



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
**NORTH WESTERN AREA PLANNING COMMITTEE
10 JANUARY 2024**

Application Number	23/01003/FUL
Location	Land at Homefield House, Witham Road, Little Braxted
Proposal	Proposed change of use of an ancillary storage shed workshop into a key worker family dwelling. Alterations to the outbuilding including changes in materials and fenestration.
Applicant	Mr and Mrs Howard
Agent	Mr Andrew Stevenson – Andrew Stevenson Associates
Target Decision Date	26/12/2024
Case Officer	Fiona Bradley
Parish	LITTLE BRAXTED
Reason for Referral to the Committee / Council	Member Call-In by Councillor S J N Morgan, citing policies S1, S7, H5, H7. Departure from the local plan

1. RECOMMENDATION

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


2. SITE MAP

Please see below.

Homefield House, Witham Road

North Western Area



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	Not Set
	Date:	19/12/2023
	MSA Number:	100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

Site description

- 3.1.1 The application site is located on the northern side of Witham Road and comprises of Homefield House, a private residential dwelling with landscaped grounds, two out-buildings (the smaller of which is the subject of the application) and a large gravel parking and manoeuvring area.
- 3.1.2 Land within the applicant's ownership is adjacent to the application site and includes the building comprising The Braxted Bakery, however the parking and external area relating to the business are within the application site. The building and land comprising GS Howard Transport Limited are also included in the application site. Also included within the applicant's ownership are stables, paddock and grazing land. The existing access and gravel parking within the application site serves the existing dwelling, the outbuildings, café and the transport business.
- 3.1.3 The site is relatively flat and measures approximately 160m long by 46 m wide. The western boundary, adjacent to Witham Road, and the southern boundary of the site, comprise of existing hedgerows and vegetation.
- 3.1.4 Opposite the site on Witham Road is Sewells Farm, with the farmhouse and associated buildings. The site is surrounded on all other sides by open countryside.
- 3.1.5 In planning policy terms, the site is outside a defined Settlement Boundary and is within the open countryside. Witham town centre is located 1.8km (1.1 miles) to the west of the site as the crow flies, or 3.4km (2.1 miles) by road, on the western side of the A12. The villages of Wickham Bishops and Great Totham are located to the south, with the nearest settlement boundary being 1.8km (1.1 miles) from the site.

The proposal

- 3.1.6 Planning permission is sought for the change of use of an ancillary storage building into a key worker family dwelling. Alterations to the outbuilding are proposed including changes in materials and fenestration.
- 3.1.7 The proposed ground floor would comprise a kitchen/dining/living area, utility room, shower room and bedroom/sitting room. The proposed first floor would comprise of two bedrooms, an en-suite and a bathroom.
- 3.1.8 Car parking provision would be on the existing gravel hardstanding to the southeast of the building. External private amenity space, measuring in excess of 300 sqm, would be provided immediately adjacent to the building, and would be enclosed by a post and rail fence and existing hedgerow to the south and east with new hedgerow to the west and a willow fence and access gate screening the amenity space from the adjacent car parking area.
- 3.1.9 It is proposed that the dwelling would be occupied by Mr and Mrs Howard Junior (Mr and Mrs Howard Senior are the applicants), who work for GS Howard Transport Ltd and The Braxted Bakery respectively. The proposed dwelling is intended by the applicant to be tied by way of a S106 agreement to the host dwelling, Homefield House.

3.2 Conclusion

- 3.2.1 The application site is located outside of a defined Settlement Boundary and is within the open countryside. Safe access cannot be provided for pedestrians and cyclists to the nearest settlements, therefore occupants of the site would rely heavily on the use of the car to fulfil the requirements of day-to-day living (shopping, education, doctors etc). The proposed development is not for a keyworker and tying the proposed dwelling to Homefield House does not mitigate the harm of creating a new dwelling in an unsustainable location in the countryside.
- 3.2.2 Insufficient information has been submitted with regard to the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS), and the necessary financial contributions have not been secured.
- 3.2.3 For the reasons stated, it is therefore recommended that outline planning permission is refused.

