



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

**to
NORTH WESTERN AREA PLANNING COMMITTEE
4 FEBRARY 2026**

Application Number	25/00524/FUL
Location	Land Adjacent Barrow Cottage, Bassetts Lane, Woodham Walter
Proposal	Cessation of use of land for recreational camp site and erection of single self-build dwelling and associated works
Applicant	Ms Julia Ferrant
Agent	Mr Stephen Locke - Stephen Locke Associates
Target Decision Date	06.02.2026 (EoT – committee determination required)
Case Officer	Matt Bailey
Parish	Woodham Walter
Reason for Referral to the Committee / Council	Departure from the local plan Called in by Cllr Durham

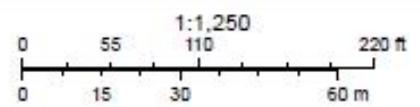
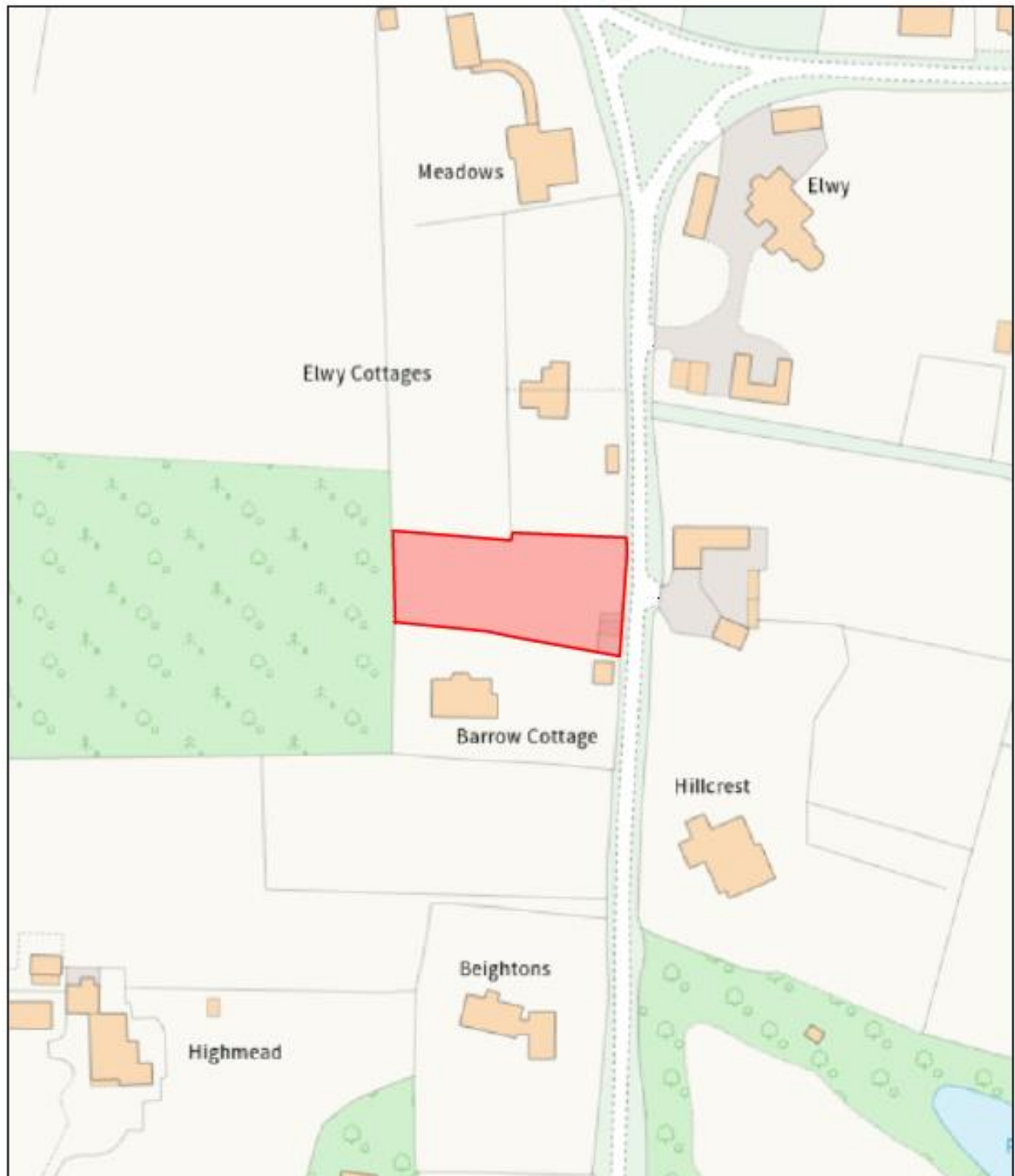
1. RECOMMENDATION

