



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

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to  
**SOUTH EASTERN AREA PLANNING COMMITTEE  
17 MARCH 2021**

<b>Application Number</b>	<b>20/01238/FUL</b>
<b>Location</b>	Barn at Little Acre, Scotts Hill, Southminster
<b>Proposal</b>	Conversion of an agricultural barn into one 3 bedroom residential unit. New openings, addition of rooflights, solar panels and air source heat pump. Removal of existing lean to building and asbestos roofing and cladding.
<b>Applicant</b>	Mr & Mrs Day
<b>Agent</b>	Stanley Bragg Architects Limited
<b>Target Decision Date</b>	19.03.2021
<b>Case Officer</b>	Louise Staplehurst
<b>Parish</b>	<b>SOUTHMINSTER</b>
<b>Reason for Referral to the Committee / Council</b>	Departure from Local Plan

**1. RECOMMENDATION**


**SUBJECT TO COMPLETION OF S106 AGREEMENT APPROVE with**  
conditions (as detailed in Section 9 of this report).

**2. SITE MAP**

Please see below.

20/01238/FUL  
Little Acre



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	SEAC
	Date:	03/03/2021
www.maldon.gov.uk	MSA Number:	100018588

### **3. SUMMARY**

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

- 3.1.1 The site is located outside of any defined settlement boundary, to the west of Southminster, in a rural location with open countryside surrounding. The site lies to the north of Scotts Hill, one of the main roads out of the village of Southminster. The barn to which this application relates is located approximately 120m north of the highway, to the rear of Little Acre and within an existing potato farm. Access to the barn from Scotts Hill is taken via a private road.
- 3.1.2 Planning permission is sought to convert the barn into one 3-bedroom dwelling, with new openings, rooflights, solar panels and an air source heat pump. The existing lean to will be removed, as would the asbestos roofing and cladding.
- 3.1.3 Internally, at ground floor level the building would comprise a playroom, lounge, toilet, utility room and kitchen/dining/sitting area. The southern part of the building would be converted into a double garage with storage above. At first floor level, there would be three bedrooms, one with an en-suite and dressing room and a bathroom.
- 3.1.4 A lean to extension would be removed from the side of the building to facilitate the development. The resultant dwelling would therefore measure 27.8 metres wide, 9.6 metres deep and 5.9 metres high overall with an eaves height of 4 metres.
- 3.1.5 For the proposed conversion of the building to one dwelling a number of external alterations are proposed. The alterations are:
- West elevation – 7 rooflights , 3 windows and 4 glazed doorways.
  - South elevation – removal of 1 window and addition of 2 windows
  - North elevation – replacement of entrance with glazing and doors and windows
  - East elevation – 5 rooflights, solar panels, insertion of 2 garage doors, existing opening infilled and glazing and doorway added
  - Materials – grey/black vertical cladding, render plinth, grey/black roofing sheets, solar panels, grey aluminium windows and doors
- 3.1.6 The block plan shows that amenity space would be provided to the west of the proposed dwelling.
- 3.1.7 The application site benefits from consent for the conversion of the barn into 2 dwellings under the provisions of Schedule 2, Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) reference 17/00977/COUPA. This application is different in nature to the development approved under the previous application as it relates to one dwelling rather than two.

#### **3.2 Conclusion**

- 3.2.1 The proposed development has been assessed against all material planning considerations, including the previous permission and in this instance the provision of residential accommodation on the site has been accepted via the prior approval

process and whilst this is not formal planning permission it does represent a viable fall-back position. Taking in to account the above it is considered that development would not have a discordant impact on the character and appearance of the area or the intrinsic beauty of the countryside. No objection is raised in relation to the impact of the development on residential amenity or the parking provision. Therefore, subject to appropriate conditions, the development is considered on balance, acceptable and in accordance with the aims of the National Planning Policy Framework (NPPF).

