



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
**NORTH WESTERN AREA PLANNING COMMITTEE
21 JUNE 2023**

Application Number	23/00128/FULM
Location	Land South of Bouncers, Wickham Hall Lane, Wickham Bishops
Proposal	Erection of stable building with associated ancillary facilities and storage for hay and feed.
Applicant	Mrs P Green
Agent	Mr Kieron Lilley – Smart Planning Ltd
Target Decision Date	28.06.2023
Case Officer	Devan Hearnah
Parish	WICKHAM BISHOPS
Reason for Referral to the Committee / Council	Major Application

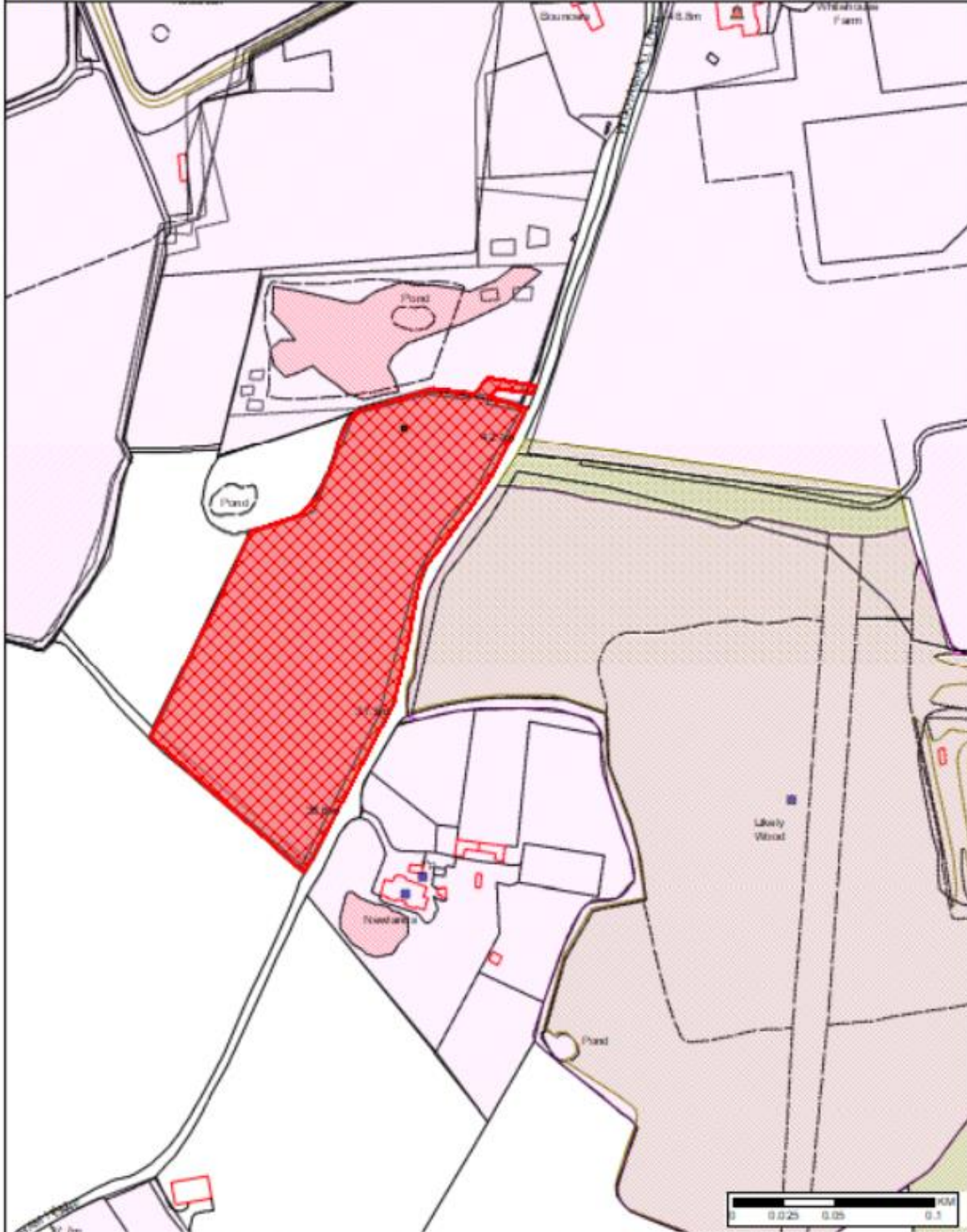
1. **RECOMMENDATION**


APPROVE subject to the conditions set out in section 8.