APPROVE subject to the conditions (as detailed in Section 8 of this report)

2. SITE MAP

Please see overleaf.

25/00524/FUL



3. SUMMARY

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

Site Description

- 3.1.1 The application site is located to the western side of Bassetts Lane on a parcel of land situated between the residential properties of Elwy Cottages and Barrow Cottage. There are sporadic residential dwellings which extend along Bassetts Lane in a linear pattern, in a variety of sizes and architectural styles.
- 3.1.2 The site lies outside of any defined settlement boundary and within the open countryside, albeit due to its position relative to surrounding development the site is considered to be semi-rural in character – with residential properties extending to the north and south along both sides of the road - and a wide expanse of open agricultural fields to the west.

The Proposal

- 3.1.3 Planning permission is sought for the cessation of use of the land as a campsite and construction of a detached 2 bedroom bungalow with associated landscaping and parking.
- 3.1.4 The proposed dwelling would be sited to the centre of the plot, with a front driveway set behind the existing front hedgerow, accessed via an existing gate which currently provides access to the land for camping use. The proposed dwelling would be of a relatively rural design finished in weatherboarding with clay peg tile roof. A large rear garden is retained, with all existing planting at the site retained and enhanced as part of the proposal.

Conclusion

- 3.1.5 The application site is located outside of a defined settlement boundary and is within the open countryside, and as such the proposed development would constitute a departure from the local plan. However, in the absence of a 5 year housing land supply, the “titled balance” 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”*

As explained within the report, although the location of the development being outside of any settlement boundary would be contrary to Policy S8 of the LDP, options do exist for bus services to the end of Bassetts Lane to reach facilities further afield. In addition, the proposed development of a single dwelling, when compared to the existing campsite use, would result in a reduced number of potential private car trips to and from the site, as well as associated reduction in impact upon neighbouring occupiers in this regard. For this reason the principle of development is considered on balance acceptable subject to compliance with all other policies contained within the LDP.

- 3.1.6 The design and materials of the proposed development are considered acceptable and would comprise a sensitive “limited infill” style development that is in keeping with the local area both in terms of scale and architectural design. It is considered that a dwelling at the site would not result in any harm in terms of residential

amenity, highways safety, or ecology and biodiversity – subject to planning conditions.

- 3.1.7 It is considered that the proposed development accords with all other relevant policies contained within the approved Maldon District Local Development Plan and the NPPF and is recommended for approval.

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
- 85-89 Building a strong, competitive economy
- 108-117 Promoting sustainable transport
- 123-127 Making effective use of land
- 128-130 Achieving appropriate densities
- 131-141 Achieving well-designed places
- 157-175 Meeting the challenge of climate change, flooding, coastal change
- 180-194 Conserving and enhancing 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
- H2 Housing Mix
- H4 Effective Use of Land
- N2 Natural Environment and Biodiversity
- T1 Sustainable Transport
- T2 Accessibility
- I1 Infrastructure Services
- I2 Health and Wellbeing

