



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

---

to  
**CENTRAL AREA PLANNING COMMITTEE  
20 OCTOBER 2021**

<b>Application Number</b>	<b>21/00646/FUL</b>
<b>Location</b>	Barn at Maldon Wycke, Spital Road, Maldon
<b>Proposal</b>	Conversion of barn into one residential dwelling with alterations and a new car port.
<b>Applicant</b>	Darren Arnull – Punch Construction Ltd
<b>Agent</b>	Edward Morton – The Morton Partnership Ltd
<b>Target Decision Date</b>	10.09.2021
<b>Case Officer</b>	Kathryn Mathews
<b>Parish</b>	<b>MALDON TOWN COUNCIL</b>
<b>Reason for Referral to the Committee / Council</b>	Not Delegated to Officers

**1. RECOMMENDATION**

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

**2. SITE MAP**

Please see below.

**Barn at Maldon Wycke, Spital Road, Maldon**  
 21/00646/FUL



 <p><b>Copyright</b>                  For reference purposes only.                  No further copies may be made.                  This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright.                  Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.                  Maldon District Council 100018588 2014</p> <p><a href="http://www.maldon.gov.uk">www.maldon.gov.uk</a></p>	Scale:	1:1,250
	Organisation:	Maldon District Council
	Department:	Department
	Comments:	Central Area Committee
	Date:	27/09/2021
	MSA Number:	100018588

### **3. SUMMARY**

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

- 3.1.1 The application site is located in the rural area, beyond the defined settlement limits for Maldon.
- 3.1.2 The barn the subject of the application is within the grounds of Maldon Wycke, approximately 10m to the north of the existing house at Maldon Wycke. Maldon Wycke is located off Spital Road, opposite the fire station adjacent to recently completed Wycke Court. The house and grounds are accessed off Spital Road via a private drive. The barn the subject to this application and the existing house at Maldon Wycke are Grade II listed buildings. There are other listed buildings further to the north. The site benefits from existing trees and other vegetative screening particularly to the north, east and west.
- 3.1.3 It is understood that the barn is currently used for storage ancillary to the house at Maldon Wycke. The original barn consisted of 5 bays with a hipped roof. A single storey lean-to extension exists along the north side of the building. The building is clad with black weatherboarding with a plain tiled roof.
- 3.1.4 Planning permission is sought for the conversion of the barn into a three/four-bedroom residential dwelling and associated works. The ground floor layout would generally be open plan but would include a bedroom. The central bay would be read as a double height space with bedrooms (a total of three) either side. The barn would be clad in black timber weatherboarding and the roof would be clad in plain tiles to match the existing.
- 3.1.5 The car port proposed would be positioned to the south east of the barn and would measure 6.3m x 5.6m and 5.1m in height (pitched roof). It is not stated what the first floor of the building would be used for, but this level would be accessed via an external staircase.
- 3.1.6 The proposal is substantially the same as that previously approved under application references 18/00305/FUL and 18/00306/LBC, but this planning permission and listed building consent have now expired. The current scheme includes some minor differences to the previously approved scheme, as follows:
- The rooflights on the main body of the barn and one of the rooflights proposed for the rear lean-to have been omitted.
  - An existing window opening on the first floor, north elevation will be reinstated.
  - The first floor, east elevation run of windows behind the louvres will be reduced. Only two windows are proposed, between the existing studs. The louvres will be removed at this location.
- 3.1.7 The application is accompanied by a Design and Access Statement, Heritage Statement and a Bat Mitigation Plan March 2021.

#### **3.2 Conclusion**

- 3.2.1 It is considered that the proposal is acceptable in principle and would not have an adverse impact on the character and appearance of the area, the integrity of the listed building or the setting of neighbouring listed buildings, subject to the imposition of conditions. The proposal would also not have an adverse impact on the amenity

of neighbouring residential properties, nature conservation or parking/highway safety and an adequate quality of life for the occupiers of the dwelling would be provided.

