

**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

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**to  
NORTH WESTERN AREA PLANNING COMMITTEE  
8 OCTOBER 2025**

<b>Application Number</b>	<b>25/00545/FUL</b>
<b>Location</b>	Barn At Rosemary Cottage, Barnhall Road, Tolleshunt Knights
<b>Proposal</b>	Change of use of holiday let to dwellinghouse
<b>Applicant</b>	Mr and Mrs Tucker
<b>Agent</b>	Ms Jessica Archer - Whirledge & Nott
<b>Target Decision Date</b>	10.10.2025
<b>Case Officer</b>	Matt Bailey
<b>Parish</b>	<b>TOLLESHUNT KNIGHTS</b>
<b>Reason for Referral to the Committee / Council</b>	Departure from Local Plan; Member Call In – Councillor C S Morley

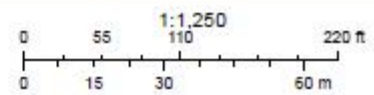
**1. RECOMMENDATION**

**APPROVE** subject to the agreed Unilateral Undertaking to secure the planning obligations and conditions as detailed in Section 8.

**2. SITE MAP**

Please see below.

25/00545/FUL



### **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 Barnhall Road to the east of Tolleshunt Knights. The holiday let property associated with Rosemary Cottage – known as the Long Barn – provides chalet style holiday accommodation with lounge, kitchen/diner on the ground floor and two bedrooms with ensembles within the roof space.
- 3.1.2 Long Barn has independent vehicular access directly from Barnhall Road along with a private garden space. The site lies approximately 2.6km east of Tiptree and 10km north west of the town of Maldon. is approx 10 km south west of the Site, using a straight line distance. The railway station of Kelvedon is approximately 14 min drive away via the B1023 and under the A12.
- 3.1.3 The Long Barn comprises a single storey structure, with sleeping accommodation at roof level, and is rural in appearance with black painted timber weatherboarding to facing elevations with red clay tile roof.

#### The Proposal

- 3.1.4 The applicant's supporting planning statement as submitted with the application explains that the property has been operated as a holiday let following permission granted in July 2009 (ref 07/01310/FUL), however due to declining demand for the accommodation since 2021, coupled with increased expenses and costs, the applicant's accountants have advised that the business is no longer viable.
- 3.1.5 Planning permission is sought for a change of use from holiday let accommodation to a single dwelling house, with associated parking and private amenity space. The following alterations are also proposed in conjunction with the change of use:
- The installation of a brick wall to enclose the three bay cart lodge area at ground floor on the southern elevation. The applicant notes that these works are not necessary to facilitate the use of the building but are intended to create a defined boundary between the land and garden areas associated with Rosemary Cottage and Barnhall House.
  - Insertion of glazing to the west elevation to increase internal natural light.
  - Removal of rooflight from the northern elevation to prevent any overlooking onto the adjoining garden.
  - Removal of small window and brick finish on part of eastern elevation.
  - Continuation of the existing hedgerow along the driveways of Rosemary Cottage and Long Barn to close up the opening, creating a defined private access to Long Barn.
  - Installation of a fence and planting between the site and Barnhall House to create an enclosed private garden space for a future residents.

#### **3.2 Conclusion**

- 3.2.1 As set out within this report it is therefore considered that the proposed development, on balance, is acceptable given the limited scale of the proposal, the nature of the existing holiday let use and the comparative impact of the proposed residential use. The proposed alterations to the dwelling are limited and retain the rural character of the building. The proposed would be acceptable with regard to highway, drainage, ecology and biodiversity subject to mitigation through planning

conditions and a planning obligation towards Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). The principle of the development as sustainable development and a departure from the Local Development Plan (LDP) is therefore considered acceptable.

#### **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
- 54 – 57 Planning conditions and obligations
- 61 – 84 Delivering a sufficient supply of homes
- 108 – 111 Promoting sustainable transport
- 123 - 127 Making effective use of land
- 131 - 141 Achieving well designed places
- 161 - 186 Meeting the challenge of climate change, flooding and coastal change.
- 187 – 201 Conserving 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
- D3 Conservation and Heritage Assets
- E5 Tourism
- 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 Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Maldon District Design Guide (MDDG) (2017)
- Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD)
- Maldon District Vehicle Parking Standards SPD (VPS) (2018)

## 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 (TCPA 1990), and Paragraph 47 of the NPPF require that planning decisions are to be made in accordance with the Local 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 set out in the Policy. This includes principle 2 *"Delivering a sustainable level of housing growth that will meet local needs and deliver a wide choice of high quality homes in the most sustainable locations"*.
- 5.1.3 To deliver the economic and residential growth in the District whilst protecting and enhancing the area's natural, built and historic environment, LDP Policy S2 seeks to focus development on existing settlements subject to their role, accessibility and constraints.
- 5.1.4 Policy S8 of the LDP, flows from Policy S2 and steers new development towards the existing urban areas. Policy S8 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 new build general residential dwellings but does allow (m) development which complies with other policies of the LDP.

