



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

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

Application Number	25/00997/FUL
Location	Land adj to Oak Corner Cottage, Southend Road, Woodham Mortimer CM9 6TG
Proposal	Erection of a new self-build dwelling and associated works
Applicant	Mr J Turner
Agent	Mr Stuart Miles – Vision Planning
Target Decision Date	14.08.2026 (EoT – committee determination required)
Case Officer	Jonathan Ashworth
Parish	Woodham Mortimer
Reason for Referral to the Committee / Council	Call-in request from Councillor M F L Durham

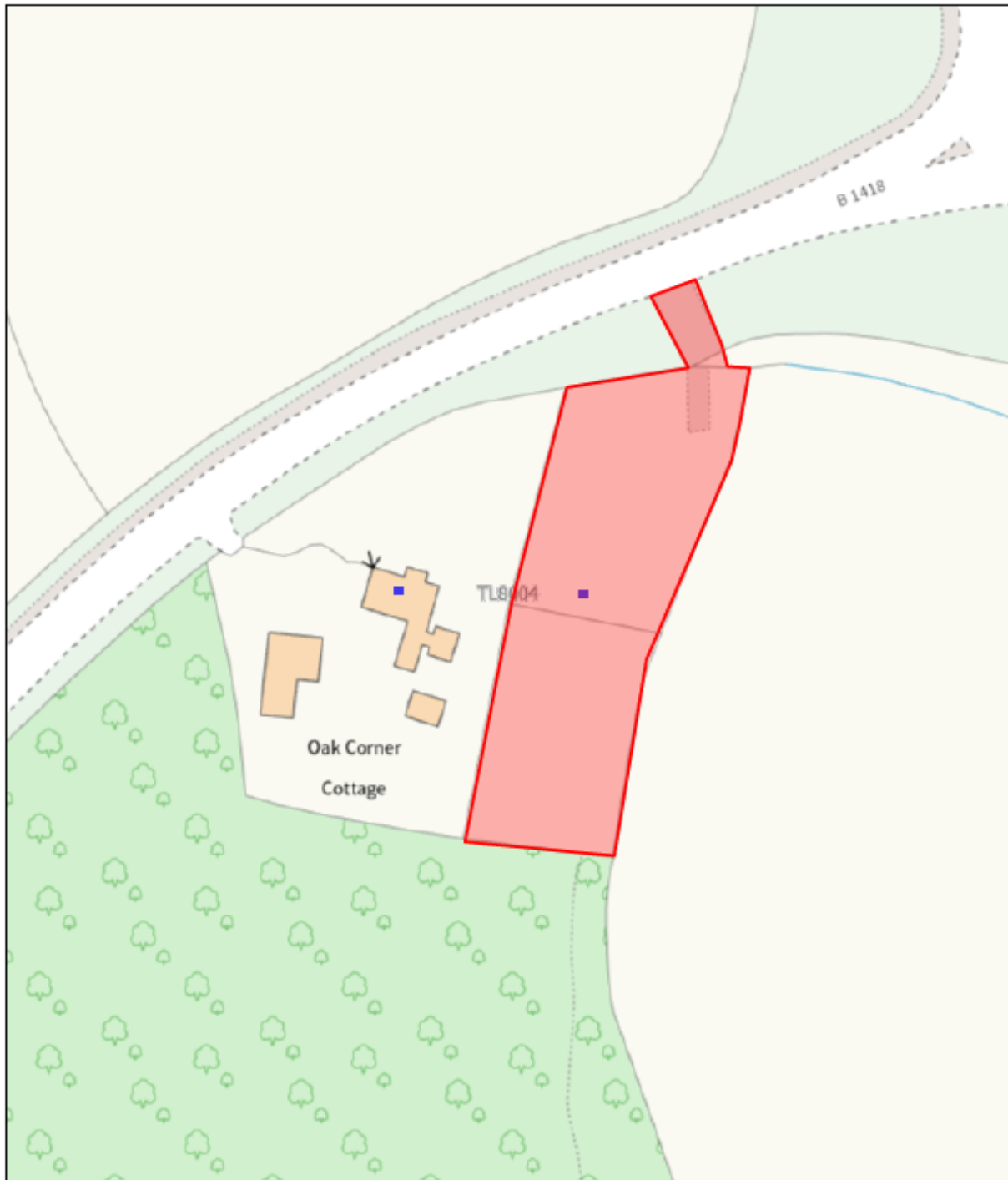
1. RECOMMENDATION

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

2. SITE MAP

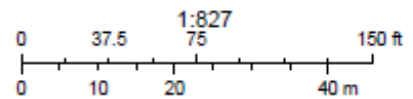
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- GMS BLPV Points
- Parish Polygon
- Ward Polygon
- OS Grid Tiles 1km



3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

Site Description

- 3.1.1 The application site is located outside of any settlement boundaries and so occupies an open countryside location and lies to the west of the settlement of Woodham Mortimer. It forms part of an extensive garden area to the east of Oak Corner Cottage, which is a residential property. To the north is Southend Road and the site is bound on remaining sides by open fields. Moderate landscaping can be found along the boundary with the road and the site is visible from this public viewpoint. An existing vehicular access serves the site.
- 3.1.2 The adjacent property Oak Corner Cottage is a Grade II listed building though there are no other historic assets in the vicinity. The site is located within flood zone 1, as defined by the Environment Agency, as so is at a low risk of flooding.

The Proposal

- 3.1.3 The application seeks full planning permission for the erection of a detached two-bedroom bungalow with associated amenity space and parking provision.

Conclusion

- 3.1.4 The application site is located outside of a defined settlement boundary and is within the countryside, and as such the proposed development would constitute a departure from the local plan. However, in the absence of a five year housing land supply, the “titled 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 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”*.
- 3.1.5 As detailed within the report, it is considered that the site lies in a sustainable location, benefiting from close proximity to a well-serviced bus route. It is considered that a dwelling at the site would not result in any harm in terms of residential amenity, highways safety, flood risk. It is considered that there would be no harm to ecology and biodiversity, subject to confirmation from the relevant Officers.
- 3.1.6 However, it is considered that the proposed dwelling would fail to preserve or enhance the setting of an adjacent listed building and so is recommended for refusal.

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