2. **SITE MAP**

Please see below.

23/00128/FULM
NWAC



 <p>Building CONTROL</p> <p>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>www.maldon.gov.uk</p>	<p>Copyright</p>	<p>Scale: 1:2,500</p>
	<p>Organisation: Maldon District Council</p>	<p>Department: Department</p>
	<p>Comments: Not Set</p>	<p>Date: 07/06/2023</p>
	<p>MSA Number: 100018588</p>	

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

Application site

- 3.1.1 The application site is located on the western side of Wickham Hall Lane and to the north of Langford Road. The site lies outside of the settlement boundary in a rural location. The site amounts to an area of 2.02 hectares and is currently in use as an agricultural field. The site itself does not consist of any structures, trees or hedgerows other than those that define the boundaries of the site. To the east is Wickham Hall Lane, a residential property on the southern end of the eastern boundary and Likely Wood, a Local Wildlife (LoWS) and Ancient Woodland on the northern end of the eastern boundary. To the north of the site lies Bouncers Farm, with a densely vegetated area directly to the north of the site boundary. It is understood that the application site falls within the ownership of Bouncers Farm. However, the Applicant has served the relevant notice on the landowners with interest in the site.

Proposal

- 3.1.2 Planning permission is sought for the construction of a rectangular shaped stable block along the northern boundary of the site. The building is proposed to be used as a stables along with associated ancillary features including the storage of hay and feed.
- 3.1.3 The proposed building would have a hipped roof with an eaves height of 3m and a ridge height of 5m. The building would have a width of 19.5m and a depth of 9.1m. There would also be a small front gable projection, with full length double timber doors, which would match the ridge height of the main building and would have a width of 3.8m, projecting 0.6m from the principal elevation. Either side of the gable projection would be two timber doors serving stables. On the rear elevation would be a further three timber single doors.
- 3.1.4 The building would accommodate five stables, a tack/feed room, an indoor turnout, grooming and wash area as well as W.C. facilities. The building would also include a mezzanine level to be used for the storage of hay and feed, which would be accessed by a ladder inside the building or by large timber doors off the front of the building for use by forklift trucks etc. storing the hay and feed.
- 3.1.5 The building would feature a brick plinth with weatherboard cladding above and a roof finished in welsh slate. As stated, the doors would be plain timber and there would be 1 double glazed obscure window to the W.C on the side elevation.
- 3.1.6 The building would be accessed via an existing access taken from the western side of Wickham Hall Lane, to the north of where the building is proposed.
- 3.1.7 In terms of landscaping, the proposal includes a driveway and hardstanding to the north of the building. The hardstanding to the front of the building is proposed as 'Grasscrete' or similar, to provide all year-round access without the need for impermeable hardstanding. Planting is shown on the Block Plan around the proposed building. However, limited detail has been provided.
- 3.1.8 The proposal involves the removal of an approximate 5m section of Tree group G2 which is a Hawthorn to allow construction of the driveway.

