



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

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**to  
NORTH WESTERN AREA PLANNING COMMITTEE  
17 JUNE 2026**

Application Number	<b>26/00238/FUL</b>
Location	Land Between Beightons And Barrow Cottage, Bassetts Lane, Woodham Walter
Proposal	Cessation of use of land for recreational camp site and erection of a single-storey three-bedroom dwelling and detached garage with associated works
Applicant	Mr Mark Nicholson
Agent	Mr Stephen Locke - Stephen Locke Associates
Target Decision Date	TBC
Case Officer	Matt Bailey
Parish	<b>Woodham Walter</b>
Reason for Referral to the Committee / Council	Departure from the local plan Parish Council objection

**1. RECOMMENDATION**

**APPROVE** subject to the conditions (as detailed in Section 8 of this report) and securing the required Essex Coast RAMS mitigation contribution

**2. SITE MAP**

Please see overleaf.



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### **3. SUMMARY**

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

##### Site Description

The application site is located to the western side of Bassetts Lane on a parcel of land situated between the residential properties of Barrow Cottage to the north and Beightons to the south. 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 land 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 single-storey three-bedroom dwelling, detached garage/cart lodge, landscaping, parking and associated works.
- 3.1.4 The proposed dwelling would be sited broadly centrally within the plot, with parking and a detached cart lodge/garage positioned toward the frontage and accessed via the existing access onto Bassetts Lane. The proposed dwelling would be single storey and finished in a traditional palette of facing brick, plain clay roof tiles, dark grey aluminium faced windows/doors and grey fascias/gutters. The detached garage/cart lodge would be finished in black painted timber weatherboarding, red clay pantiles and a brick plinth. Existing boundary planting would be retained where possible and supplemented with new planting, including to the western boundary.

##### 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 (5YHLS), the tilted balance as set out in paragraph 11d of the National Planning Policy Framework (NPPF) applies unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

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 Local Development Plan (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 temporary campsite use, would result in a reduced number of potential private car trips to and from the site, as well as an associated reduction in impact upon neighbouring occupiers. The application is also materially similar to the dwelling approved immediately to the north of Barrow Cottage under application 25/00524/FUL earlier in 2026. For these reasons 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 unacceptable harm in terms of residential amenity, highway safety, trees, ecology or 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 LDP 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 Supplementary Planning Document (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 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 (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 an annual 5 Year Housing Land Availability Report, following the completion of the development monitoring activities associated with the LDP 2014-2029’s plan monitoring period of 1st April to 31st March. The latest 5 Year Housing Land Availability calculation, approved by Full Council on 12th February 2026 confirmed that as of 1st April 2025 the Council could demonstrate 4.1 years’ worth of housing land supply.

- 5.1.6 Given the Council's current position in regard to not being able to demonstrate an up to date 5YHLS, 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

- 5.1.7 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*

- 5.1.8 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.
- 5.1.9 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.
- 5.1.10 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 limited services to Maldon and Chelmsford. Despite surrounding roads being relatively quiet and suitable for cycling by confident cyclists, it is likely that occupiers of the site will have a degree of reliance on private car journeys.
- 5.1.11 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 temporary recreational camping use at the site/wider landholding (up to 60 days per year). This in theory allows for up to 50 camping pitches, which would be a less sustainable

form of use due to the potential number of trips generated and the transient recreational activity associated with it.

- 5.1.12 A number of objections to the proposal, including from the Parish Council, claim that the land has not been used as a campsite and that it remains agricultural in character. No specific evidence has been provided to establish regular usage levels. However, scope exists under the prior notification for the land to be used for this purpose and therefore consideration must be given to this fallback/potential use. It is considered, as Essex County Council (ECC) Highways have confirmed, that the proposed single dwelling at the site would not result in a significant degree of traffic or a harmful impact upon existing flows along Bassetts Lane.
- 5.1.13 Officers also note that the very similar scheme immediately to the north of Barrow Cottage was approved by North West Area Planning Committee under application 25/00524/FUL in February 2026. While each application must be assessed on its own merits, that decision is a relevant material consideration because the planning issues, site context and policy position are materially similar.
- 5.1.14 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 temporary campsite use. Taking this into account, together with the recent approval of the equivalent infill dwelling to the north of Barrow Cottage, the principle of development is on balance considered acceptable for the purposes of assessment under paragraph 11d of the NPPF.

