



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

to
**SOUTH EASTERN AREA PLANNING COMMITTEE
12 NOVEMBER 2025**

Application Number	25/00364/FULM
Location	Mangapps Store, Maldon Road, Burnham-on-Crouch
Proposal	Change of use from an agricultural building to Class B8 (storage and distribution)
Applicant	Mrs. E. Wilsden – Farrow & Wilsden
Agent	Tim Farley – Copesticks Ltd
Target Decision Date	04.07.2025
Case Officer	Devan Hearnah
Parish	BURNHAM-ON-CROUCH NORTH
Reason for Referral to the Committee / Council	Major Application

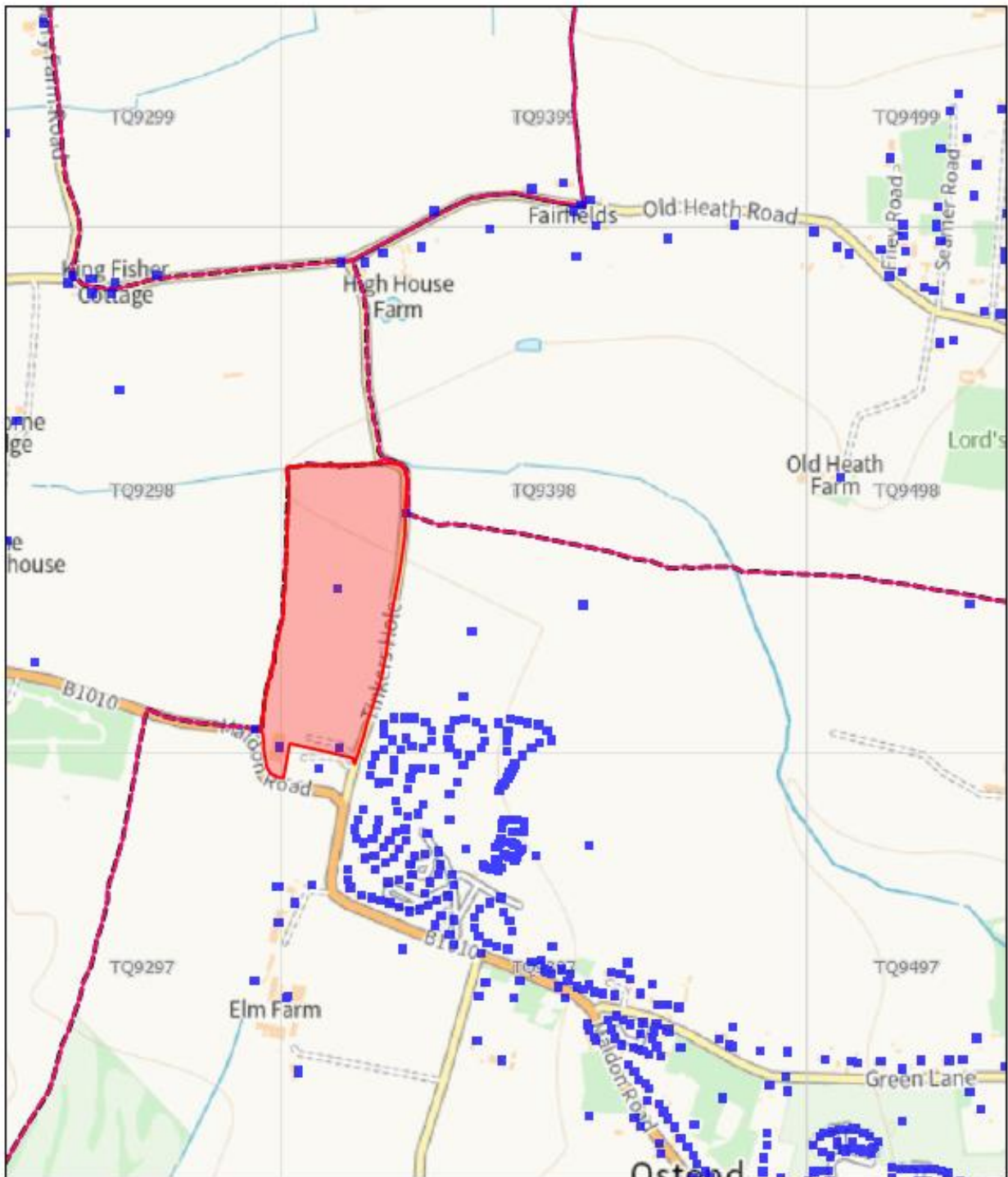
1. RECOMMENDATION

APPROVE subject to the conditions listed in Section 8 of this report, and provided that no new representations raising additional material considerations are received before the public consultation period expires.