Background

- 3.1.9 The application follows a previously refused application at the site (22/00553/FUL), which was for a similar development. The main differences between the previous refused application and the one subject of this report are as follows:
- The scale of the building has been reduced. The previously proposed scheme was U-shaped with a height of 6.6m and a maximum depth of 13.1m, compared to the now proposed height of 5m and depth of 9.1m.
 - The previously proposed windows have been removed and replaced with stable doors.
 - The material palette has been revised from black horizontal weatherboarding over brick plinth and 'tiles', with black painted timber doors to the materials set out above.
 - Grazing land has been hatched on the Proposed Block Plan (P204 Rev C), with clarification that feed and hay storage would be provided within the Mezzanine floor area as well as the tack and feed store room. Clarification has also been provided stating that the stables would be used to house horses.
- 3.1.10 The application as originally submitted related to a building with a 5.6m height. Officers advised the Applicant's Agent that they still had concerns with the design of the scheme, mainly due to its prominence and overall height. Officers also requested further information as to where the feed would be stored and if the mezzanine area was accessible and convenient and therefore, would be put into use. In response, the plans were revised so that the height of the building was reduced from 5.6m to 5m and it was advised that the design of the barn doors will facilitate easy access to the mezzanine to load and unload feed and the ladder will provide day-to-day access to the mezzanine.

3.2 Conclusion

- 3.2.1 On balance, the amendments to the size and scale of the proposed building in comparison to the previously refused scheme would result in a development that would not cause demonstrable harm to the character and appearance of the site or the surrounding countryside. Furthermore, it has also been demonstrated that there would be sufficient grazing land and supplementary feed storage within the site and building to ensure the long-term welfare of the horses. On this basis, the revised scheme overcomes the previous reasons for refusal.

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
- 55 – 59 Planning conditions and obligations
- 81 – 85 Building a strong and competitive economy
- 104 – 113 Promoting sustainable transport
- 119 – 125 Making effective use of land
- 126 – 136 Achieving well-designed places

- 152 – 173 Meeting the challenge of climate change, flooding and coastal change
- 170 – 183 Conserving and enhancing the natural environment

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

- S1 Sustainable Development
- S7 Prosperous Rural Communities
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D5 Flood Risk and Coastal Management
- E1 Employment
- E4 Agriculture and Rural Diversification
- H4 Effective Use of Land
- 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)
- Maldon District Vehicle Parking Standards
- Maldon District Design Guide SPD (MDDG) (2017)

5. MAIN CONSIDERATIONS

5.1 Principle of Development

5.1.1 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 Local Development Plan. (LDP)

5.1.2 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.

5.1.3 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 [inter alia] ... f) rural diversification, recreation and tourism proposals (including equestrian and related activities) proposals in accordance with Polices E4 and E5*".

5.1.4 *The Officers Report considering the previous application (22/00553/FUL) stated the following in respect of the principle of development:*

- 5.1.5 *'Whilst the development is located outside of a defined development boundary, within the rural countryside, it is considered reasonable to support the provision of structures that are ancillary to existing outdoor recreational facilities, such as the keeping of horses. At Section 2.4 of the Planning Statement provided, it states that the existing use of the site is agricultural. At Section 3.1 of the Statement, it also states that "It is intended to use the site for the grazing of horses." It would therefore appear that there are not any existing equestrian or related activities at the site.*
- 5.1.6 *Whilst the site is situated south of Bouncers Farmhouse, no ancillary link between the site and this property has been established as part of the information submitted. Given that the proposed stable building would be located outside of the residential curtilage of Bouncers Farm, it is not considered that the use of the building would be ancillary to any host dwelling and no information have been provided to substantiate or justify otherwise.*
- 5.1.7 *Although Policy S8 supports agricultural related development or recreation and tourism development, this is in accordance with Policies E4 and E5 of the LDP. Policy E4 supports new buildings or activities associated with agriculture and other land-based rural businesses, or the change of use to other employment generating proposals. As mentioned previously, there has been no information provided to justify the need for the stables in this location. The application form submitted to support the proposal does not provide hours of opening, and states there are no employees. Policy E5 relates to tourism, and there is nothing to suggest that the development would provide a tourist facility or attraction.*
- 5.1.8 *From the limited information provided, in the opinion of the Local Planning Authority, it is not possible to establish an ancillary link with any host dwelling and the stables cannot therefore be considered as ancillary. Furthermore, insufficient information has been provided to justify a development of this scale and type in this location and there are no tourism or economic benefits resulting from the scheme. It is therefore not considered that the acceptability of the principle of development has been demonstrated.'*
- 5.1.9 In addition to the above, it has also been noted as part of this application that the Applicant does not own the land at Bouncers Farm. Therefore, further evidencing that there is no ancillary link between Bouncers Farm and the proposed stable building. Furthermore, application 20/00837/FUL for the erection of a stable block/car port and menage for personal use was granted in the grounds of Bouncers Farm on the 24 November 2020. Therefore, it would appear that any personal need for those occupying Bouncers Farm is already being met.
- 5.1.10 Notwithstanding the above, the previous concerns were not raised as a reason for refusal as part of the previous application. Therefore, it is not considered that the Local Planning Authority (LPA) could raise this for a reason for refusal at this stage as there has not been any material considerations introduced that were not available for consideration as part of the last application. As such, no objection is raised to the principle of development.