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

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

##### **4.1 National Planning Policy Framework 2021 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
- 104-109 Promoting sustainable transport
- 119-123 Making effective use of land
- 124-125 Achieving appropriate densities
- 126-135 Achieving well-designed places
- 152-173 Meeting the challenge of climate change, flooding and coastal change
- 174-188 Conserving and enhancing the natural environment
- 189-208 Conserving and enhancing the historic environment

##### **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
- D3 Conservation and Heritage Assets
- H4 Effective Use of Land
- N1 Green Infrastructure Network
- N2 Natural Environment and Biodiversity
- T1 Sustainable Transport
- T2 Accessibility

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

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Car Parking Standards
- Maldon District Design Guide (MDDG) (SPD) (2017)

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

- 5.1 The main issues which require consideration as part of the determination of this application are the principle of the development, the impact of the proposal on the character and appearance of the area, the impact of the proposal on the Grade II listed building and the setting of neighbouring listed buildings, any impact on the occupiers of neighbouring residential properties and the quality of life for the

occupiers of the proposed dwelling along with the impact of the development on nature conservation and parking/highways.

## **5.2 Principle of Development**

- 5.2.1 The application site is located outside the defined development boundaries of Maldon and within the countryside. Policy S8 states that, outside the defined development boundaries and other defined areas, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided it is for development within a list set out in the Policy including (e) the re-use of a redundant or disused building that would lead to an enhancement to the immediate setting (in accordance with Policies E4 and D3).
- 5.2.2 Policy E4 (Agricultural and Rural Diversification) is not relevant to the consideration of this application. An assessment of the proposal against Policy D3 is below (section 5.4) along with an assessment of the impact of the proposal on the character and appearance of the area (section 5.3).
- 5.2.3 Planning permission was previously granted for the conversion of the barn into a dwelling (reference 18/00305/FUL). This planning permission has now expired but the Policy position in relation to the re-use of rural buildings remains unchanged. Furthermore, the site is not in an isolated location being within a group of existing dwellings and close to the edge of the settlement boundary for Maldon. Therefore, the principle of the development remains acceptable, subject to an assessment against other material planning considerations as set out below.

## **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.
- 5.3.3 The basis of policy D1 of the approved Local Development Plan (LDP) seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution in terms of:-
- Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;
  - Height, size, scale, form, massing and proportion;
  - Landscape setting, townscape setting and skylines;
  - Layout, orientation, and density;
  - Historic environment particularly in relation to designated and non-designated heritage assets;
  - Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
  - Energy and resource efficiency.
- 5.3.4 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the Maldon District Design Guide (2017).

- 5.3.5 The application site lies outside of any defined development boundary. According to policies S1 and S8 of the LDP, the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. The policies stipulate that outside of the defined settlement boundaries, the Garden Suburbs and the Strategic Allocations, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided the development is for proposals that are in compliance with policies within the LDP, neighbourhood plans and other local planning guidance.
- 5.3.6 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.
- 5.3.7 Policy D3 of the LDP states that the Council will give great weight to the heritage asset's conservation and that any harm or loss will require clear and convincing justification. Development that affects a heritage asset will be required to 'preserve or enhance its special character, appearance, setting ... and any features and fabric of architectural or historic interest'. LDP Policies S1, D1 and H4 are also relevant to the assessment of the impact of the proposal on the listed building.
- 5.3.8 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council, when considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 5.3.9 The proposed conversion would introduce limited alterations to the external appearance of the building with the re-use of the existing window and door openings, and as the external materials would match the existing. Conditions could be imposed requiring further details of boundary treatment and external materials, as recommended by the Specialist – Heritage and Conservation if planning permission were to be granted. The proposed residential curtilage would be contained within the immediate vicinity of the building with the majority of the external amenity space located to the rear. The proposed car port would be discreetly located on the eastern boundary of the site in close proximity to the existing barn and, whilst some existing vegetation would require removal to facilitate its construction, this element of the proposal would not cause material harm to the character or appearance of the area. Existing trees would be retained, and further details of tree protection measures have been approved as part of application reference 21/05083/DET.
- 5.3.10 As a result, and given the extent and position of the residential curtilage proposed, it is considered that the development would not be visually intrusive in the countryside and could enhance the building's immediate setting, in compliance with Policies D1, S1, S8 and H4 of the LDP.