2. SITE MAP

Please see below.

25/00364/FULM



10/29/2025, 8:52:57 AM

1:10,000

0 480 920 1,840 ft

0 140 280 560 m

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3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

Site Description

- 3.1.1 The application site is located on the northern side of Maldon Road and the western side of Tinkers Hole, outside of the defined settlement boundary. The site comprises a large grain barn and lies adjacent to reservoir, a covered water storage Reservoir operated by Essex and Suffolk Water. Access is taken from Tinkers Hole Lane, on the eastern side of the application site.

The Proposal

- 3.1.2 Planning permission is sought for the change of use of an agricultural building to Use Class B8 (storage and distribution).
- 3.1.3 The proposal also includes building operations involving the installation of an aluminium door on the principal elevation, two to the rear elevation and two high level square windows on the flank elevation serving a W.C and office.

3.2 Conclusion

- 3.2.1 The proposed change of use would meet the requirements of Policy E4 and would result in an employment use that, subject to conditions, would not be materially harmful to the locality, adjoining properties or highway safety. As such, the development is in line with the stipulations of policies S1, S8, D1, D2, E1, E4, H4, N2, T1 and T2 of the approved Maldon District Local Development Plan (LDP) and the national policy and 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
- 10-12 Presumption in favour of sustainable development
- 38 Decision-making
- 47-50 Determining applications
- 56 – 59 Planning conditions and obligations
- 85 – 89 Building a strong, competitive economy.
- 109 – 118 Promoting sustainable transport
- 131 – 141 Achieving well-designed places
- 161 – 182 Meeting the challenge of climate change, flooding and coastal change
- 187 – 201 Conserving and enhancing the natural environment

4.2 Maldon District Local Development Plan 2014 – 2029 approved by the Secretary of State:

- S1 Sustainable Development

- S7 Prosperous Rural Communities
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D2 Climate Change & Environmental Impact of New Development
- D5 Flood Risk and Coastal Management
- E1 Employment
- E4 Agricultural and Rural Diversification
- T1 Sustainable Transport
- T2 Accessibility
- N2 Natural Environment and Biodiversity

4.3 Burnham-on-Crouch Neighbourhood Development Plan

- Policy S2 Strategic Employment Growth

4.4 Relevant Planning Guidance / Documents:

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

5. MAIN CONSIDERATIONS

5.1 Principle of Development

5.1.1 The application site lies outside of any defined development boundary where policies of restriction apply. However, the building is already on site and was erected as an agricultural building. The NPPF encourages Local Planning Authorities (LPAs) to promote a strong rural economy through, among others, the diversification of agricultural businesses. Furthermore, the NPPF urges LPAs to support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings.

5.1.2 Further to the above, Policy S8 supports employment generating proposals that are in accordance with Policy E1 of the approved LDP states that:

“The Council will support and encourage the development of better quality and flexible local employment space to meet the employment target, including live work accommodation in both urban and rural areas (in accordance with other policies in this Plan). All new employment space should seek to meet the needs of local businesses and attract inward investment. [...]Outside the designated employment allocations, new provision for high quality employment space or the expansion of existing employment areas will be considered favourably subject to design, environment and infrastructure considerations.”

