exacerbated by the substantial increase in built form and the fact the development is located outside of Mangapp Manor's residential curtilage resulting in the urbanisation of the countryside. The proposal is therefore unacceptable and contrary to policies S1, S8, D1 and H4 of the Maldon District Local Development Plan, policy HO.8 of the Burnham-on-Crouch Neighbourhood Development Plan and the guidance contained within the National Planning Policy Framework.'*

- 3.1.11 The outbuilding proposed under this application is identical to the outbuilding proposed under application 19/00656/FUL. No amendments have been made to this application. A letter has been submitted which debates the location of the residential curtilage and argues that the proposed outbuilding is sited within the curtilage. This will be discussed in section 5.1 of the report.

## **3.2 Conclusion**

- 3.2.1 The proposal to revert the site back to a sole residential use is not objected to as the residential use at the site is existing and there would be minimal impacts on tourism within the wider area, which would be outweighed by the reduced levels of harm on neighbouring occupiers resulting from noise at the site. However, it is considered that the proposed outbuilding, namely as a result of its scale, bulk, design and siting in relation to the host dwelling and outside of the residential curtilage, would result in overly large and incongruous form of development which would create an urbanising impact to the detriment of the character and appearance of the site and the intrinsic character and beauty of the countryside. Furthermore, the proposed outbuilding, as a result of its physical separation, lacks a visible relationship with the host dwelling. The proposal is not considered to have overcome the concerns raised in the previous

application. No amendments have been made from the previous application and therefore the proposal is considered to be detrimental to the character and appearance of the rural area contrary to approved policies S1, S8, D1 and H4 of the Local Development Plan (LDP), policy HO.8 of the Burnham-on-Crouch Neighbourhood Development Plan and Government guidance contained within the 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 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
- 102-111 Promoting sustainable transport
- 117-118 Making effective use of land
- 124-132 Achieving well-designed places

##### **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
- H4 Effective Use of Land
- E5 Tourism
- T1 Sustainable Transport
- T2 Accessibility

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

- Maldon District Vehicle Parking Standards (VPS)
- Maldon District Design Guide (MDDG)
- National Planning Policy Guidance (NPPG)
- Burnham-on-Couch Neighbourhood Development Plan (BOCNDP)

#### **5. MAIN CONSIDERATIONS**

##### **5.1 Principle of Development**

- 5.1.1 It is important to first discuss the issue of residential curtilage. The Agent has submitted information and plans with the application stating that he considers the

location of the outbuilding to be situated within the established residential curtilage of Mangapp Manor. The Council do not consider this to be the case.

- 5.1.2 The submitted information states that on a site of this size with a shared driveway of over 200m in length, that a 50m distance between the proposal and host dwelling is not excessive. The statement considers that the siting of the outbuilding is completely appropriate to its use and that the use is entirely ancillary to the residential use of the main house. The submission also refers to outline consent for 80 dwellings on the adjacent land to the south (14/00845/OUT & 18/01077/RES) and states on that basis any objection would be unfounded. Firstly, it is worth noting that the Council does not dispute that the structure and use would be ancillary. However, this is irrelevant to the determination of the application. Furthermore, the principle of a large residential development is substantially different in nature to the current application.
- 5.1.3 Firstly, it is important to establish what is meant by the term residential curtilage. Curtilage is defined within the Permitted Development Rights for Householders Technical Guidance as *‘land which forms part and parcel with the house. Usually it is the area of land within which the house sits, or to which it is attached, such as the garden, but for some houses, especially in the case of properties with large grounds, it may be a smaller area.’*
- 5.1.4 Case Law (Lowe v Secretary of State [2003] EWHC 537 (Admin)) (Appendix 1) states that *‘The expression of ‘curtilage’ is a question of fact and degree. It connotes a building or piece of land attached to a dwellinghouse and forming one enclosure with it. It is not restricted in size, but it must fairly be described as being part of the enclosure of the house to which it refers. It may include stables and other outbuildings, and certainly includes a garden, whether walled or not... But it cannot possibly include the whole of the parkland setting in which Alresford Hall lies, nor the driveway along which the fence was erected. It could not be sensibly contended that the site of the fence was attached to the hall, or that it formed once enclosure with it, or was part of the enclosure of it’*
- 5.1.5 In the case of the Burford v Secretary of State for Communities and Local Government & Anor, Court of Appeal - Administrative Court, June 23, 2017, [2017] EWHC 1493 (Admin) (Appendix 2) the Judge considered that *The land on which the building subject to the enforcement notice was not on land comprising curtilage of the dwellinghouse because it was ‘physically separated from [other land] by fences and hedges until at least November 2015’. The land was therefore unattached to the land surrounding the dwellinghouse and not forming an enclosure with it. ‘Curtilage’ is an area of land ‘attached to’ a house and ‘forming one enclosure with it.’*
- 5.1.6 Having regard to these definitions it is considered that there is a clear curtilage to Mangapp Manor, which does not include the whole application site. The curtilage at Mangapp Manor is considered to be confined to the area to the west of the tree belt that runs northeast to southwest across the site as can be seen on the image below.