#### **5.4 Impact on the Listed Building**

- 5.4.1 Policy D3 of the LDP states that the Council will give great weight to the heritage asset's conservation and that any harm or loss will require clear and convincing

justification. Development that affects a heritage asset will be required to 'preserve or enhance its special character, appearance, setting and any features and fabric of architectural or historic interest'. LDP Policies S1, D1 and H4 are also relevant to the assessment of the impact of the proposal on the listed building.

- 5.4.2 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council, when considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 5.4.3 This former agricultural building dates from the late-18th or early-19th century. It is a timber-framed building, clad in modern black-painted weatherboarding, 2 storeys in height, with a hipped roof clad in clay tiles, and a single-storey lean-to to the rear roofed in corrugated tin. There is an original 1st-floor loading door on its principal elevation, the other windows and doors are modern. This was originally a single-storey cartlodge, open back and front, with raking braces to the wall plate. Shortly after its original construction the building was raised to 2 storeys, to create a granary at first-floor level. The grain bins have been removed, but there is some evidence for their former presence. The original floor boards are joined by small fillets to prevent grain from falling between them. There was originally plastered brick nogging infilling the studwork at first-floor level, although only fragments of this survive. There is an historic opening, probably for ladder access, framed into the first-floor structure in the central bay. At ground-floor level there was a partition between the central bay and the next bay to the west, which has been removed. Some of the framing at the western end of the building was rebuilt in the 20th century. The rebuilt floor structure of the western bay incorporates a modern flight of stairs. This Georgian agricultural building is a reasonably good example of its type, comparable to other cartlodge and granary buildings such as at those Langford Hall and Bridgewick, Dengie. It complements the setting of (and shared 'group value' with) the adjacent separately listed farmhouse called Maldon Wycke. It currently functions as an outbuilding ancillary to Maldon Wycke.
- 5.4.4 In terms of the impact of the proposal upon the significance of the listed building, the Specialist – Heritage and Conservation concludes that finding a new use for the building would help secure its long-term survival and that the building is capable of conversion without harm to its special character. In particular:
- The sole plates dividing each bay are modern, so there will be no harm caused by their removal. There is already a continuous first-floor structure in place. At first-floor level the tie-beams can easily be walked under so there is no need to disturb them. There are no important historic features such as grain bins to work around. The presence of several existing openings means that not many new openings are required. The existing cladding is almost entirely modern, so the complete recladding of the building will cause no harm to its character.*
- .... the design of the proposed conversion [would].. be sympathetic to the building's established character. Most of the existing openings will be reused. The new windows are discreetly placed, and will run across the outside of the timber frame to ensure that none of the historic structure is removed. The use of external timber louvres will give the conversion a contemporary feel that would not compromise the building's established character, and would help soften the appearance of the larger expanses of glazing.*
- 5.4.5 With respect to the impact of the proposal on the setting of the listed building, the Specialist advises that the style and appearance of the proposed cartlodge will

harmonise with the character of the listed building and cause no harm to its setting but also advises that care will need to be taken to ensure that any new boundary treatments are sympathetic to the listed building's setting, particularly any to the front of the building.

- 5.4.6 Based on the above, it is considered that the proposal would not have an adverse impact on the listed building or its setting, subject to the imposition of conditions, in compliance with LDP Policies S1, D1, D3 and H4, the NPPG and NPPF.

## **5.5 Impact on Residential Amenity**

- 5.5.1 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).

- 5.5.2 The proposed dwelling would have habitable room (bedroom) windows on the front (southern), rear (northern) and eastern elevations at first floor level and there are existing dwellings to the east (Wycke Court), north (Headland and The Granary) and south (Maldon Wycke). An external staircase is also proposed on the northern elevation of the cart lodge building proposed along with a first-floor window on the southern elevation. However, the proposed bedroom windows facing north and south would be high level which, along with the distance to the neighbouring properties and their angle to the neighbouring properties, would not result in a material loss of privacy for the occupiers of any neighbouring dwelling. The bedroom windows facing east and the external staircase to the cart lodge building would also not cause a material loss of privacy to Wycke Court as these windows and staircase would face the end of their rear gardens as well as being angled away from their rear elevations and the main parts of their rear gardens. The first floor window on the southern elevation of the cart lodge building would not have an outlook which would result in a material loss of privacy for any property to the south of the site. Furthermore, the proposed cart lodge, whilst it would be in close proximity to the rear garden of the neighbouring property at Wycke Court, would not be of a size, height or position so as to result in harm being caused by reason of dominance, loss of outlook, loss of sunlight or loss of daylight. It is considered that any increased use of the existing accessway would be limited and so would not have a material impact in terms of disturbance.