#### **4. MAIN RELEVANT POLICIES**

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

##### **4.1 National Planning Policy Framework 2019 including paragraphs:**

- 7 Sustainable Development
- 8 Three objectives of sustainable development
- 10-12 Presumption in favour of sustainable development
- 38 Decision-making
- 47-50 Determining applications
- 54-57 Planning conditions and obligations
- 59-79 Delivering a sufficient supply of homes
- 117-118 Making effective use of land
- 124-132 Achieving well-designed places

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

- S1 Sustainable Development
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- H2 Housing Mix
- H4 Effective Use of Land
- T1 Sustainable Transport
- T2 Accessibility

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

- National Planning Policy Framework (NPPF)
- Maldon District Design Guide (MDDG) SPD
- Maldon District Vehicle Parking Standards (VPS) SPD

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

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

- 5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires 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 Maldon District Local Development Plan (MDLDP). The previous planning history of a site is a material planning consideration and for that reason is pertinent to be considered as part of the assessment of the proposal.

5.1.2 As part of the drive to deliver new homes the Government has stated that there is a need for Councils to demonstrate that there are sufficient sites available to meet the housing requirements for the next five years; this is known as the five year housing land supply (5YHLS).

5.1.3 Where a Local Planning Authority (LPA) is unable to demonstrate that it has a 5YHLS, the presumption in favour of sustainable development will apply; this is known as the ‘tilted balance’. This is set out in paragraph 11d of the NPPF which states:

***“For decision taking this means:***

*“(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*(i) the application of policies in this framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole.”*

5.1.4 At the heart of the NPPF is a presumption in favour of sustainable development (the ‘presumption’) is central to the policy approach in the Framework, as it sets out the Government’s changes to the planning system and emphasises the need to plan positively for appropriate new development. The NPPF replaces local plan policies that do not comply with the requirements of the NPPF.

5.1.5 It is necessary to assess whether the proposed development is ‘sustainable development’ as defined in the NPPF. If the site is considered sustainable then the NPPF’s ‘presumption in favour of sustainable development’ applies. However, where the development plan is ‘absent, silent or relevant policies are out-of-date’, planning permission should be granted ‘unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or that specific policies in this framework indicate development should be restricted’.

5.1.6 In judging whether a residential scheme should be granted, it is necessary to consider the weight attributed to the planning benefits which the proposal offers in making up the current housing land supply shortfall, against the adverse impacts identified (if any) arising from the proposal in relation to the policies contained within the NPPF.

5.1.7 There are three dimensions to sustainable development as defined in the NPPF. These are the economic, social and environmental roles. The local development plan through policy S1 re-iterates the requirements of the NPPF but there are no specific policies on sustainability within the current local plan. Policy S1 allows for new development within the defined development boundaries, however, the Council cannot demonstrate an up to date five year supply of deliverable housing. Therefore,

on this basis, sites outside of the defined development boundaries could be judged to be 'sustainable development' through the three dimension tests of the NPPF.

5.1.8 Paragraph 78 of the NPPF states that:

*'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'*

5.1.9 The application site is located beyond the defined settlement boundary of Southminster which is defined as a larger village having a range of services and facilities including a train station and bus service with links between Burnham, Chelmsford and London. The site is within walking distance from these services, however the future occupiers of the site would have to walk along Scotts Hill where there is no footpath or street lights and therefore it is not considered that the site is within an accessible location. It is therefore not considered to be attractive to pedestrians and due to this the accessibility of the site is limited. Therefore, it is not considered that the accessibility of the site weighs in favour of the development.

5.1.10 However, as stated in the preceding section of this report; the site benefits from prior approval permission to convert the barns to two dwellings (17/00977/COUPA). The assessment of a prior approval application is materially different to that of a full planning application and it cannot be automatically assumed that because an application is granted under a separate method of Development Management that planning permission will be granted. However, the fall-back position is a material consideration and the weight attributed should reflect the circumstances of the individual application.

5.1.11 The previous permission can still be implemented and there is nothing before the Council that would evidence that if the current application was to be refused that the prior approval application would not be undertaken. Taking into account the above, in this instance, the fall-back position is a material consideration in the determination of this application of significant weight.