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Maldon District Design Guide
- Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy
- Vehicle Parking Standards SPD
- Woodham Walter Village Design Statement

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 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

- 5.1.5 As per Paragraph 78 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 5 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 5 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 5 year housing land supply 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 5 year housing land supply, the NPPF's tilted 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 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.
- 5.1.11 When considering locational sustainability, consideration must be given to a number of parameters – including (but not limited to) the distance to the nearest settlement; proximity to local shops and services, schools, healthcare; public transport access; safe walking routes/street lighting.
- 5.1.12 In this case, the application site lies outside of any settlement boundary, and does not benefit from any readily available day-to-day services within walking distance. Bus services are available to the south of the site at the junction with Spring Elms Lane and Little Baddow Road which provide twice daily services to Maldon and Chelmsford, though this service is limited. Despite surrounding roads being relatively quiet, safe and suitable for cycling, it is likely that occupiers of the site will have a fair degree of reliance on private car journeys.
- 5.1.13 Nevertheless, considering the overall sustainability of the site in the context of its current use, it is noted that the proposal seeks to replace an existing camping use at

the site (60 days per year), for which the Council confirmed permission would not be required in May 2024 (application ref 24/00362/PN). This *in theory* allows for up to 50 camping pitches across the site, including a further parcel of land to the south of Barrow Cottage) which would be a less sustainable form of development due to the potential number of trips generated.

- 5.1.14 A number of objections to the proposal have been received which claim that the existing campsite has not been in use for this purpose, and as such any claimed reduction in vehicular trips to/from the site cannot be given any weight. No specific evidence has been provided by the applicant to confirm usage levels at the site – however it is noted that scope does exist under prior approval for the site to be used for this purpose and therefore consideration must be given to this potential use. It is considered (as ECC Highways have confirmed) that the proposed 2 bedroom bungalow at the site would not result in a significant degree of traffic or result in a harmful impact upon existing flows along Bassetts Lane.
- 5.1.15 Officers also note that the consultation version of the new National Planning Policy Framework (NPPF) refers to “limited infilling within groups of houses” as a specific form of development that can be approved outside of settlements (the current text referring to this in the context of development within the Green Belt. The proposed development in this instance is considered to fall within this category. Whilst in a draft form the approach to such development is consistent with
- 5.1.16 Therefore, whilst the site does not benefit from a high degree of sustainability, the proposal would not cause significant harm in this regard compared to the campsite use. Taking this into account, along with the “direction of travel” as set out within the draft NPPF, the principle of development is therefore on balance considered acceptable for the purposes of assessment under paragraph 11d of the NPPF.

Social Dimension

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

Economic Dimension

- 5.1.18 The development would make a limited contribution to the local economy through the construction of a single dwelling and additional custom for existing businesses.

Summary of Principle of Development

- 5.1.19 Although the location of the development being outside of any settlement boundary would be contrary to Policy S8 of the LDP, the proposed development of a single dwelling, when compared to the existing campsite use, would potentially result in a reduced number of private car trips to and from the site, as well as associated reduction in impact upon neighbouring occupiers in this regard. For this reason the principle of development is considered on balance acceptable subject to compliance with all other policies contained within the LDP.

5.2 Housing Provision and Mix

- 5.2.1 The NPPF requires local planning authorities to establish their minimum local housing need through a local housing need assessment, using the standard method set out in national planning practice guidance. This assessment forms the starting point for determining how many homes should be planned for, including the mix and types of housing needed for different groups within the community.

