



**REPORT of
DIRECTOR of PLACE, PLANNING AND GROWTH**

**to
NORTH WESTERN AREA PLANNING COMMITTEE
5 NOVEMBER 2025**

Application Number	25/00022/FUL
Location	Land at The Warren Lodge Park Herbage Park Herbage Park Road Woodham Walter
Proposal	Construction of one concrete hardstanding onto which a new lodge will be sited for a site manager or an employee or designated contract of the Warren Estate to use, with connections to services and one allocated car parking space.
Applicant	Mr John Moran - The Warren Estate
Agent	Mr Mark Durham - Frederick Lewis Ltd
Target Decision Date	10 November 2025 (Time Extended)
Case Officer	Chris Purvis
Parish	WOODHAM WALTER
Reason for Referral to the Committee / Council	The agent is a Member (Cllr Durham) so this is being referred to committee under the Terms of Refence for Area Planning Committees section 1. Point 9

1. RECOMMENDATION

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

2. SITE MAP

Please see below.

25/00022/FUL



10/6/2025, 2:36:35 PM

 Parish Polygon

0 55 110 220 ft
0 15 30 60 m



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3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

Site Description

- 3.1.1 Herbage Park comprises of 102 holiday homes together with an amenity building housing a swimming pool and gym. It is located to the west of Herbage Park Road and forms part of the wider Warren Estate which includes a golf course. The application site includes a new plot located to east of the swimming pool and gymnasium building and would be accessed via the existing internal road network.

Description of the Proposal

- 3.1.2 Planning permission is sought for the construction of one concrete hardstanding onto which a new plot where a lodge building would be sited for a site manager or an employee or designated contractor of the Warren Estate to use. The lodge building would be connected to services and would include one allocated car parking space.
- 3.1.3 The information submitted shows indicative elevations, including a colour elevation of how the manager's lodge would appear. The indicative floor plans show that a two bedroom lodge building would be provided with a kitchen/lounge/dining room. The lodge building would include a decking area from the kitchen/lounge/dining room. The lodge building would measure 12.1m long with a 3m deep decking area, would be 6m wide and 4.4m high to the ridge level. 1 parking space would be provided for the lodge building.
- 3.1.4 The applicant's justification for the manager's lodge is that:
- *It is necessary to have a member of staff on site for security purposes.*
 - *Out of hours alarm activations require attention to avoid nuisance to nearby residents.*
 - *There have been a number of nighttime medical emergencies for lodge owners where the ambulance has struggled to locate the correct lodge.*
 - *The manager lodge occupant will be first aid & CPR trained with access to first aid supplies and a defibrillator.*
 - *Employee will be designated fire Marshall and will be the emergency call point for all let accommodation*
 - *The single point of contact will also receive deliveries for lodges and direct visitors to the correct locations.*
 - *The lodge occupant will be responsible for ensuring that lodge owners comply with site rules and do not cause disturbance or anti-social behaviour.*
 - *The lodge occupant will ensure that all lodges are vacated during the required closure period of two weeks per year.*

3.2 Conclusion

- 3.2.1 The proposal would provide lodge accommodation for a manager to reside in on site and therefore allow for a presence on site 24 hours a day to aid the tourist and safety requirements of the site. The lodge building would appear similar to others on site and would not adversely impact upon the character and appearance of the site. There are no objections with regard to impact upon amenities of occupiers of nearby lodges, highway and parking requirements. The Essex RAMS has been secured via

an agreed Unilateral Undertaking thereby mitigating any harm on the coastal European designated sites. It is therefore considered that the proposed development is in accordance with the relevant policies contained within the Local Development Plan (LDP).

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
- 54-58 Planning Conditions and Obligations
- 60-80 Delivering a sufficient supply of homes
- 85-89 Building a strong, competitive economy
- 96-108 Promoting healthy and safe communities
- 109-118 Promoting sustainable transport
- 124-127 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 and enhancing the natural environment
- 202-221 Conserving and enhancing the historic environment

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
- D2 Climate Change and Environmental Impact of New Development
- D3 Conservation and Heritage Assets
- E5 Tourism
- E6 Skills, Training and Education
- H4 Effective Use of Land
- N1 Green Infrastructure Network
- N2 Natural Environment, Geodiversity and Biodiversity
- T1 Sustainable Transport
- T2 Accessibility

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Maldon District Vehicle Parking Standards Supplementary Planning Document (SPD) (2018)

- Maldon District Design Guide (MDDG) (2017)
- Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) SPD
- Woodham Walter Village Design Statement 2017

