



**REPORT of  
ASSISTANT DIRECTOR: PLANNING AND IMPLEMENTATION**

---

to  
**NORTH WESTERN AREA PLANNING COMMITTEE  
10 SEPTEMBER 2025**

|   |  |
|---|--|
| <b>Application Number</b>                             | <b>25/00135/FUL</b>  |
| <b>Location</b>                                       | Former Valentines Cottage, Crown Road, Purleigh  |
| <b>Proposal</b>                                       | Retention of original dwelling building as annexe (not in compliance with Condition 3 of FUL/MAL/04/00816) and use of existing parking and garden areas. New landscaping and improvements.                           |
| <b>Applicant</b>                                      | Mr Mark Ewers and Emma Jennings  |
| <b>Agent</b>  | Mr Ashley Wynn - Greenhayes Planning   |
| <b>Target Decision Date</b>                           | 17.09.2025   |
| <b>Case Officer</b>                                   | Hayley Sadler  |
| <b>Parish</b>   | <b>Purleigh</b>  |
| <b>Reason for Referral to the Committee / Council</b> | Member Call In<br>Councillor L L Wiffen has called in the application for the following policy reasons: Local Development Plan (LDP) policy D1 (Design Quality and Built Environment) & S1 (Sustainable Development) |

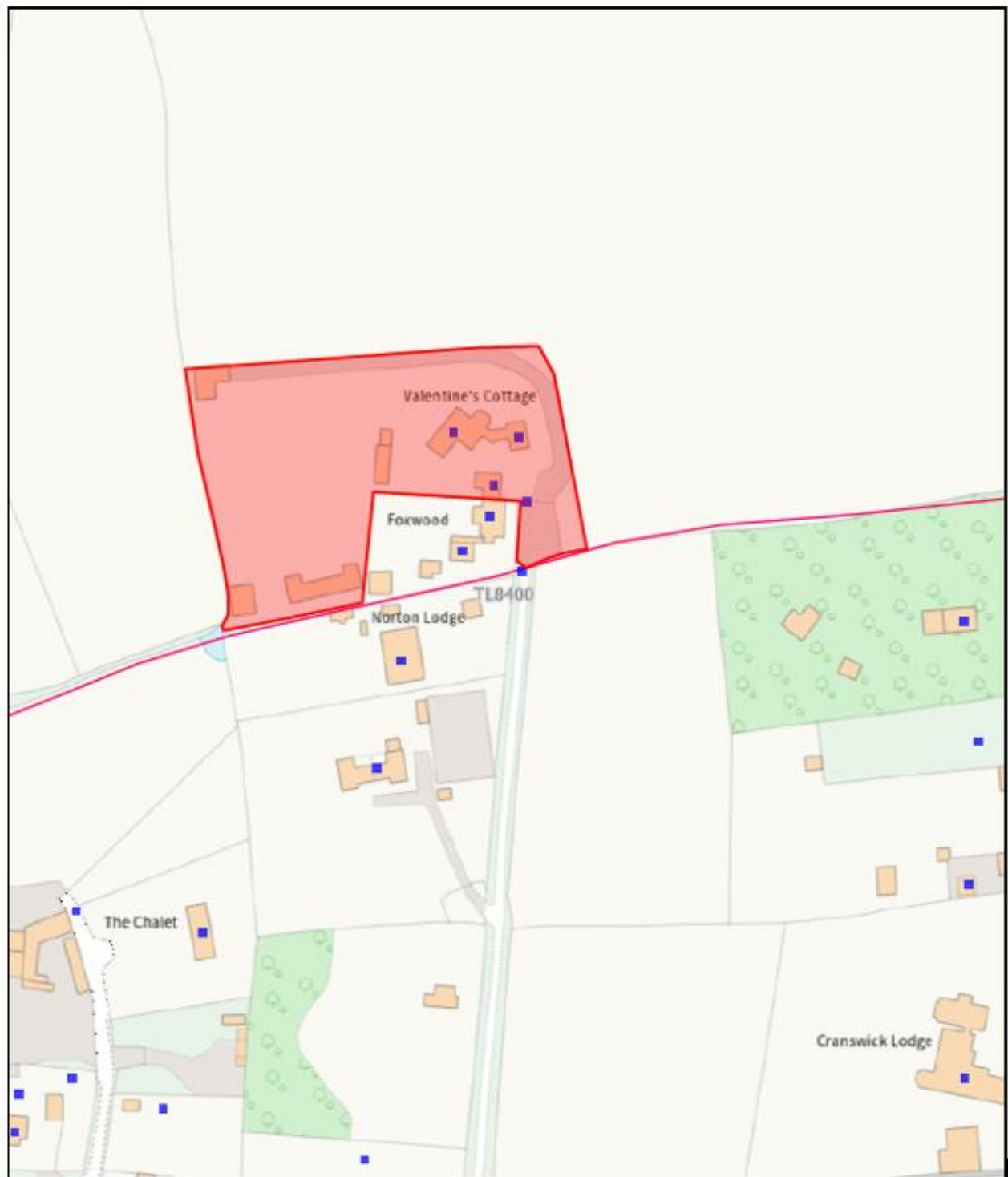
**1. RECOMMENDATION**

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

**2. SITE MAP**

Please see below.

25/00135/FUL – Former Valentines Cottage – Crown Road – Purleigh



### **3. SUMMARY**

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

- 3.1.1 The application site is located to the northern side of Crown Road outside the settlement boundary of Purleigh located to the north of the application site, and the application site is located approximately 300 metres north of the settlement boundary of Cold Norton. The surrounding area is mix of residential and rural open fields.
- 3.1.2 The site comprises 1No. detached dwelling (formally known as Valentines Cottage) and garage with studio above, the subject of planning permissions reference 02/00957/FUL and 04/00816/FUL. Since the erection of the dwelling and garage, permission has been sought and approved for the change of use of garage and studio to an annexe with a link to connect the dwelling to the annexe and erect a conservatory (planning permission reference 13/00380/FUL, an amendment to planning permission 04/00816/FUL and 07/00911/FUL).
