



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

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

MEMBERS' UPDATE

AGENDA ITEM NO. 6

Application Number	23/00920/FUL
Location	The Granary Chigborough Farm Chigborough Road Little Totham Essex
Proposal	Section 73a application for change of use of agricultural building to a cafe (Class E use) and provision of associated car parking.
Applicant	Mr P Tallowin
Agent	Miss Kate Jennings – Whirledge & Nott
Target Decision Date	21.12.2023
Case Officer	Kathryn Mathews
Parish	LITTLE TOTHAM
Reason for Referral to the Committee / Council	Member Call In <ul style="list-style-type: none">• Councillor Durham – Reason: Policy E4 and E5 relate to this application.• Councillor Lagan - Reasons: Based on the high level of support that indicates that there is no material harm caused by granting this application and I believe that the adverse impact of granting planning permission would not significantly and demonstrably outweigh the benefits of the development. The cafe is a huge benefit to local tourism and local residents and supports generation of tourism in general to the area. It is therefore not contrary to policies D1 and T2 of the MDC local plan and the NPPF (due to the long-standing buildings and access to the site) and supports the policies and objectives of our LDP Policies S7, E5,E1 and D3.

4 [MAIN RELEVANT POLICIES \(PAGE 41\)](#)

4.1 National Planning Policy Framework including revised paragraph numbers (December 2023):

- 85 - 89 Building a strong, competitive economy

- 90 – 95 Ensuring the vitality of town centres
- 108 – 117 Promoting sustainable transport
- 123 - 130 Making effective use of land
- 131 – 141 Achieving well-designed and beautiful places
- 157 – 179 Meeting the challenge of climate change, flooding and coastal change
- 180 - 194 Conserving and enhancing the natural environment
- 195 – 214 Conserving and enhancing the historic environment

7 CONSULTATIONS AND REPRESENTATIONS RECEIVED (PAGES 48-50)

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Heybridge Parish Council	Support.	Noted.

7.4 Representations received from Interested Parties (*summarised*)

7.4.1 **242** further letters were received **in support** of the application and the further reasons for support are summarised as set out in the table below:

Supporting Comment	Officer Response
Complies with Local Development Plan.	Noted.
Success of the café evidence of need.	Noted.
Too many restaurants/cafes in Maldon High Street	Noted.
Former café unviable.	There is no evidence that this is the case submitted as part of the application.
Maintains a Grade II listed building.	Noted.
Description of proposal does not include 'relocation of existing restaurant / café from the Lodge'	It is not possible for this to form part of the proposal as the Lodge, whilst indicated as being within the ownership of the applicant, is located outside the application site.
No objections from statutory consultees and any issues could be addressed by conditions.	Noted but it is not considered that there are any conditions which could, reasonably, be imposed to overcome the recommended reason for refusal.
Would support rural community and local businesses	Noted.
Not contrary to NPPF – complies with paragraphs 88 and 89	It is not considered that it has been demonstrated that the café meets 'local business or community <u>needs</u> '

Supporting Comment	Officer Response
(supporting a prosperous rural economy)	[emphasis added] in this rural area; whilst parts of the NPPF provide support for the proposal, the development does not comply with the NPPF as a whole and is contrary to Policies S8, E2 and E4 of the LDP.

7.4.2 1 letter was received **objecting** to the application and the reasons for objection are summarised as set out in the table below:

Objection Comment	Officer Response
Countryside is being destroyed by commercial development.	Noted.