- 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)

4.4 Legislation

- 4.4.1 S16 of Planning (Listed Buildings and Conservation Areas) Act 1990 – special regard to the desirability of preserving the listed building and any features of special architectural or historic interest it possesses

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004), Section 70(2) of the Town and Country Planning Act 1990 (TCPA 1990), and Paragraph 47 of the National Planning Policy Framework (NPPF) require that planning decisions are to be made in accordance with the Local Development Plan

(LDP) unless material considerations indicate otherwise. In this case the Development Plan comprises of the adopted Maldon District Local Plan 2014-2029 (The Local Development Plan or LDP).

- 5.1.2 Policy S1 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, Policy S2 seeks to focus development on existing settlements subject to their role, accessibility and constraints.
- 5.1.4 Policy S8 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 (5YHLS)

- 5.1.5 As per Paragraph 78 of the NPPF, the Council as the Local Planning Authority (LPA) for the Maldon District should “monitor their deliverable land supply against their housing requirements, as set out in adopted strategic policies”. As the LDP is more than five years old, paragraph 77 requires LPAs to “identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years’ worth of housing, or a minimum of four years’ worth of housing if the provisions in paragraph 226 apply”. To this end, Maldon District Council prepares and publishes a Five-Year Housing Land Availability Report, annually, following the completion of the development monitoring activities associated with the LDP 2014-2029’s plan monitoring period of 1 April to 31 March.
- 5.1.6 Currently the Council cannot demonstrate five-years’ worth of housing land supply. This is due to changes through the latest NPPF (2024) which introduced a new method for assessing housing need that reflects the current Government’s approach to building more houses. This also means that policies with housing targets such as policy S2 in the LDP can be considered to be non-compliant with the NPPF and therefore out of date. This means that the NPPF requirements apply as the most up to date policy position.
- 5.1.7 Whilst the proposal is considered contrary to policy S8, in regard to settlement boundaries, the policy cannot be considered an up to date because the Council cannot demonstrate an up to date 5YHLS and therefore the principle of development proposals on sites such as this, as a windfall site, shall need to be considered on the basis of whether they are sustainable or not. This means that the presumption in favour of sustainable development as set out in paragraph 11 of the NPPF is applicable.
- 5.1.8 Given the Council’s current position in regard to not being able to demonstrate an up to date 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