5.2 Design and Impact on the Character of the Area

- 5.2.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high-quality built environment for all types of development.

- 5.2.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. Similar support for high quality design and the appropriate layout, scale and detailing of development is required by Policy D1 of the LDP and is found within the MDDG (2017).
- 5.2.3 A successful development needs to integrate well with the existing streetscene. Visual cues such as rhythm, proportions and alignments taken from adjacent buildings should be used to inform the design of the development.
- 5.2.4 In consideration of the impacts on the character and appearance of the area as part of the previous application the Officers Report stated the following:
- 5.2.5 *'Wickham Hall Lane is a narrow, rural country lane that is characterise by sporadic residential development interspersed with vast expanses of undeveloped agricultural land. The existing application site is a large field surrounded by dense woodland as well as other large agricultural fields located within the rural area which are free from built form. The parcel of land contributes significantly to the open, undeveloped character of the area and is bound by mature trees and dense vegetation which contributes to the verdant qualities of the street scene.'*
- 5.2.6 *The proposed development would introduce a large, detached building into what is currently an undeveloped area of land. The building would occupy a central prominent location within the field and due its large scale, as well as its significant width and depth, the building would result in a dominant intrusion into the open countryside.*
- 5.2.7 *Whilst the building in itself would have black weatherboarding, which would be fairly traditional in appearance for buildings within the rural area, the design of the building itself would not be representative of a traditional stable block and would be more akin to a dwellinghouse. The domestic appearance of the building would be exacerbated by the proposed window openings to the front, rear and side elevations of the building, which would have square-like proportions, and would not relate to the linear proportions of the proposed building. The extent of glazing proposed, as well as the type and design of the fenestration proposed, would have a residential appearance which would also have an urbanizing effect which would not seek to protect the intrinsic character and beauty of the character of the area. The harm to the character and beauty of the countryside would be exacerbated by the introduction of further domestic paraphernalia such as hard standing, a driveway, turning area and car parking within the site. Such domestic paraphernalia would be accompanied by further traffic generation by the comings and goings of transient users of the building, of which would have some urbanising effect and detract from the rural character of the area. Given that the building would be domestic in appearance and the building has not been adequately justified, it is therefore considered to materially harm the character and appearance of the area by failing to protect the intrinsic character and beauty of the countryside.*
- 5.2.8 *It is considered that the introduction of such development at the site would result in the encroachment of domesticated development into the countryside which would give rise to demonstrable harm to the detriment of the intrinsic character and beauty of the countryside.*
- 5.2.9 *Due to the significant separation distance of the building to any residential dwellinghouse, it is considered this results in a lack of visual link between any host dwelling and the proposed building, which would not appear ancillary in scale to any existing development. This fact, alongside the above comments, is considered to result in an unacceptable urban sprawl into the countryside.*