- 3.1.3 In order to provide for the replacement detached dwelling and garage / annexe, a condition was imposed upon planning permissions references 02/00957/FUL and 04/00816/FUL to demolish the 1No. semi-detached dwelling, which is the subject of this application. Condition no.3 of planning permission reference 13/00380/FUL imposed a condition to state that this particular permission only relates to the alteration to dwelling to continue the use of the garage as an annexe and to erect a conservatory and link to connect the dwelling and the annexe. The terms and conditions imposed upon planning permission reference 04/00816/FUL shall otherwise remain extant, unaltered and of effect.
- 3.1.4 The submission follows the previously declined to determine of planning permission for the 'Retention of dwelling as a separate dwelling (not in compliance with Condition 3 of FUL/MAL/04/00816) and use of existing parking and garden areas. New landscaping and improvements and minor alternations to Valentines Cottage.' (reference 23/00837/FUL) and previously dismissed appeal (reference 23/00067/FUL). The Inspector concluded *'Therefore, even if the Council was unable to demonstrate a deliverable five-year supply of housing land, the adverse environmental effects of the proposal would significantly and demonstrably outweigh the benefits'*.
- 3.1.5 The previous two applications were for the retention of the dwelling as a separate dwelling (not in compliance with condition 3 of 04/00816/FUL) whereas the current application is for the retention as an annexe ((not in compliance with condition 3 of 04/00816/FUL).
- 3.1.6 Planning permission is sought for the retention of original dwelling building as annexe (not in compliance with Condition 3 of FUL/MAL/04/00816) and use of existing parking and garden areas. New landscaping and improvements.
- 3.1.7 The footprint of the dwelling would remain the same and provides accommodation in the form of kitchen/dining room, lounge, utility/boot room and storeroom at ground floor level and one bedroom, bathroom, study and landing area at first floor level.
- 3.1.8 Alterations to the landscaping to the front of the property would include the removal of the existing shingled area and replace with first grade turf and indigenous trees. It is also proposed to permanently close the existing front door access.

