



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
**NORTH WESTERN AREA PLANNING COMMITTEE
10 FEBRUARY 2021**

Application Number	20/00519/FUL
Location	Warren Golf Club, Old London Road, Woodham Walter
Proposal	Additional tourism and interrelated leisure development, comprising 70 holiday lodges with associated change of use of the land within two areas of the site, alterations to existing Bunsay clubhouse, extension of Bunsay car park and new golf academy.
Applicant	Mr John Moran - The Warren Golf and Country Club
Agent	Mr Clive Simpson - Clive Simpson Planning Limited
Target Decision Date	15.10.2020 (EOT until 12.02.2021)
Case Officer	Julia Sargeant
Parish	WOODHAM WALTER
Reason for Referral to the Committee / Council	Major Application Level of Public Participation Member Call In – Called in by Councillor K W Jarvis Local Development Plan (LDP) policies S1, S8, E5, D1, D2, D3 - impact on wildlife and outside of the LDP merits debate by members

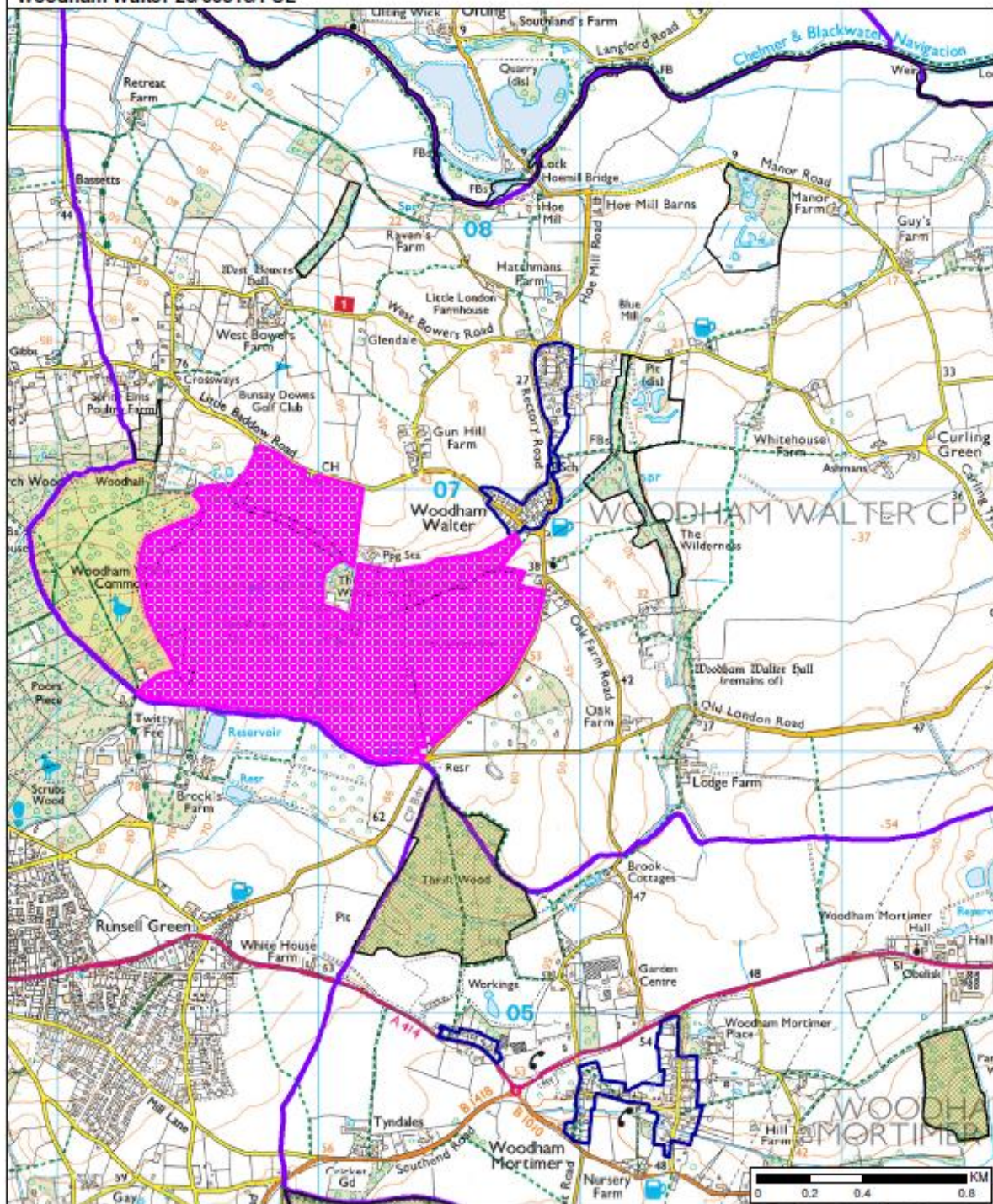
1. RECOMMENDATION


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

2. SITE MAP

Please see overleaf.

Warren Golf Club - Old London Road Woodham Walter 20/00519/FUL



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	Organisation: Maldon District Council
	Department: Planning Services
	Comments: 20/00519/FUL
	Date: 11/01/2021
	MSA Number: 100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The Warren Estate is located within the parish of Woodham Walter and within a rural location. To the west of the application site is Woodham Walter Common which is also designated as a Special Site of Scientific Interest (SSSI). Parts of the application site are also designated as a local wildlife site (reference Ma02 The Warren Golf Club Woods) and covered by a Tree Preservation Order (TPO). The south western section of the application site which is known as 'The Warren Estate Lodges' as well as 'Herbage Park' is a former quarry which now contains a number of holiday lodges and is designated as a local wildlife site in the Local Plan (Ma08 – Goldsands Road Pits and Lakes). A number of public footpaths run through and around the perimeter of the application site and beyond. The application site adjoins the District Boundary with Chelmsford City Council.
- 3.1.2 Planning permission is sought for a number of tourism and interrelated leisure developments including 70 holiday lodges with associated change of use of the land within two areas of the site, alterations to the existing Bunsay clubhouse, an extension of Bunsay car park and a new golf academy. It should be noted that a number of the studies submitted to support the application refer to an external multi-use games area. This does not form any part of the proposal and this has been confirmed by the agent.
- 3.1.3 It should be noted that the 70 holiday lodges would fall under the statutory definition of a caravan of the Caravan Sites and Control of Development Act 1960 as supplemented by Section 13 of the Caravan Site Act 1968.
- 3.1.4 The design and access statement submitted with the application states that it is the aim of the Warren Estate *'to build a new and unique short break holiday and leisure destination for Maldon.'* The planning statement further elaborates on this stating *'The applicants now wish to expand the range of facilities by providing activity based short breaks, similar to the Centre Parcs model. There is a shortage of this form of accommodation in the District and the wider Essex area. Visitors will be able to take part in a range of activities including golf, archery, horse riding, walking and cycling in and around the extensive Warren Estate.'*
- 3.1.5 The application site boundary extends over 113 hectares of land, with a further 19 hectares of land shown under the applicant's ownership edged in blue. The application red line boundary has been drawn around the main part of The Warren Estate where the four main elements of the proposed development are sited.
- 3.1.6 An overview of each element of the proposal will now be given:
- 3.1.7 50 Holiday Lodges – 'Warren Lodges North'
- 3.1.8 Planning permission is sought for change of use of the land for 50 holiday lodges on part of the existing Bunsay golf course. The Bunsay Golf Club is part of the larger Warren Estate and is located to the south of Little Baddow Road with access taken from Little Baddow Road.

- 3.1.9 The Bunsay Golf Club comprises two nine hole golf courses (Bunsay and Badgers par 3) as well as the clubhouse. The Badgers par 3 course is outside of the red line of the application site (shown in land edged blue) and to the north of Little Baddow Road. The majority of the Bunsay golf course is shown within the red line of the application site and 50 holiday lodges are proposed in the area to the south of the Bunsay clubhouse where currently 3 holes of the Bunsay golf course are located. The land is undulating and slopes from the north west to the south east, with areas of trees and soft landscaping present. Being part of the golf course, this section of the application site has a well maintained and soft landscaped appearance. There is a public footpath running along the eastern boundary of this section of the site. To the west of this section of the application site is Common Lane which is also a public footpath for the south western third of its length.
- 3.1.10 A site plan has been submitted showing the 50 lodges set off internal access roads within the site, alongside parking, pathways, a BBQ and seating area and additional soft landscaping. Each holiday lodge would have parking for 1 or 2 vehicles, as well as room for 3m deep decking to the rear of each unit. Distances between each lodge would be a minimum of 6m and all main access roads to be 5m wide and of a permeable construction using grass crete. Two detention basins are also shown to the south western section of this part of the site as part of the surface water drainage scheme.
- 3.1.11 The planning statement advises that the lodges will be finished in black timber weatherboarding to relate to the Bunsay Clubhouse building and have pre-formed steel tile systems for the roofs. Three different sized lodges will be provided 12.8m x 6m, 14m x 6m and 15.2m x 6m. Illustrative plans of the lodges have been submitted.
- 3.1.12 It is stated within the submitted planning statement that the 50 lodges proposed adjacent to the Bunsay clubhouse will be a family orientated short break holiday park and that the applicant's preferred partner in terms of marketing and booking for the 50 lodge family orientated park is Hoseason's Go Active brand which is available under licence only to short break holiday parks which can provide a wide range of indoor and outdoor activities for guests. The statement further adds that visitors will have the opportunity to undertake sporting activities such as golf, archery, fitness gym and swimming, and also walk or cycle through the extensive Warren Estate grounds, as well as visiting the other established tourist attractions in Maldon. Whilst the content of the statement is noted it is not proposed for the permission to be a personal permission and it is not considered such an approach would be appropriate either.
- 3.1.13 20 Holiday Lodges – 'Wayside Retreat'
- 3.1.14 Planning permission is also sought for a further 20 holiday lodges which would be positioned on land located more centrally within the Warren Estate to the east of the dwelling known as Wayside. The area where the 20 lodges would be positioned is roughly square in shape and comprises of rough grassland boarded to three sides by existing trees and hedgerows, being open to the south only, which is a tree lined internal access road within the Warren Estate. A public footpath runs along the internal access road to the south of this section of the application site.
- 3.1.15 A site plan has been submitted which shows the 20 lodges set around an almost circular internal access road, with four lodges to the centre of the site. A BBQ and

seating area is shown towards the centre of the site. Each holiday lodge would have parking for 1 vehicle and a 3m decking area. The supporting information also states that each lodge would have a 2-person hot tub. Distances between each lodge would be a minimum of 6m and all main access road to be 5m wide and of a permeable construction using grass crete. The existing access road within The Warren Estate that leads to this area of the site would also be upgraded.

3.1.16 It is stated within the submitted planning statement that the 20 lodges proposed adjacent to Wayside will provide luxury break accommodation for adults only; however, it is not considered that this could be controlled through a planning condition. The lodges proposed are stated to be of chalet type design, with barn like pitched roofs and natural timber cladding. Access to this area will be via the existing access road to The Warren Golf and Country Club. Two sizes of lodge will be available in this area; 10.9m x 6m and 12.2m x 6m with 1 and 2 bedroom units.

3.1.17 Bunsay Clubhouse

3.1.18 As part of this application alterations to the existing Bunsay Clubhouse are proposed. The proposed alterations would include a complete refurbishment of the existing clubhouse which would result in:

- A larger kitchen area;
- A new bar/grill 92-seater restaurant (previously a much smaller dining room area is shown);
- Creation of an indoor activities hall;
- Creation of an outside terrace area to the south of the restaurant and activities hall.

3.1.19 The clubhouse at present is made up of a number of different sections including a front two storey weatherboarded elevation with a single storey rear rendered projection to the northern part of the building (adjacent Little Baddow Road) and two barn style sections to the rear of the main section of the building. The two barn style sections are mainly finished in corrugated metal profile sheeting.

3.1.20 The proposed alterations would keep the same footprint of the building (with the exception of a new front canopy) and replace the barn style sections with the proposed restaurant and activities hall. The proposed alterations would have a brick plinth, with timber weatherboarding in black (to match the existing front elevation) with a tiled roof. The single storey rendered projection to the north would remain.

3.1.21 Whilst the main overall footprint of the building would remain unchanged, the height of the rear projections would be lowered. At present the rear barn style sections of the clubhouse have a maximum ridge height of 7 metres, with the main frontage having a ridge height of 7.6 metres. As part of the redevelopment the rear section of the building would have its ridge height lowered to a maximum of 5.6 metres with the existing front elevation unchanged in terms of its overall height, although a new front canopy is proposed to the main entrance which would have a width of 3.3 metres, a height of 3 metres and project 0.9 metres from the existing front elevation.

3.1.22 The footprint of the two main sections to be altered are 17.7 metres by 12 metres (to create new restaurant) and 14.8 metres by 19.8 metres (to create activities hall).

3.1.23 Extension to Bunsay Car Park

3.1.24 As part of the redevelopment of the Bunsay clubhouse and the 50 new lodges proposed in this area the existing Bunsay car park would be extended to the south to create an additional 67 spaces. Whilst the existing car park is gravelled and informal the application states that there is space for 54 vehicles at present.

3.1.25 Golf Academy

3.1.26 Planning permission is also sought for a new golf academy building which would be located to the east of the main Warren Clubhouse building to the rear of an existing belt of trees. This part of the application site has a fairly steep slope and the building would be part single storey, part two storey to accommodate this. The two storey element would be roughly rectangular with a further single storey projection to the south at first floor level. At ground floor level the building would contain a small kitchen, and two classrooms (including indoor putting class) as well as stairs leading to the first floor which would contain an office, toilet, small seating area and practice bays (including two range class bays).

3.1.27 Overall the proposed building would measure a maximum of 29 metres wide by 13.5 metres deep. The main two storey section would measure 15 metres wide by 9 metres deep at ground floor and 13.5 metres deep at first floor level. The single storey section at first floor level would measure a further 14 metres wide by 4.8 metres deep. The maximum ridge height of the building (when viewed from the west) would be 9.1 metres with an eaves height of 5.5 metres, when viewed from the east the building would have a ridge height of 6.4 metres and an eaves of 4 metres (to allow for the practice bays).

3.1.28 The building would be finished in steel and timber clad construction.

3.2 **Conclusion**

3.2.1 The purpose of the planning system is to contribute to the achievement of sustainable development. In determining whether a proposal would represent sustainable development there are three overarching objectives which must be considered;

- An economic objective,
- A social objective, and
- An environmental objective.

Paragraph 38 of the National Planning Policy Framework (NPPF) states that *‘Decision-makers at every level should seek to approve applications for sustainable development where possible.’*

3.2.2 The application site is located in a rural area outside of the settlement boundary and where policies of planning restraint apply. In assessing the information submitted as part of this application it is considered that no identified need for the new holiday lodges has been demonstrated as required by Local Development Plan (LDP) policy E5. Furthermore, the introduction of the proposed holiday lodges across the two sections of the application site would introduce an incongruous and visually harmful development which would have an urbanising impact upon the rural character and

appearance of the site. In this respect, the proposal would not accord with policies S1, S8, E5 and D1 of the LDP.

- 3.2.3 The application site has a number of adjacent residential dwellings and it is considered that the redevelopment of the Bunsay clubhouse and use of the land to the south of the Bunsay clubhouse for 50 holiday lodges would result in harm to the amenity of the area through noise and disturbance and would materially harm the amenity of the occupiers of the dwellings along Little Baddow Road, namely Apple Cottage and No's 1 and 2 Hawkins Farm Cottages contrary policies E5, D1 and D2 of the LDP.
- 3.2.4 The application site contains a number of heritage assets, including 'Wayside' which is a non-designated heritage asset for the purposes of paragraph 197 of the NPPF. It is considered that the proposal would cause some harm to the setting of this heritage asset, although it is acknowledged that this would be limited. However, given that the need for the additional holiday units is not accepted, and the harm to the landscape that the development would cause, it is considered that the public benefits of the proposal would not outweigh the limited harm that the 20 lodges would cause to the non-designated heritage asset Wayside. The proposal would therefore result in unacceptable harm to this non-designated heritage asset contrary to the NPPF and LDP Policies E5, D1 and D3.
- 3.2.5 Essex County Council (ECC) Highways have been consulted on this application and have raised no objection subject to conditions. One condition that they have recommended is the submission of a workplace travel plan and monitoring fee (£5000). As this relates to the payment of monies it is considered that this would be best dealt with through a S106 legal agreement. The agent has agreed to the principle of the condition, however in the absence of a completed S106 agreement the impact of the proposal cannot be fully mitigated. As the application site is located within a rural setting with little to no access to public transport the workplace travel plan is considered necessary to reduce the use of single occupancy vehicles as much as practicable in relation to staff working at The Warren Estate.
- 3.2.6 Overall whilst it is acknowledged that the proposal has the potential to generate employment and generate economic benefits through job creation and increased spending within the District and adjoining Districts this is not considered to outweigh the material harm that has been identified and overall it is considered that the proposal would not represent sustainable development and would be contrary to the NPPF and as well as the LDP.

