



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

to
**SOUTH EASTERN AREA PLANNING COMMITTEE
11 FEBRUARY 2026**

Application Number	25/01095/FUL
Location	Bradwell Marina – Waterside Road – Bradwell on Sea – CM0 7RB
Proposal	Proposed location of Beacon Structure on land at seaward entrance to marina
Applicant	Mr A Thurtle – Port Flair Ltd
Agent	Ms Sarah Threlfall – TMA Chartered Surveyors
Target Decision Date	18 February 2026
Case Officer	Hayley Sadler
Parish	Bradwell on Sea
Reason for Referral to the Committee / Council	Member Call In Cllr Fluker has called in the application for the following policy reasons: LDP policy D1 (Design Quality and Built Environment) and E5 (Tourism)

1. RECOMMENDATION

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

2. SITE MAP

Please see below.



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3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is located on the western side of Waterside Road outside the settlement boundary of Bradwell on Sea. The site is occupied by Bradwell Marina located adjacent to the River Blackwater. The site also lies within Flood Zone 2 & 3.
- 3.1.2 Planning permission is sought for a non-illuminated beacon structure which would measure 3 metres in width, 3 metres in depth and have an overall height of 12.2 metres. The structure would be white painted fibreglass. Black text writing will be added to the front and rear elevations, which would be 'WELCOME' horizontally at the top, 'TO BRADWELL MARINA' vertically down and 'VHF CHANNEL 80 and 01621 776235' horizontally across the bottom. The beacon will sit on a concrete foundation base which will measure 4.5 metres in width and depth.
- 3.1.3 The proposed beacon structure would be located at the end of a strip of raised riverbed at the entrance to the Marina from the river side of the marina and would be fixed to a 3x3 metre base.

3.2 Conclusion

- 3.2.1 The proposed development, by reason of its size and location would have a detrimental impact on the visual amenity of the surrounding coastal location. The proposal is therefore considered to be contrary to the requirements of policies S1, S8, D1, H4, N2 and T2 of the approved Local Development Plan (LDP), guidance contained within the Maldon District Design Guide (MDDG) and the National Planning Policy Framework (NPPF)

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework including paragraphs:

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 10-14 Presumption in favour of sustainable development
- 39 Decision-making
- 48-51 Determining applications
- 56-59 Planning conditions and obligations
- 124-130 Making effective use of land
- 131-141 Achieving well-designed places
- 161-186 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
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D5 Flood Risk and Coastal Management
- H4 Effective Use of Land
- N2 Natural Environment, Geodiversity and Biodiversity
- T2 Accessibility

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- Maldon District Design Guide SPD
- Planning Practice Guidance (PPG)

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The main considerations in the determination of this application are the principle of the development, the impact of the proposal on the character and appearance of the area, any impact on the amenity of the occupiers of neighbouring residential properties and highways/parking.

5.2 Design and Impact on the Character of the Area

- 5.2.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high quality built environment for all types of development.
- 5.2.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. Similar support for high quality design and the appropriate layout, scale and detailing of development is required by Policy D1 and H4 of the LDP and is found within the MDDG (2017).
- 5.2.3 A successful development needs to integrate well with the existing streetscene. Visual cues such as rhythm, proportions and alignments taken from adjacent buildings should be used to inform the design of the development.
- 5.2.4 The 12.2 metre beacon structure would be sited at the end of a strip of raised land to the west of the main marina area at the seaward entrance of the marina. The strip of land is also a public right of way known as Footpath 7. This strip of land currently forms a barrier between the River Blackwater and the marina itself. The surrounding area within the marina is predominantly flat landscape.
- 5.2.5 The applicant's 'planning statement' states that the structure was previously located at Admiralty Pier (also known as the Ganges Pier) at Shotley Point in Suffolk. The planning statement also states that *'In our opinion, these photographs demonstrate that the structure is wholly suited to the marine and coastal environment, and that it has been previously successfully used in such a location.'* Whilst its previous location is noted, there is no other clear connection to justify the siting within Bradwell Marina. In planning terms, each development needs to have regard to its individual and specific context, which includes physical as well as policy context, historical and any other specific designation an area may have.
- 5.2.6 The proposed beacon structure would be an incongruous addition to the site by reason of its height, material, colour and as such would stand in stark contrast to the surrounding generally low-lying and flat landscape and as such would have an incongruous and negative impact on the character and appearance of the site and the surrounding area.