5.1.12 Whilst the site is located in an inaccessible location due to its separation from Southminster and the lack of a suitable pedestrian access to local bus stops, where in normal circumstances the Council would look to resist additional residential development there is a need to be conscious of site-specific material considerations weighing in favour of the proposal. Therefore, taking in to account the existing permission for 2 dwellings on the site, the high likelihood that if planning permission were to be refused and that the permission allowed by the 17/00977/COUPA would be implemented, it is considered that no objection is raised to the principle of granting planning permission on the site.

5.1.13 Other considerations that need to be taken into the balance are discussed below. Based on the above, it is considered, on balance, that a dwelling in this location is acceptable.

## **5.2 Housing Land Supply and Need**

- 5.2.1 In respect of the Council's current land supply position, the NPPF states that Local Authorities should consider applications for new dwellings in the context of the presumption in favour of sustainable development and the Local Development Plan (LDP) policies in relation to the supply of housing should not be considered to be up-to-date. As a result, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or specific policies in the NPPF indicate that development should be restricted.
- 5.2.2 Policy H2 of the LDP and its preamble (paragraph 5.2.2), which when read alongside the evidence base from the Strategic Housing Market Assessment (SHMA), shows an unbalanced high number of dwellings of three or more bedrooms, with less than half the national average for one- and two-bedroom units, and around 71% of all owner-occupied properties having three or more bedrooms. The Council is therefore encouraged in the approved policy H2 to provide a greater proportion of smaller units to meet the identified needs and demands.
- 5.2.3 Whilst the LDP carries limited weight at present, the NPPF is clear that housing should be provided to meet an identified need. Therefore, it is still considered that weight should be afforded to the evidence base from the SHMA.
- 5.2.4 The Council is therefore encouraged in the policy H2 of the LDP to provide a greater proportion of smaller units to meet the identified needs and demands. The proposal would provide one three-bedroom property. Taking into account, the Council's current position, the proposal would make a contribution to improving the Council's housing stock. However the benefits would be minimal given the proposal is for one dwelling.

## **5.3 Design and Impact on the Character of the Area**

- 5.3.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high quality built environment for all types of development.
- 5.3.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The NPPF states that:

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

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

- 5.3.3 The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution in terms of:-
- a) Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;
  - b) Height, size, scale, form, massing and proportion;
  - c) Landscape setting, townscape setting and skylines;
  - d) Layout, orientation, and density;
- 5.3.4 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG (2017).
- 5.3.5 In addition, policy H4 requires all development to be design-led and to seek to optimise the use of land having regard, among others, to the location and the setting of the site, and the existing character and density of the surrounding area. The policy also seeks to promote development which maintains, and where possible enhances, the character and sustainability of the original building and the surrounding area; is of an appropriate scale and design that makes a positive contribution to the character of the original building and the surrounding area and where possible enhances the sustainability of the original building; and does not involve the loss of any important landscape, heritage features or ecology interests.
- 5.3.6 The application site lies outside of any defined development boundary. According to policies S1 and S8 of the LDP, the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. These policies stipulate that outside of the defined settlement boundaries, the Garden Suburbs and the Strategic Allocations, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided the development is for proposals that are in compliance with policies within the LDP, neighbourhood plans and other local planning guidance.
- 5.3.7 The site is located on the western side of the settlement of Southminster. When travelling west from Southminster, the area becomes more rural and therefore the application site is surrounded by open fields and located within a rural area, where there is sporadic residential development. The proposed dwelling would be located over 570 metres from Scotts Hill. Due to the significant degree of separation between the dwelling and Scotts Hill, there would be limited views of the dwelling from the streetscene. The main alterations to convert the barn into a dwelling relate to fenestration alterations, as well as the removal of the lean-to extension and therefore it is not considered that the proposal would result in detrimental harm to the character and appearance of the countryside.
- 5.3.8 It is noted that the development would result in the existing building having a more domestic appearance and also inherently result in the intrusion of domestic paraphernalia into what is considered countryside and resulting in the urbanisation of the site to the detriment of the countryside. However, it is considered that the fall-back position from the 17/ 00977/COUPA application would broadly result in a similar level of domestication of the site, if not more as it would have resulted in two



dwellings, and therefore, this is not considered to justify the refusal of this application.