#### *Social Dimension*

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

#### *Economic Dimension*

- 5.1.16 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

- 5.1.17 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 temporary campsite use, would potentially result in a reduced number of private car trips to and from the site, as well as an associated reduction in impact upon neighbouring occupiers. The recent approval of a comparable dwelling on the adjoining plot to the north also carries material weight. For these reasons 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 four+ 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 three-bedroom dwelling. Whilst this is considered a benefit in planning balance terms and would contribute toward the identified need for smaller family dwellings 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 a single-storey dwelling positioned broadly centrally within the site, with a detached garage/cart lodge toward the frontage. It is traditional in architectural style and materiality, using facing brick, clay roof tiles and simple pitched roof forms. It is noted that the Parish Council have raised concerns regarding the cart lodge being forward of the building line. Officers note that there is variation in the siting and form of development along this part of Bassetts Lane and the cart lodge is modest in scale, visually reads as an ancillary rural outbuilding, and would sit within a well-screened frontage. The detailing, pitched roof form and use of traditional materials combine to create a scheme 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 and the recent approval of the comparable dwelling immediately to the north of Barrow Cottage.
- 5.3.8 Although the site is relatively open in character when viewed from within, the site is enclosed by existing hedgerows and tree cover along a number of boundaries, with further planting proposed. This boundary treatment, combined with the single-storey nature and low ridge height of the dwelling, would mean that only filtered or glimpse views of the dwelling and cart lodge 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 NPPF.

#### **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 MDDG6 (2017).

5.4.2 The proposed dwelling would be sited between Barrow Cottage to the north and Beightons to the south. The dwelling would be single storey and would be separated from neighbouring dwellings by existing boundary planting and intervening garden areas. Given the single-storey nature of the proposal, the separation distances and retained boundary screening, no unacceptable loss of privacy, outlook, daylight or sunlight would occur.

5.4.3 The detached garage/cart lodge would be positioned toward the frontage and would be ancillary to the dwelling. Its modest scale, domestic use and separation from the main neighbouring dwellings would not give rise to unacceptable noise, disturbance or overlooking. The replacement of the potential campsite use with a single dwelling is also likely to reduce the intensity of activity associated with the site.

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 three no. bedrooms must provide two no. parking spaces. The proposed layout provides four on-site parking spaces and adequate space for vehicles to enter and leave the site in a forward gear and as such complies with this requirement.
- 5.5.5 ECC Highways have been consulted on the proposal and have raised no objection subject to proposed conditions relating to no unbound material within 6 metres of the highway boundary, cycle parking and a Residential Travel Information Pack.
- 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 MDDG SPD advises a suitable garden size for each type of dwellinghouse, namely 100m<sup>2</sup> of private amenity space for dwellings with three 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 would retain the existing hedgerows and trees where possible. A mix of hard and soft landscaping is proposed, including retention of the existing frontage vegetation and additional native planting to define and soften the western boundary.
- 5.6.4 The Council's Trees Officer has been consulted on the proposals and has raised no objection subject to conditions requiring the retention and protection of existing trees and hedgerows, including a finalised Arboricultural Method Statement addressing construction within root protection areas and root pruning operations.

## **5.7 Living Conditions for Prospective Occupiers**

- 5.7.1 The submitted plans show a floorspace for the dwelling of approximately 158sqm 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 MDDG 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 submitted plans indicate a package sewage treatment plant and surface water drainage arrangements. Details of the surface water and foul drainage arrangements can be secured by planning conditions to ensure that the development would not give rise to unacceptable flood risk, surface water or pollution impacts.