- 5.2.2 The recently published Local Housing Needs Assessment (October 2025) (LHNA) is an assessment of housing need for Maldon District as well as sub areas across the District. 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.
- 5.2.3 The LHNA concludes that the District has an increasing need for smaller dwellings, with the biggest requirement for two and three bed dwellings; specifically, 10% one bedrooms, 35% two bedrooms, 35% three bedrooms and 20% for 4+ bedroom market dwellings.
- 5.2.4 The Council's Technical Advice Note on Housing Mix (November 2025) (TAN) explains that for small sites (developments of 1-9 homes or less than 0.5 ha) the LHNA guidance will be used to influence a mix of unit sizes, but notes that the delivery of a precise mix on such schemes is not always achievable – due to the often constrained nature of small site development.
- 5.2.5 The proposal would provide for an additional 2-3 bedroom dwelling. Whilst this is considered a benefit in planning balance terms (and meets the requirement for dwellings of this size identified within the LHNA), given that the net increase in housing is a single dwelling, this factor is considered to carry only limited to moderate beneficial weight in the consideration of the merits of the scheme.

5.3 Design and Impact on the Character of the Area

- 5.3.1 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.
- 5.3.2 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.
- 5.3.3 In addition, Policy H4 requires all development to be design-led and to seek to optimise the use of land having regard, amongst other things, to the location and the setting of the site, and the existing character and density of the surrounding area. The policy also seeks to promote development which maintains, and where possible enhances, the character and sustainability of the original building and the surrounding area; is 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 enhances the sustainability of the original building; and does not involve the loss of any important landscape, heritage features or ecology interests.

- 5.3.4 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the Maldon District Design Guide (MDDG) (2017).
- 5.3.5 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.
- 5.3.6 The proposed dwelling is designed as an L-shaped bungalow, positioned to the centre of the site, and is traditional in both architectural style and materiality. It is noted that the Parish Council have raised concerns regarding the proposed design. Officers note that there is some wide variation in style within the local area and consider that the limited scale of the dwelling coupled with the traditional rural materials proposed would be sympathetic to the surrounding context. The detailing, pitched roof forms and use of timber and clay roof tiles, combine to create a dwelling that is rural in character and in keeping with the surrounding context.
- 5.3.7 Whilst the site lies outside of any defined settlement boundary, it is considered that the introduction of a dwelling would not appear out of character in this specific location, given the context of surrounding dwellings along Bassetts Lane on either side of the road.
- 5.3.8 Although the site is relatively open in character when viewed from within, the site is enclosed by substantial dense hedgerows along the front boundary (which would be retained as part of the scheme). This boundary treatment, combined with the low ridge height of the dwelling would mean that only glimpse views of the dwelling would be achieved when passing the site – in a similar fashion to the other residential properties along this section of the road.
- 5.3.9 On the basis of the above, it is considered that the proposal would not result in any harm to the character and appearance of the area, and would therefore accord with Policies S1, S8, D1 and H4 of the LDP, and the policies and guidance in the National Planning Policy Framework.

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, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the Maldon District Design Guide (2017).
- 5.4.2 The proposed dwelling would be sited approximately 5m to the south of the boundary with Elwy Cottages but would be separated by existing planting to that boundary. The nearest cottage is set approximately 30m away from the boundary to the north and therefore a substantial distance from the proposed dwelling. Given the single storey nature of the proposal coupled with this separation distance, no concerns are raised in respect of potential impacts upon the living conditions of neighbouring residents to the north.

- 5.4.3 Barrow Cottage to the south is set approximately 20m diagonally from the southern edge of the proposed bungalow and again separated by dense hedgerows along the entire southern boundary. Again, given this natural boundary no concerns are raised in respect of potential loss of privacy or overlooking to this neighbouring property.
- 5.4.4 Overall it is considered that the proposal would not materially harm the amenity of the occupiers of existing or proposed residential properties, in compliance with the NPPF and Policy D1 of the LDP.