- 5.3.9 Taking into account the above assessment, it is considered, that on balance, the proposed development would not have an unduly detrimental impact on the character and appearance of the site or surrounding area.

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

- 5.4.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the MDDG (2017).
- 5.4.2 The closest neighbouring dwelling is Little Acre, which is located over 200 metres to the south. Due to this separation distance, it is not considered that the conversion of the barn would result in harm to this neighbouring dwelling by way of a loss of light or loss of privacy. There are no other nearby neighbouring dwellings to the site.
- 5.4.3 Environmental Health were consulted in relation to this application and have not raised any concerns in relation to noise disturbances on current and future occupiers of the proposed dwelling from the nearby farm to the east of the site. Therefore, it is not considered that the development would represent an unneighbourly form of development or give rise to overlooking or overshadowing, in accordance with the stipulations of D1 of the LDP.

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

- 5.5.1 Policy T2 aims to create and maintain an accessible environment, requiring development proposals, inter alia, to provide sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.
- 5.5.2 The proposed development would utilise the existing access from Scotts Hill and therefore, there are no concerns in relation to highway safety.
- 5.5.3 The proposal involves the conversion of part of the building into a double garage, which would have internal measurements of 8.7 metres in depth and 8 metres in width. As the proposed dwelling would have 3 bedrooms, 2 parking spaces are required. The garage would accord with the adopted parking standards and would be of sufficient size to accommodate 2 cars. Therefore, there are no concerns in relation to parking.

#### **5.6 Private Amenity Space and Landscaping**

- 5.6.1 Policy D1 of the approved LDP requires all development to provide sufficient and usable private and public amenity spaces, green infrastructure and public open spaces. In addition, the adopted MDDG SPD advises a suitable garden size for each type of

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

- 5.6.2 The proposed development would result in the creation of a three bedroom dwelling. The proposed dwelling would benefit from a spacious amenity space (270m<sup>2</sup>) to the west of the proposed dwelling. This is in excess of the 100m<sup>2</sup> as required by the standards and therefore the proposal is in compliance with Policy D1 of the LDP.
- 5.6.3 No information in relation to the proposed boundary treatments or the landscaping has been provided as part of this application. However, it is considered that this information could be secured via condition should the application be approved.

## **5.7 European Designated Sites**

- 5.7.1 The application site falls within the 'Zone of Influence' (ZoI) for one or more (Blackwater Estuary SPA and Ramsar site, Colne Estuary SPA/Ramsar site and Dengie SPA and Ramsar site) of the European designated sites scoped into the emerging Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS). This means that residential developments could potentially have a significant effect on the sensitive interest features of these coastal European designated sites, through increased recreational pressure etc.
- 5.7.2 The development of one dwelling falls below the scale at which bespoke advice is given from Natural England (NE). To accord with NE's requirements and standard advice an Essex Coast RAMS Habitat Regulation Assessment (HRA) Record has been completed to assess if the development would constitute a 'Likely Significant Effect' (LSE) to a European site in terms of increased recreational disturbance. The findings from HRA Stage 1: Screening Assessment are listed below:

### HRA Stage 1: Screening Assessment – Test 1 - the significance test

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

Does the planning application fall within the following development types? Yes - The planning application relates to one dwelling

Proceed to HRA Stage 2: Appropriate Assessment to assess recreational disturbance impacts on the above designated sites

### Test 2 – the integrity test

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

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

- 5.7.3 As the answer is no, it is advised that a proportionate financial contribution should be secured in line with the Essex Coast RAMS requirements. Provided this mitigation is secured, it can be concluded that this planning application will not have an adverse effect on the integrity of the above European sites from recreational disturbance, when

considered 'in combination' with other development. NE does not need to be re-consulted on this Appropriate Assessment.

- 5.7.4 The Essex Coastal RAMS is currently under preparation and it therefore, constitutes an emerging document for the Council. This document states that the flat rate for each new dwelling has been calculated at £125.58 and thus, the developer contribution should be calculated using this figure. At this time a signed S106 agreement has not been provided to the Council. However, this could be sought subject to the recommendation of approval being agreed by the Planning Committee and prior to the decision being issued.