#### Five Year Housing Land Supply (5YHLS)

- 5.1.5 As per Paragraph 79 of the NPPF, the Council as the Local Planning Authority (LPA) for the Maldon District should "monitor their deliverable land supply against their housing requirements, as set out in adopted strategic policies". As the LDP is more than five years old, paragraph 77 requires LPAs to "identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing if the provisions in paragraph 226 apply". To this end, Maldon District Council prepares and publishes a Five-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. The latest Five-Year Housing Land Availability Report is expected to be published soon but the position has changed since the last report, for the year 2023/2024, which stated there was a 6.3 years' supply.
- 5.1.6 Currently the Council can only demonstrate 2.7 years' worth of housing land supply. This is due to changes through the latest NPPF (2024) which introduced a new method for assessing housing need that reflects the current Government's approach to building more houses. This also means that policies with housing targets such as policy S2 in the LDP can be considered to be non-compliant with the NPPF and therefore out of date. This means that the NPPF requirements apply as the most up to date policy position.
- 5.1.7 Whilst the proposal is considered contrary to policy S8, in regard to settlement boundaries, the policy cannot be considered an up to date because the Council

cannot demonstrate an up to date 5YHLS and therefore the principle of development proposals on sites such as this, as a windfall site, shall need to be considered on the basis of whether they are sustainable or not. This means that the presumption in favour of sustainable development as set out in paragraph 11 of the NPPF is applicable.

- 5.1.8 Given the Council's current position in regard to not being able to demonstrate an up to date 5YHLS, the NPPF's titled balance of the presumption in favour of sustainable development as set out in paragraph 11d of the NPPF applies unless, *'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination'*.

#### Sustainable Development

- 5.1.9 It is necessary to assess whether the proposed development is *'sustainable development'* as defined in the NPPF. If the site is considered sustainable then the NPPF's *'presumption in favour of sustainable development'* applies. There are three dimensions to sustainable development as defined in the NPPF. These are the economic, social and environmental roles. The LDP through Policy S1 re-iterates the requirements of the NPPF. Policy S1 allows for new development within the defined development boundaries. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.

#### Environmental Dimension

- 5.1.10 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 and 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 110 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"*.
- 5.1.11 The application site lies outside any defined settlement boundary and thus falls within the area designated as countryside under Policy S8 of the LDP. In such locations, the creation of new residential dwellings is generally resisted to protect the intrinsic character and beauty of the countryside. However, the proposal in this case does not seek to introduce new built form – rather the change the use of an existing holiday let to an unrestricted dwelling (albeit with some alterations to facilitate the change of use).
- 5.1.12 The lawful use of the property is as a holiday let, which already entails a building with a residential character; the unit is designed, serviced and occupied for domestic purposes (albeit subject to occupancy restriction). The change sought is therefore not the creation of a new dwelling house, but rather the removal of a restriction on the manner in which the building may be occupied. There are a

number of case law examples nationally (for example Moore v SSCLG [2012] and subsequent appeal decisions) which confirm that holiday let use is defined as being residential in character and that the question of material change is one of fact and degree.

#### *Impact of Proposed Change of Use*

- 5.1.13 In this case, officers consider that the proposal would not represent an intensification of use compared to the holiday let use. Indeed, in many cases a permanent dwelling may generate fewer vehicle trips than a high-turnover holiday accommodation, where multiple short-term occupancies per week can result in frequent arrivals and departures, servicing, laundry and waste movements. In this respect, unrestricted residential occupation is unlikely to create impacts materially different, and potentially less harmful, than the existing lawful use.
- 5.1.14 Although the site does not benefit from strong links to services and facilities, this is already the case for the current holiday accommodation. The change of use will therefore not introduce an additional locational harm beyond that already accepted through the original grant of holiday-let permission.