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 National Planning Policy Framework (NPPF) require that planning decisions are to be made in accordance with the LDP unless material considerations indicate otherwise. In this case the Development Plan comprises of the adopted Maldon District Local Plan 2014-2029 or LDP.
- 5.1.2 The site is located outside of a defined settlement boundary and thus lies within a countryside location. Policy S8 of the LDP states that the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. Policy S8 sets out the development types that may be permitted where there is no adverse impact to the countryside. One set exception, set out at Policy S8 f) is '*rural diversification, recreation and tourism... (in accordance with Policies E4 and E5)*'.
- 5.1.3 Policy E5 entitled tourism sets out a positive policy provision for tourism within the District and states that '*The Council will support developments which contribute to the growth of local tourism in a sustainable manner and realise opportunities that arise from the District's landscape, heritage and built environment*'. The policy goes on to set out that tourism will be supported where there is a need identified; where there are good connections with other tourist destinations and to local services; where there would be no detrimental impacts to the character and appearance of the area; and that adverse impacts to the natural and historic environment can be avoided.
- 5.1.4 Whilst this application is not to provide a lodge for tourism accommodation per se its use would provide a lodge for a manager/employee to reside in on site and therefore allow for an on site presence 24 hours a day. The applicant has provided a list of bullet points identifying the need for the lodge building which is listed in section 3.1.4 of this report and is justified in this instance to demonstrate the case for the need for this lodge.
- 5.1.5 In terms of the other criteria of Policy E5, the site has previously been assessed as having good connections with other tourist destinations in the locality and good connections to green infrastructure and local services. In addition, and as discussed later in this report, there would be no detrimental impacts to the character and appearance of the area and no adverse impacts to the natural and historic environment.
- 5.1.6 The development would meet with the criteria of Policy E5 relating to tourism provision and thus would meet with the Policy f) S8 exception.
- 5.1.7 Accordingly, the provision of a lodge building on the existing lodge park site is acceptable in principle.

5.2 Design and Impact on the Character of the Area

- 5.2.1 The principle of good inclusive design and layout and sustainable development has been reflected in the approved LDP, primarily with policy D1 which seeks to ensure that all development will respect and enhance the character and local context. Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG.
- 5.2.2 The proposed concrete hardstanding would not have any impact upon the visual amenities of the site. The proposed lodge building would be a demountable type of structure that could be removed and replaced in the future. Its appearance would be in keeping with the surrounding other lodge buildings on this site. There are no public views, either from Herbage Park Road to the south or from the Public Right of Way (PRoW) to the north. There would be no harm to the wider amenity of the area and the intrinsic character and beauty of the countryside would be maintained in accordance with policy S8 of the LDP and the provisions of the NPPF.

5.3 Access, Parking and Highway Safety

- 5.3.1 Policy T1 of the approved LDP seeks to create additional sustainable transport opportunities. 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.
- 5.3.2 Access to the location of the lodge building would be via the main entrance road into Herbage Park and then into the Herbage Park site area which consists of narrow roads around the site. The access arrangement is acceptable.
- 5.3.3 The Council's adopted Vehicle Parking Standards SPD (2018) (VPS) contains the parking standards which are expressed as minimum standards. This takes into account Government guidance which encourages the reduction in the reliance on the car and promotes methods of sustainable transport.
- 5.3.4 The VPS for caravan parks is the most applicable parking standards to use and that requires 1 space per pitch or residential member of staff. One parking space is shown which would be acceptable for this use. Additional site parking is located within a short distance of this location should the need arise for increased parking demand.
- 5.3.5 On the basis of the above, it is considered that the proposal is acceptable with respect to access, parking and on site highway safety, in compliance with policies D1 and T2 of the LDP.

5.4 Ecology and Biodiversity

- 5.4.1 In terms of ecology considerations, Place Services Ecology has no objection subject to conditions requiring a biodiversity enhancement strategy and wildlife sensitive lighting design scheme. An optional condition requiring a habitat management and monitoring plan is also recommended. However, Officers are of the view that these conditions are not necessary for this development given this is a well-established site and the conditions are not proportional to the proposal. The site has existing low-level lighting along the roads and paths throughout the site.