4. MAIN RELEVANT POLICIES

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

4.1 National Planning Policy Framework 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
- 60-80 Delivering a sufficient supply of homes
- 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
- 174 – 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
- S2 Strategic Growth
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D2 Climate Change & Environmental Impact of New Development
- D5 Flood Risk and Coastal Management
- H2 Housing Mix
- H4 Effective Use of Land
- N2 Natural Environment and Biodiversity
- T1 Sustainable Transport
- T2 Accessibility

- I1 Infrastructure Services

4.3 Relevant Planning Guidance / Documents:

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

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004), Section 70(2) of the Town and Country Planning Act 1990 (TCPA1990), and paragraph 47 of the National Planning Policy Framework (NPPF) require that planning decisions are to be made in accordance with the Development Plan (LDP) unless material considerations indicate otherwise. In this case the Development Plan comprises of the adopted Maldon District Local Plan 2014-2029 (The Local Development Plan or LDP).
- 5.1.2 Policy S1 of the LDP states that *“When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF”* and apply a number of key principles in policy and decision making.
- 5.1.3 Policy S8 of the LDP steers new development towards the existing urban areas. This Policy does allow for development outside the rural areas where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided that it is for specified purposes. These specified purposes do not include development to provide new general residential properties.

Five Year Housing Land Supply (5YHLS)

- 5.1.4 As per Paragraph 74 of the NPPF, the Council as the Local Planning Authority (LPA) for the Maldon District is expected to *“identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than 5 years old.”* To this end, Maldon District Council prepares and publishes a 5 Year Housing Land Availability Report, annually, following the completion of the development monitoring activities associated with the LDP 2014-2029’s plan monitoring period of 1 April to 31 March.
- 5.1.5 Following a review into the suitability of the 5YHLS methodology through its 5YHLS Working Group established in August 2022, the Council has confirmed that the official 5YHLS for the District of Maldon now stands at 6.35 years, updating the previous official position for 2021/2022 of 3.66 years. This means that the Council’s presumption in favour of sustainable development position against paragraph 11 (d) footnote 8 has changed as the Council can now demonstrate a 5YHLS. However, whilst the policies in the plan have now regained their status due to the improved 5YHLS figure, it should be noted that this is not a ceiling to development as maintaining a minimum of a 5YHLS is reliant on a balance of delivery of housing on the ground and approval of new permissions. The Council is therefore now in a robust position in its consideration of new development, particularly where the benefits against the harm are to be weighed up in terms of sustainability (in terms of the NPPF, and the LDP), the provision of the most suitable types of housing for the

district, impact on the countryside, heritage and protected sites, and the provision of appropriate levels of infrastructure.

Sustainable development

- 5.1.6 There are three dimensions to sustainable development as defined in the NPPF. These are the economic, social and environmental roles. As stated, the LDP through Policy S1 re-iterates the requirements of the NPPF Policy S1 allows for new development within the defined development boundaries. Paragraph 79 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.”

- 5.1.7 Accessibility is a key component of the environmental dimension of sustainable development. Policy T1 aims to secure the provision of sustainable transport within the District. Policy T2 aims to create and maintain an accessible environment. Policy D2 of the same Plan seeks to reduce the need to travel, particularly by private vehicle, by encouraging sustainable modes of transport. Paragraph 105 of the NPPF acknowledges that *“development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes”*. This is supported by the update of the Government’s Policy Paper, ‘Strategic road network and the delivery of sustainable development’ (Updated 23 December 2022), which is to be read in conjunction with the NPPF. Paragraph 12 of this paper asserts that *“new development should be facilitating a reduction in the need to travel by private car and focused on locations that are or can be made sustainable”*.
- 5.1.8 The site is located in the open countryside approximately 1.8km from the settlement boundary of Wickham Bishops. The nearest bus stop is 2.4km to the north of the site, in Witham, or in Wickham Bishops to the south. However, access to the bus stops would be via Witham Road which is a narrow, unlit stretch of highway with no pedestrian pavements and has a speed limit of 60mph. The only way for pedestrians to access the bus stops would be on the road itself or on the grass verges. Such access to the settlement is not considered safe for pedestrians or cyclists, particularly at times of inclement weather, or during the hours of darkness, or for wheelchair users or people with young children. The proposal would therefore conflict with Policy T2 which requires development to provide safe and direct walking and cycling routes to nearby services, facilities, and public transport where appropriate.
- 5.1.9 To address the site being in an unsustainable location, the submitted ‘Design Access Heritage and Brief Transport Statement’ (the ‘Statement’) states there is an *“ability for the applicants to assist in future childcare and reduce daily travelling”*. However, there would still be a need for the occupants of the proposed dwelling to travel to access facilities and services such as schools (when any children are of an appropriate age), doctors and so on. Furthermore, whilst it is noted that Mr and Mrs Howard Junior currently work on site, there is no guarantee that this would always be the case therefore potential journeys to work are also a possibility in the future.
- 5.1.10 Paragraph 79 of the NPPF acknowledges that *“to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities”*. The application site is disconnected from nearby settlements