#### *Loss of Holiday Let Use*

- 5.1.15 Policy E5 of the LDP seeks to support the provision of new tourist accommodation in appropriate circumstances, subject to criteria. However, it does not require the indefinite retention of every existing holiday let where there is no demonstrable evidence of ongoing need. In this case, the loss of one holiday unit would not materially harm the district's visitor economy, particularly in view of the wider stock of holiday accommodation available in the area.

#### *Social Dimension*

- 5.1.16 The development would make a nominal contribution towards the supply of housing within the District as only a single dwelling is proposed.

#### *Economic Dimension*

- 5.1.17 Whilst the proposal results in the loss of holiday let accommodation, it is noted that the applicants have not been able to operate the business profitably since late 2021 and as such it is not considered that the change of use would result in any economic harm in that regard. The development would make a nominal contribution to the local economy through the construction of a single dwelling and additional custom for existing businesses.

#### Housing Provision and Mix

- 5.1.18 The NPPF is clear that housing should be provided to meet an identified need.
- 5.1.19 The Local Housing Needs Assessment (2021) (LHNA) is an assessment of housing need for Maldon District as well as sub areas across the District.
- 5.1.20 The LHNA is wholly compliant with the latest NPPF 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.

- 5.1.21 The LHNA concludes that the District has a need for smaller dwellings, with the biggest requirement for three-bed dwellings; specifically, 10% one-bedrooms, 25-35% two-bedrooms, 40-50% three-bedrooms and 15-25% for 4+-bedroom market dwellings.
- 5.1.22 The proposal is for a three-bedroom dwelling. Therefore, this would support the need for such dwellings in the District in line with the LHNA. However, this would be a nominal contribution given the scale of the proposal and would not contribute towards the Districts biggest requirement for three bedroom dwellings.

#### Summary of Principle of Development

- 5.1.23 Whilst the site is located outside of any defined settlement boundary, the change of use from holiday let to residential use would not lead to the creation of additional built form or intensification of activity and would avoid the inefficiencies of maintaining a holiday unit in a location that may not be viable in the long term. The impact on the countryside is therefore considered neutral, and the loss of the holiday let is not significant in strategic terms.
- 5.1.24 On balance therefore, while the site lies in the countryside with limited accessibility, the proposal represents the regularisation of an existing residential-type use rather than the introduction of new built form. The change of use will not intensify impacts, does not undermine the tourism strategy of the district, and remains consistent with the presumption in favour of sustainable development. Accordingly, the principle of the development is considered acceptable.

## **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. Furthermore, 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. Policy H4 of the LDP requires development which includes alteration, extension and / or addition to a building to maintain, and where possible enhance, the character and sustainability of the original building and the surrounding area; be of an appropriate scale and design that makes a positive contribution to the character of the original building and the surrounding area and where possible enhance the sustainability of the original building; and not involve the loss of any important landscape, heritage features or ecology interests.
- 5.2.3 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG (2017).
- 5.2.4 The site is located outside of a defined settlement boundary, and therefore countryside policies apply. According to Policies S1 and S8 of the LDP, the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. The policies stipulate that outside of the defined settlement boundaries, the Garden Suburbs and the Strategic Allocations, planning permission for development will only be granted where the



intrinsic character and beauty of the countryside is not adversely impacted upon and provided the development is for proposals that are in compliance with policies within the LDP, neighbourhood plans and other local planning guidance.

- 5.2.5 As set out within section 3 of this report, the change of use proposed includes provision for a number of minor alterations to the existing barn structure to better provide for future occupants and to increase privacy between the Long Barn and neighbouring properties. This includes the construction of a brick wall to enclose the three bay cart lodge, glazing to the west elevation and removal of an east facing rooflight, as well as a new fence along the driveway of Rosemary Cottage and Long Barn to provide improved separation of the two properties.
- 5.2.6 None of these alterations affect the overall appearance of the building, which retains its rural charm. The property has been well maintained and is high quality in terms of its appearance and it is considered to contribute positively to local character.
- 5.2.7 Officers are satisfied the proposal would not harm the character or appearance of the surrounding in compliance with policies S1, S8, D1 and H4 of the approved LDP.