- 5.5.3 On the basis of the above, it is considered that the proposal complies with Policy D1 of the LDP.

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

- 5.6.1 Policy T2 aims to create and maintain an accessible environment, requiring development proposal, inter alia, to sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.
- 5.6.2 The Council's adopted Vehicle Parking Standards SPD contains the parking standards which are expressed as minimum standards. This takes into account Government guidance which encourages the reduction in the reliance on the car and promotes methods of sustainable transport.

- 5.6.3 Vehicular access to the proposed dwelling would be via the existing private accessway to Maldon Wycke from Spital Road. The proposal includes the provision of a cart lodge. There would be space within the site for at least three car parking spaces which would comply with the adopted parking standards.
- 5.6.4 Essex County Council Highways (ECC) has raised no objections to the proposal subject to the public's rights and ease of passage over public footpath 2 (Maldon) being maintained free and unobstructed at all times.
- 5.6.5 On the basis of the above and the nature and extent of the proposal, it is considered that the development would be acceptable in terms of parking provision and highway safety, in compliance with Policies T2 and D1 of the LDP.

## **5.7 Quality of Life**

- 5.7.1 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 Maldon Design Guide 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.
- 5.7.2 The proposed dwelling would be provided with in excess of 100sq.m. of private amenity space which, whilst significantly smaller than the amenity space associated with the existing, neighbouring dwellings, would comply with the abovementioned standards. As a result of the distances to existing, neighbouring dwellings, the positions of habitable room windows on these neighbouring dwellings and the existing boundary treatments, the occupiers of the proposed dwelling would not be exposed to an unreasonable level of overlooking. Two of the four bedrooms proposed would only be provided with high level windows which would not be ideal but reducing the sill height level of these windows would potentially have a detrimental impact on the building as a heritage asset and increase opportunities for overlooking of existing, neighbouring properties. Overall it is considered that the quality of life for the occupiers of the proposed dwelling would be satisfactory, in compliance with Policy D1 of the LDP.

## **5.8 Nature Conservation**

- 5.8.1 Policy S1 includes a requirement to conserve and enhance the natural environment, by providing protection and increasing local biodiversity and geodiversity, and effective management of the District's green infrastructure network.
- 5.8.2 Policy S8 states that the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty.
- 5.8.3 Policy D1 requires that, amongst other things, all development must respect and enhance the character and local context and make a positive contribution in terms of the natural environment particularly in relation to designated and non-designated sites of biodiversity/geodiversity value (criterion f).
- 5.8.4 Policy N1 states that open spaces and areas of significant biodiversity or historic interest will be protected. There will be a presumption against any development which may lead to the loss, degradation, fragmentation and/or isolation of existing or proposed green infrastructure.

- 5.8.5 Policy N2 states that, any development which could have an adverse impact on sites with designated features, priority habitats and/or protected or priority species, either individually or cumulatively, will require an assessment as required by the relevant legislation or national planning guidance. Where any potential adverse effects to the conservation value or biodiversity value of designated sites are identified, the proposal will not normally be permitted.
- 5.8.6 The application is accompanied by a Bat Mitigation Plan (also submitted for approval as part of application 21/05083/DET). As part of this document, it is stated that there are bat roosts within the existing building and that, therefore, a Natural England (NE) mitigation licence would be required for any works affecting the roosts. The Mitigation Plan includes the following precautionary measures: the provision of alternative bat roosts during construction (bat boxes on trees at the site), the consultant ecologist giving pre-works talks to the site workers, pre-works checks being carried-out on the location of roosts, bats being excluded from the existing roosts during construction, there being an appropriate lighting strategy and roofing materials used being compatible with bat roosts. The provision of four integral 'bat tubes' or similar within the external walls and/or roof structure of the converted building forms part of the Plan.
- 5.8.7 Essex County Council Ecology (ECC) has raised no objections to the proposal subject to the relevant financial contribution towards the Recreational disturbance Avoidance and Mitigation Strategy (RAMS) being secured and the imposition of conditions requiring the development to be carried-out in accordance with the Bat Mitigation Plan, biodiversity enhancements and a wildlife sensitive lighting scheme.
- 5.8.8 A completed Unilateral Undertaking securing the relevant financial contribution towards RAMS has been submitted.
- 5.8.9 Based on the above, subject to the imposition of conditions as recommended by ECC Ecology, it is considered that the proposal would not have an adverse impact on nature conservation interests, in compliance with the NPPF and Policies S1, S8, D1, N1 and N2 of the LDP.

