



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

**to
NORTH WESTERN AREA PLANNING COMMITTEE
12 AUGUST 2026**

Application Number	25/00972/FUL
Location	Agricultural Building at Oak Nursery, Hackmans Lane, Purleigh
Proposal	Demolition of existing glasshouses and erection of new dwelling and associated parking area
Applicant	Mr Paul Coveley
Agent	Miss Madison Harding - Acorus Rural Property Services
Target Decision Date	19.08.2026
Case Officer	Charlie Mumford
Parish	Purleigh
Reason for Referral to the Committee / Council	Departure from the Local Plan

1. RECOMMENDATION

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

2. SITE MAP

Please see below.



3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 Oak Nursery is a horticultural site operating since 1993 for the growing of bedding plants, perennials and baskets for sale to garden centres. The site is located on the southeastern side of Hackmans Lane, located approximately 450 metres south of the settlement boundary of Cock Clarks. It is within the countryside amongst a collection of farming plots and is not within a conservation area. The area is rural farmland with mostly agricultural buildings and a few sporadic residential units.
- 3.1.2 The site forms part of a wider site, which comprises of a number of barns, greenhouses and two dwellings. Access to the outbuilding in question, is via an existing gated access from Hackmans Lane. To the northeast of the application site, Prior Approval was granted for a dwellinghouse in 2016 (COUPA/MAL/16/00080) and another was granted via appeal to the southwest of the site (21/00712/COUPA). Furthermore, Prior Approval was granted for one of the glasshouses due for demolition, to be turned into a residential building under 25/00486/PACUAR and stands as a fallback position.
- 3.1.3 Planning permission is sought for the demolition of existing glasshouses within the red line boundary and the construction of a detached, single storey dwelling with associated parking. The proposed new dwelling would be a two-bedroom dwelling and would be market housing.
- 3.1.4 The proposed dwelling would have a depth of 19.98 metres and a width of 6.9 metres. The ridge height would be 4.07 metres and would be 2.4 metres to the eaves. Although a very similar scheme to the approved 25/00486/PACAUR, the new dwelling would be slightly wider and taller but would be significantly smaller in terms of depth, than the approved 25/00486/PACAUR. Its design would be similar to the existing glasshouses and would provide for an open plan kitchen / living space, a bathroom, ensuite, utility room and two bedrooms. There would also be a glazed porch at one end. Materials for its construction would be a standing seam aluminium roof, vertical European Larch timber cladding and rendered plinth and aluminium windows and doors. The entrance area/porch would be aluminium faring with glazing.
- 3.1.5 The proposed outside area and associated parking would be mainly located to the southwest of the development with a small area of curtilage around the dwelling and to the northeast. The parking would accommodate two cars plus turning space.
- 3.1.6 The site would share an access that is established and already serves the other two residential buildings and the rest of the site.

3.2 Conclusion

- 3.2.1 Having taken all material planning consideration into account, it is considered that the proposed detached single-storey, two-bedroom dwelling with associated parking, by reason of its location, design, size and materials would not harm the appearance or character of the locality and due to its relationship with the adjoining properties, would not result in any undue harm by way of overlooking or loss of amenity. In addition, the proposed development does not detrimentally impact on the provision of car parking provision, there are no concerns with regards to ecology or Biodiversity Net Gain and there are no concerns with regards to impact on trees nor highway impacts. It is therefore considered that the proposed development is in accordance with the relevant policies contained within the Local Development Plan (LDP).