and the proposed development would not support the pattern of development set out by the Local Development Framework, nor the vitality of nearby communities.

- 5.1.11 Future occupants of the site would be heavily reliant on the use of the private vehicle for day-to-day living requirements to access facilities and services. The site is therefore considered to be inaccessible and therefore not in a sustainable location.
- 5.1.12 Paragraph 80(a) of the NPPF provides for housing in the countryside where there is an essential need for a rural worker to live at their place of work. Policy H7 of the LDP supports the objectives of Paragraph 80. However, there is no evidence to suggest that there is an essential need for Mr and Mrs Howard Junior to live at the site, as neither of the businesses require anyone to live on site. If there were an essential need, it would already be met by the existing dwelling, Homefield House. It is therefore the case that whilst it would be convenient for Mr and Mrs Howard to live on the site, this convenience does not meet the policy requirements set out above. It is also noted that the applicant suggests tying the proposed dwelling to the existing dwelling, and not either of the businesses on site.
- 5.1.13 The application description and submitted Statement refer to the proposed dwelling as providing “keyworker” accommodation immediately adjacent to the workplace. However, the use of this term is somewhat misleading as Mr and Mrs Howard’s jobs are not such that are considered to be vital for the community and that deliver essential services. As discussed above, the proposed dwelling would be conveniently located for their current place of work, but such work is not that of a keyworker.

Housing Mix

- 5.1.14 The Local Housing Needs Assessment (2021) (LHNA) is an assessment of housing need for Maldon District as well as sub-areas across the District which are considered alongside the housing market geography in this report. The LHNA is wholly compliant with the latest NPPF (2023) and up to date Planning Practice Guidance and provides the Council with a clear understanding of the local housing need for affordable housing, the need for older persons housing, the need for different types, tenures and sizes of housing, the housing need for specific groups and the need to provide housing for specific housing market segments such as self-build.
- 5.1.15 The LHNA concludes that the District has a need for smaller dwellings, with the biggest requirement for three-bed dwellings; specifically, 25-35% two-bedrooms, 40-50% three-bedrooms, and 15-25% for 4+ bedroom market dwellings.
- 5.1.16 The proposal seeks planning permission for the conversion of an existing bedroom to a dwelling. Whilst the submitted Statement states that the dwelling is a 2 bed dwelling, the ground floor plan shows a “living room / bedroom 3”. Either way, the proposed development therefore would contribute to the District’s biggest requirement for smaller dwellings. However, any weight given to this would be only marginal at best given that a single dwelling is proposed and as the dwelling would be tied to the host dwelling.

Summary of principle of development

- 5.1.17 Given that the site is outside a settlement boundary and does not meet any criterion for being acceptable with regard to Policy S8, the proposal does not accord with the policy. Furthermore, the site is not considered to be accessible as future occupants would be heavily reliant on the use of the private vehicle to access facilities and services with no tangible benefits to the wider community. Although the applicant has

suggested tying the proposed dwelling to the existing Homefield House through a s106 agreement, this does not mitigate the harm of a new dwelling in this unsustainable location.

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. 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”.

5.2.3 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;
- e) Historic environment particularly in relation to designated and non-designated heritage assets;
- f) Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
- g) Energy and resource efficiency.

5.2.4 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG 2017.