- 5.1.9 It is necessary to assess whether the proposed development is ‘*sustainable development*’ as defined in the NPPF. If the site is considered sustainable then the NPPF’s ‘*presumption in favour of sustainable development*’ applies. There are three dimensions to sustainable development as defined in the NPPF. These are the economic, social and environmental roles. Policy S1 re-iterates the requirements of the NPPF. Policy S1 allows for new development within the defined development boundaries. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.

Environmental Dimension

- 5.1.10 It is necessary to assess whether the proposed development is ‘*sustainable development*’ as defined in the NPPF. If the site is considered sustainable then the NPPF’s ‘*presumption in favour of sustainable development*’ applies. There are three dimensions to sustainable development as defined in the NPPF. These are the economic, social and environmental roles. Policy S1 re-iterates the requirements of the NPPF. Policy S1 allows for new development within the defined development boundaries. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.
- 5.1.11 When considering locational sustainability, consideration must be given to a number of parameters – including (but not limited to) the distance to the nearest settlement; proximity to local shops and services, schools, healthcare; public transport access; safe walking routes/street lighting.
- 5.1.12 In this case, the application site is located in a somewhat isolated location in relation to the settlement of Woodham Mortimer, as it lies approximately 400m from the main body of the settlement. Woodham Mortimer is identified as a ‘Smaller Village’ within the settlement hierarchy as defined by policy S8.
- 5.1.13 However, the site is located within walking distance (approximately 210m) of a bus stop which is well served by regular services running between Maldon and Chelmsford and the wider area. A designated footpath allows access to the bus stop and is well lit by street lighting. Services in the immediate vicinity include a garden centre, café/bakery and a car wash and garage.
- 5.1.14 It is therefore considered on balance that the site lies in a sustainable location 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 outside of any settlement boundary would be contrary to Policy S8, it is considered that future occupiers would have reasonable access to day-to-day services and facilities, including public transport, and would not result in undue reliance on private cars for long distance journeys. For this reason, it is considered that the site constitutes a sustainable location and therefore the principle of development is considered acceptable subject to compliance with all other policies contained within the LDP.

5.2 Housing Provision and Mix

- 5.2.1 The NPPF requires LPAs to establish their minimum local housing need through a local housing need assessment, using the standard method set out in national planning practice guidance. This assessment forms the starting point for determining how many homes should be planned for, including the mix and types of housing needed for different groups within the community.
- 5.2.2 The recently published Local Housing Needs Assessment (October 2025) (LHNA) is an assessment of housing need for Maldon District as well as sub areas across the District. The LHNA is wholly compliant with the latest NPPF and up to date Planning Practice Guidance and provides the Council with a clear understanding of the local housing need for affordable housing, the need for older persons housing, the need for different types, tenures and sizes of housing, the housing need for specific groups and the need to provide housing for specific housing market segments such as self-build.
- 5.2.3 The LHNA concludes that the District has an increasing need for smaller dwellings, with the biggest requirement for two and three bed dwellings; specifically, 10% one bedrooms, 35% two bedrooms, 35% three bedrooms and 20% for 4+ bedroom market dwellings.
- 5.2.4 The Council's Technical Advice Note on Housing Mix (November 2025) (TAN) explains that for small sites (developments of 1-9 homes or less than 0.5 ha) the LHNA guidance will be used to influence a mix of unit sizes but notes that the delivery of a precise mix on such schemes is not always achievable – due to the often constrained nature of small site development.
- 5.2.5 The proposal would provide for an additional two-bedroom dwelling. Whilst this is considered a benefit in planning balance terms (and meets the requirement for dwellings of this size identified within the LHNA), given that the net increase in housing is a single dwelling, this factor is considered to carry only limited to moderate beneficial weight in the consideration of the merits of the scheme.