4. MAIN RELEVANT POLICIES

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

4.1 National Planning Policy Framework including paragraphs:

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 10-12 Presumption in favour of sustainable development
- 39 Decision-making
- 48-51 Determining applications
- 56-59 Planning conditions and obligations
- 124-128 Making effective use of land
- 131-141 Achieving well-designed places

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
- H2 Housing Mix
- H4 Effective Use of Land
- N2 Natural Environment, Geodiversity and Biodiversity
- T1 Sustainable Transport
- T2 Accessibility
- I1 Infrastructure and Services

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- Maldon District Design Guide Supplementary Planning Document (SPD)
- Maldon District Vehicle Parking Standards SPD
- Planning Practice Guidance (PPG)
- Essex Coast Recreation Disturbance Avoidance and Mitigation Strategy SPD (adopted August 2020)

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The Council is required to determine planning applications in accordance with its approved LDP unless material considerations indicate otherwise (Section 38 (6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004) and Section 70 (2) of the Town and Country Planning Act 1990 (TCPA 1990)).
- 5.1.2 Policies S1 and S8 of the LDP seek to direct new residential developments within established settlements and preserve the appearance and character of the countryside. Outside of the defined settlement boundaries, the Garden Suburbs and the Strategic Allocations, planning permission for development will only be granted,

on balance with other material considerations, where the intrinsic character of the countryside is not adversely impacted upon.

Five-Year Housing Land Supply (5YHLS)

- 5.1.3 On 12 December 2024 the Government published an amended version of the National Planning Policy Framework (NPPF). Paragraph 231 of that framework covers any transition arrangements for the new version and states:

“The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication.”

- 5.1.4 Paragraph 78 of the Framework states that, *“Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of 5% to ensure choice and competition in the market for land;”*.

- 5.1.5 Footnote 39 of Paragraph 78 states; *“Unless these strategic policies have been reviewed and found not to require updating. Where local housing need is used as the basis for assessing whether a five-year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning practice guidance”*.

- 5.1.6 Maldon District Council had prepared and published a Five-Year Housing Land Availability Report on 28 May 2024 which set out the District had a 6.35 year supply of housing. The amended version of the NPPF makes it clear that the changes within it took effect on 12 December 2024 with no transitional period. This means that the Council must have regard to its content from that date alongside the revised National Standard Method for calculating the district’s Housing Target set out in National Planning Policy Guidance. This alters the yearly housing target for the district from 276 to 569 homes per year. The Council must also put a 5% buffer to the 5YHLS. The overall effect of these changes means that the five-year supply for Maldon District now stands at 3.97 years as of 6 July 2026 following an appeal decision.

- 5.1.7 This means that Paragraph 11d of the NPPF as revised, otherwise known as the 'Tilted Balance' is engaged which states:

“d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed;*
- ii. 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.”*

- 5.1.8 Footnote 8 states that *“This includes, for applications involving the provision of housing, situations where: the Local Planning Authority cannot demonstrate a five-*

year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years”.

- 5.1.9 In summary, if the Development plan is more than five years old, and the Council cannot demonstrate a 5YHLS, the balance tilts more in favour of approving development which is sustainable, makes efficient use of land, provides affordable housing and/or is well designed. However, planning policies in the local plan should not be treated as out of date just because they pre-date the new NPPF – such policies should be considered in light of their consistency with the revised Framework.

Locational Sustainability

- 5.1.10 The proposed single dwelling is to be sited outside of the settlement boundary of Cock Clarks, approximately 450 metres south of the settlement. The Maldon District Rural Facilities Survey and Settlement Pattern (2023) considers Cock Clarks a Hamlet, with a public house in its centre and being located 15 minutes from a train station. Although these details were established in 2023, they are still current for services within the settlement and provide minimal employment opportunities alongside some independent businesses operating within the Hamlet. There is also a reliance on private transport as there does not appear to be a bus service that passes through the settlement with the nearest bus stop 1.5 miles away, however the road links are suitable in that they allow cars access both ways and are maintained.
- 5.1.11 The application site being some distance from the settlement, equally does not have footpaths but has suitable road links as discussed above, particularly to Cold Norton (2.5 miles away approximately), which according to the Maldon District Rural Facilities Survey and Settlement Pattern (2023) is considered a medium village with a great number of acceptable local facilities and transport links.
- 5.1.12 Despite the concerns above, given the existing residential units on the site and the history of the site, whereby the officer report for application 21/00712/COUPA (allowed at appeal) did not find the siting or location to be an issue, the recently approved Prior Approval granting the conversion of a glasshouse into a residential dwelling as a fallback position, plus the location being moderately close to Cold Norton (a more sustainable settlement) it is officers opinion that on balance, the site would be considered a broadly sustainable location, in the context of its countryside setting.