5.5 Access, Parking and Highway Safety

- 5.5.1 Policy T2 aims to create and maintain an accessible environment, requiring development proposal, inter alia, to 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.
- 5.5.2 The Council's adopted Vehicle Parking Standards SPD contains the parking standards which are expressed as maximum standards. This takes into account Government guidance which encourages the reduction in the reliance on the car and promotes methods of sustainable transport.
- 5.5.3 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 and cycle routes.
- 5.5.4 In accordance with the Council's Parking Standards (2018), a dwelling with 3 no. bedrooms must provide 2 no. parking spaces. The proposed front driveway provides 2 parking spaces for the dwelling and as such complies with this requirement.
- 5.5.5 Essex County Council Highways have been consulted on the proposal and have raised no objection to the proposal subject to proposed conditions relating to cycle parking and travel information packs.
- 5.5.6 For the reasons set out above it is therefore considered that the proposed development is in accordance with policy T2 of the LDP and the Maldon District Vehicle Parking Standards SPD.

5.6 Private Amenity Space and Landscaping

- 5.6.1 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 Maldon District Design Guide SPD advises a suitable garden size for each type of dwellinghouse, namely 100m² of private amenity space for dwellings with 3 bedrooms or more.
- 5.6.2 The garden proposed in this case would far exceed this requirement and as such the scheme is considered to be acceptable in terms of amenity space provision.
- 5.6.3 The proposed layout of rear garden landscaping would retain the existing hedgerows and trees. To the front of the property, a mix of hard and soft landscaping is proposed, with the main hedgerow adjoining the highway retained.

- 5.6.4 The Council's Trees Officer has been consulted on the proposals and has raised no objection subject to conditions requiring the protection and retention of existing hedgerows at the site, in accordance with the plans submitted.

5.7 Living Conditions for Prospective Occupiers

- 5.7.1 The submitted plans show a floorspace for the dwelling of approximately 206sqm which would comply with the minimum gross internal floor area as specified in the Nationally Described Space Standards (March 2015). There is also acceptable light and ventilation proposed for all the habitable rooms.
- 5.7.2 It is therefore considered that in relation to living conditions the proposal accords with the NPPF and Policies S1, S8, D1, H4 of the approved LDP and the Maldon District Design Guide SPD

5.8 Flood Risk and Drainage

- 5.8.1 Policy D5 of the Local Development Plan 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).
- 5.8.2 The site is located entirely within Flood Zone 1 and presents a low risk of flooding.
- 5.8.3 With regard to drainage, the proposal has been reviewed by the Council's Environmental Health Officer, who has raised no objection to the scheme subject to planning conditions requiring surface water and foul water drainage details to be provided prior to works above slab level.

5.9 Ecology

- 5.9.1 The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework (2021), Natural Environment & Rural Communities (NERC) Act 2006 (section 40), Wildlife and Countryside Act 1981, as well as Circular 06/05. In the UK, the requirements of the EU Habitats Directive is implemented by the Conservation of Habitats and Species Regulations 2010 (the Conservation Regulations 2010). Where a European Protected Species ('EPS') might be affected by a development, it is necessary to have regard to Regulation 9 (5) of the Conservation Regulations 2010, which states "a competent authority, in exercising any of their functions, must have regards to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions".
- 5.9.2 The site falls within the 'Zone of Influence' for one or more of the European sites scoped into the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS). This means that residential development could potentially have a significant effect on the sensitive interest features of these coastal European designated sites, through increased recreational pressure etc. and such effects should be mitigated against. The Local Planning Authority should prepare a HRA assessment to secure a per dwelling tariff by a legal agreement for delivery of visitor management measures at the designated sites.

- 5.9.3 A development proposing an additional 1 no. dwelling falls below the scale at which bespoke advice is given from Natural England. To accord with NE's requirements and strategy advice, an Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (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 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 an additional 1 no. dwelling (i.e. net increase of dwellings at the site is 1 no. dwellings)

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.