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
- 80-84 Building a strong, competitive economy
- 91-101 Promoting healthy and safe communities
- 102-111 Promoting sustainable transport
- 117-123 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
- 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
- S2 Strategic Growth
- S7 Prosperous Rural Communities
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D2 Climate Change and Environmental Impact of New Development
- D3 Conservation and Heritage Assets
- D5 Flood Risk and Coastal Change
- E1 Employment
- E3 Community Services and Facilities
- E5 Tourism
- N1 Green Infrastructure Network
- N2 Natural Environment and Biodiversity
- N3 Open Space, Sport and Leisure
- T1 Sustainable Transport
- T2 Accessibility

4.3 Relevant Planning Guidance / Documents:

- Maldon District Vehicle Parking Standards SPD (VPS)
- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Maldon District Design Guide (MDDG)
- Woodham Walter Village Design Statement 2017

4.4 Necessary Associated Infrastructure Improvements Required and/or Affordable Housing:

- Submission of a workplace travel plan accompanied by a monitoring fee of £5,000.

5. MAIN CONSIDERATIONS

5.1 Environmental Impact Assessment (EIA)

- 5.1.1 The application represents Schedule 2 development under the EIA Regulations (under section 12 tourism and leisure 12c: Holiday villages and hotel complexes outside urban areas and associated developments; and 12f: Golf courses and associated developments). In accordance with the EIA Regulations the applicant sought a screening opinion from the Council prior to submission of this application to determine whether the proposal would be EIA development (reference 19/00988/SCR). The screening opinion given by the Council was that the proposal is not EIA development and, therefore, it is not necessary for an Environmental Statement to be submitted as part of this planning application.

5.2 Principle of Development

- 5.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, Section 70(2) of the 1990 Act and paragraph 47 of the NPPF require that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case the development plan comprises of the approved LDP.
- 5.2.2 The NPPF is clear that sustainable development is at the heart of the planning system. The Framework's definition of sustainable development has three interdependent objectives that are mutually dependent upon each other and need to be balanced. These are the economic, social and environmental objectives. This requirement is carried through to local policies via policy S1 of the approved LDP which emphasises the need for sustainable development.
- 5.2.3 Along with policies S1 and S2, policy S8 of the approved LDP seeks to direct development within settlement boundaries in order to protect the intrinsic beauty of the countryside. The policy states that "*The Council will support sustainable developments within the defined settlement boundaries*". The policy goes on to state that "*development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided it is for either intern alia....*"
- b) Employment generating proposals (in accordance with Policy E1)*
 - c) Community services and facilities to meet local need (in accordance with Policy E3);*
 - f) rural diversification, recreation and tourism proposals (in accordance with Policies E4 and E5), and*
 - j) Green infrastructure, open space and sports facilities (in accordance with policies N1, N2 and N3)."*
- 5.2.4 The application site is located outside the defined settlement boundary for Woodham Walter and therefore, the impact of the development on the intrinsic beauty of the countryside should be assessed along with exception policies E1, E3, E4 E5, N1, N2 and N3.
- 5.2.5 Paragraph 83 of the NPPF states that to support a prosperous rural economy, planning policies and decision should enable:

- “a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- b) the development and diversification of agricultural and other land-based rural businesses;*
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.”*

Principle of development – Holiday Accommodation

- 5.2.6 The site is proposed to be used all year around. The lodges are to be used for holiday purposes only and not permanent residential accommodation. It is common practise for conditions to be imposed to restrict the use of a site for holiday purposes only and not as a person's sole or main place of residence. There are cases where full year round occupation was secured by the imposition of conditions requiring site owners to maintain an up to date register of the names of all owners/occupiers of individual caravans on the site, and of their main home which was considered to be sufficient to control permanent occupancy and would also be enforceable (Application Ref.: FUL/MAL/15/0057, Eastland Meadows Caravan Park and Appeal Ref.: APP/X1545/W/16/3146670). Furthermore, the agent has made it clear that the proposed holiday lodges are to be for short term holiday lets and has referenced a recent committee report presented to East Suffolk District Council for a development stated as ‘Redevelopment of golf course and vacant paddock land for the siting of 170 holiday lodges, 3 tree houses, new Facilities Building, Maintenance and Housekeeping Building, car parking and associated highway works’ where conditions were recommended which restricted the occupancy of the holiday lodges to no more than 56 days in total in any one calendar year by one person or persons. Given the nature of the proposal and the justification given for the development it is considered that should planning permission be recommended conditions could be attached to restrict the use and occupation of the lodges.
- 5.2.7 On that basis, any concerns regarding using the caravans as permanent residence, due to the year round operation of the site could be overcome, by the imposition of conditions as stated above.
- 5.2.8 Policy E5 states that *“The Council will support developments which contribute positively to the growth of local tourism in a sustainable manner and realise opportunities that arise from the District’s landscape, heritage and built environment.”*
- 5.2.9 The policy goes on stating that *“Development for new tourist attractions, facilities and accommodation will be supported across the District where it can be demonstrated that:*
- 1) There is an identified need for the provision proposed;*
 - 2) Where possible, there are good connections with other tourist destinations, the green infrastructure network and local services, preferably by walking, cycling or other sustainable modes of transport;*

- 3) *There will not be any significant detrimental impact on the character, appearance of the area and the quality of life of local people; and*
- 4) *Any adverse impact on the natural and historic environment should be avoided wherever possible. Where an adverse impact is unavoidable, the proposal should clearly indicate how the adverse impacts will be effectively mitigated to the satisfaction of the Council and relevant statutory agencies. Where a development is deemed relevant to internationally designated sites, the Council will need to be satisfied that a project level HRA has been undertaken and that no potential significant adverse impact has been identified.”*

5.2.10 Therefore, whilst it is noted that the Council will support the growth of local tourism, this is only where the criteria listed above from LDP policy E5 are met. It is therefore necessary to assess the proposed holiday lodges against these criteria. Looking at the following:

“1) There is an identified need for the provision proposed”

5.2.11 It is noted that the Parish Council as well as a number of letters of representation have made reference to a recent appeal decision relating to the site Meadows Barn, Bassets lane, Woodham Walter which is located approximately 700 metres to the north west of the application site. This application sought planning permission for 10 holiday lodges and was refused and subsequently dismissed at appeal with the inspector stating *‘Both parties have made reference to the Warren Estate, also in Woodham Walter, which the appellant states have 102 holiday lodges on site. The Council submits that this extensive local provision fulfils any tourism need within the area and any further accommodation would be surplus. In the absence of more than limited evidence from the appellant to suggest that there is a need for further tourist accommodation in the area, I share the Council’s view which I give significant weight.’* Whilst reference to this appeal decision is understood, each application for additional tourism development has to be assessed against the information submitted to demonstrate need. In the appeal reference the Inspector found that against the limited information submitted by the appellant they agreed with the Council’s view. In this case it is still necessary to assess the information submitted by the applicant to assess whether there is a need for the holiday accommodation submitted.

5.2.12 In relation to this criterion the application has been supported by a document titled ‘Tourism Development at The Warren Estate Report Findings’ by destination research. This report also includes a letter from the Strategic Tourism Manager of visitessex.com at Essex County Council (ECC) and a further letter of support from the Business Development Manager at Hoseasons. During the consultation period of this application a further letter in support of the proposal was submitted by the agent from the Business Development Director at Hoseasons.

5.2.13 In relation to the first requirement of policy E5, the submitted information states the following (summarised key points):

- A market supply analysis of existing holiday lodge and caravan villages within an approximate 10 mile radius of the Warren Estate has been undertaken. This finds that there is a limited supply of holiday village-type accommodation and this is mostly near coastal areas.

- There are currently 19 Hoseasons 'Go Active' sites set in rural and coastal locations across the UK, with the closest being in Norfolk. Therefore, report concludes that the new 'Go Active' lodges would be unique to the Maldon area and would significantly enhance the existing accommodation supply within the district.
- The market supply analysis shows that whilst some of the competing establishments identified in this study offer some of the services provided by the Warren Estate, the proposed new facilities will allow the developers to offer a range of accommodation and leisure activities that will be unique to the local area. This will increase the volume of overnight stays in Maldon and have a direct positive impact on the local economy and employment market.
- Need and Demand Analysis has also been undertaken which found that unit occupancy rates for the main holiday season in Essex (June to September) consistently above 70% and averages below 50% during the out of season months (31% at its lowest point in January). Report goes on to consider that the proposed new accommodation at The Warren Estate will perform better than the averages due to:
 1. According to Visit England's research, properties located in rural locations are more likely to perform well during low season months, due to the range of out-of-season leisure opportunities that are available, including walking, sailing, fishing and golf courses nearby.
 2. Furthermore, according to Mintel research, properties located within golf courses, as is the case with this proposal, are more likely to perform well during the low season months, mainly due to golf-related short breaks.
 3. Branded holiday resorts (Hoseasons 'GO ACTIVE', Center Parcs, etc.) often achieve very high occupancy rates (Center Parcs reports occupancy levels of between 94% to 97% for their parks).
- The report finds that Maldon is increasingly relying on the day visitor market which brings challenges to the district's visitor economy.
- Report states 97% of all trips to Maldon are tourism day visitors and 3% account for overnight stays. Essex attracts proportionally more overnight visitors (4%). This is important because overnight visitors bring significantly more economic benefit to the local economy compared to day visitors.
- In addition, overnight visitors to Maldon spend less during their visits (£148.40 per trip and £43.15 per night) compared to the county average (£176.12 per trip and £53.42 per night). The report considers that the proposed accommodation should be seen as a great opportunity to increase the proportion of overnight trips to the area as well as the average expenditure per trip as the accommodation proposed under the 'Go Active' brand should be seen as an opportunity to increase the average spend per trip.
- Overall the report concludes that the proposed development has the potential to significantly benefit the tourist economy within the Maldon District in a number of ways:
 - The increase in holiday stock (even assuming occupancy levels of between 42% and 60%) equates to an increase of 89,352 staying visitor nights annually, an increase for the district of 17% (based on 2018 figures).
 - The project represents a cost to build investment of over £7 million into Maldon holiday bedroom stock.

- This increase in staying visitor nights could add over £2.7 million in staying visitor spend to the visitor economy and £677,000 to the Maldon economy.
- Companies and suppliers will benefit from an estimated additional £1 million in annual spend (of which £700k would be local in Maldon district) on products and services by The Warren Estate.
- The proposed Hoseasons 'Go Active' brand is underrepresented in the south and east of England.
- A letter of support is appended from Lisa Bone (Strategic Tourism Manager at ECC) which advises that there is a lack of good quality accommodation throughout Essex which hinders the ambition to grow overnight stays and short breaks. The letter also advises that there is a gap in the market in Essex for a rural, experiential holiday village like this.
- Two letters of support from Hoseasons have also been submitted which make the following points:
 - The short break lodge sector is an area of the market which is extremely buoyant at present and has enjoyed sustained growth over the past ten years. The demand for high specification accommodation in superb locations has reached an all-time high.
 - The Go-Active brand will add a new face to the region as there is currently no Go-Active site from Norfolk to Sussex. Also, with the closest Centre Parcs being in Brandon there is little competition to stop customers coming to The Warren Estate and visiting Essex.
 - We continue to concentrate our efforts towards working closely with partners who have developments within a two hour drive time of major towns/cities. Would anticipate The Warren Estate to attract the London market as it will be an easy access for a short break holiday.
 - The traditional season of Easter to the end of October is becoming something of a thing of the past and there is an increase in short breaks.
 - Important to add relevant special all weather amenities and indoor activities of a suitable size and scale for the size of the resort.
 - East of England suffers from an underrepresentation of luxury lodges within the Hoseasons portfolio and see a case for higher demand than supply can keep up with.

5.2.14 In reviewing the evidence that has been submitted to demonstrate a need it must be noted that there is no guarantee that the 50 lodges will be accepted under the Hoseasons 'Go Active' brand, the application states that they are the applicant's preferred partner, but this is not something that can be dealt with under a planning application. It is the use and proposal itself that must be considered.

5.2.15 In assessing the market supply analysis, a search for holiday lodge and caravan parks has only been undertaken within a 10 mile radius of the application site. It is considered that this is limited search area given the scale of the proposal and it is considered that a more realistic assessment would consider a wider area. Furthermore, no detail is given of the holiday lodge or caravan parks found within the 10 mile radius such as their names with only a simple map of locations given.

5.2.16 Having looked within the Council's records and online it can be seen that there appears to be other holiday lodge/caravan parks within a relatively close distance to

the application site that do not appear to have been taken into consideration in this report. Examples of this include Steeple Bay Holiday Park, Chigborough Farm (Great Totham), and Eastland Meadows in Bradwell on Sea (which do not appear to be shown on the map) and also in some places only one icon for accommodation is shown where it is known that there are several holiday resorts (such as in Heybridge or St Lawrence). Furthermore, the report includes no analysis of these resorts or their facilities in terms of a comparison to the proposal and no details of size or occupancy of these resorts. The report states that they have identified a lack of reliable occupancy statistics at a local level, however occupancy statistics have not even been included for the existing holiday lodges within The Warren Estate (The Warren Estate Lodges also known as Herbage Park) and in fact no mention is made of these lodges within the report other than stating they are privately owned. Having viewed the Hoseasons website as well as The Warren website it appears that there are lodges available for short term holiday lets. Given that the report seeks to justify an additional 70 holiday lodges within the wider Warren Estate it is surprising that no further mention is made of the existing holiday lodges or their occupancy rates. It is appreciated that the proposal seeks a different model of holiday accommodation (all short term lets as opposed to a mixture of short term lets and private ownership), however details of the occupancy of the existing lodges which are available for short term holiday let would be a logical place to start justification for any expansion.

5.2.17 It is acknowledged that the proposal includes additional facilities such as the golf academy and the redevelopment of the Bunsay clubhouse to include an indoor activities hall and to this end the applicants state *‘Visitors will have the opportunity to undertake sporting activities such as golf, archery, fitness gym and swimming, and also walk or cycle through the extensive Warren Estate grounds as well as visiting the other established tourist attractions in Maldon.’* – Planning Statement paragraph 6.9. However, it has not been clearly demonstrated that existing holiday parks within the area do not offer similar facilities. For example, Steeple Bay Holiday Park appears to offer a heated pool, entertainment, play area, fishing and a bar. It is appreciated that this proposal would be offering further facilities and more indoor facilities however the information that has been submitted in support of this proposal is not sufficient to demonstrate that there is an identified need. Furthermore, the information submitted in relation to the additional facilities to be offered such as archery and horse riding is not specific in terms of how these additional facilities would be offered or arranged and they are not specifically included within the application. It is also noted that the existing gym and swimming pool (known as Warren Active and available to join under membership) are already present on the wider site (within The Warren Estate Lodges also known as Herbage Park section of the site) and are of a size commensurate with the existing development. The swimming pool particularly only measures 14 metres by 7 metres and it is questionable whether this would be able to provide adequate facilities as detailed in the application for all existing lodge users, members of Warren Active and the proposed lodges.

5.2.18 When viewing The Warren Estate’s website it can be seen that in relation to the existing lodges on site there are still lodges available to buy as a holiday home as well as lodges available to book for short breaks. Given that these existing lodges have access to the facilities already present within the wider site and have not been fully developed (at the time of looking it appeared that there are 9 plots for lodges available) it is felt that this raises questions over the need for additional holiday lodges without further justification. Online research has also found that within

approximately 13 miles of the application site (according to the Hoseasons website) is The Essex County Club which is set within the grounds of an 18-hole golf course and also offers holiday lodges with access to facilities such as bar, fishing, gym, spa etc. It is therefore considered that there is a large number of holiday caravan/lodge parks within the District of Maldon and close to the District. Whilst this shows a demand for such type of holiday accommodation in the area, on the flipside it shows the extent of the availability and therefore, the lack of need of an additional site (without justification).

- 5.2.19 It is noted that letters of support have been submitted from Hoseasons and the Strategic Tourism Manager from Visit Essex. The letters from Hoseasons provide mainly generic support for the proposal in relation to the boost in the short break lodge sector and cite the lack of any 'Go Active' brand resorts from Norfolk to Sussex. However, the generic boost in short break holidays does not necessarily translate to a need for the proposal in this location. Also, the lack of any 'Go Active' brand resorts does not mean there are not holiday resorts within the area, just that they are not branded 'Go Active' ones which is not something that can be controlled through planning – it is the use that must be considered and not the potential brand. The letter from the Strategic Tourism Manager at Visit Essex provides more specific support and adds weight to the argument for the proposal. However, whilst this adds weight to the application it does not outweigh the lack of information and evidence within the main assessment by destination research. Furthermore, it is also not clear from the letter whether this was written when the proposal included more elements much as the multi-use-games area.
- 5.2.20 In light of the above, it is considered that the submitted information does not sufficiently demonstrate a need for the proposed type of holiday accommodation in this area and thus, the first requirement of the policy is not considered to be met.
- 5.2.21 *“2) Where possible, there are good connections with other tourist destinations, the green infrastructure network and local services, preferably by walking, cycling or other sustainable modes of transport;”*
- 5.2.22 The application site is located within the rural countryside and is not well connected in terms of sustainable modes of public transport i.e. bus or rail. However, the application site is well served via the public footpath network with two public footpaths running through the site linking into the village of Woodham Walter. The application site is also well connected in relation to the green infrastructure network with areas within the site designated as green infrastructure and Woodham Walter Common being located to the west of the site. Woodham Walter itself has limited facilities for tourists with public houses (The Bell, The Queen Victoria and The Cats) but no shops or other facilities. Woodham Walter is also not served by any regular bus services, there are pre-bookable serves to local hospitals and Chelmsford run through a local taxi firm but no regular buses which could be used to gain access to or from the site for holiday makers.
- 5.2.23 The Warren Estate offers some facilities for any future users of the proposed lodges and on this basis, it is accepted that the proposed holiday accommodation would result in less vehicular movements than other holiday accommodation with no or very limited onsite facilities. It is however considered that any future users of the site

would travel away from the site to access facilities such as shops and other local attractions (and reference is made to this within the destination research report).