Sustainable Development

- 5.1.13 Given that the Council can no longer demonstrate a 5YHLS, the tilted balance (para. 5.1.5 above) is engaged. The implication is that the plan is therefore not delivering to its housing targets and in this respect, the most important policy for delivering housing is not in conformity with the NPPF nor, taken as a whole, consistent with the national thrust of delivering housing. Notwithstanding this, 11d states that permission should be granted unless (paragraph ii) *“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.”*

- 5.1.14 Where the tilted balance is engaged, it is necessary to assess whether the proposed development is 'sustainable development' as defined in the Framework. 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 Framework. These are the economic, social and environmental roles. A detailed assessment of the scheme against the three roles is set out within section 5.9.

Housing Mix

- 5.1.15 The proposal would provide one new two-bedroom dwelling. Policy H2 (Housing Mix) requires the dwelling mix for new residential developments to be provided in accordance with the latest housing needs and demands for the District. The pre-amble to policy H2 identifies that there is a good existing supply of larger (3+ bedroom) dwellings with a need for a higher proportion of smaller units (one- or two-bedroom) in the District. The more up to date housing mix requirement is set out in the Maldon District Local Housing Needs Assessment (LHNA), published in September 2025. This, like the pre-amble to policy H2, identifies the need for one-, two- and 3-bedroom units. In more detail, the need is for two- and three-bedroom market units. Therefore this would be in keeping with the LHNA and should be afforded considerable weight in the planning balance.

Conclusion

- 5.1.16 On balance, given the above with consideration to the tilted balance, the principle for this development (new dwelling in a rural location) would be considered acceptable.

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 as is the effective use of land and its importance is reflected in the NPPF, policy D1 and H4 of the approved LDP and the Maldon District Design Guide (2017).
- 5.2.3 The proposed, detached, single storey, two-bedroom dwelling would be in keeping with the overall character of the wider site and the rural area around the site. It would be reminiscent of the glasshouses to be demolished and would not look out of place when arriving on the site. Its size and massing would also reflect that of the existing buildings on the site and given the arrangement of the site, would not be visible from the highway. The other residential dwellings on site have been converted from existing buildings at the nursery and this would be in a similar vein and would therefore be acceptable within its setting.
- 5.2.4 On the basis of the above, the development, by reasons of its scale, design, position and appearance, would not result in demonstrable harm to the character and appearance of the existing site and the locality. The proposal accords with policies D1 and H4 of the LDP and the Maldon District Design Guide SPD.