- 5.1.7 The aerial image shown above demonstrates that there is dense vegetation, which separates the curtilage from the siting of the proposed outbuilding. Whilst it is noted that the area to the east of the tree belt consists of manicured gardens, given the clear enclosure around Mangapp Manor, created by the vegetation and the fact that the area to the east is lawfully a wedding venue use, which would be expected to have manicured gardens, it is considered that where the proposed outbuilding would be located would be sited outside of the existing residential curtilage.
- 5.1.8 The grounds of Mangapp Manor currently have a mixed use of residential and a wedding venue. In March 2008, planning permission (08/00027/FUL) was granted on the area of land to the east of the residential curtilage to erect a marquee for the use of wedding receptions and functions. The permission is relied upon by the Applicant within their submission. This permission was subsequently amended under the terms of 08/00516/FUL which varied the number of guests allowed at the functions and the access arrangements. The area of land to the east of the site, beyond the pond was considered under application 08/00516/FUL to be outside of the recognised domestic curtilage. However, it is noted that the area of land formed a part of the grounds of Mangapp Manor and its residential use.
- 5.1.9 The Applicant has included the below plan within their submission which relies on the permission granted under the terms of 08/00027/FUL. The submitted plan shows an 'associated garden area' to the west and 'a field which lies beyond the recognised curtilage to the east'. The plan states that the area titles were taken from the Officer's Report from that application. However, it would appear that this plan has been based on the site description from that report and not on a plan depicting exactly where the boundaries between those two parts of the application site are located.





5.1.10 However, the Location Plan supporting both that application and 08/00516/FUL shows that part of the area of land to the east of the pond, where the proposed outbuilding would be sited and is considered by the Applicant to be within the residential curtilage, in fact falls within the land used for the wedding venue use and is not residential. The location plan from the 2008 application is shown below.



5.1.11 Given that the wedding use/marquee appeared to still be in place in 2017, which can be seen in aerial photographs, and that no planning application has yet been approved to change the use of this area, the current lawful use of this land remains as part of the wedding venue use. This current application includes the proposed change of use of the site including this area of land to residential and therefore it cannot currently be



considered part of the residential curtilage as it does not currently have a residential use; its lawful use is as a wedding venue.

- 5.1.12 Further to the above, it is noted that even if permission is granted for the change of use of this area of land to residential, this would represent a change of use for planning purposes but would not automatically mean that this area is included within the established residential curtilage of the site. It is noted that the residential curtilage of a house is not necessarily co-extensive with the planning unit and it is not possible to change the use of the land to use as residential curtilage. In support of this is appeal decision APP/P0240/CX/13/2210233, decided on the 16 July 2014 in Shefford and related to whether land forms part of a residential curtilage. In that decision the Inspector stated that *'The term curtilage must not be confused with the planning unit, or with a use of land... As a matter of fact, and degree, the term defines an area of land in relation to a building, rather than a use of land.'* Therefore, having regard to the above assessment in relation to the clear delineation between the residential curtilage and land, if the change of use to residential were to be granted, the proposed outbuilding would still be located outside of the residential curtilage and there would be an objection in principle to the development on those grounds.
- 5.1.13 Therefore, it is considered that the area of land where the outbuilding is proposed to be located, is not within the residential curtilage of Mangapp Manor and the application will be assessed accordingly.
- 5.1.14 It is also noted that the Applicant refers to permission on the adjacent land for 80 dwellings. However, the considerations in an application are materially different to the considerations of a proposed outbuilding. For instance, the principle issue of residential curtilage in this case would not apply to 80 dwellings and the benefits of a residential scheme of that magnitude would be of a different consideration to a personal outbuilding. Therefore, the neighbouring permission does not provide the grounds for granting permission for the proposed development.
- 5.1.15 The principle of erecting outbuildings within the curtilage of a dwelling to provide facilities in association with residential accommodation is considered acceptable in line with policy D1 of the LDP. However, the location of the proposed outbuilding is considered to be outside of the residential curtilage of the site and therefore would be located in the open countryside. As with any new form of development within the open countryside, they should only be allowed for specific and justified purposes where an applicant can substantiate a need for the development and where the impact of that building would accord with policies S1 and S8 of the LDP.
- 5.1.16 The justification for the outbuilding is that it is required for the storage of classic cars and in the Applicant's opinion that the use is ancillary to the residential use, the location is appropriate in terms of the use, it creates an entrance to the site and avoids adverse effects on the setting of the manor house. However, the justification for the personal need for car storage is not considered to overcome the environmental and visual harm identified in the section 5.2 and consequently the proposal is contrary to policies S1 and S8 of the LDP.
- 5.1.17 In addition to the construction of the outbuilding, the proposal also seeks to remove the use of the 'drawing room' on the ground floor of the Manor house for Civil Ceremonies which was approved under the terms of application 09/00007/FUL and

the change of use of the land designated under application 08/00516/FUL for wedding facilities and functions back to residential use.