5.2.24 On balance it is considered that as the proposal is in connection with an existing facility and is well connected into the public footpath network the proposal would accord with criterion 2 of LDP policy E5.

5.2.25 “3) *There will not be any significant detrimental impact on the character, appearance of the area and the quality of life of local people; and 4) Any adverse impact on the natural and historic environment should be avoided wherever possible. Where an adverse impact is unavoidable, the proposal should clearly indicate how the adverse impacts will be effectively mitigated to the satisfaction of the Council and relevant statutory agencies. Where a development is deemed relevant to internationally designated sites, the Council will need to be satisfied that a project level HRA has been undertaken and that no potential significant adverse impact has been identified.*”

5.2.26 In relation to the last two criteria these will be fully considered and assessed under the relevant sections of this report below.

5.2.27 As 50 of the proposed holiday lodges would be sited on land currently used as part of a golf course, LDP policy N3 must also be considered in relation to the principle of the development. Policy N3 states that proposals for development on open space, sports and recreational buildings and land, will not be allowed unless:

- “1) *Through an assessment there is clear evidence that the open space, buildings or land are surplus to requirements to meet local needs; or*
- 2) *The resulting loss would be replaced by new open space, buildings or land of equivalent or better provision in terms of quantity and quality and in a suitable location accessible by the local community; or*
- 3) *The development is for alternative sports and recreational provision and the need for that provision clearly outweighs the loss of open space, buildings or land.*”

5.2.28 No assessment showing that the fairways to be lost to the proposed holiday lodges are surplus to requirements has been submitted and new fairways would not be provided in an alternative location. Instead to offset the loss of the fairways and golf provision a new golf academy building is proposed within the wider Warren Estate. The supporting information submitted with the application states the golf academy will result in ‘*The provision of a new state of the art golf training centre to include teaching and custom fit studios, practice bays, new short games areas, classroom and indoor putting studioAs well as providing mitigation for the loss of the four holes this will provide a valuable local resource to drive participation in golf and provide social and leisure experiences to individuals and community groups.*’ On this basis and considering that the new golf academy would be located within the wider Warren Estate and still accessible to the local community the loss of the fairways is considered to be acceptable (notwithstanding that the principle of further holiday accommodation has not been accepted as detailed above). The requirements of Policy N3 are therefore considered to be met.

- 5.2.29 Overall it is considered that the principle of the holiday accommodation is not accepted in this case in relation to LDP policy E5.

Principle of development – Redevelopment of Bunsay Clubhouse

- 5.2.30 The Bunsay Clubhouse is an existing building which is associated with the lawful use of the wider site as a golf course. There is no objection to the principle of refurbishing and redeveloping this existing clubhouse in connecting with its existing use in accordance with policies S7, E3 and E5 of the LDP.

Principle of development – Golf Academy

- 5.2.31 No objection is raised to the principle of the proposed golf academy building which would provide teaching and custom fit studios, practice bays, new short games areas, classroom and indoor putting studio. This use is associated with and ancillary to the main use of The Warren Estate as a golf course. The principle of this element of the proposal is therefore supported by policies S7, E3 and E5 of the LDP.

5.3 Employment and Economic Impact

- 5.3.1 The District's economy comprises employment in high quality manufacturing, construction, business and light and general industry, as well as employment in sectors such as education, health, retail and tourism. All these sectors have a positive contribution to the local, regional and national economy.
- 5.3.2 Employment generating proposals in accordance with Policy E1 (criterion b) is one of the exceptions to the focusing of new development within settlement boundaries (provided that the intrinsic character and beauty of the countryside is not adversely impacted upon).
- 5.3.3 Policy E1 states that the Council will encourage employment generating developments and investment in the District to support the long-term growth vision outlined in the Council's Economic Prosperity Strategy (EPS) and that a minimum of 2,000 net additional jobs will be created in the District by 2029. This is to be achieved through the regeneration, modernisation and expansion of existing employment sites, and through the provision for new employment sites at the strategic allocations and South Maldon Garden Suburbs and other high quality and sustainable locations, including town centres, education and health facilities and with regard to other policies in this Plan.
- 5.3.4 The planning statement and 'Tourism Development at The Warren Estate Report Findings' report submitted in support of this proposal state that the proposal is *'calculated to generate 97 full time equivalent jobs across three districts in Essex (Maldon, Chelmsford and Colchester) and a net impact of £3.9 million. The increase in staying visitor nights could add over £2.7 million in staying visitor spend to the visitor economy in Essex and £677,000 to the Maldon economy.'*
- 5.3.5 The agent for this application has cited LDP policy E1 in support of the proposal. It is clear from reading LDP policy E1 that it relates to employment land and the retention of provision of further employment land in accordance with this policy. Whilst it is

not disputed that this proposal would generate employment and result in a boost to the local economy Policy E1 is not considered to be directly relevant.

- 5.3.6 Whilst LDP Policy E1 is not considered to be directly relevant the LDP and NPPF is supportive of sustainable development, with the economic impact forming part of this consideration (alongside social and environmental impacts). The economic impacts of the proposed development, including the potential for new jobs, therefore has to be taken into consideration in the weighing up of the application and weighs in favour of the proposal.

5.4 Layout, Scale, Design and Impact on the Character of the Area

- 5.4.1 Part of the environmental role of sustainable development as referred to in the NPPF, is that 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. It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF.
- 5.4.2 The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context. Furthermore, as the application site lies outside of the defined settlement boundary and 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.
- 5.4.3 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG (2017).
- 5.4.4 The Woodham Walter Village Design Statement (VDS) was formally endorsed by Maldon District Council (MDC) as a material planning consideration on 13 June 2017. This VDS seeks to promote good design and to set out the character of the settlement of Woodham Walter.
- 5.4.5 The application site comprises the majority of The Warren Estate and overall has a rural and soft landscaped appearance. Sections of the application site comprise golf courses which are a mixture of fairways with well maintained grass and clusters of trees and shrubland. Other areas of the site include open areas of grassland, small wooded areas as well as The Warren Estate Lodges which are sited in a former quarry but restored via natural re-colonisation of species and is now referred to as 'Herbage Park'. The main Warren clubhouse is a Grade II listed building with a small garden area to the north and east of the main clubhouse. The Warren House (outside of the application site and in separate ownership) is also a grade II listed building which is located to the north of the main clubhouse, and a dwelling known as 'Wayside' which is located within the application site and to the north east of the main cluster of

buildings around the centre of the site is a non-designated heritage asset. The overall character of the application site is therefore rural with a tranquil setting.

5.4.6 Landscape Impact

- 5.4.7 The application site is identified in the Landscape Character Assessment within the MDDG as F - Wooded Farmland Landscape (F5 -Little Baddow and Danbury Wooded Farmland which is shared with Chelmsford City Council) where the landscape is predominantly elevated undulating hills or ridges and slopes. It includes a mixture of arable and pasture farmland, blocks of mature mixed and deciduous woodland (including areas of ancient and semi-natural woodland), copses, hedges and mature single trees, and mature field boundaries. The landscape provides framed views to adjacent character areas. The area comprises of a network of quiet and often tree-lined narrow lanes. There is a sense of enclosure and tranquillity and an intimate character within pockets of the area (away from the main A414 corridor).
- 5.4.8 The main sensitive key characteristics and landscape elements within this character area include large areas of dense deciduous and mixed woodland, an intricate mosaic of commons, pasture and heathland spread throughout the area and several mature field boundaries (containing several mature trees), all of which are sensitive to changes in land management. The network of quiet rural lanes is also sensitive to change or increased traffic associated with new development. There is a strong sense of historic integrity, resulting from patches of ancient woodland and a prominent Iron Age hill fort (which is a visible historic feature). There are also several important wildlife habitats within the area (including 20 sites of importance for nature conservation, comprising ancient woodland, grassland and commons), which are sensitive to changes in land management. Overall, this character area has a relatively high sensitivity to change. The Woodham Walter VDS gives a further overview of the area settlement characteristics.
- 5.4.9 The application has been supported by a Landscape and Visual Impact Assessment (LVIA). The submitted LVIA gives an overview of the surrounding landscape as well as the impact of the proposed development. It is noted that the plan shown within the noise impact assessment does not reference the final submitted layout of the 50 lodges (which should planning permission be granted would be controlled through a condition). The report concludes that the site and surrounding landscape is able to accommodate the proposed change. The report states that *‘The landscape effects of the proposed development on the wider character area are limited by the enclosed nature of the site’s boundaries, undulating, wooded topography of the landscape and intervening vegetation on field boundaries. These factors limit the effects of the proposals, helping to maintain the character of the area.’* And that *‘there would be a low magnitude of change to the receiving landscape character under a 500m radius from the site boundaries. This judgement is based on the change in land cover, and by the size and height of the holiday development even though it is contained within boundary vegetation that will be retained and enhanced. The introduction of discreet elements into the landscape will not alter the balance of the wider landscape character, the magnitude of change will be low. The result is therefore considered to be a slight/moderate to moderate/slight effect on the landscape character in the long- term.’*

5.4.10 In relation to the impact of the development at site scale the report concludes that this is limited to the specific areas in which the holiday lodges would be situated and concludes that the overall magnitude of change at site scale is considered to be low, and therefore to these landscape receptors the effect is considered to be slight/moderate. The report considers that visual receptors would be limited to the immediate area within and surrounding the proposed site with the following effects identified:

- Transport routes - Slight; one road (Little Baddow Road), reducing to effectively no change through mitigation planting within 7 years.
- Settlements, residential and commercial properties - Slight to moderate/slight to slight: four identified properties or groups however three of these properties are within The Warren Estate itself.
- Public Rights of Way (PRoW) and open public spaces - Slight to slight/moderate: Three PRoWs have glimpsed and non- continuous views of the site.

5.4.11 As part of mitigation for the visual impact of the proposal additional soft landscaping and planting is proposed as follows:

- Retention of boundary vegetation with an additional native species hedgerow stepped inside the western, northern and eastern boundaries of site for 50 lodges where possible;
- Within site for 20 lodges tree groups and hedgerow shrub planting;
- Any tree losses through subject to replacement planting.

5.4.12 The contents and views of the submitted LVIA are noted, however when the site was visited clear views into and across the application site where the 50 lodges are proposed, particularly from Little Baddow Road and Common Lane were possible as well as from the public footpath along the eastern boundary. Whilst the site boundaries are defined, in the most part, by hedgerows and trees, which provide a soft and rural boundary, these are in places sparse and allow for views across the site. It is appreciated that additional soft landscaping is proposed however the introduction of 50 holiday lodges with the associated use of the land would result in a significant change in the character and appearance of this section of the application site. Many of the trees and hedgerows surrounding the application site comprise deciduous species, and therefore the impact in the winter months when the trees lose their leaves will also be greater. The supporting LVIA and accompanying viewpoints are all from September 2018 when the trees and hedgerows were in full leaf and do not represent the impact of the proposal during the winter months. A site visit has been undertaken during the winter months and clear views across the site were possible from all three public vantage points, these were also not just glimpsed views but sustained views (particularly from Little Baddow Road and Common Lane). Furthermore, given the orientation of the site sloping from the north west to the south east the views afforded from Little Baddow Road and Common Lane allow for long views across this part of the site which is currently relatively open within (comprising fairways).

5.4.13 The area of land where the 50 lodges are proposed is land which currently forms a part of the Bunsay golf course. Within this part of the site, there are trees which have been sporadically planted in groups and between the fairways and sandy bunkers. To the south of the location for the 50 lodges is a woodland strip which is designated as a Local Wildlife Site (Ma02) and acts as a green corridor to wildlife across the site. It is considered that the introduction of 50 holiday lodges (with associated necessary

infrastructure) within this section of the site would introduce an incongruous and visually harmful development which would have an urbanising impact upon the rural character and appearance of this part of the site. It is also considered that at present this part of the application site is characteristic of the Landscape Character Assessment Wooded Farmland Landscape (F5 -Little Baddow and Danbury Wooded Farmland) and has a sense of tranquillity which would be eroded by the proposed development.

- 5.4.14 In relation to the 20 lodges proposed adjacent to 'Wayside' it is acknowledged that views would not be possible of this element of the proposal from outside of the application site. However, there is a public footpath which runs along the internal access road within the site to the south of this area of the proposal. This would afford clear views of the proposed development and the change in use of the land would result in a significant change in the character of this area of the site which would also harm the existing rural nature of this part of the application site as well as the sense of enclosure and tranquillity which this part of the site possesses.
- 5.4.15 It is acknowledged that additional soft landscaping is proposed as part of mitigation for the visual impact of the proposal, however this would take time to mature and provide sufficient cover and the purpose of soft landscaping is to assist in softening the impact of development and helping it to assimilate into its environment, not to screen and block development. Furthermore, whilst soft landscaping is an important part of any new development of this scale its retention in the longer term cannot be secured.
- 5.4.16 It should be noted that planning permission has previously been granted within the wider Warren Estate for a number of holiday lodges (102 over three permissions) however these are all sited within a former gravel pit and therefore within a different landscape setting to the current proposed holiday lodges.
- 5.4.17 No objection is raised to the landscape impact of the proposed golf academy or works to the Bunsay clubhouse. The proposed new golf academy would be viewed within the wider setting of the existing golf facilities being located close to the main complex of buildings on The Warren and be of a use ancillary to the existing golf course. Furthermore, the building has been designed to appear as a single storey structure from the east which would lessen its visual impact from the open grassland to the east. The Bunsay clubhouse alterations do not result in any increase in floor area or extend the clubhouse into the wider landscape.
- 5.4.18 Overall it is considered that the proposed holiday lodges would introduce an incongruous and visually harmful development which would have an urbanising impact upon the rural character and appearance of the site and erode much of the open nature of these parts of the application site. In this respect, the proposal would not accord with policies S1, S8, E5 and D1 of the LDP.
- 5.4.19 Layout, Scale and Design
- 5.4.20 Holiday Lodges
- 5.4.21 In relation to the proposed lodges these would fall under the statutory definition of a caravan of the Caravan Sites and Control of Development Act 1960 as supplemented

by Section 13 of the Caravan Site Act 1968. The agent has submitted details to state that the 50 lodges proposed on the Bunsay golf course would *'reflect the barn style clubhouse that fronts the highway in the materials used within the lodge construction. This will be achieved by mixing black weather board cladding with terracotta and black roofing, adding interest to the design through use of a mix of cream, olive and light grey windows. Externally all lodges will have a decked terrace with low height fencing.'* And that the 20 lodges adjacent to 'Wayside' would *'stay in keeping with the natural area context, achieved by retaining a barn like pitched roof and use of natural timber cladding. These also will have a decked terrace with low level fencing.'* The external appearance of the lodges could be controlled through condition. Plans showing the layout for both areas of land to be used for holiday lodges have been submitted. In relation to the 20 lodges the plan shows them situated set around an almost circular internal access road, with four lodges to the centre of the site. In relation to the 50 lodges the plan shows lodges set off internal access roads within the site and set along most of the southern boundary and predominantly within the eastern half of the site. The layout of the lodges could be controlled through an appropriately worded planning condition.

5.4.22 In terms of their layout, scale and design the lodges would appear as standard timber holiday lodges and there is nothing objectionable to their appearance in this regard. However as detailed above the introduction of these lodges onto the rural landscape would harm the rural character and appearance of the site contrary to policies S1, S8, E5 and D1 of the LDP.

5.4.23 Bunsay Clubhouse

5.4.24 The proposed alterations to the Bunsay Clubhouse would result in the replacement of the existing relatively dilapidated barn style sections with new black weather boarded projections of the same footprint but with lower ridge height. A modest covered porch is proposed to the front elevation which would be open sided and finished in materials to match the main building. It is considered that the alterations would be in keeping with the architectural style and finish of the existing clubhouse and would respect and enhance the character and appearance of the existing building.

5.4.25 The alterations include the creation of an external patio/seating area which would be used in connection with the new larger restaurant facility. This patio area would measure 246 metres squared and would be sited to the south of the building allowing for views south towards the lodges. Whilst the patio area is relatively large it would not extend much beyond the most southern point of the building itself (3 metres) and would be viewed in connection with the existing use of the clubhouse. On this basis there is no objection to the proposed patio area.

5.4.26 Extension to Bunsay car park

5.4.27 Part of the proposal includes an extension to the south of the existing Bunsay car park. The car park is currently finished in gravel with no formal parking spaces. The submitted documentation states that there are 54 spaces at present and the extension will create an additional 67 spaces, resulting in a car park of 121 spaces. It is not specified what finish the car park would have or how the spaces would be marked out, although this is a matter that could be controlled via a planning condition.

5.4.28 Currently the car park is visible from Little Baddow Road set behind a hedgerow which is sparse in places. As part of the proposal the car park entrance would be formalised with a new access road running around the perimeter set further back from the northern site boundary than the current car parking area. Additional soft landscaping is proposed to the north of the car park. The extension south of the car park would result in the loss of a row of large conifer trees.