5.3 Impact upon Historic Assets

- 5.3.1 Policy D1 states that all development must respect and enhance the character and local context and make a positive contribution in terms of architectural style, use of materials, detailed design features and construction methods; and the historic environment particularly in terms of designated and non-designated heritage assets. Policy D3 states that development that affects a heritage asset, whether designated or non-designated, and/or its setting will be required to preserve or enhance its special character, appearance, setting – including its streetscape and landscape value – and any features and fabric of architectural or historic interest.

- 5.3.2 The site is located adjacent to Oak Corner Cottage which is a Grade II listed building. Oak Corner Cottage was designated a grade II listed building in 1985. It is a 1½ storey brick cottage with clay plain-tiled roofs. Its main front range has brick walls and rendered gables. It dates mainly from the 18th-century, but incorporates part of an earlier, 17th-century, timber frame. The earliest part of the house is to the west which, in the 18th-century, represented a two-up two-down cottage with chimneys on its gable ends and a 'cat-slide' lean-to to the rear. The front, side and rear elevations of this part of the house are faced with 18th-century red brickwork laid in a Flemish bond with burnt headers.
- 5.3.3 Internally, the wall between the rear lean-to and the front rooms is timber-framed and contains evidence that the building was single-storey in height in the 17th-century before being raised to its present height in the 18th-century. The eastern bay of the house was rebuilt early in the 20th-century, using brown bricks laid in a Flemish bond, replacing a timber-framed range which is depicted in early-20th-century sketches.
- 5.3.4 By the time of the 1895 OS (Ordnance Survey) map, the building had been divided into two cottages. The applicant's Heritage Statement notes that late-19th and early-20th century census returns record that the building was occupied at various times by labourers employed in agriculture, brickmaking and smithing. At some point after WWII (World War II) the building reverted to a single dwelling. Over the past 30 years the house has been subject to various alterations and extensions, all executed with consent in a manner sympathetic to the historic character of the building.
- 5.3.5 The significance of Oak Corner Cottage lies mainly in its architectural and historic interest as an attractive example of a historic vernacular labourer's cottage. Aspects of its architectural interest include the quality of its construction and locally sourced materials, the legibility of its historic form and layout, and its picturesque character. It has historic interest for the insight it provides into the living conditions of rural labourers, some of whom are identified in the applicant's Heritage Statement.
- 5.3.6 The NPPF Glossary defines setting as *'the surroundings in which a heritage asset is experienced'* and notes that *'elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral'*. Among the elements of Oak Corner Cottage's setting which contribute positively to its significance are its spacious and attractively landscaped grounds, including the application site. The house is set back from Southend Road by about 30 metres, divorcing it from the busy road and allowing the cottage to nestle into its well-vegetated plot. Along the north and south boundaries, the property is bordered by a combination of trees, hedges and post-and-rail fences, while to the south is a small block of woodland, all features appropriate and complementary to the setting of a picturesque rural cottage.
- 5.3.7 There is a boundary between the cottage and the application site, albeit one that is relatively insubstantial, comprising a low hedge and a Beech tree. The immediate setting of the cottage is its garden, including the application site, while outside the site there are significant views of the principal elevation from Southend Road. Longer views across the fields exist from Burnham Road and, to a lesser extent, from parts of Marlpits Road, feature the clay-tiled roofs of the cottage and in particular its eastern gable amidst the foliage on and around the site. Apart from a modern detached garage and garden room to the rear, the listed cottage stands alone, the only house on the south side of this part of Southend Road.
- 5.3.8 This separateness from other houses contributes positively to the building's significance as a standalone rural cottage. The modern garage and garden room are sympathetic in design, subordinate in scale and position, and make a neutral

contribution to the asset's setting. Features of the listed building's wider setting which detract from the ability to enjoy its significance include nearby telegraph poles, the busyness of Southend Road, and the relatively close proximity of a roundabout and associated road signage, although the latter is to some degree screened from the house by intervening vegetation.