- 5.9.4 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. Natural England does not need to re-consult on this Appropriate Assessment.
- 5.9.5 The Essex Coastal Recreational Avoidance and Mitigation Strategy has been adopted. This document states that the flat rate for each new dwelling has been calculated at a figure of £169.45 and thus, the developer contribution should be calculated at this figure. The applicant has made a payment to cover this required amount during the course of the application, therefore the harm to off-site nature conservation interest has been adequately mitigated.
- 5.9.6 The proposal is for a self-build dwelling and is therefore exempt from BNG requirements. The Council's appointed Ecology Consultant has assessed the proposals and has confirmed that the scheme is considered acceptable in ecology terms subject to a series of planning conditions, which would ensure that a Biodiversity Enhancement Strategy is submitted prior to works above slab level, and a sensitive lighting scheme is submitted where external lighting is proposed.

5.10 Planning balance and sustainability

- 5.10.1 One of the key priorities within the NPPF is the provision of sustainable development. This requires any development to be considered against the three dimensions within the definition of 'sustainable development' providing for an economic, social and environmental objective as set out in the NPPF.

5.10.2 The proposal would deliver social and economic benefits including contributing towards the housing mix through the creation of an additional dwelling. There would also be economic activity associated with the prospective occupier of the dwelling. Whilst the dwelling would be located outside of a defined settlement boundary, as set out above the site does benefit from access to nearby bus routes, and that the proposed use as a single dwelling would result in less intensive impacts in terms of private car trips when compared to the existing campsite use. As also outlined above it is not considered that the proposed development would result in a detrimental impact on the character and appearance of the area, nor would the design and layout of the proposal result in harm to neighbouring amenity. The proposal would provide adequate car parking, cycle parking, amenity space and living conditions for prospective occupants.

5.10.3 Whilst the contribution that an additional dwelling would make towards housing land supply is considered limited, it is not considered that there are any harms caused by the development that would significantly and demonstrably outweigh these benefits - and as such the development is considered sustainable. The proposal therefore accords with policies S1, S8, D1, H4 and T2 of the LDP.

6. **ANY RELEVANT SITE HISTORY**

6.1 The relevant planning history is set out in the table below:

Application Ref	Description	Decision
09/00163/FUL	Convert barn into six holiday lets with associated external alterations	Refused
09/00791/FUL	Convert barn into four holiday lets with associated external alterations	Refused. Allowed on appeal
10/00901/FUL	Erect cart lodge and gardening store	Refused
10/01058/FUL	Erect balconies to front and rear and change window design in midstreys and additional dormer to rear elevation	Approved
11/00170/FUL	Erect store building (amended proposal)	Refused. Allowed on appeal
18/00300/FUL	Construction of 10 new holiday	Refused. Dismissed on appeal.
24/00243/AGR	Claim for lawful development certificate for a proposed new steel and oak frame barn with hardstanding.	Refused
24/00138/LDP	Claim for lawful development certificate for a proposed use to allow up to 50 pitches for tents, motorhomes or campervans (excluding caravans), for temporary use of land as a recreational campsite for up to 60 days per year.	Withdrawn
24/00362/PN	Prior notification of a temporary recreational campsite on the following dates 25-28th May, 1-2, 8-9, 15-16, 21-23, 28 - 30th June, 5-7, 12-14, 19-21, 26-28th July, 2-4, 9-11, 16-18, 22-31st August and 1, 6-8, 13-15, 20 -22, 27-29th September 2024.	Prior Approval Not Required

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Parish/ Town Council (summarised)

Name of Parish/Town Council	Comment	Officer Response
Woodham Walter Parish Council	Woodham Walter Parish Council RESOLVED to object to the application due to the poor design not reflecting the character of the area and which does not align with Policy D1 (Design Quality and Built Environment) in the Local Development Plan or with the approved Woodham Walter Village Design Statement.	Noted - principle of development discussed at section 5.1 above and design at 5.3 above

7.2 Statutory Consultees and Other Organisations (summarised)

Statutory Consultee	Comment	Officer Response
ECC Highways	No objection subject to conditions relating to cycle parking and resident travel pack conditions	Noted - discussed at section 5.5 above