5.4.29 In terms of the layout, scale and design of the car park it is considered that the extension to the car park would be likely to result in some harm to the rural character and appearance of the site. It would result in additional hardstanding and the loss of a row of evergreen conifer trees which are visible from Little Baddow Road, and also help to contain views of the car park from the existing fairways. However, this harm can be mitigated through the use of conditions requiring details of the surface finish as well as full details of the soft landscaping, and it would, on balance, be acceptable.

5.4.30 Golf Academy

5.4.31 The golf academy building would be located to the east of the main Warren Clubhouse building to the rear of an existing belt of trees. This part of the application site has a fairly steep slope and the building would be part single storey, part two storey to accommodate this. Overall the proposed building would measure a maximum of 29 metres wide by 13.5 metres deep. The main two storey section would measure 15 metres wide by 9 metres deep at ground floor and 13.5 metres deep at first floor level. The single storey section at first floor level would measure a further 14 metres wide by 4.8 metres deep. The maximum ridge height of the building (when viewed from the west) would be 9.1 metres with an eaves height of 5.5 metres, when viewed from the east the building would have a ridge height of 6.4 metres and an eaves of 4 metres (to allow for the practice bays).

5.4.32 The building would be finished in steel and timber clad construction and would reference materials (timber cladding) found on the Warren Clubhouse. The overall scale of the building is considered to be appropriate for its location and the building makes use of the sloping site to appear as single storey from the east. There is existing vegetation around the site of the proposed building which would help it to assimilate into its surroundings. Overall it is considered that the building is well designed to operate functionally as well as minimise its impact upon the landscape. It would utilise materials to ensure that it appears in keeping with its wider surroundings and would not result in any harm to the setting of heritage assets.

5.5 **Heritage Impact**

5.5.1 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the Council must have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Similarly, policy D3 of the approved Maldon District Local Development Plan (MDLDP) states that development proposals that affect heritage assets 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.

- 5.5.2 The Warren Estate contains a number of heritage assets including Grade II listed buildings as well as the non-designated heritage asset 'Wayside'. The Council's Conservation Officer has been consulted on this application and advises that the proposal will affect the setting of Wayside, a cottage which may be regarded as a non-designated heritage asset for the purposes of paragraph 197 of the NPPF. The Conservation Officer acknowledges the other heritage assets (such as the main Warren clubhouse) but considers that Wayside is the only one which would be affected by the proposed development. Whilst the golf academy is proposed close to the main complex of buildings the conservation officer is of the view that it would broadly resemble a barn and would not seem out of keeping bearing in mind the agricultural history of the site.
- 5.5.3 In terms of the special interest of Wayside, it was designed c.1926 by the architectural firm Read & MacDonald. It is one of several early-20th-century Arts and Crafts style buildings commissioned by Henry Walter Thompson, who bought The Warren in 1904 and was responsible for laying out the current golf course. Stylistically, each of the early-20th-century buildings on The Warren Estate is influenced by the particular strain of Vernacular Revival architecture developed by the architect C F A Voysey (1857-1941). The presence of this particular group of buildings around The Warren estate and their association with the philanthropic figure of Henry Walter Thompson, imparts a particular local significance to the buildings.
- 5.5.4 The Conservation Officer advises that Wayside has been identified as a candidate for the Council's Parish Lists of Local Heritage Assets, although a list has not yet been adopted for Woodham Walter. Wayside satisfies the approved selection criteria insofar as it is a substantially complete early-20th-century house of very good local architectural and historic interest, deploying mostly good-quality materials, detailing and workmanship. The building's architectural quality has regrettably been diminished by recent refurbishment, including the replacement of the original lead-glazed windows with grey plastic windows. However, the building's overall form remains well-preserved and its significance is reinforced by its association with the other Arts-and-Crafts-style buildings on the Warren Estate and by its idyllic rural setting, fronting a leafy lane and public footpath, with a grass meadow immediately to the east of it.
- 5.5.5 The 20 holiday lodges are proposed to be sited on the meadow/area of grassland immediately to the east of Wayside, which is open to view from the public footpath and forms part of the bucolic rural setting to this Arts and Crafts style house. The Conservation Officer advises that lodges on the meadow to the east of Wayside would have a moderately adverse effect upon the setting and significance of the non-designated heritage asset, by eroding its idyllic rural surroundings and that the additional planting proposed to screen the development would take many years to become established. However, it is also noted that only peripheral views of Wayside – on the approach along the footpath from the east – would be impacted by the development; the main views of the house would remain largely unaffected.
- 5.5.6 To use the terminology of the NPPF and Policy D3 of the Maldon LDP, it is considered that this proposal will cause "*less than substantial harm*" to the significance of Wayside as a non-designated heritage asset. The degree of harm in this instance would be limited. Paragraph 197 of the NPPF advises that '*in weighing*

applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset’. It is therefore necessary to weigh the limited harm to Wayside that has been identified against any public benefits of the scheme.

- 5.5.7 in relation to the 20 lodges proposed on the land to the east of Wayside, it has already been considered in section 5.2 that the principle of this element of the proposal is not accepted, furthermore in section 5.3 it is advised that the use of the land for holiday lodges would harm the existing rural character of this part of the application site as well as the sense of sense of enclosure and tranquillity which this part of the site possesses. It is acknowledged in section 5.3 that the development would generate employment and bring some economic benefits to the locality which weighs in favour of the application. However, given that the need for the additional holiday units is questioned and not accepted, and the harm to the landscape that the development would cause, it is considered that the public benefits of the proposal would not outweigh the limited harm that the 20 lodges would cause to the non-designated heritage asset Wayside. The proposal would therefore result in unacceptable harm to this non-designated heritage asset contrary to the NPPF and LDP Policies E5, D1 and D3.

5.6 Archaeology

- 5.6.1 The Essex Historic Environment Record (EHER) shows that the proposed development site is sited within an area of historic environment potential. The heritage statement submitted in support of this application only deals with the Listed buildings, the Historic Environment Record has not been consulted nor has the surviving elements of the historic landscape been assessed, as is required by para. 189 of the NPPF.
- 5.6.2 The Historic Environment Characterisation assessment for Maldon District establishes that the site falls within Historic Environment Characterisation Zone 7.1, which has high/moderate significance for the Historic Environment. Archaeological features and deposits are both fragile and irreplaceable. It is therefore considered that if this proposal is approved a full archaeological condition should be attached to the planning consent. This is in line with advice given the NPPF. The condition would also have to cover the submission of an archaeological assessment which was not included with the heritage statement submitted with the proposal. Subject to the relevant condition the proposal would be acceptable in terms of its impact upon archaeological remains.

5.7 Impact on Residential Amenity

- 5.7.1 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. Similarly, policy D2 of the approved LDP requires all development to minimize all forms of possible pollution including air, land, water, odour, noise and light. Any detrimental impacts and potential risks to the human and natural environment will need to be adequately addressed by appropriate

avoidance, alleviation and mitigation measures. Policy H4 also requires consideration of the effect of development on neighbouring amenity and safety.

- 5.7.2 There are several residential dwellings immediately adjoining the application site:
- To the north of the application site along Little Baddow Road are Apple Cottage, and No's 1 and 2 Hawkins Farm Cottages.
 - To the west of the application site along Common Lane are Grove Cottage and Warren Grove.
 - To the west of the site along Twitty Fee is Robins Wood.
 - To the south of the site at the main entrance to The Warren Estate is No's 1 and 2 Redgates.
 - To the east of the site along Herbage Park Road is Parkside, Grove Manor, The Grange, Woodhouse, Somerville, and No's. 7 - 12 Church Corner.
 - Within the centre of the site is The Warren House and stables which is under separate ownership to The Warren Estate.
- 5.7.3 There are also a number of other residential dwellings in close proximity to the site, although not immediately adjacent. In terms of the proposals the dwellings that are located closest to the developments, and therefore most likely to be impacted, are the ones to the north and west of the site as well as those in the centre of the site.
- 5.7.4 The development has the potential to impact upon neighbouring occupiers through noise, disturbance and light pollution. Given the types of development proposed and distances involved between proposals and neighbouring properties the development would not result in any loss of privacy or overbearing impact.
- 5.7.5 The application has been supported by two noise impact assessments, one relating to the 20 lodges adjacent wayside and one relating to the alterations to the Bunsay clubhouse and the 50 lodges.
- 5.7.6 In relation to the 20 holiday lodges the submitted noise impact assessment concludes that the noise sources associated with the development include noise from the hot tubs, conversations and vehicle movements. However, as the nearest property Wayside is under the same ownership as the application site and is used as a short term holiday let, the report considers that there are no noise sensitive receptors that would be impacted by this element of the proposal. In order to minimise any potential noise, recommendations that hot tubs be the 'silent type' and mounted to prevent vibration are put forward as well as a speed limit of 10mph to be imposed on access roads.
- 5.7.7 Environmental Health (EH) have been consulted on this application and advise that in relation to the 20 holiday lodges and noise they recommend conditions to ensure the recommendations contained within the noise impact assessment are applied.
- 5.7.8 In relation to the alterations to the Bunsay Clubhouse and 50 holiday lodges a separate noise impact assessment was submitted. This assessment states that the noise associated with this element of the proposal will be from the bar and grill outside seating area, play barn, 50 lodges each with parking and vehicle movement. Recommendations within the report are that ambient music in the outside seating area should be controlled by restricting the volume to background level only and angling speakers down and facing into the terraced area, and that a speed limit of 10mph is

imposed on access routes. It is noted that the plan shown within the noise impact assessment does not reference the final submitted layout of the lodges (which should planning permission be granted would be controlled through a condition). It also makes no reference to the existing children's outdoor play area which could reasonably be expected to have an increased usage should planning permission be granted.

- 5.7.9 EH have raised concerns over noise impact from these elements of the proposed development. The EH Officer states: 'Whilst no raw data has been included in the report ambient and background sound levels were measured at 35dB(A) and 24dB(A) respectively which is very low. Any new noise source in the area is likely to be very noticeable. It is noted that hours of opening are proposed as 07:00 - 23:30 Monday to Saturday and 08:00 - 22:30 on Sundays and Bank Holidays but the noise report is for the daytime only.' And 'Noise from the bar and grill outdoor seating area was calculated using modelling based on 25 people speaking at once with raised voicesAveraging out the noise source over any given period of time (Leq,T) will not capture the differing pitches and inflexions of a person's speech and another person's response to it.... it is entirely feasible that given the nature of the proposal - there will be much shouting and laughter from the outdoor seating area as the users will be on holiday and enjoying the facilities. A common noise complaint is indeed disturbance from outdoor areas of licensed premises particularly during the evening. The report suggests that music will be played at background level only. This is subjective and impossible to condition. It is not clear whether there is an intention to provide amplified entertainment inside the clubhouse, it has not been considered in the noise report. Whilst the report suggests that the proposed new building will effectively screen the receptor from the outside seating area and provide between 15 and 20dB reduction in the conversation level I am not confident in the results of the modelling and in any event it does not consider disturbance from people entering or leaving the clubhouse.'
- 5.7.10 In relation to the 50 lodges the EH Officer advises that background noise levels in the area are very low. The proposed use of the land for 50 holiday lodges and general activity associated with their use will impact on the amenity of the area. It is also noted that a family BBQ and seating area is proposed approximately 50m south of the boundary of the Noise Sensitive Receptor (NSR) (Apple Cottage) which will encourage people to congregate in that area, which may be a source of disturbance. EH therefore object to the application on noise grounds.
- 5.7.11 The agent responded to the objection from EH with a letter from their noise consultant who disputed some of the points made by the EH Officer. This response was sent to EH for further comment who have advised (in summary) that:
- BBQ Area - The applicant is prepared to remove this area from the application. (this could be controlled through a condition)
 - Play Barn - The applicant has not addressed noise from this facility. It may be that if it is only used as a play barn with suitable hours of operation then this can be controlled by condition.
 - Sound level - The applicant proposes to set a level for sound at the boundary. Setting a level for this type of noise is difficult, as it is difficult to quantify the sound level that is going to be produced. The software used by the consultant (Computer Aided Noise Abatement) is more suited to industrial, construction,

road and rail projects. In my experience it is not a simple matter to set a level which passes the 6 tests for a Planning Condition.

- Broadly our concerns remain the same that the introduction of an additional 50 lodges will impact on the nearest noise sensitive properties.

5.7.12 The EH Officer has confirmed that, as per the original comments that it is the cumulative effect of the 50 additional lodges and the alterations to the clubhouse and the external area that will have an adverse impact on the existing noise sensitive dwellings, which are Apple Cottage and 1 and 2 Hawkins Farm Cottages. It is therefore considered that on the basis of the information submitted the proposed development at the Bunsay clubhouse and the use of the land for the stationing of 50 holiday lodges would result in harm to the amenity of the area through noise and would materially harm the amenity of the occupiers of neighbouring dwellings along Little Baddow Road contrary to LDP policies D1 and D2.

5.7.13 It is noted that lighting would be required for all elements of the proposed development. Lighting also has the potential to impact upon the amenity of neighbouring occupiers as well as the environment. A lighting strategy has been submitted with the application detailing the external lighting which comprises low level bollard lighting to pathways and discrete wall lights for the buildings. No floodlighting is proposed as part of the proposal. On this basis, and subject to an appropriate condition, the proposed lighting would not result in any harm to neighbouring occupier's amenity.

5.7.14 A number of objections have been received in relation to traffic and implications for residents which are considered in the below section of this report.

5.8 Access, Parking and Highway Safety

5.8.1 Policy T1 of the approved LDP seeks to create additional sustainable transport opportunities. 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.

5.8.2 The Council's adopted VPS 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.

- 5.8.3 The proposed development would utilise the existing two main access points into the site, one off Old London Road and the other from Little Baddow Road. The application has been supported by a Transport Assessment. As part of this assessment the proposal has been considered with respect to the likely level of trips that could be generated and the impact they would have on the local highway network. The assessment concludes that the total trip generation potential is as follows:

Use	Parameter	AM Peak Hour (08:00- 09:00)		PM Peak Hour (17:00-18:00)		Weekend (13:00 – 14:00)	
		Arrivals	Dep	Arrivals	Dep	Arrivals	Dep
Golf Course	3 Holes	-3	0	-1	-1	-1	-5
Golf Academy	8 Bays	1	0	0	2	0	2
Holiday Lodge	50 Units	2	8	14	4	5	10
Holiday Lodge	20 Units	1	4	6	2	2	4
Bar and Grill	400sqm	0	0	12	9	14	3
Total		13		47		34	

- 5.8.4 The report then goes on to assess the impact of the potential development upon nearby junctions, including the site access onto Little Baddow Road, and Herbage Park Road and Maldon Road junction. Both junction assessment showed that there would be capacity within the road network for the proposed development and the anticipated vehicle movements.
- 5.8.5 ECC Highways have been consulted on the application and advise that from a highway and transportation perspective, the impact of the proposals is acceptable to the Highway Authority subject to relevant conditions relating to:
- Construction Management Plan
 - Routing of construction vehicles
 - Visibility splay to Little Baddow Road
 - Width of access onto Little Baddow Road
 - Any gates at access onto Little Baddow Road to be set 6m from back edge of carriageway
 - Ease of passage over public footpaths to be maintained
 - Submission of workplace travel plan and monitoring fee (£5000)
- 5.8.6 All of the requirements listed above can be dealt with through conditions, except for the submission of a workplace travel plan and monitoring fee which should be dealt with through a S106 legal agreement as it relates to the payment of monies.
- 5.8.7 ECC Highways advise that most of the trips generated by the site are expected to be at off-peak periods and although the Highway Authority does not agree with some of the trip generation predictions contained within the Transport Assessment, it is satisfied that the difference would not have a severe impact on the performance of the local

highway network. The Highway Authority has also checked the data used in the highway assessments against historical data that it holds and remains assured that an appropriate study has been completed.

- 5.8.8 It is noted that a number of objections have been received in relation to this application, a significant amount of which raise concerns over traffic. It is acknowledged that the application site is located within a rural setting with little to no access to public transport. Therefore, for most journeys, the only practical option will be to use a private vehicle. However, ECC Highways have confirmed that there is capacity within the road network for the anticipated number of trips the development will generate, and this takes into consideration the existing road conditions. Furthermore, the securing of a workplace travel plan will reduce the use of single occupancy vehicles as much as practicable in relation to staff working at The Warren Estate. Whilst it is accepted that the proposal would increase the number of vehicular movements to and from the site this alone does not automatically mean that there is a demonstrable or real level of harm and in this instance, it is considered that there is capacity within the highway network to accommodate the increased number of vehicles.
- 5.8.9 In relation to parking provision the Maldon District adopted VPS SPD requires the following in respect of the proposed uses:
- E(b) (Previously A3 use) Food & drink Outside of town / district centre locations – restaurants, snack bars and cafes, for sale & consumption on the premises - 1 space per 5m²; 1 cycle parking space per 4 staff and 1 per 25m² for customers;
 - F2(c) Areas or places for outdoor sport or recreation (Previously D2 use) - A maximum of 1 space per 22m² of gross floor space or individual assessment/justification; 1 cycle parking space per 4 staff and 1 per 4 visitors or players or individual assessment/justification.
 - E(d) Indoor sport, recreation or fitness (previously D2 use) - A maximum of 1 space per 22m² of gross floor space or individual assessment/justification; 1 cycle parking space per 4 staff and 1 per 4 visitors or players or individual assessment/justification.
 - Sui generis - Caravan Park / camping site – 1 space per pitch, 1 space per residential staff and 1 space per 2 other staff. 1 cycle parking space per 4 staff and 1 cycle parking space per 10 pitches for guests.
- 5.8.10 In accordance with the above the proposed 70 holiday lodges would require 1 vehicle parking space per lodge along with relevant parking for staff. Each lodge has a minimum of 1 vehicle parking space and therefore this element of the requirement is met. The staff parking will be addressed later. In relation to the increased bar/grill within the Bunsay clubhouse this would have an increase in floor area of approximately 149m² when compared to the existing facility. This increase in floor area requires an additional 30 vehicle parking spaces which would be provided within the extended car park area. In relation to the activities hall, this would have a floor area of 272m² which would require a maximum of 13 vehicle parking spaces, these additional spaces would also be provided within the extended car park area, although it is appreciated that this would be provided in connection with the holiday lodges and therefore the likely requirement for spaces would be less. In relation to the golf academy building this would be provided in mitigation for the loss of the fairways on the Bunsay course and would also provide facilities for the existing golf academy

which already runs out of The Warren Estate. On this basis no additional parking provision would be required.