- 5.4.2 Around the Herbage Park site there are two identified Local Wildlife Sites, which are Ma8 and Ma90, but both of these are away from the location of this site. Due to the limited scale and nature of the proposal, there would be no harm to these Local Wildlife Sites. Woodham Walter Common is a SSSI but is around 0.6 miles to the east of the site and would be unaffected. Place Services Ecology make reference to the need for Natural England's formal comments on the conclusion of the Local Planning Authority (LPA) Appropriate Assessment for Essex Coast RAMS, however, this is not considered necessary for Natural England to be consulted due to the small scale of development. Furthermore it is the Council's role, as the competent authority, to undertake the Habitat Regulation Assessment (HRA) Screening for Appropriate Assessment test and this has been carried out and is stated below:

European Designated Sites

- 5.4.3 The site falls within the evidenced recreational Zone of Influence (Zoi) of the Essex Coast RAMS, which is an adopted SPD. It is anticipated that, without mitigation, new residential development in this area and of this scale is likely to have a significant effect on the sensitive interest features of these coastal European designated sites, through increased recreational pressure when considered 'in combination' with other plans and projects. The Essex Coast RAMS is a large-scale strategic project which involves a number of Essex authorities, including Maldon District Council (MDC), working together to mitigate the effects arising from new residential development. Once adopted, the RAMS will comprise a package of strategic measures to address such effects, which will be costed and funded through developer contributions.
- 5.4.4 The LPA is therefore required to prepare a project level 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.
- 5.4.5 To accord with Natural England's (NE) requirements and standard advice an Essex Coast RAMS Habitat Regulation Assessment (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 Zoi for the Essex Coast RAMS with respect to the below sites? Yes

Does the planning application fall within the specified development types? Yes, but the proposal is only for 1 lodge that can be used as a dwelling for all intents and purposes.

HRA Stage 2: Appropriate Assessment - 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

Summary of Appropriate Assessment

- 5.4.6 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.
- 5.4.7 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 (2025-2026 figure). The application is supported by an agreed Unilateral Undertaking thereby securing the RAMS contribution and the mitigation of designated sites.

Biodiversity Net Gain

- 5.4.8 The Planning Practice Guidance (PPG) explains that Biodiversity Net Gain was introduced to Planning by the Environment Act 2021 and where it applies developers must demonstrate how a development will deliver at least 10% increase in biodiversity. Place Service's Ecology Advisor on Biodiversity Net Gain (BNG) advises that the biodiversity gain condition is required to apply to every planning permission for development of land in the England. Such requirements can be secured through a planning condition to meet the requirements of policy N2 of the LDP and the relevant paragraphs of the NPPF and PPG.
- 5.4.9 The applicant's Ecology Report supporting the application identify that 13 -19% Biodiversity Net Gain would be achieved and this exceeds the 10% target as stated above. The applicant's Ecology Report states that no off-site habitat units will be required.

In conclusion to this section

- 5.4.10 The development would comply with policies S1, D1, N1 and N2 of the LDP which seek to conserve and enhance the natural environment, by providing protection and increasing local biodiversity and geodiversity, and effective management of green infrastructure network. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and to enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended).

5.5 Impact on Neighbouring Amenity

- 5.5.1 The basis of policy D1 in 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.
- 5.5.2 Given the siting of the lodges on the site there would be no unacceptable impact to the amenity of occupiers within the lodges on site from overlooking, loss of light or similar.
- 5.5.3 In terms of neighbouring amenity, there are no nearby neighbours other than lodges on the site, the development would not appear prominent from any public viewpoints such that there would be no harm to any neighbouring residential amenity.

- 5.5.4 Overall, the development would comply with policies D1 and H4 of the LDP and section C07 of the MDDG, which seek to ensure that development will protect the amenities of neighbouring properties.

5.6 Other Matters

- 5.6.1 The application site is located within Flood Zone 1 on the EA's Flood Map and therefore has a low probability of flooding. Due to the scale of the development, there would be no implications for flood and drainage considerations, and thus this would not be a constraint to development.
- 5.6.2 The site falls within the designation of the Woodham Walter Village Design Statements SPD which is mentioned within the Warren Pit Lodges description but there are no further requirements for this site within this SPD.

6. ANY RELEVANT SITE HISTORY

- 6.1 The relevant planning history is listed below:

- **05/00798/FUL** - Change of use of disused gravel pit to site for 48 holiday lodges with formation of associated access tracks, landscaping and construction of central administrative and facilities building. Granted.
- **11/00953/FUL** - Proposed addition of 26 new timber holiday lodges plus associated infrastructure within the existing Herbage Park Holiday Park.
- **15/00590/FUL** – Variation of condition 3 on approved planning permission FUL/MAL/11/00953 (Proposed addition of 26 new timber holiday lodges plus associated infrastructure within the existing Herbage Park Holiday Park). Variation: holiday accommodation occupancy period, and; Variation of condition 2 on approved planning permission FUL/MAL/05/00798 (Change of use of disused gravel pit to site for 48 holiday lodges with formation of associated access tracks, landscaping and construction of central administrative and facilities building) Variation: holiday accommodation occupancy period. Granted.
- **16/01373/FUL** - 28 new holiday lodges with associated infrastructure and access. Granted.
- **24/00358/VAR** - Variation of condition 3 on approved application 05/00798/FUL (Change of use of disused gravel pit to site for 48 holiday lodges with formation of associated access tracks, landscaping and construction of central administrative and facilities building). Variation seeks to alter Condition 3 to allow the siting of a single storage shed for each lodge. Granted.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Woodham Walter Parish Council	No objections and comment that it was a good idea to have an	Condition included in the Recommendation section of this report to cover its