## **5.9 Other Matters**

- 5.9.1 Policy D3 requires that, where development might affect geological deposits, archaeology or standing archaeology, an assessment from an appropriate specialist source should be carried out.
- 5.9.2 Building recording, to the satisfaction of Essex County Council Archaeology (ECC), has already been carried-out and approved as part of application references 21/05090/DET and 21/05083/DET. Therefore, it is considered that the issue of archaeology has already been addressed and no further requirements are necessary as part of the current application.
- 5.9.3 The Specialist - Environmental Health has recommended that a condition is imposed requiring details of foul drainage to be submitted. Satisfactory surface water and foul drainage details have since been submitted. Therefore, the issue of drainage has been adequately dealt with, in compliance with Policy D5 of the LDP.

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

- **21/00647/LBC** Works associated with conversion of barn into one residential dwelling. Approved

- **18/00305/FUL** and **18/00306/LBC** Conversion of barn into one residential dwelling with alterations and a new car port. Approved
- **21/05083/DET** - Compliance with conditions notification 18/00305/FUL (Conversion of barn into one residential dwelling with alterations and a new car port.) Condition 3 - Samples. Condition 4 - Surface water and foul drainage schemes. Condition 5 - Ecological mitigation measures. Condition 6 - Archaeological assessment. Condition 7 - Implementation of a programme of archaeological recording. Condition 8 - Tree protection method statement. Partly approved (conditions 3, 5, 6, 7, 8)/partly refused (condition 4)
- **21/05090/DET** - Compliance with conditions notification 18/00306/LBC (Conversion of barn into one residential dwelling with alterations and a new car port.) Condition 3 - Samples. Condition 4 - Archaeological assessment. Condition 5 - Archaeological recording. Approved

## 7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

### 7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Maldon Town Council	Support	Noted

### 7.2 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Essex Council Highways (ECC)	No objections subject to the public's rights and ease of passage over public footpath 2 (Maldon) being maintained free and unobstructed at all times.	Noted

### 7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Specialist – Heritage and Conservation	No objection subject to the imposition of conditions relating to boundary treatment and photographs of the roof tiles to be used	<b>Noted – refer to sections 5.3 and 5.4 above</b>
Arboriculturalist	No response but commented on the previous proposal as follows: The tree report provides details on the quality of the trees and their constraints. As no details have been provided as to how the work could actually impact on the trees and how the constraints will	A condition requiring these additional details was imposed on the previous planning permission and details have since been approved (21/05083/DET) – refer to section 5.3 above

Name of Internal Consultee	Comment	Officer Response
	be worked around, a condition to provide a detailed tree protection method statement that demonstrates how the works will be achieved, should be imposed.	
Essex County Council Ecology (ECC)	No objections subject to a financial contribution towards RAMS being secured and conditions being imposed.	Noted – refer to section 5.8 above
Specialist - Environmental Health	No objections subject to drainage details being approved; and informatives	Noted – refer to section 5.9 above. Satisfactory details of surface water and foul drainage have since been submitted.