### **5.3 Impact on Amenity of Prospective Occupants**

- 5.3.1 The proposed dwelling comprises three bedrooms with a floor space in excess of 150sqm. It complies with the minimum gross internal floor area for a five bedroom (8 person) dwelling as specified in the Nationally Described Space Standards (March 2015). There is also light and ventilation proposed for all the habitable rooms.
- 5.3.2 The NPPF states that, *'decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development'*. It further states they should, *'mitigate and reduce to a minimum potential adverse impact resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and quality of life'*.
- 5.3.3 The Council's Environmental Health Officer has raised no objections in relation to the proposal.
- 5.3.4 The proposal would provide more than 100sqm of 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 of the approved LDP and the MDDG SPD.
- 5.3.5 It is considered that the proposal accords with the NPPF and Policies S1, S8, D1, H4 of the approved LDP and the MDDG SPD.

### **5.4 Impact on Residential Amenity**

- 5.4.1 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, outlooks, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by Section C07 of the MDDG (2017). Policy H4 requires consideration of the effect of development on neighbouring amenity and safety.

- 5.4.2 Rosemary Cottage - The site adjoins residential properties to the east (Rosemary Cottage) and west (Barnhall Cottage). Given the separation distance between the Long Barn and Rosemary Cottage to the west, the existing tree line boundary and additional fencing proposed, no concerns are raised in respect of any potential impacts upon residential amenity resulting from the proposed change of use.
- 5.4.3 The relationship with Barnhall Cottage is a closer one, with the south eastern corner of the Long Barn abutting the north-western corner of Barnhall Cottage. However, the properties are oriented so as to avoid any potential privacy conflicts, as is the case with the existing holiday let use. Two minor alterations are proposed to remove east facing windows to further ensure that privacy is maintained between these units. That garden space of the proposed dwelling is positioned well away from the Barnhall Cottage garden and as such would not result in any loss of privacy or impact in terms of noise and disturbance.
- 5.4.4 There are well established tree / shrub boundary along the boundaries of the site with these neighbouring properties which are proposed to be retained and extended; which would provide additional screening between the dwellings.
- 5.4.5 The proposal is therefore in accordance with the NPPF and Policy D1 of the approved LDP.

## 5.5 Access, Parking and Highway Safety

- 5.5.1 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.
- 5.5.2 The NPPF refers in paragraph 111 that, '*development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety*'.

### Access

- 5.5.3 There are no alterations proposed to existing access arrangements. The dwelling will be accessed from an existing shared private road and includes a new driveway to the dwelling.
- 5.5.4 The Highway Authority has been consulted and raised no objection to the proposal subject to a condition requiring the provision of cycle parking.

### Parking Provision

- 5.5.5 The submitted layout plan indicates the provision of three parking spaces to the rear of the site, as with the existing arrangement (two undercroft spaces and a further parking available within the shingle driveway area).
- 5.5.6 The VPS require the provision of three car parking spaces for four or more bedroomed dwellings. Therefore, adequate car parking provision is proposed to accord with the standards.

- 5.5.7 Subject to the above-mentioned condition, the proposed development would accord with the NPPF and policies D1 and T2 of the approved LDP in terms of highway safety and accessibility.

## 5.6 Natural Environment and Biodiversity

- 5.6.1 Paragraph 170 of the NPPF 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 Policy S1 of the LDP 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 of the LDP 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. Policy N2 of the LDP 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.

### Ecology

- 5.6.4 The proposed development in this case is limited to a change of use and external alterations to the existing building, with no additional development proposed that would result in any ecological impact (other than the provision of additional hedge planting to the boundaries). It is considered that the proposal would accord with the NPPF and Policy S1, N1 and N2 of the approved LDP in this regard.

### Impact on Designated Sites

- 5.6.5 The site falls within the 'Zone of Influence' (Zol) for one or more of the European designated sites scoped into the Essex Coast RAMS. The LPA must therefore undertake a Habitat Regulation Assessment (HRA) and secure a proportionate financial contribution towards the Essex Coast RAMS.
- 5.6.6 The development will result in the net gain of 1 no. dwelling at the site. This falls below the scale at which bespoke advice is given from Natural England (NE). To accord with NE's requirements and strategy 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 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 following development types? Yes, the development is for 1no. dwelling, and therefore the net increase of dwellings at the site is 1 no. dwelling.

## Test 2 – The integrity test

Is the proposal for 100 houses + (or equivalent)? No.

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

- 5.6.7 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. NE does not need to re-consult on this Appropriate Assessment.
- 5.6.8 The Essex Coastal RAMS has been adopted. This document states that the flat rate for each new dwelling has been calculated at a figure of £169.45 (2025/26 figure) and thus, the developer contribution should be calculated at this figure.
- 5.6.9 The applicant has provided the relevant checking and monitoring fees, and a completed and signed unilateral undertaking to ensure that mitigation is secured.