- 5.8.11 The proposed development would also result in an increase in need for staff parking. The E(b) use and E(d) use incorporates any requirement for staff parking within the overall parking requirements which the development would meet. The holiday lodges require 1 parking space per residential staff and 2 per other staff. No details of the staffing requirements per use have been submitted, however the planning application form states that as part of the development there would be an additional 20 full time staff and 49 part time staff, equating to the equivalent of 40 additional full time staff overall. The extended car park facility would provide an additional 67 spaces. Taking away the additional parking from the extended bar/grill and activities hall there would still be a increase of 24 spaces which is considered to be sufficient to meet any increased demand for staff parking, particularly as in relation to the activities hall and extended bar/grill area there is unlikely to be as much demand for parking as the standards set as they are to be constructed in connection with the holiday lodges which already meet their parking standard.
- 5.8.12 The adopted parking standards also require cycle parking, disabled parking bays, and electric vehicle charge points. None of these are shown on the submitted plans, however they could be dealt with through a condition.
- 5.8.13 Overall the proposed development would accord with the adopted VPS.

5.9 Flood Risk and Drainage

- 5.9.1 The application site is located within Flood Zone 1, however as the proposal represents major development the application has been supported by a Flood Risk Assessment (FRA).
- 5.9.2 Policy D5 of the LDP states that the Council's approach is to direct strategic growth towards lower flood risk areas, such as Flood Zone 1 as identified by the Environment Agency (EA). Where development is not located in Flood Zone 1 and in order to minimise the risk of flooding, it should be demonstrated that the Sequential and Exception Tests, where necessary, have been satisfactorily undertaken in accordance with national planning policy.
- 5.9.3 The application site is located within Flood Zone 1 and there is therefore no objection to the principle of the development on flood risk grounds. It is noted that the north eastern boundary of the application site adjoins Flood Zone 3 where a tributary of the River Chelmer flows. However, no development is sought in or near this location and therefore the site is considered as Flood Zone 1.
- 5.9.4 In relation to surface water the submitted FRA identifies that the site is shown to be located in an area of very low (less than 1 in 1,000) risk of surface water flooding in a given year. There are narrow corridors at a higher risk of surface water flooding shown to be associated with the watercourses that flow through The Warren Estate. Whilst one of these watercourses runs along the southern boundary of the area identified for 50 lodges the existing ground levels of the proposed development parcels are elevated significantly above the watercourse corridors, such that they are not affected by surface water flooding.

- 5.9.5 Surface water discharge rates will be restricted to greenfield equivalent run-off rates to ensure that the rate of surface water run-off from the site does not increase as a result of the proposed development. The surface water drainage system is designed to accommodate storms up to the 1 in 100 year event plus an allowance of 30% for climate change. In relation to surface water drainage the submitted assessment states that due to the underlying geology of London Clay infiltration techniques are unlikely to be viable. Instead above ground Sustainable Drainage Systems (SuDS) features will be utilised through a combination of detention basins, tanked permeable paving and buried geo-cellular storage. The surface water will then drain to the existing watercourses with at least two stages of water quality treatment. All components of the surface water drainage infrastructure system will remain private and be maintained by the site owner / operator.
- 5.9.6 The Lead Local Flood Authority have been consulted on this application and advise that they have no objection to the granting of planning permission subject to conditions in relation to the submission of a detailed SuDS scheme and the long terms management and maintenance of the surface water drainage system.
- 5.9.7 Overall subject to conditions it is considered that the proposed development is acceptable in terms of flood risk and surface water drainage.
- 5.9.8 In relation to foul drainage the submitted FRA initially stated that it would be dealt with on site with no main drainage, although the application form stated connection would be to the mains sewer. The agent has since confirmed that connection will be sought to the mains sewer for foul drainage and consultation has been undertaken on that basis and in terms of drainage options connection to the public sewer is the preferred method of dealing with foul drainage.
- 5.9.9 Both Anglian Water and the EA have been consulted on this application. Anglian Water have advised that the foul drainage from this development is in the catchment of Woodham Walter Water Recycling Centre (WRC) which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission. On this basis they recommend a condition in relation to foul water. They have also advised that Woodham Walter WRC has some available capacity but would not remain compliant for the entire built development, however, the Anglian Water investment planning process is not something a developer can assist or be involved with. They state *‘The WRC comment in the planning application response triggers an internal discussion to ensure the application is followed throughout the planning process and appropriate investment is planned. With continued engagement with the applicant we can ensure infrastructure investment is delivered at the right time in the right place.’* On this basis they strongly recommend that no WRC condition linked to occupation is applied should planning permission be granted as this could hold up development as their investment planning and delivery can take years.
- 5.9.10 The EA have raised a holding objection to the development as no specifics in terms of a drainage strategy appear to have been submitted in support of this application. They have advised in their most recent consultation response that *‘Once the applicant*

requests connection to the sewer this should be enough for us to remove our objection and instead request a condition of no occupation of dwellings on this site until there is adequate capacity as this should allow the application to move forward.’ To this end the agent has contacted Anglian Water and received an email from Anglian Water stating that ‘The applicant cannot apply for a connection to our network until planning approval is given. The connection application is dealt with via the Water Industry Act Section 106, and as such this sits outside of planning conditions as it is dealt with under different legislation.’ And ‘The Water Industry Act makes it a legal duty for Anglian Water to allow a connection to the foul network regardless of capacity. Therefore, once permission is granted the applicant can submit a connection application to us (under section 106 of the Water Industry Act) and we will allow a connection to be made.’

- 5.9.11 This email has been sent to the EA for further comment and any received will be updated through a member update. The NPPG offers guidance in relation to development where there is inadequate wastewater infrastructure and states that: *“The timescales for works to be carried out by the sewerage company do not always fit with development needs. In such cases, local planning authorities will want to consider how new development can be phased, for example so it is not occupied until any necessary improvements to the public sewage system have been carried out.”*
- 5.9.12 The lack of capacity at the relevant WRC would not normally preclude the granting of planning permission, and it is the view of Officer’s that a condition restricting occupation of the holiday lodge units until the necessary improvements to the public sewage system have been carried out would accord with the guidance within the NPPG. Conditions requiring works on land that is not controlled by the applicant, or that requires the consent or authorisation of another person or body often fail the tests of reasonableness and enforceability, however the condition would be worded in a negative form as a Grampian condition and it is designed to prevent occupation until there is confirmation of available permitted capacity in the network and at the treatment works (linked to the provision of supporting infrastructure which is one common use of a Grampian condition). If there was no such control over occupation (when wastewater would need to be dealt with) then there would be nothing to prevent the holiday units being occupied before any necessary upgrade works had taken place which would potentially result in damage to the water quality downstream. This is the approach that has been taken on other sites where there have been capacity issues at WRC.
- 5.9.13 Overall it is considered that subject to an appropriately worded condition there is no objection to the proposal in relation to foul drainage.

5.10 Private Amenity Space and Landscaping

- 5.10.1 There is no requirement for set amenity space for the proposed holiday lodges as they are holiday accommodation and not for permanent residential occupation. The lodges would fall within the statutory definition of a caravan as laid down on the Caravan Sites and Control of Development Act 1960 as supplemented by Section 13 of the Caravan Site Act 1968. As such there are no objections in terms of private amenity space in relation to the holiday lodges. Furthermore, the land would be classed as a caravan site and therefore conditions to ensure sufficient space between the caravans would be controlled through licensing.

- 5.10.2 In relation to landscaping the site is currently well landscaped and the landscape character of the site is described in detail in section 5.4 of this report. An initial arboricultural report submitted in support of the application was found to be incorrect and did not provide sufficient information in accordance with BS5837:2012. As part of this application an Arboricultural Impact Assessment carried out in accordance with BS5837:2012 has been submitted.
- 5.10.3 The submitted arboricultural Impact Assessment advises that the development will result in the removal of:
- Category U: 6 trees
 - Category A: 0 trees
 - Category B: 4 trees
 - Category C: 12 trees, 3 groups and parts of 2 groups.
- 5.10.4 None of the trees to be removed are the subject of the TPO served in April 2020 (TPO 06/20). The report concludes that the proposed tree removals will not result in the loss of landscape features important in the surrounding landscape. It is considered that there is no specific need for replacement tree planting in this instance. Nonetheless numerous new trees and hedges are proposed to be planted as part of the development. The report also identifies tree protection measures for the trees and hedgerows to be retained.
- 5.10.5 The Council's arboricultural consultant has been consulted on this application and advises that should the application be approved a condition requiring a more detailed tree protection method statement and supervision schedule should be included. The current report has a draft method statement, but more detail relating to specific methods and construction techniques to be utilised when working in the RPA, such as 'No Dig' surfaces etc is required. A robust landscape scheme is also recommended to be conditioned to include new tree and shrub planting to enhance the diversity of species and age within the site, as well as to address seasonal interest and benefit wildlife habitats.
- 5.10.6 Overall it is considered that the development is acceptable in terms of its impact upon the existing trees and hedgerows on site and conditions could be appended to any consent granted to ensure their retention and protection (other than those shown for removal).

5.11 Ecology

- 5.11.1 Paragraph 170 of the NPPF states that '*Planning policies and decisions should contribute to and enhance the natural and local environment by; (amongst other things) minimising impacts on and providing net gains for biodiversity.*'
- 5.11.2 Strategic LDP 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.
- 5.11.3 Policy N2 of the LDP which states that "*All development should seek to deliver net biodiversity and geodiversity gain where possible. Any development which could have an adverse effect 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.”

5.11.4 The application site is located adjacent Woodham Walter Common which is also designated as a Special Site of Scientific Interest (SSSI). Parts of the application site are also designated as a local wildlife site. The site has the potential to contain a number of protected and priority species as well as comprising green infrastructure.

5.11.5 The application has been supported by a number of ecological studies comprising:

- Preliminary Ecological Appraisal
- Addendum letter to Ecology Report
- Great Crested Newt Survey
- Bat Activity Survey
- Positive Conservation Management plan, and
- Construction and Environmental Management Plan

5.11.6 The Council’s consultant ecologist (Place Services) has been consulted on this application and advise that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

5.11.7 Conditions are recommended by the Council’s consultant ecologist to ensure that the mitigation measures identified in the submitted Conservation Management Plan (EECOS, November 2019) and Preliminary Ecological Appraisal (April 2019) are secured and implemented in full together with the ecological elements outlined in the Construction and Environment Management Plan (Clive Simpson Planning Ltd, May 2020). However, some further general good practice measures are recommended to be attached as an informative. The Lighting Strategy (The Warren Estate, undated) is supported by the consultant ecologist who recommends that it is secured by a condition of any consent. This is necessary to conserve protected and Priority Species.

5.11.8 The submitted reports also outline biodiversity enhancements through recommendations to protect and enhance those parts of the sites designated as Local Wildlife Sites as well providing further positive enhancements to the overall biodiversity of the site. This includes creating larger areas of tall grassland, enhancing habitats around the existing ponds and improving connectivity to the wider environment. In addition, the rotational cutting of scrub in the Warren Pits area and the restoration of one of the existing ponds within the Badger Par 3 area is recommended. Other recommended enhancements include the improvements to the existing public foot path that runs through Warren Bottom Woods, the addition of interpretation boards and the installation of bat and bird boxes.

5.11.9 The Council’s consultant ecologist supports the biodiversity enhancements outlined and advises that this will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006. Overall it is considered that impacts will be minimised such that the proposal is acceptable subject to conditions requiring all mitigation measures to be undertaken.

5.12 Other Material Considerations

- 5.12.1 A number of letters of representation received have queried the use of the existing holiday lodges at Herbage Park and allude to potential breaches in planning control. Any potential breaches of planning control and/or other legislation are not material considerations for this current application and would be a matter for the planning enforcement team where they relate to potential breaches of planning control.
- 5.12.2 It is noted that the Essex Fire Services have commented on the application and advised that in relation to the 50 lodges there does not appear to be any turning facilities for fire appliances. This is a matter that could be adequately dealt with through the use of a planning condition.

6. ANY RELEVANT SITE HISTORY

There is extensive planning history relating to the entire Warren Estate. Only planning history considered relevant to the current proposal is shown below.

- **01/00120/FUL** - Use of gravel pit for recreational purposes (mountainboarding) – Approved - 25.04.2001
- **02/00462/FUL** - Retention of planning permission ref: FUL/MAL/01/00120 (use of gravel pit for recreational purposes (mountain boarding) without compliance with condition No.1 to allow the use on a permanent basis) – Approved - 28.06.2002
- **05/00798/FUL** - Change of use of disused gravel pit to site for 48 holiday lodges with formation of associated access tracks, landscaping and construction of central administrative and facilities building. – Approved - 25.01.2006
- **11/00953/FUL** - Proposed addition of 26 new timber holiday lodges plus associated infrastructure within the existing Herbage Park Holiday Park – Approved subject to S106 - 13.09.2012
- **15/00590/FUL** - Variation of condition 3 on approved planning permission FUL/MAL/11/00953 (Proposed addition of 26 new timber holiday lodges plus associated infrastructure within the existing Herbage Park Holiday Park) Variation: holiday accommodation occupancy period. Variation of condition 2 on approved planning permission FUL/MAL/05/00798 (Change of use of disused gravel pit to site for 48 holiday lodges with formation of associated access tracks, landscaping and construction of central administrative and facilities building) Variation: holiday accommodation occupancy period. – Approved - 21.09.2015
- **16/01373/FUL** - 28 new holiday lodges with associated infrastructure and access – Approved - 08.03.2017
- **17/01112/FUL** - Extension of lodge park clubhouse - 05.12.2017
- **18/00956/FUL** - Extension to existing swimming pool and gym building. – Approved - 02.10.2018

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Woodham Walter Parish Council	<u>First Consultation Response</u>	
	<p>Resolved to strongly object to this application.</p>	
	<p>The Parish Council cannot concede that this is sustainable development and is therefore contrary to the NPPF and LDP policy S1 of the Maldon District Council and should therefore be refused. Other aspects indicate an apparent noncompliance with various LDP policies including S7, S8, D1, D2, D3, E5, N1 and N2.</p>	<p>Noted. Please refer to conclusion at section 3.2 of report.</p>
	<u>Background</u>	
	<p>Raises concerns over the potential for the proposed holiday lodges to become permanent residences.</p>	<p>The application is for holiday accommodation and must be assessed as such.</p>
	<p>Concern that such a large influx of visitors will have a significant impact on the rural aspects of the community especially with respect to farm husbandry.</p>	
	<u>NPPF and Sustainability</u>	
	<p>The design proposal necessitates the loss of a high value, landscaped recreational land to be replaced with an extensive built environment.</p>	
	<p>Despite this there has been no engagement with the local community other than an initial outline concept presentation to the Parish Council some two years ago.</p>	<p>Noted.</p>
	<u>Need</u>	
	<p>There is no evidence presented to justify need or demand for such accommodation either economically or socially.</p>	
	<p>Similarly there is no evidence presented relative to the demand and occupancy rate of the existing lodges the majority of which are believed to have been sold. This, it is</p>	

Name of Parish / Town Council	Comment	Officer Response
	<p>understood, leaves just six units for short-term letting. Reference to the Hoseason's web site indicates that of the two units currently being offered there is a low occupancy rate i.e. availability is good as the demand is not there.</p> <p>In support of there being no justifiable need, reference to the 2019 appeal APP/X1545/W/18/3211540 (Bassetts Lane, Woodham Walter) confirms that '<i>existing, extensive local provision fulfils any tourism need within the area and any further accommodation would be surplus</i>'. Therefore, it is considered that neither LDP policy E4 nor the need condition of the NPPF are satisfied.</p> <p>It has not been demonstrated that tourist facilities are available on site as required by the 'Go Active' brand and such facilities are not included in the planning application. On-site facilities are a gymnasium, golf and swimming where the pool can be considered of a size unsuitable for the total accommodation level.</p> <p>The tourist venues listed by the applicant are in the main outside of the site and essentially more to cater for day-trippers and locals rather than a holiday destination.</p> <p>There is no social need cited in the application or supporting documents and there are no social benefits promoted in consequence. In fact it could be said that the diminution of the golf facility would be counter productive to the wellbeing of the golfing and local community.</p> <p><u>Place</u> The proposal is for sprawling development of 50 lodges sited closely together with a large, extended car park on one site and 20 similar units on a separate site. Both proposed developments extensively encroach on high value landscape and leisure use land and fail</p>	<p>Please refer to paragraph 5.2.12 of the main report.</p> <p>Noted – please refer to section 5.2 of the main report which covers this issue.</p> <p>Noted.</p> <p>Whilst no evidence has been submitted to demonstrate a fall in use of the Bunsay Golf Course the application does propose a new Golf Academy building.</p> <p>Noted. Please refer to section 5.4 of the main report which considers landscape</p>