5.1.3 As stated within the preamble of policy E4 of the approved LDP, the Council recognises that the District's economic functions are not only based on formally allocated employment sites but also through employment activities that occur on farm conversions and similar rural sites which provide relatively lower cost accommodation and encourage local entrepreneurial activity. Policy E4 sets six criteria for conversions and states:

“The Council will support the change of use of existing rural buildings to other employment generation uses if it can be demonstrated that:

- (a) There is a justifiable and functional need for the proposal;*
- (b) It will contribute to the viability of the agricultural business as a whole;*
- (c) Any development respects the building’s historic or architectural significance;*
- (d) Any development will not negatively impact upon wildlife and the natural environment;*
- (e) No storage of raw materials or finished goods is to take place outside the building if it would be detrimental to the visual amenity of the area; and*
- (f) The use of the building would not lead to dispersal of activity on such a scale as to prejudice the vitality and viability of existing businesses in nearby towns and villages.”*

- 5.1.4. With regard to criterion (a), the submitted Planning Statement states that the need is justified on the basis that the recently published Annual Monitoring Report acknowledges that only one allocated employment site has been completed and three have yet to commence. Therefore, evidencing a district-wide shortfall in employment land provision against the adopted allocations. Furthermore, it must be noted that there is an extant Prior Approval permission (25/00571/PADOT) for 80% of the building to be used as B8. Therefore, taking a reasonable stance, it is accepted that it would be a functional requirement for 100% of the building to be used for this purpose.
- 5.1.5 In respect of criterion (b) the Planning Statement suggests that the rental income generated from the proposal would allow further investment into the growing vineyard business. On this basis it is believed that the development will contribute to the viability of the agricultural business as a whole.
- 5.1.6 The application building does not hold any historic or architectural significance and given that the building already exists, the change of use and minor building operations proposed to the fenestration would not impact negatively on wildlife or the natural environment.
- 5.1.7 Criterion (e) refers to a matter that could potentially be controlled with a condition if planning permission would be granted. Criterion (f) is considered to be met as the scale of the businesses that can be accommodated to these buildings is highly unlikely to lead to detrimental dispersal of activity to such a scale as to prejudice the vitality and viability of existing businesses in nearby towns and villages.
- 5.1.8 Bearing in mind the above analysis, that support towards businesses in rural areas is prominent within the LDP and the NPPF and that there is a fallback position for 80% of the building to be used as B8 storage (established under permitted development rights), supporting the thrust of the national and government policy to encourage the change of use of agricultural buildings to employment uses, the principle of the development is acceptable.
- 5.1.9 Other material planning considerations are discussed in the following sections of the report.

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 of the LDP and is found within the MDDG.
- 5.2.3 Policy E1 of the LDP states that design is one of the considerations if new provision for employment space or the expansion of existing employment areas is proposed outside the designated employment allocations. In addition, Policy E4 of the LDP, refers to the impact of the development upon the character of the building, the natural environment and the visual amenity of the area.
- 5.2.4 The proposed alterations to the exterior of the building involve minor additions in the form of openings. Given the minor nature of the building operations that would not materially alter the appearance of the existing building. Therefore, no objection is raised.

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.
- 5.3.2 The closest Noise Sensitive Receptor to the site is Burnham Waters, a retirement community currently being developed to the west of the site. The application has been supported by a Noise Impact Assessment (NIA) which notes that the proposed use of the site would not be too dissimilar to the current agricultural activities that occur at the site in terms of noise impacts. Furthermore, given the proximity to the B1010, it is predicted that the noise levels within the vicinity are unlikely to elevate the overall L_{Aeq} and the World Health Organisation (WHO) recommended external daytime level of 50 dB $L_{Aeq, 16h}$ is also unlikely to be exceeded by activities from the site. No objection to the application has been raised by the Council's Environmental Health team.
- 5.3.3 In consideration of the above and considering the extant permission at the site, there is no objection in terms of noise impacts.

5.4 Access, Parking and Highway Safety

- 5.4.1 Policy T2 aims to create and maintain an accessible environment, requiring development proposals, inter alia, to provide sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, Policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.
- 5.4.2 The application has been supported by a Transport Statement (Ref: 1145-TS-02-0). The site has existing accesses off Tinkers Hole Road to the east and Maldon Road to the west. The proposed change of use would exclusively use the eastern access to Tinkers Hole Road. The number of vehicle trips generated by the development is minimal, creating no more than one vehicle trip during the morning and evening peak periods. Therefore, the impact on the local road network would be negligible.

5.4.3 Having been consulted, the highway authority advised that from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority.