#### 7.4 Representations received from Interested Parties

7.4.1 No letters of representation were received for this application.

#### 8. PROPOSED CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:
  - 1609.sur03
  - 1609.sur04
  - 20951/01 Rev.A - SITE LOCATION PLAN
  - 20951/02 - SITE BLOCK PLAN
  - 20951/03 - EXISTING ELEVATIONS
  - 20951/04 - PROPOSED ELEVATIONS
  - 20951/05 - PROPOSED FLOOR PLANS AND SECTIONS
  - 20951/06 existing floor joist removal for staircase
  - CR\_CRPS\_MB\_A - Details of conservation rooflights
  - 20951/C/10 cart lodge floor plans
  - 20951/C11 cart lodge elevations
  - 20851/C/01 Rev.B
  - Klargester BioDisc Domestic Sewage Treatment Plant brochure
  - Diagram 1 Drainage Field
  - Details previously approved under application reference 21/05083/DET.REASON To ensure that the development is carried out in accordance with the details as approved.
- 3 Prior to their use on site, photographs of the roof tiles to be used for the cart lodge hereby permitted, and details of their source, shall be submitted to and

approved in writing by the local planning authority. The development shall be carried-out in accordance with the approved details.

REASON In the interest of the character and appearance of the area and the listed building in accordance with policies D1 and D3 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

- 4 The dwelling hereby permitted shall not be occupied until the proposed means of surface water and foul drainage has been provided. The development shall be retained in accordance with the approved details thereafter.

REASON To ensure appropriate drainage at the site in accordance with Policy D5 of the Maldon District approved Local Development Plan.

- 5 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Bat Mitigation Plan (EECOS, March 2021).

REASON To conserve and enhance protected and Priority species and allow the local planning authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species), and in accordance with Policy N2 of the Maldon District approved Local Development Plan and the NPPF.

- 6 Prior to the occupation of the dwelling hereby approved, a Biodiversity Enhancement Layout, providing the finalised details and locations of enhancement measures shall be submitted to and approved in writing by the local planning authority. The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

REASON To enhance Protected and Priority Species and allow the local planning authority to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with Policy N2 of the Maldon District approved Local Development Plan and the NPPF.

- 7 Prior to the occupation of the dwelling hereby approved, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON To allow the local planning authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species), and Policy N2 of the Maldon District approved Local Development Plan and the NPPF.

- 8 The public's rights and ease of passage over public footpath 2 (Maldon) shall be maintained free and unobstructed at all times.

REASON In the interests of the safety and convenience of users of the public footpath in accordance with Policy T2 of the Maldon District approved Local Development Plan.

- 9 No fencing, walls, gates or other means of enclosure shall be erected within the site unless details have first been submitted to and gained the prior written approval of the local planning authority.

**REASON** In the interest of the character and appearance of the area and the setting of the listed building in accordance with policies D1 and D3 of the Maldon District approved Local Development Plan and guidance contained within the National Planning Policy Framework.

**INFORMATIVES**

1. Should the existence of any contaminated ground or groundwater conditions and/or hazardous soil gases be found that were not previously identified or not considered in a scheme agreed in writing with the Local Planning Authority, the site or part thereof shall be re-assessed and a scheme to bring the site to a suitable condition shall be submitted to and agreed in writing with the Local Planning Authority. A "suitable condition" means one in that represents an acceptable risk to human health, the water environment, property and ecosystems and scheduled ancient monuments and cannot be determined as contaminated land under Part 2A of the Environmental Protection Act 1990 now or in the future. The work will be undertaken by a competent person in accordance with the Essex Contaminated Land Consortium's Land Contamination Technical Guidance For Applicants and Developers and UK best-practice guidance.
2. When a sewage treatment plant or septic tank is installed the applicant must ensure that the plant and receiving watercourse complies with DEFRA's general binding rules. Please note that if the general binding rules cannot be complied with you may need to apply for an Environmental Permit to use the system. Please see [www.gov.uk](http://www.gov.uk) for more information on General binding rules for small sewage discharges.
3. Waste Management - the applicant should consult the Waste and Street Scene Team at Maldon District Council to ensure that adequate and suitable facilities for the storage and collection of domestic waste and recyclables are agreed, and that the site road is constructed to accommodate the size and weight of the Council's collection vehicles.
4. The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpath 2 (Maldon) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way. The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.
5. All works affecting the highway to be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be addressed for the attention of the Development Management Team at SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU or emailed to [development.management@essexhighways.org](mailto:development.management@essexhighways.org)