Name of Parish / Town Council	Comment	Officer Response
	<p>to respect the character of the rural community described on page 11 of the Woodham Walter Village Design Statement.</p> <p>The proposal for the Bunsay site will encroach on the countryside and change the rural character of the area and also the demography of the site and the village contrary to the NPPF aspiration.</p> <p>The boundary landscaping so described is mainly deciduous and therefore the large, extended car park and sprawling lodges will be clearly visible from Little Baddow Road, Gunhill and Common Lane from September to March.</p> <p>The lodges lack innovation in appearance, are considered to be of poor design quality and are closely spaced. The appearance, as demonstrated by the existing Warren Pit site, is inappropriate and unsympathetic to the rural landscape setting and character.</p> <p>The loss of four golf holes diminishes the leisure use and the suggested mitigation of a golf academy is hardly apposite. The academy, which is located on the Warren site, does not appear to be connected with the Bunsay site and it should not be used as mitigation.</p> <p>the design of the academy building does not appear to accord with the Warren Listed buildings heritage setting particularly with a flat roof over the southern extension. The planting of the three trees illustrated is not mitigation as the building and its heritage setting will be visible from the east, north and south.</p> <p>It is considered that the heritage setting of the Warren Barns and House together with Wayside will be materially affected by the development proposals and therefore in conflict with LDP policy D3.</p>	<p>impact.</p> <p>Noted and referenced in section 5.4 of the report.</p> <p>The lodges are of a standard design and their external appearance could be controlled through a condition. The Character of the site is considered to be materially different to the Warren Pit site.</p> <p>They are both shown within the same red line site ownership.</p> <p>Noted. The Conservation Officer has raised no objection in relation to the setting of the listed buildings.</p> <p>Please refer to section 5.5 of the report.</p>

Name of Parish / Town Council	Comment	Officer Response
	<p>The access routes and pathways serving the development are noted as being Grasscrete and form a network around both sites. If the number of vehicle movements is substantial, as indicated by the assumed occupancy levels and the need to travel to visit tourist attractions and leisure facilities, then the use of the suggested material may prove to be inadequate in performance and give rise to hard and inappropriate landscape alternatives. The proposals indicate narrow routes that will not be large enough for emergency services nor sufficient turning heads.</p> <p>No link between the Bunsay and Warren sites is indicated on the submitted drawings PD02 and PD03. This indicates that the Bunsay site is separated from the Warren site forming a separate entity and the use of the Warren facilities including the academy could be precluded. The existing link track would pass over a detention basin and therefore could be unusable. If a connection is proposed this would potentially require removal of trees. LDP policies N1 and N2.</p> <p><u>Infrastructure</u> The application fails to recognise the limitations of the existing infrastructure compared with the need to travel to the stated tourist destinations.</p> <p>The bus route mentioned has a low frequency of two buses a day in and out during the day and none at the weekend (potential changeover day). The nearest bus stop is stated as 675m along a national speed limit, dangerous stretch of road with no pavements and is further away than the recognised maximum walking distance of 500m. This will make public transport to and from the site impractical and dangerous necessitating reliance on personal transport as essential.</p> <p>The network of narrow, twisting country lanes cannot safely support the level of vehicle</p>	<p>Noted – please refer to section 5.4 of the report and 5.12.</p> <p>They are both shown within the same red line site ownership. If required a link could be conditioned as part of any planning permission.</p> <p>Noted – please refer to section 5.8</p>

Name of Parish / Town Council	Comment	Officer Response
	<p>movements anticipated.</p> <p>The nearest supermarkets are situated at some distance (some 7 mile round trip minimum) so for a self-catering venue additional vehicle trips will be required defying the definition of sustainability.</p> <p>The traffic surveys taken along Herbage Park Road and the junction with the A414 at Runsell Green were carried out whilst the Hoe Mill bridge was closed and therefore the level of traffic passing through the village was negligible. For this reason queuing traffic at the A414 junction is likely to have been under assessed.</p> <p>There has been no attempt made in the transport report to include for the impact of new housing developments in Maldon either in the adverse effect on the egress from Herbage Park Road to the A414 or in terms of any general uplift in traffic on village roads.</p> <p>No provision for EV charging.</p> <p>The Planning Application will require the site to be open for 24/7 hours to allow visitor and delivery movements and this will impact of road usage.</p> <p>The employment projection indicates that there will be a substantial number of vehicles involved in travelling to and from work, some of which will be late at night after events or early morning for deliveries and others according to shift patterns. These, when added to vehicle movements associated with visitors will increase the stress on the village infrastructure network and danger to residents and those walking the lanes without footpaths.</p> <p>The effect of vehicle pollution on air quality and noise is not addressed but will be significantly more than exists at present.</p> <p>The impact of construction traffic on the</p>	<p>Please refer to section 5.2 of the report.</p> <p>Please refer to section 5.8 of the report. ECC Highways does not agree with some of the trip generation predictions contained within the Transport Assessment, but is satisfied that the difference would not have a severe impact on the performance of the local highway network.</p> <p>Provision of EV charging could be conditioned</p> <p>A construction management plan could be conditioned to</p>

Name of Parish / Town Council	Comment	Officer Response
	<p>village as a whole and Little Baddow Road in particular will be severe.</p> <p>The flood assessment for zone 1 would appear to be correct although the report is incorrect in referring to a ford at Common Lane. However, the meeting point of surface water flows from Little Baddow Road, the Badgers course and the SSSI is at the culvert under the road bridge, which during periods of heavy rain gives rise to significant levels of surface water over the road. There is concern that the proposed development will exacerbate this and create a significant highway hazard.</p> <p>Concern is expressed at the level of surface water run off given the amount of hard surfaces with roofs, and access ways although the latter are described as tanked Grasscrete.</p> <p>The Little Baddow Road is not on the County Highways gritting schedule.</p> <p><u>Noise</u> No noise report has been provided that takes in to account retaining the existing outside games area, which is likely to have increased use. Noise is already at an unacceptable level especially during the evenings and this is likely to increase with potentially up to 300 visitors adding to the ambient level.</p> <p>Hot tub provision to lodges on the 20-unit site is of concern especially with noise pollution in the evenings and night time. The Village is already experiencing considerable noise pollution from the Warren and Herbage Park Road sites arising from outside activities such as BBQ's etc.</p> <p>Bunsay Downs Clubhouse with its elevated position has little or no screening from the road and the settlement areas. The noise pollution from potentially large number of visitors and event gatherings with amplified music or public address system will severely affect the village including the outlying areas</p>	<p>minimise impact.</p> <p>Please refer to section 5.9 of the report.</p> <p>Please refer to section 5.9 of the report.</p> <p>Noted.</p> <p>Noted – please refer to section 5.7 of the report.</p>

Name of Parish / Town Council	Comment	Officer Response
	<p>and specifically the adjacent properties, those in Common Lane, Gunhill and Little Baddow Road. This would be contrary to LDP policy D2.</p> <p><u>Lighting</u> The areas of proposed development are currently 'dark sky' and therefore any light intrusion will have a significant impact. The safety requirements associated with the lodge development will inevitably result in light spillage and pollution that will affect a large area but more particularly Common Lane and Gunhill.</p> <p>Light pollution of the extent anticipated will have a significant affect on the bio-diversity and wild life of the area, particularly bats.</p> <p>No reference is made to floodlighting of the academy driving range. It was included in the concept document and would be strongly resisted on light pollution and ecological grounds.</p> <p>Bunsay Downs at present has site opening hours restricted by light in the winter and the entrance gates are locked outside of golfing hours. The Planning Application will require the site to be open for 24/7 hours to allow visitor movements. Not only will this add to vehicle movement issues but will involve lighting throughout the period of darkness resulting in considerable light pollution and the loss of a 'dark sky' area.</p> <p><u>Tourism</u> The application suggests a need for increased tourism in the area and therefore accommodation and associated facilities are required. The submitted tourism report fails to confirm that there is a need for the proposed development and only suggests a lack of provision for non-coastal based holiday accommodation yet existing lodges are readily available currently.</p>	<p>Noted – please refer to section 5.7 and 5.11 of the report.</p> <p>Conditions could be attached to any permission granted to control this.</p> <p>Noted.</p> <p>Noted – please refer to section 5.2 of the report.</p>

Name of Parish / Town Council	Comment	Officer Response
	<p>It is noted that the list of visitor attractions is inaccurate and the distance to many of them requires vehicle transport.</p> <p>The area is rural with little to provide a family activity holiday either on site or in the wider district.</p> <p>Tourism in the wider Maldon district is essentially coastal based and the town of Maldon receives large numbers of day-trippers not rural as this site is. There will be an adverse effect on the natural and historic environment.</p> <p><u>Employment</u> The proposal site does not fall within an area reserved for employment use.</p> <p>Claims are made within the planning submission and in the press that employment potential will be specifically enhanced if the planning permission is granted. It is considered that this claim is largely unsubstantiated, predicated on maximum capacity usage and covers the impact District wide.</p> <p>It is the Parish Council's view that the quoted numbers, as stated at the public meeting may not bear any relation to the actual number employed on site and that there is unlikely to be any further employment benefit for the village.</p> <p>The employment numbers quoted are only statistical modelling based on estimated demand. The applicant has confirmed that the Warren employs 6 people from the Woodham Walter Village. Considering local knowledge, the Parish Council considers has little confidence in the employment levels quoted.</p> <p>The number of village residents employed is minimal compared with the numbers quoted in the report and therefore non-local employees will commute from other areas</p>	<p>Noted.</p> <p>Noted – please refer to section 5.3 of the report.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>

Name of Parish / Town Council	Comment	Officer Response
	<p>adding to the transport issues.</p> <p><u>Second Consultation Response – following receipt of Arboricultural Report and Noise report update.</u></p> <p><u>Amended Arboriculture Impact Assessment</u> Nothing in this amended report that changes the opinion expressed in the Parish Council’s original consultation response and the strong recommendation that the application be refused remains extant.</p> <p>The latest Arboriculture Impact Statement quantifies the number of trees to be removed as 22 (a significant increase from the original 2).</p> <p>The report states that the removals represent a very small part of the Warren Estate that extends to 325 acres (131.5 ha.). However, the loss of such a large number of trees on this small section of the overall estate will be of significance and will impact on the intrinsic merit of this high value landscaped area to the detriment of the countryside and this part of the Village.</p> <p>Recognition of the adverse impact on bio-diversity that the removal of the significant number of trees will have does not appear to have been considered.</p> <p>There is no reference to the planting of 100 trees in mitigation mentioned in the Planning Consultant’s report and therefore it is assumed that there is no mitigation and therefore an adverse effect on the landscape and bio-diversity.</p> <p>This Council places reliance upon the confirmation of the outstanding Tree Preservation Notice as the trees subject of the TPO make a significant contribution to the character and appearance of the surrounding area due to the size, density and attractive nature of the trees and the prominent</p>	<p>Noted.</p> <p>Please refer to section 5.10 of the report.</p> <p>The Council’s consultant ecologist was re-consulted following the revised arboricultural report and has raised no objection.</p> <p>Soft landscaping is proposed and could be conditioned.</p> <p>No trees subject to the TPO are</p>

Name of Parish / Town Council	Comment	Officer Response
	<p>locations. Removal any of these trees or carrying out any inappropriate works to them to compromise their integrity would harm the amenity value of the overall area.</p> <p>This Council has concern over the effect of the urbanisation with the construction of pathways, roadways and drainage will have on the existing tree roots and the damage that may be caused during and after the construction period.</p> <p><u>Amended Noise Impact Assessment</u> Nothing in this amended report that changes the opinion expressed in the Parish Council's original consultation response and the strong recommendation that the application be refused remains extant.</p> <p>It is believed that the external multi-use games area was omitted from the original application. The report however refers to an external multi-use games area being relocated from the north side of Little Baddow Road to an area to the west of the proposed development, nearer in real terms to the properties in Common Lane. These properties appear to have not been considered.</p> <p>There is nothing in the report that changes the recommendation of the Parish Council to refuse planning permission. It is the view of this Council that there is no mitigation that will relieve the noise pollution that will affect the surrounding areas and particularly the properties in Common Lane and Gunhill.</p>	<p>proposed to be removed.</p> <p>Noted. Should planning permission be granted a condition could be attached requiring tree protection – please see section 5.10 of the report.</p> <p>Noted.</p> <p>The multi-use games area does not form part of the application.</p> <p>Noted.</p>
Woodham Mortimer with Hazeleigh Parish Council	<p>Consider that the size and scale of the development would have a significant impact on traffic levels through this Council's adjacent villages and feel compelled to raise objections to the proposal and recommend refusal of planning permission.</p> <p>The application is considered significant</p>	

Name of Parish / Town Council	Comment	Officer Response
	<p>overdevelopment in a rural setting devoid of any practical sustainable infrastructure and would result in a negative impact on the surrounding countryside character.</p> <p>Given the massive residential developments under construction on the southern outskirts of Maldon with another recently approved 320 homes north and west of Wycke Hill, then a further 70 units only a few miles west of the aforementioned developments would pose an unacceptable increase in vehicle usage between Danbury and Woodham Mortimer along the already heavily laden A414 where insignificant mitigation measures have been addressed in any of the proposed and approved developments</p>	<p>Noted – please refer to section 5.4 of the report.</p> <p>Noted – please refer to section 5.8 of the report.</p>
Langford and Ulting Parish Council	<p>The Parish Council is concerned that the development of a further 70 “holiday” lodges will:</p> <ul style="list-style-type: none"> • Result in an increase in traffic along the unclassified roads in neighbouring villages as there are no shops, leisure facilities or tourist attractions within walking distance • Exacerbate the chaos experienced at Hoe Mill and Ulting church this year due to the width restriction on the bridge and wild swimming venue advertised in the National press • Increase pressure on wildlife and its habitats along the Chelmer & Blackwater Navigation • If planning permission should be granted a condition preventing residential use must be included. 	<p>Noted. Please refer to sections 5.2, 5.8 and 5.11 of the main report.</p>
Danbury Parish Council	<p>This proposal removes wonderful environmentally sensitive landscape. It will also generate large amounts of additional traffic along the A414 through the village with inevitable rat running, in addition to Maldon development and the potential Bradwell development it is a step too far. Where will the access road be located along these narrow roads? Bearing in mind the overall site already houses numerous residential lodges on the Warren development, the Parish Council is concerned</p>	<p>Noted – please refer to sections 5.4, 5.8 and 5.11 of the main report.</p>

Name of Parish / Town Council	Comment	Officer Response
	that this may lead to residential development and increased recreational pressure on the surrounding SSSI and RAMSAR sites.	
Little Baddow Parish Council	<p>Object to the proposal for the following reasons:</p> <ul style="list-style-type: none"> • This is an extremely rural part of the countryside which is used extensively by cyclists, horse riders and walkers seeking to avoid the congestion, vehicular traffic and urbanism in the surrounding vicinities of Hatfield Peverel, Chelmsford, Maldon and Danbury. This is a beautiful area of countryside whose character would be profoundly altered by the addition of such a large development. • The entire area of the proposed lodges is served by narrow country lanes that cannot support the inevitable increase in traffic that would arise if this proposal were granted. • Maldon District Council has previously stated formally, when considering a proposal to build only 10 lodges near to the application site, that the existing provision of 102 lodges at Warren Estate meets the entirety of the tourism need of the area. • The proposed lodges are holiday homes, and so would not contribute to any basic residential housing target in Maldon District's Local Plan. • The potential impact on Woodham Walter, a small settlement of 532 people would be profoundly changed with a seasonal arrival of 428 people in the proposed lodges. 	<p>Noted – please refer to section 5.4 of the report.</p> <p>Please refer to section 5.8 of the report.</p> <p>Please refer to paragraph 5.2.12 of main report.</p> <p>Noted.</p> <p>Noted.</p>

7.2 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Anglian Water	<p><u>First Response</u></p> <p><u>Assets Affected</u> Records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.</p> <p><u>Wastewater Treatment</u> The foul drainage from this development is in the catchment of Woodham Walter Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.</p> <p><u>Used Water Network</u> Development will lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development.</p> <p><u>Surface Water Disposal</u> From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets.</p>	Noted and covered in section 5.9 of the report.

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	<p><u>Suggested Planning Conditions</u> No objection to the proposal subject to a condition requiring details of foul drainage to be submitted.</p> <p><u>Second Response</u> Confirms that Woodham Walter WRC has some available capacity but we would not remain complaint for the entire built development, however, our investment planning process is not something a developer can assist or be involved with.</p> <p>The WRC comment in the planning application response triggers an internal discussion to ensure the application is followed throughout the planning process and appropriate investment is planned.</p> <p>With continued engagement with the applicant we can ensure infrastructure investment is delivered at the right time in the right place.</p> <p>We strongly recommend no WRC condition is applied if permission is granted as this could hold up development as our investment planning and delivery can take years.</p>	
Chelmsford City Council	<p>Objects to the proposal for the following reasons:</p> <p>The National planning Policy Framework (NPPF) states that development should recognise the intrinsic character and beauty of the countryside.</p> <p>The proposed holiday lodges would be of a significant spread size and scale and would erode much of the open nature of the site. The proposal would fail to support the intrinsic character</p>	Noted and covered in section 5.4 of the report.