5.2.5 The existing building is currently in good condition in terms of its external appearance. The proposed conversion includes external alterations to the building such as new doors and windows. The proposed alterations due, to the materials and detailing, are considered to be acceptable and in accordance with Policy D1.

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 The nearest residential dwellings are at Sewells Farm, on the southern side of Witham Road. It is considered that due to the distance from the nearest residential

properties and the nature of the proposed development, there would be no adverse impacts on residential amenity.

5.4 Access, Parking and Highway Safety

- 5.4.1 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.
- 5.4.2 The Vehicle Parking Standards require the provision of two parking spaces for two and three bedroomed properties. The proposals include provision for two parking spaces, meeting this requirement. Adequate space exists on site for the manoeuvring of vehicles.
- 5.4.3 The Highways Authority has been consulted on the application and have raised no objections subject to conditions.
- 5.4.4 Therefore, it is considered that the proposed development is in accordance with policy T2 of the LDP and the Maldon District Vehicle Parking Standards SPD.

5.5 Private Amenity Space and Landscaping

- 5.5.1 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 100m² of private amenity space for dwellings with three or more bedrooms.
- 5.5.2 The proposals include external private amenity space immediately adjacent to the proposed dwelling. It is considered that the amount, location and design of the amenity space would achieve high quality private amenity space, in accordance with Policy D1 and the MDDG.

5.6 Ecology and the impact on European designated sites

- 5.6.1 Paragraph 170 of the NPPF (2021) states that "planning policies and decisions should contribute to and enhance the natural and local environment by; (amongst other things) minimising impacts on and providing net gains for biodiversity".
- 5.6.2 Strategic LDP Policy S1 includes a requirement to conserve and enhance the natural environment, by providing protection and increasing local biodiversity and geodiversity, and effective management of the District's green infrastructure network.
- 5.6.3 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. LDP 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.

- 5.6.4 The application is supported by an Ecological Survey and Assessment (Essex Mammal Surveys, July 2023) relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures. The Council's Ecology Consultant (Place Services) has assessed the submitted assessment and advised that there is sufficient ecological information available for determination of this application.
- 5.6.5 The mitigation measures identified in the Ecological Survey and Assessment (Essex Mammal Surveys, July 2023) (the Assessment) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly Hedgehog and Common Toad. The submitted assessment recommends that biodiversity enhancements in the form of two bird boxes, two solitary beehives, and one hedgehog box are included. Accordingly, a Biodiversity Enhancement Strategy should be secured by a condition of any consent.
- 5.6.6 In addition, the Assessment highlights that it is likely bats could be foraging/commuting within and around the site. Therefore, if any external lighting is to be proposed, a sensitive lighting scheme would be required.

Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS)

- 5.6.7 It is noted that the site falls within the evidenced recreational Zone of Influence (Zol) of the Essex Coast Recreational disturbance and Avoidance and Mitigation Strategy (Essex Coast RAMS). The LPA is therefore required to prepare a project level Habitat Regulation Assessment (HRA) Appropriate Assessment to secure a per dwelling tariff by a legal agreement for the delivery of visitor management measures at the designated sites. This will mitigate for predicted recreational impacts in combination with other plans and projects and avoid Adverse Effect on Integrity of the designated Habitats sites.
- 5.6.8 The development of 1no. dwelling falls below the scale at which bespoke advice is given from Natural England (NE). This has been confirmed in comments received by NE. To accord with NE's requirements and standard advice an Essex Coast RAMS 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 the 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 (Zol) for the Essex Coast RAMS with respect to the below sites? Yes

Does the planning application fall within the specified development types? Yes – The proposal is for 1no. dwellings

HRA Stage 2: Appropriate Assessment - Test 2 - the integrity test

Is the proposal for 100 houses + (or equivalent)? No, the proposal is for 1no. dwelling

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

5.6.9 Summary of Appropriate Assessment

As the answer is no, it is advised that should planning permission be forthcoming, 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 named European sites from recreational disturbance, when considered 'in combination' with other development.