5.4.4 In terms of parking, the Maldon District Adopted Vehicle Parking Standards states that one parking space should be provided for every 150m² of floor space. The application building has 1180m² of floorspace, creating a requirement of eight parking spaces. The submitted block plan shows designated space for two vehicles which is a significant shortfall. However, given the size of the hardstanding on the western side of the building, it is accepted that the site could accommodate eight parked vehicles. Therefore, no objection is raised.

5.5 Flood Risk

5.5.1 Policy D5 of the LDP sets out the Council's approach to minimising flood risk. Policy S1 of the same Plan requires that new development is either located away from high risk flood areas or is safe and flood resilient when it is not possible to avoid such areas. Policy D5 of the LDP also acknowledges that all development must demonstrate how it will maximise opportunities to reduce the causes and impacts of flooding through appropriate measures such as Sustainable Drainage Systems (SuDS).

5.5.2 The application has been supported by a Flood Risk Assessment (FRA). Given that the proposed change of use will not increase areas of impermeable surfacing, it will therefore, not increase flood risk elsewhere. Furthermore, the site is entirely within Flood Zone 1 and presents a low risk of flooding. Therefore, there is no objection in terms of flood risk.

5.6 Contamination

5.6.1 As set out in the Officer's Report for the extant Prior Approval, the LPA has no record of contamination within the application site. The submitted contaminated land reports advised that based on the preliminary assessments undertaken within this report and the proposed development plans, no further investigations or remedial action are considered necessary.

5.6.2 Having been consulted, the Environmental Health team raised no objection.

6. ANY RELEVANT SITE HISTORY

- **06/01134/FUL** - To build a grain store. Approved
- **12/00867/FUL** - The positioning of a site caravan. Refused
- **13/05040/DET** - Compliance of conditions notification FUL/MAL/12/00867 (The positioning of a site caravan) Condition 6 Drainage scheme. Condition Discharged
- **16/01109/FUL** - Renewal of planning permission for a caravan for a security officer to show a local presence in the area to detour theft (previous planning FUL/MAL/12/00867). Refused
- **19/00969/FUL** - Temporary security caravan with security officer for 3 years. Appeal Dismissed.
- **24/00571/PADOT** - Proposed change use from agricultural grain store to Storage and Distribution (Use Class B8 Storage and Distribution). Prior Approval Granted.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils *(summarised)*

Name of Parish / Town Council	Comment	Officer Response
Burnham-on-Crouch Town Council	No objection but raise the following comment: <ul style="list-style-type: none">Concerns regarding movements of larger distribution vehicles into and out of the site subject to highways consultation.	Addressed at section 5.4 above.

7.2 Statutory Consultees and Other Organisations *(summarised)*

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Cadent Gas Network	There is a 4 inch ST IP pipeline in the works are which will need to be protected at all times and the easement must not be encroached upon or crossed over. Nothing should be placed or stored on or over the pipelines or easements.	Noted informative included below.
Local Highway Authority	No objection subject to a condition requiring that there is no unbound material within 10 metres of the highway boundary.	The proposal does not require any alterations to the access. Therefore, this condition is not necessary or relevant to the development.

7.3 Internal Consultees *(summarised)*

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objection or comments	Noted

7.4 Site Notice / Advertisement

- 7.4.1 The application was advertised by way of two site notices placed at eye level on the entrance gates on Tinkers Hole and Maldon Road. The site notices have an expiry date of 14 November 2025. A newspaper ad was also placed in the local paper, expiring on 13 November 2025.

7.5 Representations received from Interested Parties

- 7.5.1 No letters of representation have been received to date.

8. **PROPOSED 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) The Town & Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out in accordance with the approved plans as set out by the Decision Notice.
REASON: To ensure that the development is carried out in accordance with the details as approved.