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. Policy H4 points out that a poorly designed scheme can have a significantly detrimental impact to the original character and the street scene in terms of extensions and alterations within the street scene and seeks schemes to complement and even enhance an existing property and its surrounding, including in that, the property's neighbours. This is supported by section C17 of the Maldon District Design Guide (2017).
- 5.3.2 The application site is bordered by Oakside to the northeast, Fern Cottage to the southwest and The Willows to the northwest. The highway lies further to the northeast.
- 5.3.3 The new dwelling would be sited directly to the centre of the site. Oakside is the closest neighbour in terms of proximity within the wider site. In terms of proximity, there is an approximate distance of 13.5 metres between the proposed dwelling and Oakside. Therefore, there would be extremely limited impact in terms of overbearing or overshadowing. Furthermore, the positioning of the dwelling, forward of Oakside would also serve to mitigate impact on neighbouring amenity. Given the property is single storey there is also limited impact to Oakside in terms of overlooking or loss of privacy and again, due to the positioning of the proposed dwelling forward of Oakside, the windows on the northeastern elevation would not look into Oakside.
- 5.3.4 With regards to The Willows, which lies opposite the proposal, this is screened by substantial vegetation and is no longer part of the wider Oak Nursery site. There is also approximately 10 metres distance between the proposal and The Willows; this in conjunction with the single-storey design of the proposal would ensure limited to no impact to the neighbouring amenity of The Willows.
- 5.3.5 Fern Cottage lies within the wider site of Oak Nursery and would be approximately 6.5 metres from the curtilage and boundary of the proposed new dwelling. Although there would be no impact in terms of overbearing or overshadowing to Fern Cottage, given the distance between the dwellings, there would potentially be limited impact in terms of overlooking or loss of privacy to both Fern Cottage and the proposed dwelling as no boundary treatments have been considered nor proposed. Therefore, in order to protect the neighbouring amenity of Fern Cottage, despite it being within the ownership of Oak Nursery, officers would condition appropriate boundary treatments. Therefore, despite the limited harm, mitigation could be appropriated and therefore, a refusal would not be warranted.
- 5.3.6 No objections have been received concerning the proposed development in regard to residential amenity impact.
- 5.3.7 In consideration of the above, it is considered that the development would not represent an unneighbourly form of development or give arise to overlooking or overshadowing, in accordance with the stipulations of Policy D1 of the LDP.

5.4 Access, Parking and Highway Safety

- 5.4.1 Policy T2 aims to create and maintain an accessible environment, requiring development proposals, inter alia, to provide sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the

development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse-riding routes.

Access

- 5.4.2 The application proposes no new accesses and would utilise the existing main access onto Hackmans Lane, shared with the wider nursery site. Therefore there are no concerns in regard to access.

Highway Safety

- 5.4.3 Whilst the site is located in a rural setting, given the proposal is for a two-bedroom dwelling for residential purposes and there are already dwellinghouses in existence on the site, there would not be a significant increase in vehicular movements to and from the site, nor would it result in a material change in the character of the traffic in the vicinity of the site. Furthermore, the local highway authority (Essex County Council (ECC) Highways) has raised no objections to the proposal.

Parking

- 5.4.4 The submitted plans include the provision for two car parking spaces with turning space within the proposed curtilage of the dwelling. The local highway authority has requested cycle parking to be included as a condition of the application but makes no comment on the car parking. Therefore, parking provision is in accordance with the standards set out in the Vehicle Parking Standards SPD for a two-bedroom dwelling subject to cycle parking as above.

5.5 Private Amenity Space and Landscaping

- 5.5.1 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 dwelling, namely 100sqm of private amenity space for houses with three or more bedrooms.
- 5.5.2 The submitted plans show an area to the side of the dwelling of approximately 134sqm and space to the rear measuring 256sqm. The plans do not define any hard or soft landscaping for these areas, nor do they specifically delineate private amenity space. However, this can be secured by appropriately worded conditions to be discharged following commencement of the construction. Furthermore, there is an abundance of open green space in the locale with two PRoW (Public Rights of Way) (Purleigh 7 to the north and Purleigh 8 to the south) that provide access to the surrounding countryside.
- 5.5.3 Therefore, given the space included within the curtilage of the proposed new dwelling, subject to conditions around landscaping and boundary treatments, the proposal is in compliance with Policy D1 of the LDP.

5.6 Impact on Ecology, Trees and Biodiversity

Ecology

- 5.6.1 Following consultation with Place Services Ecology, the Ecology Officer holds no objection to the proposal, subject to conditions. Assessment of the submitted '*Preliminary Ecological Appraisal, Bat Roost Assessment and BNG Feasibility v1*' states that the Preliminary Ecological Assessment (PEA) recorded no ecological

constraints on the site, however Place Services Ecology have noted records of terrestrial mammals such as Hedgehogs within 2 kilometres of the site and therefore recommend informatives around best practice measures to enhance and protect the environment for these mammals. Furthermore, they note that the vegetative border between the site and Fern Cottage provides suitable habitat for foraging and commuting bats and suggests any external lighting to follow Guidance Note 8 Bats and Artificial Lighting (The Institute of Lighting Professionals, 2023) and to be secured by condition.