### **3.2 Conclusion**

- 3.2.1 The proposed retention of the dwelling for use as an annexe is not considered to form ancillary accommodation. The scale of the building and level of accommodation are considered to result in building tantamount to a self-contained unit of accommodation without a degree of dependency on the main dwelling. Furthermore, by virtue of the poor design of the proposed development, which is at odds with its adjoining neighbour and the residential development to the north of the site, the proposed development would appear as incongruous and would intensify the residential development of the site, eroding the intrinsic beauty and character of the open countryside, and has not allowed for the orderly redevelopment of the site. The proposal is therefore contrary to Policies S1, S8, D1, H4 and T2 of the Maldon District Local Development Plan (2017) (LDP), the Specialist Housing Needs Supplementary planning documents (SPD), and the government guidance contained within the National Planning Policy Framework (NPPF).

## **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
- 10-14 Presumption in favour of sustainable development
- 39 Decision-making
- 48-51 Determining applications
- 56-59 Planning conditions and obligations
- 124-130 Making effective use of land
- 131-141 Achieving well-designed places

### **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
- H4 Effective Use of Land
- T2 Accessibility

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

- National Planning Policy Framework (NPPF)
- Maldon District Design Guide SPD
- Maldon District Vehicle Parking Standards SPD
- Specialist Needs Housing Supplementary Planning Document (SPD)

## 5. **MAIN CONSIDERATIONS**

### 5.1 **Principle of Development**

- 5.1.1 The proposal relates to the retention of an original dwelling to be used as annexe accommodation to the front of the recently constructed replacement main dwelling on the application site. The internal layout would be a kitchen/dining room, lounge, utility/boot room and store room at ground floor level and bedroom, bathroom, study at first floor level, which are considered to be all of the facilities needed for day to day living.
- 5.1.2 It is a conventional expectation that annexe accommodation will be ancillary to the host dwelling and good practice for such accommodation to have a functional link, shared services, amenities and facilities. It is also an expectation for there to be a level of dependence on the occupants of the host dwelling by the occupants of the annexe.
- 5.1.3 In addition to the above, the Specialist Needs Housing SPD, which was adopted in September 2018, states that proposals for annexe accommodation will not only be required to meet the criterion in policy H4 but also the criterion within the SPD which is as follows:
- 1) *Be subservient/subordinate to the main dwelling;*
  - 2) *Have a functional link with the main dwelling (i.e. the occupants' dependant relative(s) or be employed at the main dwelling);*
  - 3) *Be in the same ownership as the main dwelling;*
  - 4) *Be within the curtilage of the main dwelling and share its vehicular access;*
  - 5) *Be designed in such a manner to enable the annex to be used at a later date as an integral part of the main dwelling;*
  - 6) *Have no separate boundary or sub-division of garden areas between the annex and the main dwelling; and*
  - 7) *Have adequate parking and amenity facilities to meet the needs of those living in the annex and the main dwelling.*
- 5.1.4 Criterion 1) will be assessed further in the design section below but, in terms of the amount of accommodation proposed, the proposed use of the two storey dwelling as an annexe, with a floor area of approximately 63m<sup>2</sup> is not considered to be a subservient addition to the four bedroom existing dwelling with existing annexe accommodation which has a floor area of approximately 242m<sup>2</sup>. Therefore, the proposed retention of the dwelling as an annexe would not be functionally dependant on the host dwelling and so the annexe would lack subordination/ subservience, in conflict with criterion 1).
- 5.1.5 In regard to criterion 2), the Planning and Design Statement submitted with the application states the proposed retained dwelling to be used as annexe accommodation for family use. The annexe proposed would be used by the grandson of the current occupier of the replacement host dwelling. The dwelling on site would provide for all of the day-to-day needs of the occupier of the proposal, vehicle access to the site would be shared with the occupier of the main dwelling along with the amenity space and parking area which is to the front/side of the application building.
- 5.1.6 In an appeal decision, reference APP/X1545/D/21/3289927, which was dismissed on 27 June 2022, the planning inspector stated "The reference in the appeal to initial

occupation by 'a dependant and part time carer' is too vague. There is no firm indication that it would involve occupation by a close family member who is likely to share various living activities with the family in the main dwelling. The functional link with the main dwelling is therefore weak on the basis of the material provided".