7.3 Internal Consultees (summarised)

Internal Consultee	Comment	Officer Response
Environmental Health	No objection subject to conditions relating to surface water and foul drainage, and informatives	Noted - discussed at section 5.8 above
Trees	No objection, subject to compliance with the submitted arboricultural impact statement and hedge/shrub protection	Noted - discussed at section 5.9 above
Ecology	No objection subject to conditions relating to submission of a Biodiversity Enhancement Strategy, and Sensitive lighting scheme	Noted - discussed at section 5.9 above

7.4 Site Notice / Advertisement

- 7.4.1 The application was advertised by way of site notices posted on the 21 July 2025 (with expiry date for comments set at 12 August 2025). The notices were affixed at eye level to telegraph poles either side of the road adjoining the site. Following unauthorized removal of the notices, two further notices were also posted on the 6 August 2025 (with expiry date for comments set at 28 August 2025).
- 7.4.2 Notice was also given by way of newspaper advertisement posted in the Maldon and Burnham Standard, published on the 24 July 2025 (with expiry date for comments set at 14 August 2025).

7.5 Representations received from Interested Parties (summarised):

- 7.5.1 A total of 10 No objections have been received in relation to the proposals, all relevant planning points made within these objections have been summarised as follows:

Topic	Comment	Officer Response
Agricultural Land	Site remains in agricultural use	Noted - discussed at section 5.1 above re existing use and campsite prior notification
Site outside settlement boundary	Contrary to Woodham Walter Village Design Statement	See section 5.1 above
Sustainability	Unsustainable location, long distance from services	See section 5.1 above
Infill development	Infilling development should be unacceptable	See NPPF commentary in section 5.1 above
Existing campsite not used	Comments that campsite is not used therefore the benefit cited by the applicant of reduced traffic is not relevant	Discussed at Section 5.1 above
Narrow Access	Difficulties in maneuvering	ECC Highways comments discussed at section 5.5 above
More traffic on quiet rural lane	Lack of bus routes/ limited service	Noted - discussed at section 5.9 above
Planning History	Previous refusal in 2016, String of previous refusals	Discussed at Section 5.1 above
Layout	Dwelling close to boundary	Discussed at section 5.2
Loss of Wildlife	Deer./foxes/badgers locally	Place Services Ecology no objections – see section 5.9 above
Precedent	Scheme would set a precedent as an infill site	Discussed at Section 5.1 above

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 following approved plans stated on the Decision Notice.
REASON: To ensure that the development is carried out in accordance with the details as approved.

- 3 The materials used in the construction of the development hereby approved shall be as set out within the application form/approved plans and supporting statement.

REASON: To ensure the external appearance of the development is appropriate to the locality in accordance with policy D1 of the approved Local Development Plan and the guidance contained in the Maldon District Design Guide SPD.

- 4 No development works above ground level shall occur until details of the surface water drainage scheme to serve the development shall be submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development. The scheme shall ensure that for a minimum:
- 1) The development should be able to manage water on site for 1 in 100-year events plus 40% climate change allowance.
 - 2) Run-off from a greenfield site for all storm events that have a 100% chance of occurring each year (1 in 1 year event) inclusive of climate change should be no higher than 10/l/s and no lower than 1/l/s. The rate should be restricted to the 1 in 1 greenfield rate or equivalent greenfield rates with long term storage minimum rate 1l/s) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield) or 50% betterment of existing run off rates on brownfield sites (provided this does not result in a runoff rate less than greenfield)

You are advised that in order to satisfy the soakaway condition the following details will be required:- details of the area to be drained, infiltration rate (as determined by BRE Digest 365), proposed length, width and depth of soakaway, groundwater level and whether it will be rubble filled.

Where the local planning authority accepts discharge to an adopted sewer network you will be required to provide written confirmation from the statutory undertaker that the discharge will be accepted.

REASON: To avoid the risk of water flooding and pollution in accordance with Policy D2 of the Local Development Plan.