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	<p>and beauty of the rural area.</p> <p>As a result, this Council considers that the proposal would be harmful to the intrinsic character and beauty of the countryside and would be at odds with the aims of National planning policy.</p>	
Environment Agency	<p><u>First Response</u></p> <p>Raises a holding objection due to lack of information regarding the scheme for foul water disposal.</p> <p><u>Second Response</u></p> <p>Maintains holding objection due to lack of information regarding the scheme for foul water disposal.</p> <p>Consider that the foul drainage issues arising from this major application would be properly informed by the information provided by a foul water drainage strategy for the site.</p> <p>Require more details regarding how the foul water from this site will be treated effectively at Woodham Walter WRC, without being detrimental to the receiving water environment.</p> <p><u>Third Response</u></p> <p>Maintains holding objection.</p> <p>However, if the applicant is able to confirm the following the EA advise they will remove their objection in place of a condition.</p> <p>Once the applicant requests connection to the sewer this should be enough for the EA to remove their objection and instead request a condition of no occupation of lodges on this site until there is adequate capacity as this should allow the application to move forward.</p>	<p>Noted and covered in section 5.9 of the report.</p>

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Essex County Fire and Rescue Service	<p>Unable to determine adequate access for the FRS from the information provided on drawing number PD02, there does not appear to be any turning facilities for fire appliances. Plan PD03 shows sufficient routes for appliances to access and egress the site without turning.</p> <p>More detailed observations on access and facilities for the Fire Service will be considered at Building Regulation consultation stage.</p>	Noted and addressed in section 5.12 of the report.
Essex County Council Highways	<p>Most of the trips generated by the site are expected to be at off-peak periods. And although the Highway Authority does not agree with some of the trip generation predictions contained within the Transport Assessment, it is satisfied that the difference would not have a severe impact on the performance of the local highway network. The Highway Authority has also checked the data used in the highway assessments against historical data that it holds and remains assured that an appropriate study has been completed.</p> <p>Consequently, from a highway and transportation perspective, the impact of the proposals is acceptable to the Highway Authority subject to conditions relating to:</p> <ul style="list-style-type: none"> • Construction Management Plan • Routing of construction vehicles • Visibility splay to Little Baddow Road • Width of access onto Little Baddow Road • Any gates at access onto Little Baddow Road to be set 6m from back edge of carriageway • Ease of passage over public footpaths to be maintained 	Noted and covered in section 5.8 of the report.

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	<ul style="list-style-type: none"> • Submission of workplace travel plan and monitoring fee (£5000) 	
Essex County Council Suds (Lead Local Flood Authority).	<p>Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, does not object to the granting of planning permission subject to conditions relating to:</p> <ol style="list-style-type: none"> 1. Submission of a detailed surface water drainage scheme; 2. a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works; 3. submission of a maintenance plan for the surface water drainage scheme; and 4. maintaining years logs of the maintenance. 	Noted and covered in section 5.9 of the report.
Natural England	<p>This application has triggered one or more Impact Risk Zones. The designates sites which could be impacted by this proposal are:</p> <ul style="list-style-type: none"> • Woodham Water Common Site of Special Scientific Interest (SSSI) • Blake's Wood & Lingwood Common (SSSI) <p>Please note that Natural England has only provided comments in relation to impacts on statutory designated nature conservation sites.</p> <p>Refers to Standing advice on ancient woodland and veteran trees - Advice is given on determining impacts and how to avoid, reduce or compensate for the impacts.</p> <p>SSSI Impacts which may need to be addressed</p> <ol style="list-style-type: none"> (i) Air quality during construction (ii) Increase in access 	Noted – ecology is covered in section 5.11

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	(iii) Root compaction (iv) Tree surgery works (v) Surface water runoff (vi) Foul water disposal (vii) Groundwater changes (viii) Development Buffering	
Place Services - Archaeology	<p>The Essex Historic Environment Record (EHER) shows that the proposed development site is sited within an area of historic environment potential. The applicant has prepared a heritage statement for the site, however this only deals with the Listed buildings, the Historic Environment Record has not been consulted nor has the surviving elements of the historic landscape been assessed, as is required by para. 189 of the NPPF.</p> <p>Archaeological features and deposits are both fragile and irreplaceable. It is therefore recommended that if this proposal is approved that a full archaeological condition is attached to the planning consent.</p>	Noted and covered in section 5.6
Place Services - Ecology	<p><u>First Response</u></p> <p>No objection subject to securing biodiversity mitigation and enhancement measures.</p> <p>Satisfied that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.</p> <p>The mitigation measures identified in the submitted Conservation Management Plan (EECOS, November 2019) and Preliminary Ecological Appraisal (April 2019) should be</p>	Noted and covered in section 5.11 of the report.

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	<p>secured and implemented in full together with the ecological elements outlined in the Construction and Environment Management Plan (Clive Simpson Planning Ltd, May 2020). However, some further general good practice measures are recommended to be attached as an informative. We support the Lighting Strategy (The Warren Estate, undated) devised for the site. This is necessary to conserve protected and Priority Species.</p> <p>Support the proposed reasonable biodiversity enhancements outlined in the Conservation Management Plan (EECOS, November 2019), which have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 170d of the National Planning Policy Framework 2019. This includes the planting of native species of tree and shrub, extended boundary habitats, additional habitat creation through inclusion of bird and bat boxes (integral & external) and the provision of signage and pathways for site visitors. This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.</p> <p><u>Second Response – upon receipt of revised Arboricultural report</u></p> <p>The new information specifies which trees will be removed as part of the scheme and the tree/hedgerow root protection to be installed. It would appear from the information that only one tree with low potential roosting features (PRFs) is to be felled, and the two other trees with PRFs are still to</p>	

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	be retained. Is also satisfied that the tree and hedgerow protection planned is satisfactory. Therefore, confirms previous response (above) is still relevant.	
Sport England	<p>The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case.</p> <p>Provides general guidance and advice in relation to the loss or provision of any new sports facility.</p>	Noted.

7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Arboricultural Consultatnt	<p><u>First Response</u> The arboricultural statement that has been provided does not provide sufficient information in accordance with BS5837:2012.</p> <p>Until such information is provided the potential impact on trees cannot be fully assessed.</p> <p><u>Second Response</u> Is satisfied that the arboricultural report this has been undertaken in accordance with BS5837:2012 and it has identified the constraints the trees present to the proposed development.</p> <p>Should the application be approved then recommends including a condition to have a more detailed tree protection method statement and supervision schedule provided. The current report has a draft method</p>	Noted and covered in section 5.10 of the report.

Name of Internal Consultee	Comment	Officer Response
	<p>statement, but more detail relating to specific methods and construction techniques to be utilised when working in the RPA, such as 'No Dig' surfaces etc.</p> <p>Also suggests a robust landscape scheme is also conditioned to include new tree and shrub planting to enhance the diversity of species and age within the site, as well as to address seasonal interest and benefit wildlife habitats.</p>	
Conservation Officer	<p><u>Heritage assets affected by this proposal:</u> This proposal will affect the setting of Wayside, a cottage which may be regarded as a non-designated heritage asset for the purposes of paragraph 197 of the NPPF. There are other heritage assets on The Warren Estate, both designated and non-designated, but Wayside is the only one which the Conservation Officer considers would be affected by the proposals contained in this application.</p> <p><u>The significance of the affected heritage asset:</u> Wayside was designed c.1926 by the architectural firm Read & MacDonald. It is one of several early-20th-century Arts and Crafts style buildings commissioned by Henry Walter Thompson, who bought The Warren in 1904 and was responsible for laying out the current golf course.</p> <p>Wayside has been identified as a candidate for the Council's Parish Lists of Local Heritage Assets, although a list has not yet been adopted for Woodham Walter. Wayside satisfies the approved selection criteria insofar as it is a substantially complete early-20th-century house of very good local architectural and historic interest, deploying mostly good-quality</p>	Noted and covered in section 5.5 of the report.

Name of Internal Consultee	Comment	Officer Response
	<p>materials, detailing and workmanship. The building's architectural quality has regrettably been diminished by recent refurbishment, including the replacement of the original lead-glazed windows with grey plastic windows. However, the building's overall form remains well-preserved and its significance is reinforced by its association with the other Arts-and-Crafts style buildings on the Warren Estate and by its idyllic rural setting, fronting a leafy lane and public footpath, with a grass meadow immediately to the east of it.</p> <p><u>Identification and assessment of the proposal's likely impact on the asset's significance, including settings:</u> The holiday lodges which have already been built at The Warren Estate are not particularly attractive structures, but those that exist are fairly well screened from public views – occupying the site of an old gravel pit – and do not affect the setting of any heritage assets. However, the meadow immediately to the east of Wayside is open to view from the public footpath and forms part of the bucolic rural setting to this Arts and Crafts style house.</p> <p>The erection of lodges on the meadow to the east of Wayside would have a moderately adverse effect upon the setting and significance of the non-designated heritage asset, by eroding its idyllic rural surroundings.</p> <p><u>Identification of the degree of harm to the significance of the heritage asset:</u> To use the terminology of the NPPF and Policy D3 of the Maldon LDP, I advise that this proposal will cause “less than substantial harm” to the significance of Wayside as a non-designated heritage asset. The degree of harm in this instance would be</p>	

Name of Internal Consultee	Comment	Officer Response
	<p>limited. Paragraph 197 of the NPPF advises that ‘in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset’. It will be down to the determining officer or committee to make a balanced judgement weighing the limited harm I have identified to a non-designated heritage asset against any public benefits the scheme poses.</p>	
Environmental Health	<p><u>First Consultation Response</u></p> <p><u>20 Lodges at the Wayside Retreat</u> Should planning permission be given It is important that conditions are imposed to ensure that no residential occupation occurs, and they remain for holiday use. This also applies to the 50 lodges at Bunsay Downs Golf Course.</p> <p>A Noise Impact Assessment dated 27 November 2019, project ref: 10031-1 has been provided and understand that as part of this proposal the nearest noise sensitive receptor (Wayside) is to be re-assigned as a short-term holiday let. The converted stable block which now appears to be in residential use is approx 150m away and unlikely to be affected by the proposal. The assessment recommends that the hot tubs should be the 'silent-type' and mounted to prevent vibration. A speed limit of 10MPH is suggested on access roads.</p> <p>recommend relevant conditions to ensure the recommendations are applied should planning permission be granted.</p> <p>The existing lodges are served by a single foul drainage system. This</p>	<p>Noted and covered in section 5.7 of the report.</p>

Name of Internal Consultee	Comment	Officer Response
	<p>Service has received several complaints relating to the system over the last few months and I am aware an update to the pumps is due which it is hoped will address the problems, I would not wish to see any additional lodges being served by the current system. Agree that a condition attached to any permission given requiring the submission and approval of an appropriate foul drainage system is acceptable.</p> <p><u>Golf Academy</u> Recommends a condition regarding any external lighting scheme.</p> <p><u>Extension to the Clubhouse</u> Whilst no raw data has been included in the report ambient and background sound levels were measured at 35dB(A) and 24dB(A) respectively which is very low. Any new noise source in the area is likely to be very noticeable. It is noted that hours of opening are proposed as 07:00 - 23:30 Monday to Saturday and 08:00 - 22:30 on Sundays and Bank Holidays but the noise report is for the daytime only.</p> <p>A common noise complaint is indeed disturbance from outdoor areas of licensed premises particularly during the evening.</p> <p>The report suggests that music will be played at background level only. This is subjective and impossible to condition. It is not clear whether there is an intention to provide amplified entertainment inside the clubhouse, it has not been considered in the noise report.</p> <p>Whilst the report suggests that the proposed new building will effectively screen the receptor from the outside</p>	

Name of Internal Consultee	Comment	Officer Response
	<p>seating area and provide between 15 and 20dB reduction in the conversation level I am not confident in the results of the modelling and in any event it does not consider disturbance from people entering or leaving the clubhouse.</p> <p><u>50 Lodges at Bunsay Golf Course</u> Background noise levels in the area are very low. The erection of 50 lodges and general activity associated with their occupation will impact on the amenity of the area. A family BBQ and seating area is proposed approximately 50m south of the boundary of the NSP which will encourage people to congregate in that area, which may be a source of disturbance.</p> <p>Subject to suitable conditions no objection is raised to the erection of 20 lodges at Wayside Retreat or the Golf Academy. However, concerns are raised about the impact on the amenity of the area by the introduction of 50 lodges at Bunsay Downs and the extension to the clubhouse. Therefore, EH object to the application on noise grounds.</p> <p><u>Second Consultation Response</u> BBQ Area The applicant is prepared to remove this area from the application.</p> <p>Play Barn The applicant has not addressed noise from this facility. It may be that if it is only used as a play barn with suitable hours of operation then this can be controlled by condition.</p> <p>Sound level The applicant proposes to set a level for sound at the boundary. Setting a level for this type of noise is difficult, as it is difficult to quantify the sound</p>	

Name of Internal Consultee	Comment	Officer Response
	<p>level that is going to be produced.</p> <p>The software used by the consultant (Computer Aided Noise Abatement) is more suited to industrial , construction, road and rail projects.</p> <p>Consider it is not a simple matter to set a level which passes the 6 tests for a Planning Condition. Previously phrases such as “inaudible” have been used but it is generally accepted that this is not a suitable phrase to use in a condition.</p> <p>Concerns remain the same that the introduction of an additional 50 lodges will impact on the nearest noise sensitive properties.</p>	

7.4 Representations received from Interested Parties

- 7.4.1 **182** 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
Holiday Lodges are an unnecessary use of land.	Please refer to section 5.2 of the report.
The development would overwhelm the village.	Noted.
The proposal would not represent sustainable development under LDP policy S1.	Please refer to conclusion in section 3 of the report.
Raise concerns over the current use and occupation of the existing holiday lodges on the site.	Any potential breaches of planning control is not material consideration for this current application and would be a matter for the planning enforcement team.
The current lodges at The Warren are neither fully built or fully occupied, brings into question why permission for 70 more is necessary.	Noted- please refer to section 5.2 of the report.
There are currently 10 lodges for sale at the existing site, proving that there is not a demand for more.	Noted - please refer to section 5.2 of the report.
Adding 20 further lodges for sale when many stay vacant and are up for sale at	Noted - please refer to section 5.2 of the report.

Objection Comment	Officer Response
present questions the need and 50 lodges as part of a Hoseasons “Go Active” leisure complex would severely strain the narrow country lanes and local facilities.	
Much is also made of the lack of such facilities in Essex but there are already many such resorts, such as the Five Lakes resort close by and a vast number of golf courses.	Noted - please refer to section 5.2 of the report.
The existing holiday lodges at The Warren would appear to meet any tourism need for the area and a recent request to build further lodges was declined, in part, for this reason. At the same time, an attractive and popular golf course welcoming all levels of golfers and offering sport and exercise for local residents, would be lost or significantly diminished at a time when outdoor leisure and keeping fit is actively encouraged.	Noted - please refer to section 5.2 of the report.
Maldon Council turned down an application for 10 additional lodges last year, how can an application for 70 new lodges now, be even countenanced?	Please refer to section 5.2 of the report.
No identified need for the proposal. Economic impact is a material consideration, not a demonstration of need for a tourist facility. Economic justification does not override the requirements for development to be sustainable or to comply with planning policy.	Noted - please refer to section 5.2 of the report and the conclusion in section 3.
The (dubious) economic benefit is not outweighed by the detrimental impact on the countryside and area of outstanding natural beauty.	Noted. Please refer to conclusion section of report.
Development of a regional or national holiday park does not just require a planning application. Such development needs to be considered through the local plan process with supporting infrastructure in place for the development.	The Local Planning Authority is bound to accept and determine planning applications in accordance with the Development Plan.
The destination research need report includes fundamental errors and its reliability is questioned.	Noted. Please refer to section 5.2 of the report.
Economic benefit appears conjectural and based on a hypothetical model.	Noted. Please refer to section 5.2 of the report.
Do not see the village and surrounding area has enough to offer holiday makers	Noted.

Objection Comment	Officer Response
and the lodges will bring huge amounts of extra traffic and possibly double the amount of people to the village to those who already reside here.	
The existing tourist provision in the District is extensive including a new Travel Lodge at Maldon.	Noted. However the proposal is for holiday lodges which are a different form of accommodation from a hotel.
Concern that this application is only the start with further applications for additional facilities/attractions etc being required.	Noted concern, however the application has to be considered as submitted.
It has not been demonstrated that tourist facilities are available on site as required by the 'Go Active' brand and such facilities are not included in the planning application.	Noted – please refer to section 5.2 of the report.
The Warren estate has leisure facilities (gym, swimming pool) which are free to use for their residents, however residents of the surrounding villages pay a substantial fee for membership. Whilst the gym has been extended, the new changing rooms are still relatively small as is the swimming pool, the addition of seventy extra lodges would put a strain on this facility.	Noted – please refer to section 5.2 of the report.
Owning a second home is a luxury that should not be given preferential treatment.	The proposed development is for holiday lodges and not permanent residential dwellings and this could be controlled through a condition.
Would be a better use of land to create affordable housing.	The Council has a duty to consider and determine the application as submitted not alternative proposals that are not before it.
The proposal as a whole is too large and will have a damaging and detrimental effect on the stunning, tranquil and peacefulness of the village of Woodham Walter which consists of a population of approximately 500 with about 150 dwellings.	Noted – please refer to section 5.4 of the report.
The village boundary of Woodham Walter is clearly defined, and outside that new building is not permitted as it is farmland/green belt, some long pre-existing small groups of houses such as Gun Hill and West Bowers that cannot be expanded, and the golf courses which are open land.	Please refer to section 5.4 for consideration of landscape impact. There is no green belt land within the district.
In many ways the proposal contravenes	Noted.