## **5.9 Ecology**

- 5.9.1 The presence of protected species is a material consideration, in accordance with the National Planning Policy Framework (2024), the Natural Environment and Rural Communities Act 2006 (as amended), the Wildlife and Countryside Act 1981 (as amended), and the Conservation of Habitats and Species Regulations 2017 (as amended). The Council has a statutory biodiversity duty and must have regard to the potential impacts of development upon designated sites, protected and Priority species and habitats.
- 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 new residential development could potentially have a significant effect on the sensitive interest features of the coastal European designated sites through increased recreational pressure, unless appropriate mitigation is secured. The LPA is therefore required to undertake the relevant HRA/Appropriate Assessment process and secure the relevant per-dwelling RAMS contribution.
- 5.9.3 A development proposing an additional 1 no. dwelling falls below the scale at which bespoke advice has historically been required from Natural England. Nevertheless, the updated ecological consultation response from Place Services advises that the application is subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment on Essex Coast RAMS. The HRA Stage 1 screening position is summarised 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 proposal is for fewer than 100 dwellings and is not within or directly adjacent to a European designated site, 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, and subject to the LPA's Appropriate Assessment process, it can be concluded that the planning application would not have an adverse effect on the integrity of the relevant European sites from recreational disturbance, when considered in combination with other plans and projects.
- 5.9.5 The Essex Coast RAMS has been adopted. The updated response from Place Services confirms that the current 2026/27 tariff is £175.55 per dwelling. This contribution is required to secure visitor management measures prior to occupation. Subject to this contribution being secured, the harm to off-site nature conservation interests would be adequately mitigated.
- 5.9.6 Place Services initially raised a temporary holding objection on Biodiversity Net Gain. An updated response dated 3 June 2026 confirms that there is sufficient ecological information available to support determination of the application and raises no ecological objection subject to conditions. Place Services support the submitted Statutory Biodiversity Metric and condition assessment sheets and advise that the statutory biodiversity gain condition will apply unless an exemption is engaged. This matter should be dealt with through the statutory biodiversity gain condition and informative, rather than duplicated as a bespoke planning condition.
- 5.9.7 The ecological mitigation measures identified in the Preliminary Ecological Appraisal (Ask Ecology, March 2026), including measures for bats, terrestrial mammals, nesting birds and amphibians, can be secured by condition. As the Preliminary Ecological Appraisal refers to a Precautionary Working Method Statement for amphibians but this was not included in the appendix, Place Services request a separate non-licensed Great Crested Newt Method Statement. Conditions are therefore recommended requiring compliance with the ecological appraisal, submission of a Great Crested Newt Method Statement prior to commencement, submission of a Biodiversity Enhancement Strategy prior to works above slab level, and approval of a wildlife sensitive lighting strategy prior to occupation if 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 construction and 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 the proposed use as a single dwelling would result in less intensive impacts in terms of private car trips when compared to the existing temporary 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
24/00243/AGR	Claim for lawful development certificate for a proposed new steel and oak frame barn with hardstanding.	Refused
24/00362/PN	Prior notification of a temporary recreational campsite on the following dates in 2024.	Prior Approval Not Required
24/00833/PN	Prior notification of a temporary recreational campsite on dates between June and August 2025.	Approved
24/00860/AGR	Prior notification for forestry building.	Refused. Allowed on appeal
25/00524/FUL	Cessation of use of land for recreational camp site and erection of single self-build dwelling and associated works on land adjacent Barrow Cottage.	Approved 06.02.2026

## 7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

### 7.1 Parish/ Town Council (summarised)

Parish Council	Comment	Officer Response
Woodham Walter Parish Council	Woodham Walter Parish Council object to the application. Concerns relate to the location of the cart lodge in front of the building line; whether the current application is compromised by the approved forestry building (24/00860/AGR); comments that the land has never been used as a campsite and is agricultural land; and conflict with Policies D1 and H4 and the Woodham Walter Village Design Statement.	Noted - the principle of development is discussed at section 5.1, design and layout at section 5.3, and the campsite/prior notification position at section 5.1. The approved forestry building relates to the wider landholding and does not prevent determination of this planning application on its own merits.

### 7.2 Statutory Consultees and Other Organisations (summarised)

Statutory Consultee	Comment	Officer Response
ECC Highways	No objection subject to conditions relating to no unbound material within 6 metres of the highway boundary, cycle parking and Residential Travel Information Pack.	Noted - discussed at section 5.5 above.

### 7.3 Internal Consultees (summarised)

Internal Consultee	Comment	Officer Response
Trees	Support subject to condition requiring retention and protection of existing trees, including an Arboricultural Method Statement for tree protection, service runs, hard surfaces, the garage within the RPA and root pruning operations.	Noted - discussed at section 5.6 above.
Ecology	No objection subject to conditions. Place Services confirm that sufficient ecological information has been provided to support determination. Conditions are recommended in relation to compliance with the ecological appraisal, a Great Crested Newt Method Statement, a Biodiversity Enhancement Strategy and a wildlife sensitive lighting scheme. The response also confirms that the site falls within the Essex Coast RAMS Zone of Influence and that a RAMS contribution of £175.55 is required for the 2026/27 tariff.	Noted - discussed at section 5.9 above and reflected in the recommended conditions/informatives.

<b>Internal Consultee</b>	<b>Comment</b>	<b>Officer Response</b>
Environmental Health	No response provided at the time of drafting. Drainage details can be secured by condition consistent with the previously approved scheme.	Noted - discussed at section 5.8 above.