- 5.2.10 *Taking into account the above assessment, it is considered that the scale, bulk and siting of the proposed structure would result in a dominant unacceptable urban sprawl, that would have a detrimental impact on the character and appearance of the site and surrounding area, contrary to Policies S8, D1 and H4 of the LDP.'*
- 5.2.11 The siting of the building has not changed in comparison to the previous application. However, the scale of the building has been reduced significantly due to the reduction in the maximum depth as well as the reduction in height (1.6m). The reduction in the scale of the building and taking into account the dense screening of the site offered by the vegetation to the north and the vegetated boundary along the east of the site, reduces the prominence of the building to an acceptable degree.
- 5.2.12 Further to the above, whilst the style of roof is still somewhat residential in appearance, the reduction in height combined with the omission of the proposed window openings and their replacement for timber style doors would be more reflective of a rural outbuilding than a residential building. Furthermore, the proposed materials would be reflective of a stable building rather than a residential property. However, to ensure that the materials are wholly in keeping with the surrounding area, samples or photographs should be required by a condition prior to their use in the development.
- 5.2.13 The harm in respect of the domestic paraphernalia (driveway, turning area etc.), as well as the further traffic generation which would have some urbanising impact on the rural area has not been reduced. Furthermore, the proposed building is no closer to any neighbouring properties than the previous scheme, meaning that there remains a lack of visual link between any host dwelling and the proposed building, preventing the building appearing ancillary to other built form. However, the reduction in the scale of the building, which reduces the prominence of the proposal, as well as the revised design has resulted in the building no longer appearing as a dominant and domestic style property. Therefore, the building would appear as a rural outbuilding situated in a countryside location and on balance would not have a demonstrable impact on the character and appearance of the site or the surrounding area. Therefore, it is considered that the previous reason for refusal has been overcome.

5.3 Impact on Residential Amenity

- 5.3.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the MDDG (2017).
- 5.3.2 Due to the remote location of the proposed property away from any nearby properties, the development would not cause harm to the amenities of any neighbouring residents. Whilst there would be some noise disturbance from the ongoing operations of the stabling of horses at the site, it is considered that the significant separation distance between the proposed building and any neighbours, would mitigate any harm that could arise in relation to odour and noise control. It is also noted that Environmental Health have not objected to the proposal subject to conditions ensuring that the building is used as intended, that no animal waste or bedding is burned at the site and external lighting shall be subject to written consent from the LPA.
- 5.3.3 Therefore, taking into account the above assessment, it is not considered that the development would represent an unneighbourly form of development in accordance with the stipulations of Policy D1 of the LDP. This is consistent with the findings of

the previous application and there have been no material alterations to the proposal which would alter this stance.

5.4 Access, Parking and Highway Safety

- 5.4.1 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.
- 5.4.2 Stables are considered to be Sui generis in use. As part of Maldon's Vehicle Parking Standards, it states that individual assessment is to be made with regards to parking for Sui generis uses. The proposed building is to provide five stables and it is stated that there will be no employees at the site. As the proposal does not appear to relate to any existing dwellinghouse it would be reasonable to expect at least three parking spaces at the site due to the size of the building. On the block plan provided there is a vehicle turning area shown which would provide sufficient hardstanding for the parking of three vehicles. This is considered sufficient due to the use and size of the proposed building.
- 5.4.3 The proposal would utilize an existing access from Wickham Hall Lane. Essex County Council Highways Authority has been consulted in relation to this and [advised that this access would need to be upgraded to accommodate two way vehicle movements and surfaced in bound material. This additional information has not been provided as part of this application and therefore insufficient information has been provided to be able to assess the impact of the access on highway safety. Therefore, it has not been demonstrated that the proposed development would not result in demonstrable harm to highway safety. However, it is considered that this issue could be overcome by the imposition of a condition should the application be approved.
- 5.4.4 It should also be noted that the Local Highway Authority have not objected in terms of trip creation and the suitability of Wickham Hall Lane. Whilst the Lane is a single track with little passing places, it is not considered that a stables used for private use will result in a significant number of vehicle trips to warrant an objection.
- 5.4.5 The above is consistent with the previous refused application and there have been no new material considerations that would alter this view.