## **5.8 Tilted Balance and sustainability**

- 5.8.1 One of the key priorities within the NPPF is the provision of sustainable development. This requires any development to be considered against the three dimensions within the definition of 'sustainable development' providing for an economic, social and environmental objective as set out in the NPPF.
- 5.8.2 In relation to environmental sustainability, it is considered that the development of the site would result in the inevitable domestication of the site, which is not normally supported within the Countryside. It is considered that due to the existing built form on site, and that this would be reduced due to the removal of an existing lean-to structure, weighs in favour of the proposed development, as does, and more significantly, the fall-back position from the granted prior approval application, which would result in the inherent domestication of the site. The fall-back position would also allow for two dwellings in an unsustainable location which would be worse than the current proposal for one dwelling. Therefore, it is considered that the granting of this planning application would have a neutral impact in relation to environmental sustainability.
- 5.8.3 In economic terms, there would be little support for local trade as the proposal only relates to minor works to provide one dwelling. Whilst the occupiers of the dwelling would bring some economic benefits to Southminster, which may provide some support to existing services, it is considered that the benefits would be minor given that only one dwelling is proposed. Therefore, due to the limited provision of local businesses, shops and services and the minor nature of the development there would be a limited increase in footfall or economic benefit to the area.
- 5.8.4 In social terms, development should assist in supporting a strong, vibrant and healthy community. Whilst Southminster has a good range of services and public transport facilities, due to the lack of a suitable footpath, any future occupiers of the site would be heavily reliant on the use of private vehicles to access everyday facilities contrary to the guidance contained within the NPPF and policies S1, S8 and T1 of the LDP.
- 5.8.5 However, as stated in the preceding section of this report; the site benefits from prior approval permission to convert the barns to a dwelling (17/00977/COUPA). This is therefore, a material consideration in the determination of this application, which carries significant weight, particularly given that this previously approved application would allow for two dwellings on the site. It is therefore considered that despite the social and economics of the development and the neutral impact in relation to environmental sustainability, this fall-back position weighs heavily in favour of the

proposed development. Due to this, it is considered that the provision of one dwelling in this location is acceptable.

## **6. PRE-COMMENCEMENT CONDITIONS**

- 6.1 One pre-commencement condition is proposed regarding the submission of a construction method statement. Agreement for this condition has been sought from the Agent. An update in this respect will be provided in the Members' Update.

## **7. ANY RELEVANT SITE HISTORY**

- **17/00339/COUPA** - Notification for prior approval for a proposed change of use of Agricultural Building to two Dwellinghouses (Class C3), and for associated operational development. – Refused
- **17/00977/COUPA** - Notification for prior approval for a proposed change of use of agricultural building to two dwellinghouses (Class C3), and for associated operational development. – refused – appeal allowed

## **8. CONSULTATIONS AND REPRESENTATIONS RECEIVED**

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

<b>Name of Parish / Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
Southminster Parish Council	Support	Comments noted

### **8.2 Statutory Consultees and Other Organisations**

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
Essex County Council Highways	No response at the time of writing	Comments noted

### **8.3 Internal Consultees**

<b>Name of Internal Consultee</b>	<b>Comment</b>	<b>Officer Response</b>
Environmental Health	No objection subject to the inclusion of conditions should the application be approved.	Comments noted

### **8.4 Representations received from Interested Parties**

No letters of representation have been received

**9. SUBJECT TO THE COMPLETION OF A S.106 AGREEMENT REGARDING RAMS CONTRIBUTION PERMISSION TO BE GRANTED WITH THE PROPOSED CONDITIONS.**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON To comply with Section 91(1) of The Town & Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in complete accordance with approved drawings: 6774-1602-A, 6774-1401-A, 6774-1302-C, 6774-1301-B, 6774-A-1205-E, 6774-A-1204-E, 6774-A-1203-E, 6774-A-1202-B, 6774-A-1201-B, 6774-1103-B, 6774-1102-B, 6774-1101-B

REASON To ensure the development is carried out in accordance with the details as approved.