The materials of the windows and doors hereby approved shall be as specified on plan 0826 10D.
REASON: In the interest of the character and appearance of the area in accordance with policy D1 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.
- 3 Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking or re-enacting that Order), premises shall only be used for purposes falling within Use Class B8 of the Schedule to the Town & Country Planning Use Classes (Amendment) Order 2015 (or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order) and for no other purpose.
REASON: In order to ensure the appropriate use of the site in the interests of protecting the amenities of adjacent occupiers, the natural environment and the highway safety in accordance with policies S1, S8, D1, D2, N2, T1 and T2 of the adopted Maldon District Replacement Local Plan and guidance contained in the NPPF.
- 5 No machinery shall be operated, nor shall any process be carried out and no deliveries or collections undertaken at the site other than between 08:00 hours and 17:30 hours on weekdays and between 08:00 hours and 13:00 hours on Saturdays and not at any time on Sundays and Public Holidays.
REASON: In order to ensure the protection of the amenities of adjacent occupiers and the natural environment in accordance with policies S1, S8, D1, D2 and N2 of the adopted Maldon District Replacement Local Plan and guidance contained in the NPPF.
- 6 With the exception of a forklift used in association with the deliveries on site, no machinery shall be used outside the buildings.
REASON: In order to ensure the protection of the amenities of adjacent occupiers and the natural environment in accordance with policies S1, S8, D1, D2 and N2 of the adopted Maldon District Replacement Local Plan and guidance contained in the NPPF.
- 7 No extraction or ventilation equipment, vents, air conditioning units or similar plant equipment shall be installed or fitted to any external part of the building except in accordance with a scheme to be submitted to and approved in writing by the local planning authority. The scheme as approved and installed shall be retained as such thereafter.
REASON: In order to ensure the protection of the amenities of adjacent occupiers, the natural environment and the character and appearance of the area in accordance with policies S1, S8, D1, D2 and N2 of the adopted

Maldon District Replacement Local Plan and guidance contained in the NPPF.

- 8 No external illumination shall be installed or fitted to any part of the site except in accordance with a scheme to be submitted to and approved in writing by the local planning authority. The scheme as approved and installed shall be retained as such thereafter.
REASON: In order to ensure the protection of the amenities of adjacent occupiers, the natural environment and the character and appearance of the area in accordance with policies S1, S8, D1, D2 and N2 of the adopted Maldon District Replacement Local Plan and guidance contained in the NPPF.
- 9 No retail or wholesale sales shall operate from the site.
REASON: In order to ensure the protection of the amenities of adjacent occupiers and the natural environment in accordance with policies S1, S8, D1, D2 and N2 of the adopted Maldon District Replacement Local Plan and guidance contained in the NPPF.
- 10 No goods, materials, plant, machinery, skips, containers, packaging or other similar items associated with the use hereby permitted shall be stored or kept outside of the building on site.
REASON: In order to ensure the protection of the amenities of adjacent occupiers and the natural environment in accordance with policies S1, S8, D1, D2 and N2 of the adopted Maldon District Replacement Local Plan and guidance contained in the NPPF.
- 11 Prior to the first operation of the building for B8 purposes provision shall be made upon the hardstanding to the west of the application of the application site for a parking area for eight (8) vehicles and adequate turning space. The parking spaces shall be marked and retained for parking of vehicles in association with the B8 use hereby approved in perpetuity.
REASON: In order to ensure there is sufficient parking on site in accordance with policies T1 and T2 of the adopted Maldon District Replacement Local Plan and guidance contained in the NPPF.
- 12 Prior to the first operation of the building, the foul drainage must either be connected to mains drainage or a small sewage treatment plant of adequate capacity for the operation. Any small sewage treatment plant installed must discharge treated effluent in a manner which complies with the "General binding rules: small sewage discharge to the ground" guidance at the time of installation.
REASON: To ensure the adequate provision of foul water drainage in accordance with Policy D5 of the Maldon District Local Development Plan (2017).

APPLICATION PLANS / DOCUMENTS:

Application Plans:

- 0826/11E – Block Plan
- 0826/10D – Proposed Elevations
- 0826/09E – Proposed Floor Plan
- 0826/07 – Existing Elevations
- 0826/06 – Existing Floor Plan

- 0826/04C – Location Plan

Application Documents

- Planning Statement (Copesticks Planning Consultancy)
- Noise Assessment (Ref: 403.065515.00001 Rev 03, SLR 7 March 2025)
- Flood Risk Assessment (Ref: 1145-FRA-02-0 Rev 0, MAC Pre-Planning Engineering March 2025)
- Preliminary Investigation Report (Ref: STW6540-R01-Rev_A, Soiltechnics June 2024).
- Transport Statement (Ref: 1145-TS-02-0 Rev 0, MAC Pre-Planning Engineering March 2025)