5.5 Other Material Considerations

Horse Welfare

- 5.5.1 Consideration has also been given to the welfare of the horses and whether the proposed facilities and land area would be compliant with the Department for Environment Food and Rural Affairs (DEFRA) Equine Code of practice. The code of practice states that as a general rule, each horse would require approximately 0.5-1.0 hectares of grazing of a suitable quality if no supplementary feeding is provided.
- 5.5.2 As part of the previous application a concern was raised in relation to there being limited information demonstrating that there would be enough grazing land and space for supplementary feed storage within the building and site. The following assessment was made:
- 5.5.3 *'There is potential for a maximum of 1.8 hectares of grazing around the proposed building, as shown within the red line boundary of the application. Given that there are five stables within the proposed building, requirements would require a minimum 2.5ha of suitable quality grazing land. However, the code of practice states that a*

smaller area may be adequate where a horse is principally housed, and grazing areas are used only for occasional turnout. It is stated on the floor plans for the proposal, that storage would be provided within part of the building suggesting that supplementary feeding would take place. However, limited information has been provided in relation to any supplementary feeding or additional grazing land within the vicinity of the site. The British Horse Society says as a general rule most horses will consume 2.5% of their bodyweight in feed per day. Although it is noted some of this would be provided through grazing, when considering the amount of feed that would potentially be required for five horses it is not considered that there would necessarily be enough space within the stores to accommodate this need. As insufficient grazing land alongside any details in relation to the supplementary feeding of the horses has been provided, and when considering the amount of feed that would potentially be required for five horses it is not considered that there would necessarily be enough space within the store proposed to accommodate this need. In addition, no management plan has been submitted as part of the application to demonstrate where grazing will take place or how feed will be delivered to and stored at the site.

- 5.5.4 *Furthermore, if there is not enough feed at the site and a heavy reliance on a small area of grazing land, overgrazing could lead to degradation of the site which would result in demonstrable harm to the character and appearance of the area. The code of practice also advises that a minimum of 3.65m x 3.65m stable size is required per horse. The proposed stables would provide accommodation for the horses which would meet these minimum requirements.*
- 5.5.5 *Having regard to the above assessment it is considered that it has not been suitably demonstrated to the LPA that there would be sufficient and satisfactory grazing area available for the horses or enough space to store the required feed.'*
- 5.5.6 As part of the current application, it has now been confirmed that feed storage will be provided within the mezzanine area. Therefore, there will be approximately 144sqm of feed storage provided in addition to the dedicated Tack and Feed Room and the 1.8hectares of grazing land around the building. Whilst the application has still not been supported by a management plan, it is considered likely that the level of storage provided will be sufficient and therefore, there are unlikely to be detrimental impacts on the character and appearance of the area as a result of over grazing, subject to a management plan being conditioned.
- 5.5.7 Further to the above, whilst stables 1-4 are only 3.45-3.5m wide, they are 4m in depth. Therefore, the minor shortfall in the width of the rooms is unlikely to detrimentally impact on the welfare of the horses.
- 5.5.8 For the reasons outlined above it is therefore, considered on balance that the second reason for refusal pertaining to application 22/00553/FUL has been overcome.

Ecology and Trees

- 5.5.9 The application has been supported by a Preliminary Ecological Appraisal (PEA) (Plumb Associates, July 2022) relating to the likely impacts of development on designated sites, protected species and Priority species & habitats and identification of appropriate mitigation measures. Whilst the mitigation measures are acceptable, they will need to be implemented in full which can be secured by a condition.
- 5.5.10 In order to mitigate against any potential impacts to the Priority deciduous woodland and pond to the west of the site, and the Likely Wood LoWS/Ancient Woodland to the

east, as well as any retained habitat onsite a Construction Environmental Management Plan for Biodiversity (CEMP) should be secured by a condition.

5.5.11 It is possible that Great Crested Newts will be present on site due to its close proximity to suitable habitats. However, due to the type of development and the area impacts this matter could be addressed through a Precautionary Method Statement for GCN for the construction stage, including the storage of materials. This should be included in the CEMP.

5.5.12 The biodiversity enhancements in the form of hedgerow planting, tree planting and one bat box as set out the PEA are always welcome to secure net gains for biodiversity.