5.1.18 The existing use of the site is considered to relate to tourism to some degree. Policy E5 of the LDP states that the change of use from tourism uses will only be considered if:

- 1) There will be no significant loss of tourism facilities as a result, or an alternative provision in the locality can meet the needs;
- 2) The existing business/service is not and cannot be made viable; and
- 3) There is no known demand for existing and alternative tourism use, and the site has been marketed effectively for all alternative tourism related uses.

5.1.19 Whilst it is noted that the loss of a wedding venue would have the potential to impact on tourism within Burnham-on-Crouch, for example there would be less demand for hotel rooms, the impact is considered to be minor. Therefore, it is considered criterion 1 is satisfied.

5.1.20 Whilst no information has been submitted in relation to criterion 2 and 3, regard should be had to the fact that the site has always been used in association with a residential use and therefore, it is not considered that there would be a substantial change of use of the site in comparison to its former uses. It is also worth noting that the existing owner has no intention of using the site for wedding use and therefore, the use of the site has already ceased and will not be reinstated in the long term. This is something that can be done without the need for planning permission and is outside of the Council's control.

5.1.21 Consideration is also given to the fact that the removal of the wedding venue use will improve the living conditions of nearby occupiers due to matters such as a reduction in noise levels. Whilst this will be discussed in more detail under section 5.3, it is worth considering in relation to the principle of the development as the benefits to the living conditions of nearby occupiers could outweigh the minimal harm resulting from the loss of the wedding venue use.

5.1.22 Having regard to the above, although the criterion of Policy E5 has not been fully met, taking a pragmatic stance and having regard to the above points, it is considered that reverting back to a complete residential use is acceptable in principle.

## **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 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”.*

- 5.2.3 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;
- 5.2.4 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG (2017).
- 5.2.5 Policy H0.8 of the Burnham-on-Crouch Neighbourhood Development Plan (BOCND) states that proposals for housing development should produce high quality schemes that reflect the character and appearance of their immediate surroundings.
- 5.2.6 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.
- 5.2.7 The proposed outbuilding would be situated over 50 metres from the host dwelling and would be located outside of the existing residential curtilage of the dwelling. Having regard to the significant separation distance between the dwelling and the proposed building and its location outside of the residential curtilage, it is considered that there would be a lack of visual link between the host dwelling and the proposed outbuilding. It is considered that this would prevent the development having a subservient relationship with the host dwelling. Therefore, it is considered that the proposed outbuilding would result in unacceptable urban sprawl into the countryside through the addition of an outbuilding, outside of the residential curtilage, that has no visual links to the dwelling within the site.
- 5.2.8 The outbuilding has a relatively traditional appearance including the hipped roof and the materials, which consist of black painted boarding, red plain tiles and a brick plinth. However, whilst the overall style is of a more traditional appearance, due to

the fenestration pattern, roof style and gable projections, it is considered to have a more dwelling-like appearance rather than an outbuilding.

- 5.2.9 In terms of its footprint of 144 square metres and overall height of 6.2 metres, it would be considered a large addition in the proposed location. This is considered to also contribute to the unjustified sprawl of the residential use and domestication of the countryside.
- 5.2.10 Whilst it is noted that it would replace an existing stable, it would be significantly larger than the existing stable and, as stated above, would have a more dwelling-like appearance.
- 5.2.11 In addition to the above the proposal would be partially visible from within Southminster Road and also the public footpath, further increasing the dominating and urbanising impacts on the intrinsic character and beauty of the countryside.
- 5.2.12 Whilst it is noted that there are existing trees within the site and hedgerows sited along Southminster Road, which would provide some screening of the development from the highway and public footpath, it is not considered that the limited level of landscaping would be sufficient in overcoming the material harm to the countryside, particularly in the winter months and because there are no guarantees that the planting and trees within the neighbouring site adjacent Southminster Road which falls outside of the application site would be maintained for the lifetime of the development.
- 5.2.13 Given that the site lies outside of the settlement boundary and residential curtilage, within the countryside, it is not considered that a building of this scale and bulk and is acceptable and is therefore, contrary to policies S1, S8, D1 and H4 of the LDP and policy HO.8 of the BOCNDP.