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

7.4.1 A total of 7 third party objections have been received in relation to the application. The table below provides a summary of the points raised and the officer response:

<b>Topic</b>	<b>Comment</b>	<b>Officer Response</b>
<b>Principle of development / countryside location</b>	The site is outside the settlement boundary and the proposal would represent unjustified residential development in the countryside, contrary to Policy S8.	Noted. The principle of development and the application of the tilted balance are assessed in Section 5.1 of the report.
<b>Agricultural land / campsite use</b>	The land is agricultural land and has not been used as a campsite. Objectors consider that the proposal should not be described as the cessation of a recreational campsite use.	Noted. The existing temporary campsite fallback and the planning status of the land are considered in Section 5.1 of the report.
<b>Temporary campsite precedent</b>	Approval could set a precedent for landowners to use temporary campsite rights as a route to residential development.	Noted. Each application must be determined on its own merits. The site-specific circumstances are considered in Sections 5.1 and 5.2 of the report.
<b>Planning history / previous refusals</b>	Previous applications on this land and nearby land have been refused, and objectors consider those reasons remain relevant.	The planning history is noted and is addressed in Section 3 and within the main assessment at Section 5.
<b>Character and appearance / Arcadian village character</b>	The proposal would erode the rural and Arcadian character of Woodham Walter and Bassetts Lane.	The impact on character, appearance and local distinctiveness is assessed in Section 5.2 of the report.
<b>Ribbon development / infill</b>	The proposal would result in harmful infill/ribbon development along a rural lane.	Noted. The relationship of the site to surrounding built form and the limited infill nature of

<b>Topic</b>	<b>Comment</b>	<b>Officer Response</b>
		the proposal are assessed in Section 5.2 of the report.
<b>Woodham Walter Village Design Statement</b>	The proposal would conflict with the Woodham Walter Village Design Statement.	The Village Design Statement has been taken into account in the design and character assessment at Section 5.2 of the report.
<b>Cart lodge forward of building line</b>	The detached garage/cart lodge would be forward of the dwelling and harmful to the street scene.	The siting, scale and appearance of the cart lodge are considered in Section 5.2 of the report.
<b>Highway safety</b>	Bassetts Lane is narrow and unsuitable for additional residential traffic.	Essex County Council Highways raises no objection subject to conditions. Highway matters are addressed in Section 5.4 of the report.
<b>Existing access</b>	The existing access is alleged to have been created without permission and was previously part of a continuous hedge.	The access has been assessed as existing and is acceptable to the Highway Authority. This is addressed in Section 5.4 of the report.
<b>Sustainable transport / car dependency</b>	The site is poorly located for walking, cycling and public transport, and future occupiers would rely on private cars.	Noted. Locational sustainability and transport accessibility are considered in Sections 5.1 and 5.4 of the report.
<b>Ecology and wildlife</b>	The proposal would harm wildlife, including bats, birds, badgers, foxes, deer and amphibians.	Place Services raises no ecological objection subject to conditions. Ecology is assessed in Section 5.7 of the report.
<b>Biodiversity Net Gain</b>	Concerns are raised regarding BNG delivery and the use of wider land for off-site habitat.	BNG is addressed in Section 5.7 of the report and will be subject to the statutory biodiversity gain condition.
<b>Forestry building approval</b>	The site may form part of land	Noted. The

<b>Topic</b>	<b>Comment</b>	<b>Officer Response</b>
	associated with the forestry building approved on appeal, and objectors question whether both proposals can co-exist.	relationship with the wider landholding and forestry building approval is addressed in the planning history/background and assessment sections of the report.
<b>Residential amenity</b>	The dwelling would affect privacy, tranquillity and outlook of nearby residents.	Residential amenity impacts are assessed in Section 5.3 of the report.
<b>Affordable housing / housing need</b>	The proposal would not provide affordable or low-cost housing and is not needed.	The application is for a single dwelling and does not trigger affordable housing requirements. Housing benefit is considered in the planning balance.
<b>Cumulative impact</b>	Approval, together with the recently approved dwelling nearby, would cumulatively alter the character of Bassetts Lane.	Cumulative character impact is considered in Section 5.2 and the planning balance section of the report.
<b>Precedent / floodgates</b>	Approval would encourage further similar applications on pockets of agricultural land.	Noted. Each application must be determined on its own merits having regard to its specific context and relevant policy position.
<b>Overall planning balance</b>	Objectors consider the proposal conflicts with Policies S8, D1 and H4 and should be refused.	The overall planning balance is set out in the conclusion and recommendation sections of the report.