Name of Parish / Town Council	Comment	Officer Response
	onsite manager and request condition that the building can only be used by employees of estate with a residency restriction	use

7.2 Statutory Consultees and Other Organisations (*summarised*)

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Place Services - Ecology	No ecological objection subject to conditions and subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment for Essex Coast RAMS. Conditions to require a biodiversity enhancement strategy and wildlife sensitive lighting design scheme. Optional condition requiring a habitat management and monitoring plan. A biodiversity net gain condition should be added as an informative	See Assessment section 5.4

7.3 Internal Consultees (*summarised*)

7.3.1 None

7.4 Site Notice/Advertisement

7.4.1 The application was advertised by way of two site notices posted at eye level on telegraph poles and posts around and adjacent to the site on 5 September 2025. Notice was also given by way of a newspaper advertisement posted in the Maldon and Burnham Standard on 28 August 2025.

7.5 Representations received from Interested Parties (*summarised*)

7.5.1 No comments have been received from third parties during the specified consultation period, nor subsequently during the application process.

8. **PROPOSED CONDITIONS**

- 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) The Town & Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Location Plan, WLP-WL05 Rev C, WLP-WL01 Rev F and WLP-WL02.
REASON To ensure that the development is carried out in accordance with the details as approved.
3. The lodge hereby permitted shall only be used by a manager or an employee or a designated contract worker of the Warren Estate and shall not be used as a person's sole or main place of residence.
REASON The application site lies outside any area where planning permission would normally be granted for residential development. The site is permitted for holiday purposes only in the interest of contributing to tourism and the local economy and this lodge shall only be used for the purposes hereby permitted in accordance with Policy E5 of the Local Development Plan, and the National Planning Policy Framework.
4. The lodge hereby permitted shall be clearly signposted to ensure that it is recognised as the single point of out of hours contact.
REASON The application site lies outside any area where planning permission would normally be granted for residential development. The site is permitted for holiday purposes only in the interest of contributing to tourism and the local economy and this lodge shall only be used for the purposes hereby permitted in accordance with Policy E5 of the Local Development Plan, and the National Planning Policy Framework.
5. The lodge hereby permitted shall not be used for human habitation between 15 January and 28 January (inclusive).
REASON The application site lies outside any area where planning permission would normally be granted for residential development. The site is permitted for holiday purposes only in the interest of contributing to tourism and the local economy and this lodge shall only be used for the purposes hereby permitted in accordance with Policy E5 of the Local Development Plan, and the National Planning Policy Framework.
6. The lodge hereby permitted shall not be available for short or long term holiday purposes or offered for rent, lease or sale.
REASON The application site lies outside any area where planning permission would normally be granted for residential development. The site is permitted for holiday purposes only in the interest of contributing to tourism and the local economy and this lodge shall only be used for the purposes hereby permitted in accordance with Policy E5 of the Local Development Plan, and the National Planning Policy Framework.
7. With the exception of any building or structure required to be provided by conditions on a site licence issued under the Caravan Sites and Control of Development Act 1960, no structures, tents, garden paraphernalia, or similar items shall be erected or placed on the site without the prior approval in writing of the local planning authority with the exception of a single storage shed no greater than 2.5m x 4metres and no greater than 4metres from each lodge.
REASON To ensure the appropriate development and use of the site for recreational purposes in accordance with policy E5 of the Local Development Plan.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking or re-

enacting that Order) no wall, fence, gate or other means of enclosure shall be erected at the site without the prior grant of planning permission by the local planning authority.

REASON To safeguard the appearance and character of the rural area in accordance with policy D1 of the Local Development Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking or re-enacting that Order) no hardstanding or similar hard surface in addition to that permitted shall be laid at the site without the prior approval in writing by the Local Planning Authority.

REASON To safeguard the appearance and character of the rural area in accordance with policies D1 and S8 of the Local Development Plan.

APPLICATION PLANS / DOCUMENTS:

Application plans:

- Location Plan
- WLP-WL05 Rev C – Block Plan
- WLP-WL01 Rev F – Site Location Plan
- WLP-WL02 – Site Plan
- WLP-WL03 Rev A – Indicative Plans and Elevations

Application supporting documents:

- Planning Statement
- Biodiversity Net Gain ('BNG') Assessment and Statutory Biodiversity Metric