Trees

- 5.6.2 In the initial stages of the application, Place Services Arboricultural objected to the proposal due to the lack of arboricultural information and trees being within 15 metres of the proposed development. Following comments provided by the applicant stated that there are no trees within the red line boundary, confirmed by the officer during a site visit. Therefore, the tree consultant is satisfied in lifting the holding objection and supports the proposal subject to conditions around an Arboricultural Impact Assessment, Tree Protection Plan and Method Statement.

Biodiversity Net Gain

- 5.6.3 The proposed new dwelling is not subject to the requirements of Biodiversity Net Gain as the area in which the dwelling is proposed is existing hardstanding and no existing habitats would be affected by the development's construction.

5.7 European Designated Sites

- 5.7.1 The application site falls within the 'Zone of Influence (Zoi)' for one or more of the European designated 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 designated sites, through increased recreational pressures.
- 5.7.2 Following the previous application (25/00486/PACUAR) whereby Prior Approval was required and granted, a RAMS fee was paid on the site and a Habitat Regulations Assessment (HRA) carried out and the necessary mitigation secured. Therefore, this is not required in full again. However, should approval of the application be forthcoming, the difference shall be paid by the applicant to account for the change in RAMS fees since last year, when paid previously.

5.8 Other matters

Business Needs

- 5.8.1 The applicant has written to the Council on 26 March 2026 to confirm that the business at Oak Nursery, specifically plant growing to which the glasshouses relate, is winding down with less plants grown each year. The letter states that the demolition of the glasshouses would not affect the business as it stands and the Design and Access Statement also mentions that the glasshouses are unused. Following a site visit, officers can corroborate that a number of glasshouses were empty. Although this has no direct bearing on the suitability of the site for a change of use to residential purposes, it does support that the current use is not an effective use of land as per paragraphs 124 to 130 of the NPPF, whereby national policy states that decisions should:

‘...(d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively...’ – NPPF paragraph 125.

5.9 Planning Balance and Sustainability

5.9.1 It is important to recognise the balance between the Local Plan policies relevant to the development under consideration and the position of the NPPF in respect of the relevant parts of LDP policies now considered to be out of date due to the lack of a 5YHLS. The tilted balance is engaged in this case and hence the Local Planning Authority must give significant weight to the NPPF and its fundamental position of sustainable development, which is the defining purpose of the planning system, as a material consideration.

5.9.2 The key priority 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. In judging whether a residential scheme should be granted planning permission, it is necessary to set out the weight attributed to the planning benefits which the proposal offers in making up the current housing land supply shortfall (with reasons), against the harm identified (if any) arising from the proposed development.

Economic Considerations

Job Creation

5.9.3 The proposed development may contribute to the provision of some employment in the local area through the construction process – however there is no indication that any measures would be put in place to ensure that the works are carried out by local businesses or jobs offered to local residents. Given the limited scale of the proposal for one dwelling, it is considered that the benefits of the scheme in relation to job creation should be afforded **limited weight**.

Support for Local Shops and Services

5.9.4 As noted in section 5.1, the number of day-to-day services available within the immediate area are limited due to the rural location of the site. However, the site lies between two settlements, one of which has shops and local services (Cold Norton) that would benefit from trade/revenue of the occupiers if approved. Furthermore, the change of use from agricultural building to class C3 dwellinghouse, whereby the business is facing a significant downturn as discussed in section 5.8, would support the landowner and services provided by them on the agricultural site, in the long term. Therefore, officers are of the opinion that this should be afforded **modest weight**.