- 5.1.7 The floor plans show the proposed annexe would have all the facilities the occupiers would need and would not, as a result, have to rely on the main dwellinghouse for things such as a kitchen or bathroom facilities. However, the Planning and Design Statement states that the annexe would be used by the applicant's grandson who has learning difficulties and has been trying to find a property for many years. It goes on to state that it would also be beneficial for the dwelling to be occupied by a family member as they can assist with the care of other family members. This forms a functional link with the main dwelling, contrary to the vague nature of the link in the circumstances of the case cited in the above appeal. For these reasons criterion 2) is satisfied.
- 5.1.8 The application site would be within the same ownership as the main dwellinghouse. Therefore, the annexe would remain within the same ownership as the main dwelling and therefore criterion 3) can be satisfied. Additionally, the development would share the same access as the main dwelling so satisfying criterion 4). However, the location of the dwelling to be used as a proposed annexe is a semi-detached dwelling and benefits from its own curtilage that could be divided into a separate plot maintaining its current access arrangements from Crown Road. These site circumstances and the proposal's location mean that it would be very difficult to control this development effectively so as to prevent it from becoming a separate residential unit.
- 5.1.9 It is considered that given the location and the scale of facilities proposed that the proposed development could not enable the development to be integrated to the main dwelling at a later date due to the building already being detached from the dwellinghouse. Therefore, criterion 5) would not be satisfied.
- 5.1.10 The submitted plan shows both the main dwellinghouse and the proposed annexe would have a shared garden area and would satisfy criterion 6). However, due the site benefiting from a large garden, and given the nature of the two separate dwelling buildings, there is great potential to sub-divide the garden areas, as pointed out in paragraph 5.1.7 above.
- 5.1.11 The submitted plan shows two allocated car parking spaces adjacent to the main dwelling. The main dwelling has four bedrooms plus existing annexe accommodation and would require a minimum of three parking spaces. There is a large, gravelled area between the two dwellings that can accommodate at least 4/5 vehicles. Therefore, adequate provisions could be made. It is therefore considered that criterion 7) would be satisfied.
- 5.1.12 The general direction in the decision-making process at Maldon District Council for annexe accommodation, whilst assessed on their own merits, has been to refuse the development whereby the level of accommodation has gone beyond what would reasonably satisfy the functional needs of the occupant. This approach is consistent with and supported by previous appeal decisions, which should be given more weight, such as reference APP/B1930/W/18/3217177, for the proposed erection of an ancillary annexe. With this appeal, the inspector was clear that a condition limiting the use of the annexe to ancillary purpose would be difficult to monitor or enforce and observed that due to the siting of the annexe, with its own direct access and extensive facilities, there would be a strong temptation to let the annexe accommodation for separate occupation following its initial occupation by a relative.

The appellant offered a unilateral undertaking covenanting not to occupy the site other than as a single residential unit. However, in the inspector's opinion, this would not ensure that the occupants shared the services of the main dwelling and would be difficult to enforce. The inspector referred to the high court judgement in *Uttlesford DC v SSE & White 1992* that, even if accommodation provided the facilities for independent day-to-day living, whether it is a separate planning unit from the main dwelling is a matter of fact and degree. In the absence of a clear connection with the main dwelling the inspector concluded the annexe would be or become a separate planning unit.

- 5.1.13 The applicant within paragraph 4 refers to the weight that the Planning Inspectorate within the appeal decision (APP/X1545/W/23/3331586) for the previous scheme in gave in relation to the use of the dwelling by the applicant's grandson. Whilst this is acknowledged, it should be noted that the previous scheme was assessed as an independent dwelling unit and not assessed as an annexe and the Planning Inspector concluded in paragraph 42 that:

*'42. Given the specific circumstances involved, the benefits associated with the proposal is a matter that attracts substantial weight. That is not to say that this matter will be determinative. Whether that is the case will require a balanced judgement based on the circumstances of any given case.'*

- 5.1.13.1 In response to these comments the applicant has submitted the current application and has proposed that they would be agreeable to the imposition by way of a condition or legal agreement to ensure that the use would only be restricted to family use. Taking into account the high court judgement in *Uttlesford DC v SSE & White 1992* referred to above, it would not be appropriate in this instance given the absence of the ancillary link between the annexe and the main dwelling.