5.5.13 In respect of trees, the Arboricultural Report sets out suitable protection measures which will need to form a condition on any consent. The part removal of G2 given its location off of the main highway and screening by other dense vegetation is not considered to have demonstrable impact on the character and appearance of the area.

6. **ANY RELEVANT SITE HISTORY**

- **FULF/MAL/22/00553/FUL** - Erection of Stable Building and Associated Ancillary Facilities and Storage for Hay and Feed. Refused 11.11.2022

Neighbouring site history

- **20/00837/FUL** - Erection of stable block/car port and construction of menage for personal use. Approved 24.11.2020

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

7.1 **Representations received from Parish / Town Councils**

Name of Parish / Town Council	Comment	Officer Response
Wickham Bishops Parish Council	Object – <ul style="list-style-type: none"> - Negative impacts on the countryside - Remote and no links to another residential property - Poor vehicular access - Increase in traffic with few passing places. 	<ul style="list-style-type: none"> - Addressed at section 5.2 - Addressed at section 5.4 - Addressed at section 5.4

7.2 **Statutory Consultees and Other Organisations**

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Local Highways Authority	No objection subject to conditions relating to the construction of the access	Noted and addressed at section 5.4

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	at right angles and no unbound material adjacent to the highway.	
Forestry Commission	No response at the time of writing this report	Noted. Given the development will not directly impact on the Ancient Woodland no response is considered necessary in order to determine the application
Natural England	No response at the time of writing this report	Noted. The impacts of the development will not directly impact any designated sites and therefore, no response is considered necessary in order to consider the application.

7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objections subject to conditions relating to drainage, lighting and waste.	These conditions should be applied if the application were to be approved. Notwithstanding the above, given the limited footprint of the building and its location it is not considered that a surface water drainage condition is necessary.
Ecology	No objection subject to securing biodiversity mitigation and enhancement measures	Addressed at section 5.5
Arboricultural Consultant	The Arboricultural report identifies the trees, their constraints and protection. No objection so long as the trees are protected in accordance with the report.	Addressed at section 5.5

7.4 Representations received from Interested Parties

7.4.1 No letters of representation have been received.

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) of The Town & Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 21.7656/P201 Rev F, 21.7656/P202 Rev E, 21.7656/P203 Rev D, 21.7656/P204 Rev C.
REASON To ensure that the development is carried out in accordance with the details as approved.
3. Prior to their use in the development hereby approved, samples of the facing material to be used, including glazing, shall have been submitted to and approved in writing by the local planning authority. The works must then be carried out in accordance with the approved details
REASON To protect the character and appearance of the area and the site in accordance with policies S1, S8 and D1 of the LDP.
4. The trees and hedges identified for retention within the Arboricultural Impact Assessment (Arborterra Ltd 12th August 2022) which is attached to and forms part of this permission shall be protected during the course of the development. The trees and/or hedges shall be protected by measures which accord with British Standard 5837:2012 (Trees in Relation to Construction). The protective fencing and ground protection shall be erected before the commencement of any clearing, demolition and building operations and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced protection zone(s) no materials shall be stored, no rubbish dumped, no fires lit and no buildings erected inside the fence, nor shall any change in ground level be made within the fenced area unless otherwise first agreed in writing by the local planning authority. If within five years from the completion of the development a tree or hedge shown to be retained is removed, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement shall be planted within the site of such species and size, and shall be planted at such time, as specified in writing by the local planning authority.
REASON In the interest of the character and appearance of the site and countryside and protecting the natural environment in accordance with Policies, S1, S8 and N2 OF the Maldon District Local Development Plan.
5. Full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority prior to any works occurring above ground level at the application site. These details shall include, for example:
 - i. Proposes finished levels contours;
 - ii. Means of enclosure;
 - iii. Car parking layouts;
 - iv. Other vehicle and pedestrian access and circulation areas;
 - v. Hard surfacing materials;
 - vi. Minor artefacts and structures (e.g furniture, play equipment, refuse or other storage units, signs, lighting);
 - vii. Proposed and existing functional services above and below ground (e.g drainage power, communications cables, pipelines etc, indicating lines, manholes, supports);
 - viii. Retained historic landscape features and proposals for restoration, where relevant.