Social Considerations

Housing Delivery

5.9.5 Whilst as noted the Council’s Housing Land Supply has been significantly reduced following the changes made to the NPPF in December 2024, the development proposed would result in the provision of only one dwelling. It is considered that the benefits in relation to housing delivery in this instance, should be afforded **limited weight**.

Affordable Housing

- 5.9.6 The scheme proposed consists of market housing only and therefore **no weight** is afforded in respect of affordable housing.

Housing Mix

- 5.9.7 The proposed scheme provides one two-bedroom dwelling. The Council's LHNA has identified a need for smaller dwellings, however the proposal is only for one dwelling so this would make a small contribution. On balance however, this would be afforded **moderate weight** given the needs identified.

Highways

- 5.9.8 Following consultation with Essex Highways, officers are satisfied that the addition of a further dwelling to the site and the use of the existing access would not result in a detrimental impact on highway safety. The provision of a suitable access at the site would **neither weigh in favour nor against** the development in the planning balance as suitable access is a basic requirement.

Environmental Considerations

Visual Impact

- 5.9.9 As noted in section 5.2, the development, by reasons of its scale, design, position and appearance, would not result in demonstrable harm to the character and appearance of the existing site and the locality. This is therefore afforded **moderate weight**.

Biodiversity and Impact on Designated Sites

- 5.9.10 The application site would be exempt from BNG obligations as the development would utilise existing footprints of developed land, RAMS has been secured in a previous application save for the small difference due to the increase in RAMs fees in the last year, and there are no concerns from an ecological perspective as the development would not impact and would retain the existing habitats on the site. Therefore, this is afforded **moderate weight**.

Low Carbon / Renewable Energy

- 5.9.11 The application proposals provide no indication that the scheme would employ specific low carbon building methods or renewable energy sources and as such, **no weight** is afforded in this respect.

Locational Accessibility

- 5.9.12 As explained at section 5.1, due to the rural nature of the site within the countryside, in terms of services and public transport close by, it is considered that the future occupiers of the development, would be heavily reliant on the use of private motor vehicles and as such, the proposal would fail to accord with policy S1, S8 and T2 of the LDP. However, given the fallback position of the Prior Approval 25/00486/PACUAR granted recently, this would provide further weight for approval despite the reliance on cars. Furthermore, the roads in this area are well maintained and well connected. Therefore, given the context and the above points, this is afforded **moderate weight**.

Summary

- 5.9.13 In economic terms, whilst there may be some limited support for local trade from the development, the additional unit may support local businesses within the wider area, as discussed and would not impact the existing business at Oak Nursery, given the downturn in business for independent plant growers. Therefore, any economic benefits would therefore be considered modestly in favour of the development.
- 5.9.14 In social terms the proposal would provide one additional housing unit with two bedrooms, which are in need of in the district as per the LHNA and therefore it is afforded limited to moderate weight in favour of the development.
- 5.9.15 In environmental terms, there would be no harm through the impact on biodiversity and designated nature sites as the RAMS contribution has been accounted for and the proposal has been identified by the Council's Ecologists as having no harm to local habitats, with local bat habitats and commuting routes being unchanged. Furthermore, the development would be in keeping with the character and appearance of the rural area and despite the reliance on car travel due to the siting, there is a fallback position as discussed in the body of the report. Therefore the proposal overall would have moderate weighting afforded in favour of the dwelling.