5.3 Impact on Residential Amenity

- 5.3.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the MDDG (2017).
- 5.3.2 The proposed development is a considerable distance from any residential dwellings, with the closest dwelling being over 200 metres away from the proposed structure. To the east of the application site approximately 120 metres away is the Bradwell Outdoor Centre. Due to the degree of separation and the nature of the proposed development. It is not considered to result in an unneighbourly form of development. Therefore, the development is considered to be in accordance with the stipulations of D1 of the LDP.

5.4 Access, Parking and Highway Safety

- 5.4.1 Policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards.
- 5.4.2 The proposed development would not impact on the access for vehicles or impact of the parking provision at the site. The location of the proposed structure would be located on a public right of way, Footpath 7. The Public Right Of Way team at Essex Highways Authority has been consulted and have advised that there is no objection to the proposed structure subject to recommended informatives which can be included if the application were to be approved, and therefore the development would accord with the requirements of Policy D1 of the LDP, and it would not have a detrimental impact on the public safety.

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.
- 5.5.2 The site is located within Flood Zones 2 or 3. A Flood Risk Assessment (FRA) has been submitted as part of the application. The FRA states that 'The proposed structure is a "water compatible" use providing the basis for water-based recreation, within the definitions in Table 2 of The Technical Guidance to the NPPF.' The beacon will also be secured to a concrete base with the work being undertaken by special contractors with experience working in the marine environment.
- 5.5.3 The Environment Agency have been consulted on the application and have advised they have no objection. Therefore, no objections to the proposal are raised with respect to flood risk subject to the imposition of a condition to ensure the development is carried out in accordance with the submitted FRA if the application were to be approved.

5.6 Impacts on European Designated sites and Ecology

- 5.6.1 The site lies within the Estuary (Mid-Essex Coast Phase 4) Special Protection Area (SPA), the Essex Estuaries Special Area of Conservation (SAC) and Marine Conservation Zone (MCZ), the Blackwater Estuary Special Sites of Scientific Interests (SSSI) and is also a Ramsar site. Policy N2 of the LDP states that "*All development should seek to deliver net biodiversity and geodiversity gain where*

possible. Any development which could have an adverse effect on sites with designated features, priority habitats and / or protected or priority species, either individually or cumulatively, will require an assessment as required by the relevant legislation or national planning guidance.” Conservation and enhancement of the natural environment is also a requirement of the NPPF.

- 5.6.2 The Conservation of Habitats and Species Regulations 2017, section 24 (Assessment of implications for European sites) states that:

‘Where it appears to the appropriate nature conservation body that a notice of a proposal under section 28E(1)(a) of the WCA 1982 relates to an operation which is or forms part of a plan or project which -

(a) is likely to have a significant effect on a European site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of that site, they must make an appropriate assessment of the implications for that site in view of that site’s conservation objectives.’

- 5.6.3 Where any plan or project may have a “likely significant effect” (LSE) on a European site (as in this case) the Habitat Regulation Assessment (HRA) process must be followed. This is generally considered to consist of four stages which are:

1. Screening for an LSE
2. Appropriate Assessment (AA) and the Integrity Test
3. Alternative Solutions
4. Imperative reasons of overriding public interest (IROPI) and compensatory measures

- 5.6.4 The Local Planning Authority has carried out a screening exercise to determine whether there would likely be any significant effects resulting from the development on protected sites. It is considered that the development will result in minimal construction activity due to the limited construction work involved, and its siting is not likely to result in significant effects with regards to recreational pressures on conservation areas. Whilst it would be located on a Public Right Of Way, it is not considered that there would be any significant intensification of its use over and above what currently takes place, which would require mitigation via the Essex Coast Recreational Disturbance Avoidance and a Mitigation Strategy (RAMS) HRA Record, and as such one would not be required.