## **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 10l/s and no lower than 1l/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.
- 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 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.  
REASON: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policies D1 and T2 of the Local Development Plan.
- 7 Prior to first occupation of the development, cycle parking shall be provided in accordance with Maldon District Council's Parking Standards. The approved facility shall be secure, convenient, covered and retained at all times.  
REASON: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy D1 and T2 of the Local Development Plan.
- 8 Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack 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.
- 9 No development shall commence until information has been submitted to and approved in writing by the local planning authority in accordance with the requirements of BS5837:2012 in relation to tree retention and protection. The submission shall include a finalised Arboricultural Method Statement, including drainage service runs, construction

of hard surfaces, construction of the garage/cart lodge within the root protection area, root pruning operations, tree protection fencing and ground protection measures.

The protective fencing and ground protection shall be retained until all equipment, machinery and surplus materials have been removed from the site. If within five years from the completion of the development an existing tree is removed, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement tree shall be planted within the site of such species and size and shall be planted at such time, as specified in writing by the local planning authority. The tree protection measures shall be carried out in accordance with the approved details.

REASON: To secure the retention and protection of trees and hedgerows in the interests of visual amenity, biodiversity and the character of the area in accordance with Policies D1 and N2 of the Local Development Plan.

- 10 All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Ask Ecology, March 2026) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person, e.g. an ecological clerk of works (ECoW), to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

REASON: To conserve protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), and s40 of the Natural Environment and Rural Communities Act 2006 (as amended).

- 11 Prior to the commencement of development, a Great Crested Newt Method Statement shall be submitted to and approved in writing by the local planning authority. This shall contain precautionary mitigation measures and/or works to reduce potential impacts to Great Crested Newt during the construction phase.

The measures and/or works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

REASON: To conserve protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), and s40 of the Natural Environment and Rural Communities Act 2006 (as amended).

- 12 Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Preliminary Ecological Appraisal (Ask Ecology, March 2026), 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 and shall be retained in that manner thereafter.

REASON: To enhance protected, Priority and threatened species and allow the Local Planning Authority to discharge its duties under paragraph 187(d) of the National Planning Policy Framework 2024 and s40 of the Natural Environment and Rural Communities Act 2006 (as amended).

- 13 Prior to occupation, if any external lighting is proposed, a lighting design strategy for biodiversity in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:

a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme and maintained thereafter in accordance with the approved scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), and s40 of the Natural Environment and Rural Communities Act 2006 (as amended).

- 14 Prior to the commencement of the development the applicant shall submit in writing a construction management plan to the local planning authority for approval. Within the construction management plan it must consider the following requirements:

The applicant should ensure the control of nuisances during construction works to preserve the amenity of the area and avoid nuisances to neighbours and to this effect:

a) no waste materials should be burnt on the site, instead being removed by licensed waste contractors;

b) no dust emissions should leave the boundary of the site;

c) consideration should be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site;

d) hours of works: works should only be undertaken between 08:00 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays.

REASON: In order to secure the satisfactory development of the site and in the interests of visual amenity and neighbouring residential amenity and in accordance with policy D1 of the Maldon District Approved Local Development Plan 2017. This information is required prior to the commencement of development to ensure that from commencement the impacts of construction are mitigated.

- 15 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 Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development is deemed to have been granted subject to the statutory biodiversity gain condition unless the development is exempt. The applicant is advised that development may not lawfully commence until a Biodiversity Gain Plan has been submitted to and approved by the local planning authority, unless an exemption applies. Based on the information available, this permission is considered to require approval of a Biodiversity Gain Plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

### 2 Essex Coast RAMS

The development falls within the Zone of Influence for the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy. The required per-dwelling contribution for the 2026/27 tariff is £175.55 and must be secured prior to occupation in accordance with the Essex Coast RAMS.

### 3 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 can be accessed by the Council's collection vehicles where necessary.

### 4 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.

### 5 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 shall 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 to the Essex Highways Development Management Team.

### 6 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, trenches, pits or holes dug on site should be covered overnight or provided with ramps; materials should be kept off the ground on pallets; rubbish and waste should be removed or stored in a skip; and if protected species or evidence of protected species are found, works must cease and a suitably qualified ecologist must be contacted for advice before works proceed.

## **APPLICATION PLANS**

01 Rev B - Location Plan

02 - Existing Site Context Plans

03 - Existing Site Block Plan

10 Rev C - Proposed Site Context Plans

11 Rev D - Proposed Site Block Plan

12 Rev D - Proposed Site / GA Plan

13 Rev D - Proposed GA Plan Detail

14 Rev B - Proposed Elevations

15 Rev C - Proposed Sections / Cartlodge

Arboricultural Impact Assessment by Hallwood Associates dated 02 April 2026

Planning Statement by Stephen Locke Associates dated April 2026

Preliminary Ecological Appraisal by Ask Ecology dated March 2026