6. ANY RELEVANT SITE HISTORY

Application Reference	Description	Decision
01/00044/FUL	Proposed detached dwelling and garage.	Approved subject to S106
01/00339/FUL	Proposed Two poly tunnels.	Approved
01/00338/FUL	Proposed detached glass house.	Approved
00/00336/OUT	Proposed detached dwelling with garage	Approved
10/00285/FUL	Proposed glass greenhouse	Approved
10/00286/FUL	Proposed potting shed	Approved
14/01067/COUPA	Prior notification of a proposed change of use from an agricultural barn to dwellinghouse (Use Class C3)	Refused Prior Approval
15/00375/COUPA	Prior notification of a proposed change of use from an agricultural barn to dwellinghouse (Use Class C3), and for associated operational development.	Refused Prior Approval
16/00080/COUPA	Notification for prior approval for a proposed change of use of a potting shed to a dwellinghouse (Class C3) and for associated operational development	Prior Approval Granted
15/00676/COUPA	Prior approval of proposed change of use of a potting shed to a three bedroom dwelling.	Refused Prior Approval
18/00398/COUPA	Prior approval of proposed change of use of agricultural building to a dwellinghouse (Class C3)	Prior Approval Required and Refused
19/00476/COUPA	Notification for prior approval for a proposed change of use of agricultural building to a dwellinghouse (Class C3), and for associated operational development.	Prior Approval Required and Refused

Application Reference	Description	Decision
21/00712/COUPA	Application for prior approval for the conversion of an agricultural building to a dwelling.	Prior Approval Required and Refused – Allowed On Appeal
25/00486/PACUAR	Prior Approval application for change of use from Agricultural to Dwelling house	Prior Approval Required and Granted

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

7.1 **Representations received from Parish / Town Councils**

Name of Parish / Town Council	Comment	Officer Response
Purleigh Parish Council	Support - believes that the proposed development is sustainable, complies with planning legislation and does not conflict with policies contained within the Local Development Plan and guidance contained within the National Planning Policy Framework.	Noted

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

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Ecology Consultant	No objection subject to conditions around lighting and informatives of best practice regarding terrestrial mammals.	Noted
Essex Highways	No objection subject to conditions around cycle parking to be provided.	Noted
Arboricultural Consultant	No objections subject to AIA condition.	Noted

7.3 **Internal Consultees** (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Environmental Health Officer	No objections subject to conditions.	Noted

7.4 **Site Notice / Advertisement**

Notice Type	Posted Date	Expiry Date for Comments	Location
Site Notice	18.02.2026	11.03.2026	Adjacent the application site and highway of Hackmans Lane.
Newspaper	19.02.2026	12.03.2026	N/A

Notice Type	Posted Date	Expiry Date for Comments	Location
Advertisement			

7.5 Representations received from Interested Parties *(summarised)*

7.5.1 **NO** letters were received **objecting** to the application.

7.5.2 **NO** letters were received **in support** of the application.

7.5.3 **NO** letters were received **commenting** on the application.

8. **PROPOSED CONDITIONS**

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in accordance with the approved plans as 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/ plans hereby approved.
REASON: In the interest of the character and appearance of the area in accordance with policy D1 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework and the Maldon District Design Guide.
4. Prior to any works above ground level, full details of the provision and subsequent retention of both hard and soft landscape works on the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - 1) Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers/densities.
 - 2) Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes, seeding rates, planting methods, mulching, plant protection, staking and/or other support.
 - 3) Details of the aftercare and maintenance programme.

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development unless otherwise agreed in writing by the Local Planning Authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the Local

Planning Authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the Local Planning Authority gives its written consent to any variation.

Hard Landscape works:

- 4) Details of walls with brick types, construction design and dimensions
- 5) Details of paved surfacing, with materials finishing and edgings

The hard landscape works shall be carried out as approved prior to the first use/ occupation of the development hereby approved and retained and maintained as such thereafter.

REASON: To secure appropriate landscaping of the site in the interests of visual amenity and the character of the area in accordance with policies contained within the Local Development Plan.

- 5 Prior to any works above ground level, details of the siting, height, design and materials of the treatment of all boundaries including gates, fences, walls, railings and piers should be submitted to and approved in writing by the Local Planning Authority. The boundary treatments as approved shall be retained and maintained as such thereafter.

REASON: In order to safeguard the amenities of neighbouring occupiers and occupiers of the dwelling in accordance with policy D1 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework and the Maldon District Design Guide.