- 5 Prior to first occupation of the dwelling hereby approved, the foul drainage for the dwelling must either be connected to mains drainage or a small sewage treatment plant of adequate capacity for the dwelling. Any small sewage treatment plant installed must discharge treated effluent in a manner which complies with the "General Binding Rules" at the time of installation.

REASON: To avoid the risk of water flooding and pollution in accordance with Policy D2 of the Local Development Plan.

6. Prior to first occupation of the development, cycle parking shall be provided in accordance with Maldon District Council's Parking Standards. The approved facilities 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 and T2 of the Local Development Plan.

- 7 Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution of Residential Travel Information Packs for sustainable transport, as approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. This pack (including tickets) is to be

provided by the Developer to the dwelling free of charge.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies D1 and T2 of the Local Development Plan.

- 8 Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist, shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

REASON: To enhance protected and Priority spaces and habitats in accordance with Policy N2 of the Maldon District Approved Local Development Plan and guidance contained within the National Planning Policy Framework.

- 9 Prior to installation of any external lighting, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify how lighting impacts will be avoided upon the Essex Estuaries SAC and the Crouch and Roach Estuaries SPA, Ramsar & SSSI and show how and where external lighting will be installed (through the provision of appropriate lighting plans, drawings and technical specifications) so that it can be clearly demonstrated that lighting will not result in impacts upon the statutory designated sites. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2023 and s40 of the NERC Act 2006 (Priority habitats & species) and in order to ensure that the interests of ecology and biodiversity or protected species are addressed in accordance with policy N2 of the Maldon District Local Development Plan.

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, no development falling within Schedule 2, Part 1, Classes A to H of the Order shall be carried out to the dwellinghouse hereby approved without the prior written permission of the Local Planning Authority.

REASON: To enable the Local Planning Authority to retain control over future extensions, alterations, or outbuildings in the interests of protecting

the character of the area, residential amenity, and the design integrity of the development, in accordance with Policy D1 and D3 of the Local Development Plan.

INFORMATIVES

1 Waste Management

The applicant should consult the Waste and Street Scene Team at Maldon District Council to ensure that adequate and suitable facilities for the storage and collection of domestic waste and recyclables are agreed, and that the site road is constructed to accommodate the size and weight of the Council's collection vehicles.

2 Contamination

Should any land or groundwater contamination be found that was not previously identified or not considered in a scheme agreed in writing with the Local Planning Authority, the site or part thereof should be re-assessed by a competent person in accordance with the Essex Contamination Land Consortium's Land Contamination Technical Guidance for Applicants and Developers and UK best-practice guidance.

3 Highway Works

- All highway related details shall be agreed with the Highway Authority;
- There shall be no discharge of surface water from the development onto the Highway;
- All works affecting the highway to be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be addressed for the attention of the Development Management Team at SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU or emailed to development.management@essexhighways.org

4 General Good Practice Mitigation to avoid Ecological impacts during the construction phase.

To avoid killing or injuring small animals which may pass through the site during the construction phase, it is best practice to ensure the following measures are implemented:

- a) Trenches, pits or holes dug on site should be covered over at night. Alternatively, ramps (consisting of a rough wooden plank) or sloped/stepped trenches could be provided to allow animals to climb out unharmed;
- b) materials brought to the site for the construction works should be kept off the ground on pallets to prevent small animals seeking refuge;
- c) rubbish and waste should be removed off site immediately or placed in a skip, to prevent small animals using the waste as a refuge; and
- d) should any protected species or evidence of protected species be found prior to or during the development, all works must immediately cease and a suitably qualified ecologist must be contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

APPLICATION PLANS

- SK01 Rev A - Ground Floor Plan
- SK02 Rev A - West & South Elevations
- SK03 Rev A - East & North Elevations
- SK04 Rev A - Roof Plan
- SK20 Rev B - Proposed Site Plan
- SK21 - Existing Site Plan
- SK22 - Location Plan
- Arboricultural Impact Assessment
- Planning Statement