- 5.1.14 In paragraph 6 the appellant refers annexe accommodation being a commonly found development within residential properties, including that in rural areas, it is acknowledged that annexe accommodation is becoming more common to allow multiple generations to all live as one unit whilst still allowing family members to have a degree of independence. However, despite the proposed plans to block the front door of the dwelling to eradicate a usable frontage of the property, it will still be attached to another dwelling not in the ownership of the applicant, fronting the application site and when assessed against the Council's Specialist Needs Housing SPD, does not meet all the criteria.

- 5.1.15 Based on the above, it is considered that the development, whilst described as an annexe, would result in the creation of accommodation that would not be ancillary to the dwellinghouse. For the reasons given above, and due to the impacts referred to above, it is considered that the principle of the development is unacceptable in this instance. Further consideration and discussion of the harm that would result from this is provided below.

## **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 and H4 of the LDP and is found within the Maldon District Design Guide (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 The dwelling at the application site has been subject to a previous application 23/00067/FUL which sought the 'Retention of dwelling as a separate dwelling (not in compliance with Condition 3 of FUL/MAL/04/00816) and use of existing parking and garden areas. New landscaping and improvements and minor alternations to the adjacent property.'. This application was refused by the Local Planning Authority and was also dismissed by the Planning Inspectorate under appeal APP/X1545/W/23/3331586. Whilst the current application is for the dwelling to be retained and used as annexe accommodation for a family member, which has been assessed above in section 5.1 in line with the Specialist Needs Housing SPD, the assessment of the previous application together with the conclusion of the Planning Inspectorate need to be considered when determining the current application.
- 5.2.5 The dwelling is two storey, semi-detached, and is set back and down from its adjoining neighbour. When viewed at the street scene, the building appears to be redundant, locked externally, and in need of some repairs. By virtue of the scale and setting of the building, it appears at odds with its neighbour. The design of the dwelling, in particular the roof forms and layout, are also out of keeping with the residential development to the north. The proposal does not appear to consider the context within which it sits, and it is apparent that the design of the building is one of the contributing factors as to why conditions were applied to the aforementioned decisions to ensure it was demolished, as it does not provide a sense of place when viewed in relation to its neighbours.
- 5.2.6 The Planning Inspector stated in paragraphs 23 & 24 of the appeal decision:
- '23. Whilst I acknowledge that the appeal building is a longstanding building, previous planning permissions have required that it be removed prior to the construction of Valentines Cottage. The concentration of two independent dwellings within the appeal site would result in an uncharacteristic concentration of sprawling built form in contrast to the rural character of housing locally.
24. As a result of its appearance as an independent dwelling with its own curtilage, combined with the associated domestic paraphernalia and parking area, the proposal would have an urbanising effect on the immediate area.'
- 5.2.6.1 Whilst within the supporting statement it is stated the retained dwelling and the replacement dwelling will share the garden area and parking area, there will be an addition of at least one more vehicle and the potential for increased domestic paraphernalia to be added to the application site.
- 5.2.7 Furthermore, the Planning Inspector concluded in terms of character and appearance in paragraph 27 of the appeal decision that:
- '27. The proposal would have a harmful effect on the rural character and appearance of the appeal site and surrounding area. There would be conflict with Policies S1, S8 and D1, of the LDP. Collectively these policies seek to maintain the rural character of the borough and ensure that development



*makes a positive contribution in terms of landscape setting and contributes to and enhances local distinctiveness.'*

5.2.7.1 It is acknowledged that there are not external alterations to the footprint of the dwelling to be retained, however, as previously noted the application would still result in an additional dwelling on the site that was conditioned to be removed following the occupation of the replacement dwelling.

