

**CIRCULATED
BEFORE THE
MEETING**



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

**To
SOUTH EASTERN AREA PLANNING COMMITTEE
18 AUGUST 2021**

MEMBERS' UPDATE

AGENDA ITEM NO. 5

Application Number	21/00628/FUL
Location	Land North Of Riversleigh, Nipsells Chase, Mayland, CM0 6EJ
Proposal	Proposed construction of a single storey self-build live/work dwelling
Applicant	Mr and Mrs Kenny Paton
Agent	Mr Anthony Cussen - Cussen Construction Consultants
Target Decision Date	20.08.2021
Case Officer	Louise Staplehurst
Parish	MAYLAND
Reason for Referral to the Committee / Council	Councillor / Member of Staff Councillor Sue White is co-applicant

3.1 Proposal / brief overview, including any relevant background information

3.1.2 Planning permission is sought for the construction of one single storey dwelling; it has been stated it will be a self-build, live/work unit however this is discussed further in section 5.1 and 5.2. Internally, it will have two bedrooms, two with an en-suite, a home office, two further bathrooms, a kitchen, utility room, boiler room, lounge/dining room, garage and veranda.

5.9 RAMS and Impact on Designated Sites

5.9.5 The submitted legal agreement is not signed, date and does not include the Council's planning reference number and is therefore not considered to be sufficient. The impact of the development cannot therefore be mitigated and reason for refusal 3 will remain. It is noted the applicant has stated that the RAMS fee was paid to Chelmsford Council however the fee must be paid to Maldon directly.

5.11 Other Material Considerations

5.11.2 It is noted that the applicant considers the dwelling is required due to the health needs of the co-applicant, however, whilst the Council is sympathetic to their personal circumstances, this is not considered to be a material consideration which would outweigh the concerns raised within the report. The Council must assess the lifetime of the development and not only current circumstances. Reference has been made to Policy H3 Accommodation for Specialist Needs, however this policy refers to larger schemes specifically designed for certain groups of people such as older people or disabled people, and applications must comply with 8 stipulations. This policy is not relevant in this instance.

5.11.3 It is noted that the access in the red line boundary now joins the made road of Nipsells Chase however the future occupiers of the dwelling would still have to walk along the unmade unlit part of the road to access facilities within Mayland. This is outlined further in section 5.1 of the report. It would not be reasonable or proportionate to the scale of the application to require the road to be upgraded or a footpath installed to access the made part of the road. Notwithstanding, this would not outweigh the concerns raised in relation to the impact on the character of the area. It is noted that the applicant considers the access point to abut the settlement boundary, however the site is still located within the countryside.