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the occupation of any part of the development hereby approved unless otherwise 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 protect the character and appearance of the area in accordance with Policies S1, D1 and S8 of the approved Maldon District Local Development Plan.

6. Prior to any works above ground level details of the foul drainage scheme to serve the development shall be 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 District Local Development Plan.

7. Prior to the first use of the building, a management plan shall be submitted to the Local Planning Authority and agreed, in writing demonstrating how feed will be delivered to the site and stored, including amounts and frequency, as well as how grazing will take place within the site.

REASON To ensure the use of the site as intended, to prevent detrimental impacts to the highway and the character and appearance of the area and to ensure the welfare of the horses being stabled at the site in accordance with Policies S1, T2 and D1 of the Maldon District Local Development Plan.

8. The stables hereby permitted shall be used solely for the private stabling of horses and no business or commercial use including for the purposes of livery or any riding school activity shall take place at the site.

REASON To clarify the terms of the permission and protect the rural character of the site in accordance with policies S1, S8, D1 and H4 of the Maldon District Local Development Plan.

9. The stables hereby permitted shall not be used unless and until details of the arrangements for the storage, drainage and disposal of manure, bedding and liquid animal wastes have been submitted to and approved in writing by the Local Planning Authority. All such wastes shall be stored and disposed of in accordance with the scheme as approved.

REASON To protect the amenity of neighbouring occupiers in accordance with Policies S1, S8 and D1 of the Maldon District Local Development Plan (2017), and the policies and guidance contained in the National Planning Policy Framework (2021).

10. There shall be no burning of animal stable wastes anywhere on the site as shown edged in red (or blue) on the plans which are attached to and form part of this permission.

REASON To protect the amenity of neighbouring occupiers in accordance with Policies S1, S8 and D1 of the Maldon District Local Development Plan (2017), and the policies and guidance contained in the National Planning Policy Framework (2021)

11. No floodlighting or other external form of illumination of the site shall be undertaken without the prior written approval of the local planning authority. Before the development hereby permitted commences, details of a proposed floodlighting and all other external illumination of the site shall be submitted to and approved in writing by the local planning authority. All illumination within the site shall be retained in accordance with the approved details. There shall be no other lighting of the external areas of the site unless otherwise agreed in writing by the Local Planning Authority.

REASON To protect the amenity of neighbouring occupiers and in the interests of biodiversity in accordance with Policies S1, S8, N2 and D1 of the Maldon District Local Development Plan (2017), and the policies and guidance contained in the National Planning Policy Framework (2021).

12. No ménage, riding arena, hardstanding or similar finished surface shall be

constructed within the site without the prior written approval of the Local Planning Authority.

REASON To protect the amenity and character of the area and the amenity of neighbouring occupiers in accordance with policies S1, S8 and D1 of the Maldon District Local Development Plan (2017), and the policies and guidance contained in the National Planning Policy Framework (2021).

13. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Assessment (Plumb Associates, July 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

REASON To enhance protected and Priority species & habitats species in accordance with Policy N2 of the Maldon District Local Development Plan and allow the LPA to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species).

14. A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices)
to avoid or reduce impacts during construction (may be provided as a set of method statements) including a precautionary method statement for Great Crested Newt.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present
on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW)
or
similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority

REASON To conserve and enhance protected and Priority species in accordance with Policy N2 of the Maldon District Local Development Plan and allow the LPA 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).

15. Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and

- plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.

REASON To conserve and enhance protected and Priority species in accordance with Policy N2 of the Maldon District Local Development Plan and allow the LPA to discharge its duties under s40 of the NERC Act 2006 (Priority habitats & species).

16. Prior to occupation of the development, the existing field access shall be upgraded and reconstructed at right angles to the highway boundary and to the existing carriageway as shown in principle on planning drawing no. 21.7656/P201 Rev F.

REASON To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with Policies S1 and T2.

17. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary

REASON To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with Policy T2 of the Maldon District Local Development Plan.