5.2.8 The personal circumstances of the need for the annexe have been taken into consideration, however, taking into account findings of the Inspector in the appeal decision and their conclusion in paragraphs 54 and 55 of the appeal decision:

*'54. Whilst I am very mindful of the needs of the appellant's family member, and attach substantial weight to those needs, the cumulative weight attributed to that and the other considerations in support of the case does not outweigh the harm I have identified.*

*55. Therefore, the identified adverse impacts of the development would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.'*

5.2.9 It is therefore considered that the retention of the dwelling as an annexe would comprise unsuitable development in the countryside, and that it would harm the character and appearance of the area. Furthermore, would result in an incongruous, and incoherent, and does not contribute to the legibility of the site, eroding the intrinsic beauty and character of the rural area, contrary to policies D1, H4 and S8 of the LDP.

### **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 application site is bordered by one neighbouring property, Foxwood (No.3 Crown Road) to the south, with the extended garden also bordering the rear garden of Norton Lodge.

5.3.3 The dwelling subject of this application is in existence and up until the newly constructed Valentines Cottage was in use was the applicants main place of residents. The former Valentines Cottage although attached is of a differing size and design of the attached dwelling Foxwood, the front elevation is set back, whilst the rear elevation are aligned in their depth. With the exception of the landscaping to the front and the sealing of the existing front door, there are no other external alterations proposed.

5.3.4 Objection letters have been received from the adjoining neighbours as adjoining property was purchased by the current owners as the former Valentines Cottage was to be demolished and Foxwood would become a detached property. Whilst these comments have been noted, this would not be a material consideration in determining the application.

5.3.5 The proposal has been reviewed by the Council's Environmental Health Officer, who raises no objection to the proposal.

- 5.3.6 Therefore, it is not considered that the proposal would represent an unneighbourly form of development or give rise to overlooking or overshadowing, in accordance with the stipulations of Policy D1 of the LDP.

#### **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 The proposed floor plans show the proposed annexe would have one bedroom and study at first floor level, it is noted that the previously refused application the floor plans showed two bedrooms at first floor level, it would therefore be pertinent to access the parking requirements in line with the property having two bedrooms. Drawing 1300/2 shows the provision of two car parking spaces within the existing parking area associated with the newly constructed Valentines Cottage, which would meet the minimum requirements within the Council's Vehicle Parking Standards for a two-bedroom dwelling. Furthermore, Essex County Council (ECC) Highways have been consulted and have advised they have no objection to the proposal. Therefore, no objection is raised in relation to traffic and transport issues.

#### **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 100m<sup>2</sup> of private amenity space for dwellings with three or more bedrooms and 50m<sup>2</sup> for smaller dwellings.
- 5.5.2 The planning statement states at paragraph 28 that retained dwelling will remain part of the wider gardens of Valentines Cottage which and there will be no formal fencing or separate curtilage to the building. The area to the front of the property, which was the previous parking area, is shown on the proposed floor plan to be landscaped and will be fenced off and planted with shrubs and other planting. A could be imposed to secure additional landscaping at the site, it is not considered that this would negate the harm caused by the existing building and would contribute to the over intensification of domestic paraphernalia at the site.
- 5.5.3 Therefore, using the shared rear amenity space the proposal would be able to provide 50m<sup>2</sup> of private amenity space and is therefore, in compliance with Policy D1 of the LDP.

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

- **02/00957/FUL** - Demolition of semi-detached dwelling and garage, removal of mobile home and construction of detached dwelling and detached garage with studio above – Approved – 14 November 2002.
- **02/01308/FUL** - Proposed stable block (six stables) – Approved – 20 January 2003.
- **04/00557/FUL** - To park my mobile fitting lorry (7.5 Tonnes) – Approved – 16 August 2004.
- **04/00816/FUL** - Demolition of semi-detached dwelling and garage. Removal of mobile home and construction of detached dwelling with detached garage

with studio over (re-siting of dwelling and garage approved under FUL/MAL/02/00957) – Approved – 7 September 2004.