- 5.3.9 The proposed house would be positioned further away from the listed building, to the north of the site, closer to Southend Road. While the proposed house would still be seen alongside the cottage in the long views from the southeast, and indeed in views from Southend Road, it would not obscure views of the listed cottage.
- 5.3.10 The proposed house would be of an unconventional design, comprising three small pitched-roofed blocks resembling converted outbuildings connected by a central flat-roofed link structure. The walls would be clad in vertical timber cladding while the roofs would be covered with clay plain tiles. The proposal would cause some harm to the listed building's significance, by eroding the spaciousness of its setting, because it would present a less imposing mass of built form. Its presence in the street scene would be softened by the established planting which is quite dense along this part of the north boundary and which the applicants state will be retained.
- 5.3.11 To use the terminology of the NPPF and Policy D3 of the Maldon LDP, I advise that this proposal would cause 'less than substantial harm' to the significance of the grade II listed Oak Tree Cottage due to the erosion of the listed building's spacious setting. The degree of harm would be low. In accordance with paragraph 215 of the NPPF, such harm must be weighed against the public benefits of the proposal. Paragraph 212 of the NPPF requires that 'great weight' be given to the asset's conservation, while paragraph 213 states that any harm should require clear and convincing justification.
- 5.3.12 Whilst it is considered that the dwelling would make a modest contribution to the housing supply within the district, where a five-year supply cannot be demonstrated, this contribution would be very limited and it is not considered that it would outweigh the harm that would be caused to the setting of the adjacent listed building.
- 5.3.13 In this regard, the proposal would conflict with policy D3, chapter 16 of the NPPF or with the duty set out in section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as it would fail to preserve or enhance the setting of the listed building.

5.4 Impact upon the Character and Appearance of the Area

- 5.4.1 The site is located outside of a defined settlement boundary, and therefore countryside policies apply. According to Policies S1 and S8, 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.
- 5.4.2 Aside from the impact upon the setting of the listed building as discussed above, the impact upon a dwelling in this particular location would need to be given due consideration. Whilst the site lies outside of any defined settlement boundary, it is considered that the introduction of a dwelling would appear out of character in this specific location, given it would be adjacent to an existing property. As a bungalow, it

would be relatively low key, and the existing landscaping would soften its impact upon the wider countryside. The use of appropriate materials could be secured by an appropriately worded condition were permission to be forthcoming. However, the introduction of built form in this currently open setting would cause harm to the landscape setting.

- 5.4.3 Accompanying the application is an Arboricultural Impact Assessment that assesses the impact that the development will have upon existing landscape features. The assessment concludes that there will be no requirement to remove any trees and protection measures can be incorporated into the construction phase in order to ensure that no disturbance is caused. The report has been professionally produced and subject to no objection from the Arboricultural Officer, there would be no adverse impact upon existing landscape features.