- 5.6.5 Natural England were consulted due to the location of the proposed development and they have advised that based on the plans submitted the proposed development will not have significant adverse impacts on statutory protected nature conservation site or landscapes and therefore, no objection is raised.

- 5.6.6 A Biodiversity Net Gain (BNG) Statement has been submitted with the application, which states that the proposal is considered to be exempt for the requirements of BNG as a result of the ‘de-minimis exemption’ as less than 25sqm of land will be impacted and that there are no priority habitats inside the red line boundary.

- 5.6.7 The Council’s Ecology Consultant has assessed the information provided and advised that the mitigation measures identified in the submitted construction method statement ensures that the construction takes place outside of the over-wintering bird period (November-February), with minimal impact to the ground and it also confirms that no lighting will be used in the construction. Therefore, subject to the submitted construction method statement being carried out in full no objection is raised subject to recommended conditions if the application were to be approved.

5.6.8 With regard to BNG Place Services have advised that they are satisfied that the development is exempt from the statutory requirement of mandatory biodiversity net gains.

5.7 Other Matters

5.7.1 The Council's River Bailiff has been consulted on the application as the application falls with Blackwater estuary. They have advised that subject to notifying Trinity House in respect of lights prior to the installation of the navigation mark, no objection is raised. No illumination is proposed on the beacon, and a condition to secure details of any proposed illumination could be imposed if the application were to be approved.

6. ANY RELEVANT SITE HISTORY

- **24/00929/ADV** – Advertisement consent for 1No. welcome sign at seaward entrance to Bradwell Marina - Refused – 23 January 2025

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Bradwell on Sea Parish Council	No response	Noted

7.2 Statutory Consultees and Other Organisations (*summarised*)

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Public Footpath Officer	No objection	Noted – refer to section 5.4 of report
Environment Agency	No objection	Noted – refer to section 5.5 of report
Palace Services – Ecology	No objection	Noted – refer to section 5.6 of report
Natural England	No objection	Noted – refer to section 5.6 of report

7.3 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
River Bailiff	No objection	Noted – refer to section 5.7 of report

7.4 Site Notice / Advertisement

7.4.1 The application was advertised by way of a site notice posted on the 30 December 2025 (with expiry date for comments set at 21 January 2026). Two site notices were affixed at eye level to two lampposts within the application site, in prominent positions.

7.4.2 Notice was also given by way of newspaper advertisement posted in the Maldon and Burnham Standard, published on the 24 December 2025 (with expiry date for comments set at 15 January 2026).

7.5 Representations received from Interested Parties (*summarised*)

7.5.1 **Twelve** letters were received **in support** of the application and the reasons for support are summarised as set out in the table below:

Supporting Comment	Officer Response
The beacon will provide an excellent visual reference marker that will significantly assist safe navigation into the marina especially in poor visibility	Whilst these comments have been noted, the matters raised are not planning considerations.
Bradwell Marina is a safe haven at nearly all states of the tide, the local Coastguard Rescue Team have attended a number of incidents where boats have had difficulty entering the marina	
The beacon will be beneficial for those undertaking professional RYA courses all year round, as it would provide an excellent visual reference and navigation marker	

8. PROPOSED REASON FOR REFUSAL

1 The proposed development by reason of its size and position, would result in an incongruous addition and be out of keeping with the existing rural coastal character of the area, being harmful to the visual amenity of the surrounding area. The proposed development would therefore be contrary to policies D1 and H4 of the Maldon District Local Development Plan and the guidance contained within the National Planning Policy Framework.

Plans

- TMA/1022/01
- TMA/1022/02
- TMA/1022/03
- TMA/1022/04
- Planning Design and Access Statement
- Construction Method Statement
- Photographs
- Biodiversity Net Gain (BNG)Statement