- **05/00678/FUL** - Renewal of planning permission reference FUL/MAL/04/00557 for the continued parking of a mobile fitting lorry (7.5 Tonnes) – Approved – 21 July 2005.
- **07/00654/FUL** - Change of use of garage and studio to affordable housing unit to replace mobile home – Refused – 24 July 2007.
- **07/00804/FUL** - Construction of a manège – Approved – 26 September 2007.
- **07/00911/FUL** - Change of use of garage and studio to affordable housing unit to replace mobile home (previously removed) – Approved – 5 November 2007.
- **13/00380/FUL** - Alteration to dwelling to continue the use of the garage as an annex and erect a conservatory and link to connect the dwelling to the annex (An amendment to FUL/MAL/04/00816 erect dwellinghouse and garage) – Approved – 27 March 2014.
- **23/00067/FUL** - Retention of dwelling as a separate dwelling (not in compliance with Condition 3 of FUL/MAL/04/00816) and use of existing parking and garden areas. New landscaping and improvements and minor alternations to the adjacent property. – Refused 20 April 2023 & Dismissed on Appeal (APP/X1545/W/23/3331586) – 9 July 2024.
- **23/00837/FUL** - Retention of dwelling as a separate dwelling (not in compliance with Condition 3 of FUL/MAL/04/00816) and use of existing parking and garden areas. New landscaping and improvements and minor alternations to Valentines Cottage. – Decline To Determine – 5 September 2023.

## 7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

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

| <b>Name of Parish / Town Council</b> | <b>Comment</b>   | <b>Officer Response</b>  |
|--------------------------------------|--|--|
| Purleigh Parish Council              | <p>Object – There are contradictions in the application and supporting statement regarding the use as an annexe of an Airbnb.</p> <p>The dwelling does not appear to be an annexe to be used as ancillary accommodation to the main dwelling.</p> <p>The dwelling will result in overlooking and loss of residential amenity</p> | The application submitted is for the retention of the dwelling to be used as an annexe and will be assessed in line with the Specialist Housing SPD as well as against policies within the LDP |

## 7.2 Statutory Consultees and Other Organisations (*summarised*)

| Name of Statutory Consultee / Other Organisation | Comment      | Officer Response                       |
|--|--------------|--|
| ECC Highways                                     | No objection | Noted – refer to section 5.4 of report |

## 7.3 Internal Consultees (*summarised*)

| Name of Internal Consultee | Comment                   | Officer Response                       |
|----------------------------|---------------------------|--|
| Environmental Health       | No objections or comments | Noted – refer to section 5.3 of report |

## 7.4 Representations received from Interested Parties (*summarised*)

- 7.4.1 **Two** letters were received **objecting** to the application and the reasons for objection are summarised as set out in the table below:

| Objection Comment   | Officer Response   |
|---|--|
| The attached property was purchased on the understanding it would be a detached property, due to the demolition of the house. | Noted – This would not be a material consideration as if the original planning permission had not been implemented then the house would have remained as a dwelling on the site. |

## 7.5 Site Notice / Newspaper Advert

- 7.5.1 The application was advertised by way of a site notice posted on 18 April 2025 (with expiry date for comments set at 13 May 2025). The site notice was affixed at eye level to a telegraph pole located to the south of the application site, in a prominent position within the street scene.
- 7.5.2 Notice was also given by way of newspaper advertisement posted in the Maldon and Burnham Standard, published on 17 April 2025 (with expiry date for comments set at 8 May 2025).

## 8. REASONS FOR REFUSAL

- 1 The application fails to demonstrate that the proposal would fall within the annexe criterion as detailed within the Specialist Housing Needs SPD. The proposal would not amount to residential annexe accommodation ancillary to the main dwelling house due to its siting and as the proposed accommodation would facilitate a full suite of activities for day to day living and the level of facilities would allow for a totally independent form of development from the main dwelling.
- 2 The application site lies within a rural location outside of the defined settlement boundary of Cold Norton, where policy restraints apply. The proposed development, with its associated garden land, parking area and domestic paraphernalia, is highly visible at the street scene and within the open countryside. The change would result in the over intensification of a domestic urban nature and would result in an incoherent approach to the

intended design for the site. This would adversely impact on the intrinsic character and beauty of the open countryside and would cause harm to the character and appearance of the site's rural setting. The proposal is therefore contrary to Policies S1, S8, D1, H4 and T2 of the Maldon District Local Development Plan (2017) and the policies and guidance in the National Planning Policy Framework (2021).