### **5.3 Impact on Residential Amenity**

- 5.3.1 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).
- 5.3.2 The dwellings approved under APP/X15454/W15/3009772 to the south of the site would be the closest residential development to the proposal at a distance of over 40 metres. Given the significant separation distance between the proposed development and the adjacent permission it is not considered that there would be demonstrable harm to the neighbouring amenity. However, if the application were approved a condition should be applied ensuring that the development remains incidental to the enjoyment of the Mangapp Manor to prevent any undue harm to neighbouring amenity.
- 5.3.3 It is also considered that the removal of the wedding venue use will reduce any potential harm resulting from the noise impacts associated with the existing use. For example, the dwellings approved under APP/X15454/W15/3009772 located to the south of the site are subject to a condition requiring a fully detailed scheme of mitigation for protecting the living conditions of future occupiers of the dwellings from noise arising in connection with events at Mangapp Manor. The removal of the

wedding venue use will therefore, substantially enhance the living environment of existing and future occupiers within the surrounding area.

- 5.3.4 Having regard to the above it is not considered that the proposal will result in unacceptable harm to the amenity of neighbouring occupiers, in accordance with policy D1 of the LDP.

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

- 5.4.1 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.
- 5.4.2 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 is 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.
- 5.4.3 The existing site provides sufficient parking for the existing dwelling and the proposal will contribute positively to this provision. Therefore, there is no objection to the level of car parking provided.
- 5.4.4 The proposed access would be situated to the north of the private track. It is not considered that the access would result in detrimental impacts on highway safety and is therefore considered acceptable in accordance with policies S1 and T2 of the LDP. Furthermore, the change of use could result in the reduced use of the access due to fewer visitors to the site.
- 5.4.5 Footpath number 2 in Burnham-On-Crouch runs to the south of the site. If this application were to be approved, a condition could be included to ensure this footpath is maintained free and unobstructed at all times in order to prevent any obstruction of the footpath particularly during the development by construction traffic.

## **5.5 Private Amenity Space and Landscaping**

- 5.5.1 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 100m<sup>2</sup> of private amenity space for dwellings with three or more bedrooms, 50m<sup>2</sup> for smaller dwellings and 25 m<sup>2</sup> for flats.
- 5.5.2 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.

## **5.6 Other Material Considerations**

- 5.6.1 It is important to note that due to the positioning of the outbuilding outside of the residential curtilage, if this application were to be approved, a condition could not be included to ensure the outbuilding is only used for purposes incidental to the dwelling known as Mangapp Manor.

## **6. ANY RELEVANT SITE HISTORY**

- **90/00992/FUL** - Formation of landscaped embankments. Approved no conditions.
- **08/00027/FUL** - Erection of marquee (252 sq m in area) to be used for wedding receptions and functions for 6 months of the year - May to October. Approved.
- **08/00516/FUL** - Variation of condition 15 (relating to maximum no's of guests) and removal of conditions 9,10,11 &12 (relating to access) of 08/00027/FUL - Erection of marquee (252 sq m in area) to be used for wedding receptions and functions for 6 months of the year - May to October. Approved
- **08/05074/DET** - Compliance with conditions notification of 08/00516/FUL - Conditions: 6, 10 and 12. Condition Cleared.
- **08/05156/DET** - Compliance with Conditions notification: 08/00516/FUL - Condition 6 - Noise insulation. Condition Cleared.
- **09/00007/FUL** - Change of use of room for marriage civil ceremonies. Approved.
- **17/01300/OUT** - Addition of barn within grounds of Mangapp manor and associated access. Application withdrawn.
- **18/01374/FUL** - Change of use from wedding venue to residential (C3) and the construction of an outbuilding including an associated access, boundary treatments and car parking. Application refused
- **18/01374/FUL** - Change of use from wedding venue to residential (C3) and the construction of an outbuilding including an associated access, boundary treatments and car parking. – Refused
- **19/00656/FUL** - Construction of outbuilding for storage of classic cars and motorcycles. Formal removal of additional use of property as a wedding venue – Refused

## **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>
Burnham-on-Crouch Town Council	Support.	Noted

### **7.2 Representations received from Interested Parties**

7.2.1 No letters of representation have been received.

## **8. REASON FOR REFUSAL**

- 1 The proposed outbuilding, as a result of its siting, scale, bulk and design would be unduly detached from the host dwelling and would have a substantial and unacceptable visual impact on the intrinsic character and beauty of the countryside. This would be exacerbated by the substantial increase in built form and the fact the development is located outside of Mangapp Manor's residential curtilage resulting in the urbanisation of the countryside. The proposal is therefore unacceptable and contrary to policies S1, S8, D1 and H4 of the Maldon District Local Development Plan, policy HO.8 of the Burnham-on-Crouch Neighbourhood Development Plan and the guidance contained within the National Planning Policy Framework.