3. Prior to their use in the development hereby approved, details or samples of the materials to be used in the construction of the external surfaces, including windows and doors, of the development hereby approved shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON To ensure the external appearance of the development is appropriate to the locality in accordance with policy D1 of the approved Maldon District Local Development Plan and the guidance contained in the Maldon District Design Guide SPD.

4. Prior to the occupation of the development hereby approved details of the boundary treatment of the site shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be provided prior to the occupation of the dwelling hereby approved in accordance with the approved details and be retained as such in perpetuity.

REASON To ensure the external appearance of the development is appropriate to the locality and that the development would protect the amenities of the neighbouring occupiers in accordance with policy D1 of the approved Maldon District Local Development Plan and the guidance contained in the Maldon District Design Guide SPD.

5. Prior to the occupation of the development details of both hard and soft landscape works to be carried out shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include the layout of the hard landscaped areas with the materials and finishes to be used and details of the soft landscape works including schedules of shrubs and trees to be planted, noting the species, stock size, proposed numbers/densities and details of the planting scheme's implementation, aftercare and maintenance programme.

The hard landscape works shall be carried out as approved prior to the beneficial occupation of the development hereby approved unless otherwise first agreed in writing by the Local Planning Authority. The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the occupation of the development, unless otherwise first agreed in writing by the Local Planning Authority.

If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted

shall be planted in the same place, unless the Local Planning Authority gives its written consent to any variation.

REASON To ensure that the details of the development are satisfactory in accordance with policy D1 of the Maldon District Development Local Plan and the guidance contained in the Maldon District Design Guide SPD.

6. No development shall commence until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- The parking of vehicles of site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- Wheel washing facilities
- Measures to control the emission of dust, noise and dirt during construction
- Hours and days of construction operations.

REASON To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety in accordance with BE1 and T2 of the adopted Replacement Local Plan, and policies D1 and T2 of the submitted Local Development Plan.

7. No development works above ground level shall occur until details of the surface water drainage scheme to serve the development has been submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development. The scheme shall ensure that for a minimum:

- 1) The development should be able to manage water on site for 1 in 100 years events plus 40% climate change allowance.
- 2) Run-off from a greenfield site for all storm events that have a 100% chance of occurring each year (1 in 1 year event) inclusive of climate change should be no higher than 10/l/s and no lower than 1/l/s. The rate should be restricted to the 1 in 100 year greenfield rate or equivalent greenfield rates with long term storage (minimum rate 11/l/s) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield)

You are advised that in order to satisfy the soakaway condition the following details will be required: - details of the area to be drained, infiltration rate (as determined by BRE Digest 365), proposed length, width and depth of soakaway, groundwater level and whether it will be rubble filled.

Where the local planning authority accepts discharge to an adopted sewer network you will be required to provide written confirmation from the statutory undertaker that the discharge will be accepted.

REASON To avoid the risk of water flooding and pollution in accordance with policy D2 of the Maldon Local Development Plan (2017).

8. No development above ground level shall occur until details of the foul drainage scheme to serve the development have been submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development.

REASON To avoid the risk of water flooding and pollution in accordance with policy D2 of the Maldon Local Development Plan (2017).

9. The integral garage and first floor storage area shall remain available for the parking of vehicles and domestic storage in perpetuity and shall at no time be converted into habitable accommodation.  
REASON To ensure that appropriate parking is provided in accordance with policies D1 and T2 of the approved Local Development Plan.
10. Details of the refuse stores shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The development shall be implemented in accordance with the approved details and be retained for such purposes in perpetuity thereafter.  
REASON To ensure that adequate refuse facilities are proposed in accordance with policies D1 of the approved Local Development Plan and the guidance contained in the Maldon District Design Guide SPD.
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions or separate buildings (other than ancillary outbuildings not exceeding 10 cubic metres in volume) shall be erected within the site.  
REASON To protect the visual amenity of the rural area and the amenities of the neighbouring occupiers in accordance with Policies D1 and H4 of the Maldon District Local Development Plan and the Maldon District Design Guide.