Objection Comment	Officer Response
the Woodham Walter Village Design Statement in regard to a number of issues in the Built Environment, sustainable development and roads sections.	
The application would fail to respect the character of the rural community described on page 11 of the adopted Woodham Walter Village Design Statement.	Please refer to section 5.4 of the report.
Such a large proposed development is completely inappropriate and out of character with its surroundings.	Please refer to section 5.4 of the report.
The building of a large number of holiday lodges is out of keeping with the surrounding area of attractive and open countryside and would be to the detriment of the wide variety of wildlife currently on the site.	Please refer to sections 5.4 and 5.11 of the report.
The development is far too dense, too suburban in layout and outside the village envelope	Please refer to section 5.4 of the report.
This development will be alien in the countryside setting. Creating a dense population of lodges/caravans	Please refer to section 5.4 of the report.
However well designed, an overground holiday cottage is much less sustainable than a house built directly on foundations to latest Building Regulations.	Noted.
Woodham Walter is an area of natural beauty and home to much varied wildlife including rare birds of prey such as Red Kites that have recently made a return to the area.	Noted.
This course is a site of outstanding natural beauty and was recognised with an award for its special environmental credentials.	The landscape is not a designated area of outstanding natural beauty. Please refer to section 5.11 in respect of ecology and biodiversity.
There will be significant adverse impact on the ecology and wildlife of the area, particularly the badger habitats and the nesting sites for birds and raptors in the adjacent woodland.	Please refer to section 5.11 of the report.
The proposed development, no matter how sympathetically designed will destroy the natural environment, ecology and wildlife habitat.	Please refer to section 5.11 of the report.
Development will result in an adverse impact on sensitive ecology and wildlife such as Great crested newts, nesting buzzards, muntjac deer, and badgers.	Please refer to section 5.11 of the report.

Objection Comment	Officer Response
A development on this site which is very close to areas such as Woodham Walter Common, managed by Essex Wildlife Trust, and will completely change the environmental dynamic through sound and light pollution together with the traffic issue.	Noted. Please refer to sections 5.7, 5.8 and 5.11 of the report.
The LVIA and NIA have not been updated to show the revised placement of 13 lodges in the Design Adaptations dated March 2020. Thirteen lodges are now placed further to the west and are much closer to Common Lane.	Noted in main report. Please see sections 5.4 and 5.7.
The reports on Visual and Landscape and Noise levels are flawed in that they do not take into account seasonal variations. In the summer and autumn months the site is relatively well screened. However, in the winter and early spring months it is very different when there is no leaf cover on the trees.	Noted.
Attention should be paid to the flood risk downstream of the brook through Bunsay that caused evacuation in the village some years ago.	Please refer to section 5.9 of the report.
No EV charging is suggested or provided. This should be provided as a matter of course, especially with the increase in existing car parking.	Should planning permission be granted this could be addressed through a condition.
The Proposal would result in an increase in traffic and therefore emissions.	Noted.
The roads in the area are typical country roads and lanes unsuitable for access to a large leisure facility.	Noted – please refer to section 5.8 of the report.
Movement of the lodges themselves will also cause traffic problems. We have on many occasion been held up in Herbage Park Road by lodge transporters.	Noted. Should planning permission be granted a construction management plan could be conditioned to minimise impacts.
Spring Elms Lane which is a single carriageway country lane the majority of which is 60mph & which is the main route to Bunsay Downs other than from the Maldon area. A development of this size & nature for which access will mainly be along Spring Elms Lane will instantly at least double the volume of traffic on the lane given there are less than 50 houses along it.	Noted – please refer to section 5.8 of the report.
Spring Elms Lane is already dangerous with high speed cars as they are used as a	Noted – please refer to section 5.8 of the report.

Objection Comment	Officer Response
cut through. This development will make it worse.	
Access is also a major issue, the planning application makes much of the local bus stops but omits the fact that there are only 2 buses on only 2 days of the week and both buses are outside non peak hours so not suitable for occasional need.	Noted – please refer to sections 5.3 and 5.8 of the report.
Any staff would have to come from Maldon or Chelmsford by car as there is virtually no public transport. It was very noticeable how much traffic increased on Little Baddow Road when Bunsay Downs reopened after Lockdown, and that was without the clubhouse.	Noted – please refer to section 5.8 of the report.
The country roads are regularly used by cyclists, walkers, horse riders and farmers. The impact on rural business such as liveries and agriculture will be huge.	Noted – please refer to section 5.8 of the report.
Cars pull out of and into Bunsay Downs car park at an alarming speed which is dangerous to people walking and riding along the road.	Noted.
The proposal will increase car and heavy construction traffic leading to potential for a serious accident or possible deaths.	Noted. Should planning permission be granted a construction management plan could be conditioned to minimise impacts.
There are obvious increased risks to local wildlife from increased traffic in these lanes.	Noted.
Construction traffic would have to come through the village. Most roads are narrow, some being single lane. It would cause immeasurable disruption to our peaceful village.	Noted. Should planning permission be granted a construction management plan could be conditioned to minimise impacts.
Access to visitor attractions in Maldon and Chelmsford would put more pressure on the junction out of the village onto the A414.	Noted – please refer to section 5.8 of the report.
There seems to be no reason at all to double the parking space as each lodge has one or more spaces.	Parking is required for all elements of the proposal and not just the lodges.
The part of Common Lane that is a public Highway is unfenced to the proposed development site. This will constitute a significant risk to children staying in the family lodges wandering into Common Lane.	Noted. Should planning permission be granted soft and hard landscaping conditions could be attached, however any boundary treatment would need to be sensitively designed.
The unmade part of Common Lane is	Noted.

Objection Comment	Officer Response
clearly designated as a footpath. There is a danger that the placement of holiday lodges will encourage holiday makers to use the footpath as a cycle path into Woodham Walter Nature Reserve. We believe this will represent a safety risk to other pedestrian users of Common Lane.	
Proposed golf academy would not have any positive impact on the village.	Noted.
It is noted that that one area is for "Adults Only" which raises concerns about rowdy, noisy parties etc.	Noted – please refer to section 5.7 of the report in relation to noise.
Can often hear a lot of noise from wedding functions at the Warren and a we could hear every word of the music and peoples conversations when they held a party at Bunsay Downs one evening last year.	Noted - please refer to section 5.7 of the report in relation to noise.
There will be serious noise nuisance to adjacent dwellings.	Noted - please refer to section 5.7 of the report in relation to noise.
Detrimental Impact on Stivvy's Road/Gunhill area – the documents provided by the applicant fail to address the harmful impact on this residential location of 11 properties which are, all but one agricultural field, adjacent to the site.	Noted. please refer to section 5.7 of the report.
Currently the site has a moderate flow of traffic and visitors during the day, at night the site is closed and therefore quiet and dark. The proposed site as a holiday park would change the dynamics of the area dramatically with the increase in traffic during the day and night.	Noted.
There will be a huge increase in noise and light pollution which currently is extremely low and reflects the rural character of the village.	Noted.
Based on the current membership fees at The Warren, the Golf Academy would not be accessible to all in the village as a result of its high prices.	Noted.
The Pay and play course provides pleasure for people unable to afford golf fees.	Noted. The supporting information states that it is intended to retain the pay and play option.
The planned loss of 4 holes on the golf course must surely affect the attractiveness of the site, as golf is traditionally played across 9 or 18 holes.	Noted. The supporting information states that there will be 9, 12, or 18-hole options.
The proposal would destroy the valuable	Noted. Please refer to section 5.2 of the

Objection Comment	Officer Response
and unique golf course of Bunsay Downs which is a facility much used and loved by golfers from across the county.	report.
The village does not have a regular bus service, cycle lanes or, in many areas' pavements. The village does not have a shop. The village does have three pubs but could not manage with a huge increase in potential customers.	Noted. Please refer to section 5.2 of the report.
Local pubs would probably not gain from users of the lodges because there are onsite bar and restaurant facilities at both the Warren Golf Club and Bunsay Downs.	Noted. Whilst there would be on site facilities it is reasonable to assume that some visitors would use the local public houses and other facilities further afield as well.
The current number of lodges has not improved the current infrastructure in fact the village shop closed during the time the lodges were first built. This is proof that the lodges do not add to the Woodham Waltercommunity.	Noted.
There is no village shop or post office to benefit from the influx of visitors.	Noted.
The proposal would put a strain on the local services and infrastructure.	Noted.
The site is not connected to mains sewage so cesspit/ septic tanks/ specific treatment works or sewage pumped to the mains sewer in Herbage Park road all have to be considered and adding 70 more lodges to the existing 102 will be putting considerable extra demand on the system.	Noted. Please refer to section 5.9 of the report.
Local infrastructure is already challenged with pockets of poor internet and regular power outages.	Noted. UK Power Networks were consulted but made no comment.
This application proposes a holiday park style development without any of the associated investment in infrastructure or provision. This is an unsustainable development	Noted. Please refer to section 5.2 of the report.
Access to medical care is a major problem already and this proposal will worsen the problem.	Noted.
The increase of "holiday" traffic, is also likely to further burden Hoe Mill lock, by the Chelmer and Blackwater canal which has seen chaotic scenes during these summer months.	Noted.
We already have tourists visiting the nearby Paper Mill and Hoe Mill locks on the Chelmer on a regular basis and that	Noted.

Objection Comment	Officer Response
has created all kinds of problems for the local community especially with traffic parking on yellow lines and waste that's being left behind.	
The lodges would do nothing to either support or provide employment other than during their construction.	Please refer to section 5.3 of the report.
The considerable amount of housing being constructed in Maldon should fill the need for economic growth.	This application is for holiday lodges and associated development and not permanent residential dwellings.
Local landowners raise concerns over trespassing and destruction of crops and rise in crime with such a huge increase in population.	Noted.
Raises concerns over application being submitted and considered when there is a pandemic and all Council meetings are only held virtually.	As the pandemic has been an ongoing situation for some time not determining applications until the pandemic is over is not a viable option. New regulations have been published enabling planning committee meetings to be held virtually and the Council is following all proper procedures and protocol in this regard.
Consider that the incorrect planning fee has been paid as if the proposed accommodation is being used as a residential dwelling for at least 50 weeks of the year then these are residential properties.	The correct fee has been paid as the holiday lodges fall under the statutory definition of a caravan of the Caravan Sites and Control of Development Act 1960 as supplemented by Section 13 of the Caravan Site Act 1968.

7.4.2 **19** letters were received **in support** of the application and the reasons for support are summarised as set out in the table below:

Supporting Comment	Officer Response
See this planning application as a way to bring more visitors to our lovely village and to increase income for all businesses. It's not just The Warren who is going to benefit, the surrounding pubs and businesses will also see an increase in their use.	Noted. Please refer to section 5.3 of the report.
This planning is for 'Go Active' holiday lodges, if I had the choice of where to holiday and get the most out of being outdoors Woodham Walter would be top of my list.	Noted.
This planning will bring in more jobs which at the minute are very scarce, this will help get the economy back up and running in the surrounding areas.	Noted. Please refer to section 5.3 of the report.
There will be less golfers if the planning	Please refer to section 5.8 of the report.

Supporting Comment	Officer Response
is successful so overall the traffic will not change significantly.	
The membership at the Warren and Bunsay is a reasonable price.	Noted.
This business is trying to do everything the government are thriving for, creating new jobs, investing and bringing well needed funds into our community.	Noted. Please refer to section 5.3 of the report.
This creation of jobs would not be just limited to The Warren but would drive an increase in job creation within its supply chain.	Noted. Please refer to section 5.3 of the report.
The development would positively impact tourism within Essex by allowing visitors to extend the period of time they visit the area.	Noted.
The propose plan would be highly attractive to families as there are a number of social benefits felt by the whole family. Not only are parents spending key quality time with their children, but it provides time to get active for all members of the family.	Noted.
The Warren provides first-hand experience in club operations and business planning on a daily basis and therefore are always improving and progressing the club and its facilities to facilitate the community's needs further.	Noted.
Own a holiday at the Warren Estate and love the resort. Woburn Sands residents objected in there 100s to Center Parks coming to there town, today the village is the most vibrant in the country and they would never go back.	Noted.
This is an amazing opportunity for Maldon to lead the way in the District and help generate loads of jobs and help local businesses survive.	Noted.
The proposed Golf Academy is going to be a great addition to the local area. This is going to help create more opportunity for increased golf participation for both local residents and guests staying at the Warren Estate.	Noted.
Golf courses do not make money as a stand alone entity. The investment up to now primarily been put towards the events side of the business and the	Noted.

Supporting Comment	Officer Response
changes made have been at a very high standard. I have no doubt that the works proposed will equally be completed to a similar standard.	
The par 3 badgers course just does not get the use or investment that justifies it being kept as a golf course.	Noted. However, no information in relation to current use levels of the golf courses have been submitted.
This proposal will create a number of jobs for local people and especially youngsters that are clearly going to struggle in these tough times.	Noted. Please refer to section 5.3 of the report.
The creation of jobs, the long awaited investment and the reassurance that The Warren Golf Club and Bunsay Downs Golf Club will continue to run as Golf Clubs is enough for me to fully support the application.	Noted.
With a lot of people now choosing to have their holidays in the UK rather than abroad, the demand for this type of development has never been higher.	Noted. Whilst it is understood that the current situation has resulted in a boost to holidays in the UK (pre-current lockdown) the application has to be assessed against the long term and on the basis of the supporting information submitted. Please refer to section 5.2 of the report.
House backs onto the driving range and I feel this would only enhance the area plus I wouldn't have wayward golf balls in my garden on a windy day and no risk of them hitting grandchildren playing in my garden!	Noted.

7.4.3 **1** letter was received **commenting** on the application and summarised as set out in the table below:

Comment	Officer Response
<p>No objection in principle providing the following requests are given due consideration:</p> <ul style="list-style-type: none"> • A shop on site to sell local produce from local producers along with essentials and newspapers; • Detailed study on the area to ensure that there are no endangered animals/reptiles and most important no endangered or Undiscovered insects that would be adversely affected by any such work or development; 	<p>The Local Planning Authority have a duty to consider the development before them, not an alternative proposal.</p> <p>Detailed ecology and protected species surveys, where necessary, have been submitted in support of the application. Please refer to section 5.1 of the report.</p> <p>Two accessibility lodges are included in the design with pathway access to all clubhouse facilities. Disabled access would be fully considered under building regulations.</p>

Comment	Officer Response
<ul style="list-style-type: none"> Plans should be scrutinised by a wheelchair user to ensure the law on disabled access is followed. 	

8. **REASONS FOR REFUSAL**

- 1 The application site is located within a rural countryside setting and both sections of the application site where the holiday lodges are proposed add to and are characteristic of the overall rural setting with a sense of tranquillity. The use of the land for holiday lodges (along with the associated necessary infrastructure) would introduce an incongruous and visually harmful development which would have an urbanising impact upon the rural character and appearance of the site and erode much of the open nature of the site. The proposal would therefore fail to protect the intrinsic character and beauty of the countryside contrary to guidance contained within the National Planning Policy Framework as well as policies S1, S8, E5 and D1 of the approved Maldon District Local Development Plan.
- 2 Insufficient information has been submitted to demonstrate there is an identified need for the 70 holiday lodges proposed. The development would therefore represent inappropriate development outside of the settlement boundary without justification contrary to policies S1, S8 and E5 of the Maldon District Local Development Plan as well as the National Planning Policy Framework.
- 3 The redevelopment of the Bunsay clubhouse and use of the land to the south of the Bunsay clubhouse for 50 holiday lodges would result in harm to the amenity of the area through noise and would materially harm the amenity of the occupiers of the dwellings along Little Baddow Road, namely Apple Cottage and No's 1 and 2 Hawkins Farm Cottages contrary to guidance contained within the National Planning Policy Framework as well as policies E5, D1 and D2 of the approved Maldon District Local Development Plan.
- 4 The stationing of 20 holiday lodges on land to the east of the non-designated heritage asset 'Wayside' would result in a moderately adverse effect upon the setting and significance of this non-designated heritage asset by eroding its idyllic rural surroundings. In this instance due to the lack of justification for the holiday lodges and the harm to the rural landscape setting of the site it is considered that the public benefits of the proposal would not outweigh the limited harm that the 20 lodges would cause to the non-designated heritage asset 'Wayside'. The proposal would therefore result in harm to this non-designated heritage asset contrary to the guidance within the National Planning Policy Framework as well as Policies S1, E5, D1 and D3 of the approved Maldon District Local Development Plan.
- 5 In the absence of a completed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure the necessary payment of a Travel Plan monitoring fee as requested by the Highway Authority, the impact of the development cannot be mitigated contrary to Policies S1 and T2 of the

Maldon District Local Development Plan and Government advice contained within the National Planning Policy Framework