5.5 Access, Parking and Highway Safety

- 5.5.1 Policy T2 aims to create and maintain an accessible environment, requiring development proposals, amongst other criteria, to provide sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle, and, where appropriate, horse-riding routes.
- 5.5.2 There is an existing vehicular access from Southend Road into the site and there is adequate turning space to allow vehicles to enter and leave the site in a forward gear. The Parish Council has raised concerns that the proposal would increase traffic flows along this part of Southend Road, which would be detrimental to highway safety. However, there is no objection from the Highway Authority in this regard.
- 5.5.3 The Council's adopted Vehicle Parking Standards SPD contains the parking standards which are expressed as minimum standards. This takes into account Government guidance which recognises that car usage will not be reduced by arbitrarily restricting off street parking spaces. Therefore, whilst the Council maintains an emphasis of promoting sustainable modes of transport and widening the choice, it is recognised that the Maldon District is predominantly rural in nature and there is a higher than average car ownership. Therefore, the minimum parking standards seek to reduce the negative impact unplanned on-street parking can have on the townscape and safety and take into account the availability of public transport and residents' reliance on the car for accessing, employment, everyday services and leisure.
- 5.5.4 The proposal seeks the provision of a two-bedroom property and in accordance with the Maldon Vehicle Parking Standards, this would require one parking space to be provided and this can be achieved.
- 5.5.5 LDP policies D1 and T2 also seek to secure cycle storage facilities appropriate to the level of development proposed in line with the Maldon Vehicle Parking Standards SPD. Appropriate facilities could be secured by an appropriately worded condition to ensure that the proposal provides sustainable methods of transport, were permission forthcoming.

5.6 Standard of Accommodation and Residential Amenity

- 5.6.1 Policy D1 seeks to ensure that acceptable levels of residential amenity is achieved with the provision of sufficient and usable private space as well as protecting the

amenity of the surrounding area taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This would be a consistent approach with paragraph 135 of the NPPF which states that a high standard of amenity should be achieved for existing and future users. The Technical Housing Standards – Nationally Described Space Standard sets out the required Gross Internal Area (GIA) of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home.

- 5.6.2 The application seeks provision of a two-bedroom/four person property with the accommodation spread over a single floor, and the necessary GIA will be achieved.
- 5.6.3 In addition, policy D1 requires all development to provide sufficient and usable private and public amenity spaces, green infrastructure and public open spaces. In addition, the adopted Maldon District Design Guide SPD advises a suitable garden size for each type of dwellinghouse, namely 50m² of private amenity space for dwellings with one- to two-bedrooms.
- 5.6.4 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.
- 5.6.5 There is adequate separation distance between the proposed dwelling and Oak Corner Cottage to ensure that there is no adverse impact in terms of overlooking/loss of privacy and no undue dominance or overshadowing of the properties. Consequently, an acceptable level of residential amenity will be achieved for future occupants of the property as well as their neighbours.

5.7 Flood Risk

- 5.7.1 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).
- 5.7.2 The site is located within flood zone 1, as defined by the Environment Agency, and so is at a low risk of flooding. The proposed development would increase the footprint of the buildings and therefore the amount of impermeable area across the site. It is considered that sustainable methods of drainage can be incorporated into the construction of the dwelling to ensure that the risk of flooding is not increased in and around the site.
- 5.7.3 With regard to drainage, the proposal has been reviewed by the Council's Environmental Health Officer, who has raised no objection to the scheme subject to planning conditions requiring surface water and foul water drainage details to be provided prior to works above slab level, together with a number of informatives relating to waste collection, contamination, and construction.

5.8 Ecology

- 5.8.1 Policy S1 states that new development conserve and enhance the natural environment by providing protection and increasing local biodiversity and geodiversity. Policy D1 requires all development to respect the natural environment particularly in relation to designated and non-designated sites of designated and non-

designated sites of biodiversity/geodiversity value. Policy N2 takes a similar approach stating that all development should seek to deliver net biodiversity and geodiversity gains where possible.

- 5.8.2 Accompanying the application is a Preliminary Ecological Appraisal which assesses the ecological features, likely impacts along with any suggested mitigation/enhancement measures. The Ecology Officer is yet to assess these documents and subject to no objection being received, the application demonstrates that the development can proceed without harming ecological interests.
- 5.8.3 The site falls within the 'Zone of Influence (Zol)' for one or more of the European sites scoped into the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS). This means that residential development could potentially have a significant effect on the sensitive interest features of these coastal European designated sites, through increased recreational pressure etc. and such effects should be mitigated against. The LPA should prepare a HRA (Habitat Regulation Assessment) to secure a per dwelling tariff by a legal agreement for delivery of visitor management measures at the designated sites.
- 5.8.4 A development proposing an additional one dwelling falls below the scale at which bespoke advice is given from Natural England (NE). To accord with NE's requirements and strategy advice, an Essex Coast RAMS HRA record has been completed to assess if the development would constitute a 'Likely Significant Effect' (LSE) to a European site in terms of increased recreational disturbance. The findings from HRA Stage 1: Screening Assessment, are listed below:

HRA Stage 1: Screening Assessment

Test 1 – the significance test

Is the development within the Zone of Influence (Zol) for the Essex Coast RAMS with respect to the below sites? Yes

Does the planning application fall within the following development types? Yes, the development is for an additional 1 no. dwelling (i.e. net increase of dwellings at the site is 1 no. dwellings)

Test 2 – The integrity test

Is the proposal for 100 houses + (or equivalent)? No.

Is the proposal within or directly adjacent to one of the above European designated sites? No.

- 5.8.5 As the answer is no, it is advised that, should planning permission be forthcoming, a proportionate financial contribution should be secured in line with the Essex Coast RAMS requirements. Provided this mitigation is secured, it can be concluded that this planning application will not have an adverse effect on the integrity of the named European sites from recreational disturbance, when considered 'in combination' with other development. NE does not need to re-consult on this Appropriate Assessment.
- 5.8.6 The Essex Coastal RAMS has been adopted. This document states that the flat rate for each new dwelling has been calculated at a figure of £175.55 and thus, the developer contribution should be calculated at this figure. The applicant has made this contribution so there is no objection from an ecological perspective, subject to the Ecology Officer's response.

6. ANY RELEVANT SITE HISTORY

6.1 The planning history relevant to this application is:

- 21/00486/FUL – New build, 2 bedroom single storey dwelling – withdrawn July 2021
- 20/01106/FUL – Erection of 2-bed dwelling – withdrawn December 2020

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Parish/ Town Council (summarised)

Name of Parish / Town Council	Comment	Officer Response
Woodham Mortimer with Hazeleigh Parish Council	Recommend refusal on grounds of unsustainable location, impact upon listed building, increased traffic movements.	Refer to relevant sections of report.

7.2 Statutory Consultees and Other Organisations (summarised)

Statutory Consultee	Comment	Officer Response
Environmental Health	No objection subject to conditions	Noted
Ecology Officer	Comments awaited	Refer to paragraphs 5.9.1 to 5.9.2
Arboricultural Officer	Comments awaited	Refer to paragraph 5.4.4
Highway Authority	No objection subject to conditions	Refer to paragraphs 5.5.1 to 5.5.3

7.3 Internal Consultees (summarised)

Internal Consultee	Comment	Officer Response
Conservation Officer	Objection	Refer to paragraphs 5.3.1 to 5.3.13

7.4 Site Notice / Advertisement

7.4.1 The application was advertised by way of a site notice posted on the 11 February 2026 with comments to be received by 4 March 2026.

7.4.2 Notice was also given by way of newspaper advertisement posted on 5 February 2026 with an expiration date of 26 February 2026 for comments to be received.

7.5 Representations received from Interested Parties (summarised):

7.5.1 Three third party comments have been received in relation to the proposals and in support of the application.

7.5.2 No planning reasons were cited in support of the application.

8. REASON FOR REFUSAL

- 1 The proposed dwelling, by reason of its close proximity to Oak Corner Cottage, a Grade II listed building, would fail to preserve or enhance the setting of this property by eroding the spacious setting which defines the character of the property, causing harm to its setting and significance. The benefits of the development would not outweigh the harm caused and so the proposal would be contrary to policies D1 and D3 of the Maldon LDP.

APPLICATION PLANS AND DOCUMENTS

- PL-01 Location Plan
- PL-02 Block Plan
- PL-03 Proposed Plans
- PL-04 Materials Sheet
- PL-05 CGI Views
- PL-06 North and East Elevations
- PL-07 South and West Elevations
- PL-08 Streetscene
- Planning Statement
- Arboricultural Impact Assessment
- Tree Survey Appendix
- Preliminary Ecological Appraisal