- 5.6.10 The Essex Coast Rams has been adopted. This document states that the flat rate for each new dwelling has been calculated at a figure of £156.76 (2022-2023 figure) and thus, the developer contribution should be calculated at this figure. A Unilateral Undertaking and the relevant checking and monitoring fees have not been received in support of the proposal. As the application is recommended for refusal a Unilateral Undertaking to ensure that this mitigation is secured has not been progressed. The proposal is therefore contrary to Policies S1, D1, N1 and N2 of the Local Plan and Government advice contained in the NPPF.

5.7 **Flood Risk and Drainage**

- 5.7.1 Policy D5 of the LDP sets out the Council's approach to minimising flood risk. Policy S1 of the same Plan requires that new development is either located away from high risk flood areas or is safe and flood resilient when it is not possible to avoid such areas. Policy D5 of the LDP also acknowledges that all development must demonstrate how it will maximise opportunities to reduce the causes and impacts of flooding through appropriate measures such as Sustainable Drainage Systems (SuDS).
- 5.7.2 The site is entirely within Flood Zone 1 and presents a low risk of flooding.
- 5.7.3 The site is not located in a critical drainage area.
- 5.7.4 The proposal has been reviewed by the Council's Environmental Health Officer, who has stated that should planning permission be forthcoming, conditions are to be imposed with regard to surface water and foul drainage. However, as the proposal is for the conversion of an existing building, with no additional built form or hardstanding, this is not considered necessary.

6. **ANY RELEVANT SITE HISTORY**

- **23/00757/FUL** – Conversion of outbuilding to dwelling. Alterations to the outbuilding including changes in materials, fenestration and the removal of the link from the outbuilding to the existing workshop/garage. Withdrawn.
- **18/01500/FUL** - Erection of storage shed and change of use of land to residential. Approved 23.03.2019.
- **15/00926/FUL** - Variation of condition 4 of approved application FUL/MAL/13/00876 (Change of use of a domestic garage and home based catering business to a cafe (Use Class A3). Occasional use 12:00 to 18:00 two days a week). - Variation of opening hours. Approved 22.10.2015.
- **13/00876/FUL** - Proposed change of use from domestic garage and home based catering business to cafe (A3). Occasional use 12:00 to 18:00 two days a week. Approved 12.11.2013.

- **13/00600/FUL** - Proposed change of use from domestic garage and home based catering business to cafe (A3). Refused 15.08.2013.
- **13/00050/FUL** - Change of use from domestic garage to home based business. New window opening formed to existing structure. Approved 13.03.2023
- **10/01110/HOUSE** - Erection of cart shed. Approved 18.02.2023.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Little Braxted Parish Council	Support the application with a S106 agreement linking the development to the occupation of the existing dwelling.	Noted and addressed in section 5.1.17 of this report.

7.2 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Highways Authority	The existing shared vehicular access will be utilised, and off-street parking is included. Conditions regarding the reception and storage of building materials and the provision of cycle parking are recommended.	Noted, see section 5.4 of this report.

7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objection subject to conditions relating to surface and foul water drainage.	The condition relating to surface water drainage is not considered necessary as there is no new built form on the site. The foul drainage condition could be imposed.
Ecology	Satisfied that there is sufficient ecological information available for determination of this application. No objection subject to	Noted and discussed in section 5.6 of this report.

Name of Internal Consultee	Comment	Officer Response
	securing: a) a proportionate financial contribution towards Essex Coast RAMS b) biodiversity mitigation and enhancement measures	

7.4 Representations received from Interested Parties

7.4.1 No letters were received in response to the application.

8. PROPOSED REASONS FOR REFUSAL

1. The site is outside of a defined settlement boundary and is in open countryside. Future occupants of the site would therefore be heavily reliant on the use of the car to gain access to everyday services and facilities, as such the proposal does not provide a sustainable form of development. The proposal is therefore contrary to Policies S1, S8, D1, H4, T1 and T2 of the Maldon District Local Development Plan (2017), the Maldon District Design Guide (2017) and the policies and guidance in the National Planning Policy Framework.
2. In the absence of a completed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, the necessary financial contribution towards Essex Coast Recreational disturbance Avoidance and Mitigation Strategy has not been secured. As a result, the development would have an adverse impact on the European designated nature conservation sites, contrary to Policies S1, D1, N1 and N2 of the Maldon District Local Development Plan (2017) and the guidance set out in the National Planning Policy Framework.