- 6 No development shall commence until information has been submitted and approved in writing by the Local Planning Authority in accordance with the requirements of BS5837:2012 in relation to tree retention and protection as follows:

- Tree survey detailing works required
- Trees to be retained
- Tree retention protection plan
- Tree constraints plan
- Arboricultural implication assessment
- Arboricultural method statement (including drainage service runs and construction of hard surfaces)

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 detail.

REASON: To secure the retention of the trees/hedges within the site in the interests of visual amenity and the character of the area in accordance with policies contained within the Local Development Plan.

- 7 All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal, Bat Roost Assessment and BNG Feasibility v1 (Acorus, January 2026) as already 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 LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

- 8 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, Bat Roost Assessment and BNG Feasibility v1 (Acorus, January 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 shall be retained in that manner thereafter.

REASON: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

- 9 Prior to occupation, 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 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 allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

- 10 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 DM8 , Policy D1 of the approved LDP and the Council's adopted parking standards.
- 11 Prior to commencement of works, a Phase 1 Desk Study and Preliminary Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority, with further investigation and remediation where required.
REASON: To ensure the site is suitable for residential use and to protect human health and the environment, in accordance with Maldon Local Development Plan policies relating to environmental protection and pollution control -including Policies D1 and D2 of the LDP.
- 12 Should contamination be encountered during works, development shall cease and a remediation scheme be agreed before recommencement.
REASON: To safeguard future occupiers and the environment from unforeseen contamination risks, consistent with Policy D2 of Development of the Local Development Plan.
- 13 Prior to demolition of the glasshouses identified for demolition, an asbestos survey shall be undertaken and any asbestos-containing materials safely removed in accordance with legislation.
REASON: To protect public health and environmental safety in line with Policy D2 -Environmental Impact of Development of the Local Development Plan.
- 14 No development shall commence, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall include the following details:
- The provision of parking for operatives and contractors;
 - The storage of plant and materials used in constructing the development;
 - Wheel washing and underbody washing facilities;
 - Measures to control the emission of dust, dirt and mud during construction;
 - A scheme to control noise and vibration during the construction phase, including details of any piling operations;
 - Contact details for Site Manager and details of publication of such details to local residents.

The approved Construction Management Plan shall be adhered to throughout the construction period for the development.

REASON: To minimise construction-phase impacts on neighbouring amenity and local air quality, consistent with Policies D1 and D2 of the Local Development Plan.

- 15 Works limited to 08:00-18:00 Mon-Fri; 08:00-13:00 Sat; no Sundays/Bank Holidays.
REASON: To protect residential amenity in accordance with Policy D1 of the Local Development Plan.
- 16 No development works above ground level shall occur until details of the foul 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.
REASON: To ensure that the foul water drainage scheme to serve the development is appropriate in accordance with Policy D2 of the Maldon District Approved Local Development Plan.
- 17 No 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 45% 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)
- Where the Local Planning Authority accepts discharge to an adopted sewer network the Applicant will be required to provide written confirmation from the statutory undertaker that the discharge will be accepted.
REASON: To ensure that the surface water drainage scheme to serve the development is appropriate in accordance with Policy D2 of the Maldon District Approved Local Development Plan July 2017 as well as guidance contained within the National Planning Policy Framework.
- 18 Notwithstanding the provisions of Schedule 2, Part 1 Classes A and E of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no garages, extensions or separate buildings (other than ancillary outbuildings not exceeding 10 cubic metres in volume) shall be erected within the site without planning permission having been obtained from the Local Planning Authority.
REASON: In order to safeguard the level of private amenity afforded within the application site, in accordance with Policy D1 of the Local Development Plan.

INFORMATIVES

1. 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.
2. There shall be no discharge of surface water from the development onto the Highway.
3. All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works. The applicant should be advised to contact the Development Management Team by email at development.management@essexhighways.org