## **5.7 Other matters**

- 5.7.1 Concerns have been raised regarding the Anglian Water pumping station. The proposed development would not impeded access to this compound. Therefore, Officers raise no objection in terms of impact on the Anglian Water site.

## **5.8 Planning Balance**

- 5.8.1 Based upon the Council's 5YHLS position the tilted balance in favour of sustainable development applies and therefore the development of sites such as this outside of settlement boundaries needs to be considered as whether the development is sustainable development to meet the definition of the NPPF and LDP policy S1. For the reasons explained in this assessment the site is, on balance, considered to be acceptable, given the existing permitted holiday let use, and due to the fact that the proposed residential dwelling would not result in an intensification of use over and above the existing holiday let use. The principle of the development as sustainable development and a departure from the LDP is therefore considered acceptable.
- 5.8.2 Given the scale of development (one dwelling) limited positive benefits have been identified in relation to the social and economic objectives of sustainable development. Although the development is outside of any settlement boundary, Officers are satisfied the principle of development is acceptable. Other environmental impacts can be addressed by way of conditions. The proposed alterations to the dwelling are limited and retain the character of the building. The proposed would be acceptable with regard to highway, drainage, ecology and biodiversity subject to mitigation through planning conditions and a planning obligation towards Essex RAMS.

## 6. ANY RELEVANT SITE HISTORY

Application Reference	Description	Decision
07/01310/FUL	Proposed retention of existing cartlodge, construction of one 2 bedroom holiday let accommodation and new cartlodge to rear	Approved 29/7/2009
04/00835/FUL	Revised plans for cart lodge and garage/storage layout	Approved 07/09/2004
04/00488/FUL	Double storey extensions to Barnhall Cottage and Rosemary Cottage	Approved 30/06/2004
95/00274/FUL	Erection of garage and change of use of land from farmland to domestic garden and formation of new access to road	Approved 27/06/1994

## 7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

### 7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Tolleshunt Knights Parish Council	No comment	Noted

### 7.2 Internal and External Consultees (*summarised*)

Name of Consultee	Comment	Officer Response
Highway Authority – Essex County Council	No objection subject to condition relating to provision of cycle parking.	Noted and discussed in paragraph 5.6

### 7.3 Site Notice / Advertisement

7.3.1 The application was advertised by way of a site notice posted on 7 July 2025 (with expiry date for comments set at 28 July 2025). The site notice was affixed at eye level to a telegraph pole immediately adjacent to the site entrance.

7.3.2 Notice was also given by way of newspaper advertisement posted in the Maldon and Burnham Standard, published on 3 July 2025 (with expiry date for comments set at 24 July 2025).

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

7.4.1 No comments have been received in relation to the proposal.

## 8. PROPOSED CONDITIONS

### 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 and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in complete accordance with the approved plans as identified above.  
REASON To ensure that the development is carried out in accordance with the details as approved, in accordance with National Planning Policy Framework and policy D1 of the Maldon District Local Development Plan.
- 3 Notwithstanding the provisions of Schedule 2, Part 1 Class E of the Town & Country Planning [General Permitted Development] Order 2015 [or any order revoking and re-enacting that Order with or without modification] no building/outbuilding, enclosure, swimming or other pool, container, veranda/balcony/raised platform shall be carried out on the site without planning permission having been obtained from the Local Planning Authority.  
REASON In the interests of visual amenity of the area in accordance with policy D1 of the Maldon District Local Development Plan.
4. Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no dormer window or other form of addition or opening (other than those set out in the approved drawings) shall be constructed in the roof or gable walls of the building(s)/ extension hereby permitted without planning permission having been obtained from the Local Planning Authority.  
REASON In the interests of visual amenity of the area in accordance with policy D1 of the Maldon District Local Development Plan
- 5 Prior to first occupation of the development, cycle parking shall be provided in accordance with Maldon District Council's Parking Standards. The approved facility shall be secure, convenient, covered and retained at all times.  
REASON To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy D1 of the Maldon District Approved Local Development Plan July 2017.

**Informatives:**

*Highways*

- There shall be no discharge of surface water from the development onto the Highway.
- All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works. The applicant should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org)

**Application Plans:**

2024-924-010 Existing Site Plan, Plans and Elevations

2024-924-011 Proposed Site Plan, Plans and Elevations