



**REPORT of
DIRECTOR OF PLANNING AND REGULATORY SERVICES**

to
**CENTRAL AREA PLANNING COMMITTEE
24 JANUARY 2018**

Application Number	OUT/MAL/17/01287
Location	Land Rear Of 156 Goldhanger Road Heybridge Essex
Proposal	Two detached dwellings
Applicant	Mr J King
Agent	Stanfords - Peter Le Grys
Target Decision Date	3 January 2018
Case Officer	Yee Cheung, TEL: 01621 876220
Parish	HEYBRIDGE EAST
Reason for Referral to the Committee / Council	Member Call In

1. RECOMMENDATION


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

2. SITE MAP

Please see overleaf.

Land Rear Of 156 Goldhanger Road
Heybridge OUT/MAL/17/01287



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	Organisation:	Maldon District Council
	Department:	Planning Services
	Comments:	Central Area Committee
	Date:	12/01/2018
MSA Number:	100018588	

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site relates to a piece of land, formally a garden, located to the north and rear of 156 Goldhanger Road. The site measures approximately 13 metres deep x 31 metres in length and is laid to grass. There is a close boarded timber fence on the northern boundary of the site (shared with 1 Coopers Avenue) of approximately 1.8 metre in height. To the western boundary of the site (shared with No. 154 Goldhanger Road), there is also a close boarded timber fence of approximately 1.6 metres in height.
- 3.1.2 The application site lies within the defined settlement boundary of Heybridge and is on a corner plot with Goldhanger Road to the south and Coopers Avenue to the east. Residential properties in the locality are predominately two-storeys in height. Existing residential dwellings along Coopers Avenue are with gabled roofs, and are either constructed with red or buff facing brickwork. Most of the dwellings have brown interlocking roof tiles. Existing residential properties fronting onto Goldhanger are varied in terms of design, appearance, size, scale, bulk and height.
- 3.1.3 The application site is located within fluvial and tidal Flood Zone 3a as defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding.
- 3.1.4 The application is a resubmission following a recent refusal of an outline planning application (OUT/MAL/17/00680) for the erection of two pairs of semi-detached dwellings. The two reasons for refusal are listed below:-

'The application site is located in Flood Zone 3 which has the highest risk of flooding. The Council can demonstrate a Five Year Housing Land Supply and as such residential development should be directed to areas of low risk of flooding. Furthermore, the submitted Flood Risk Assessment is unsatisfactory as it fails to demonstrate that the proposed development would be safe for prospective occupiers of the site. Therefore, the development would be contrary to Government guidance and advice contained in the National Planning Policy Framework, the National Planning Practice Guide, and policy D5 of the Maldon District Local Development Plan.'

'The provision of two pairs of semi-detached dwellings on this site, would introduce a cramped and contrived form of development which is out of keeping and fails to reflect the prevailing pattern of development in the immediate locality. The development proposal would therefore be contrary to policies S1, D1 and H4 of the Maldon District Local Development Plan, and Government advice contained in the National Planning Policy Framework.'

- 3.1.5 The current application seeks to address the reasons for refusal above.

3.2 Conclusion

- 3.2.1 The National Planning Policy Framework (NPPF) sets out a presumption in favour of sustainable development at Paragraph 14 and sets out the three strands of sustainable

development at Paragraph 7. It is noted that the future occupiers of the dwellings would contribute to the local economy. The size of the dwellings would also contribute to the Housing Need for smaller units in the District. In this regard the proposal would contribute to the economic and social roles of sustainability. However, the proposal would fail to accord with the environmental element of sustainable development which seeks to protect and enhance the built and natural environment. Further conflict with the environmental roles would be the provision of dwellings in an area of flood risk which would not provide a high quality living environment.

- 3.2.2 Paragraphs 7 and 8 of the NPPF are clear that all three dimensions of sustainability must be met for the development to be acceptable. The proposal is not considered to comply with this requirement and it is therefore not a sustainable development as required by the NPPF for the reasons as set out in the report, contrary to the requirements in the Maldon District Local Development Plan (MDLDP), Government guidance contained within the NPPF and the Planning Practice Guidance.

4. MAIN RELEVANT POLICIES

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

4.1 National Planning Policy Framework 2012 including paragraphs:

- 7, 8, 9, 14, 17, 49, 50, 53, 56, 57, 60, 61, 64, 100, 101, 102, 103

4.2 Maldon District Local Development Plan approved by the Secretary of State on 21 July 2017

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Guidance (NPPG)
- National Planning Policy Framework (NPPF)
- Essex Design Guide
- Car Parking Standards

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The Council is now in a position where it can demonstrate an up to date deliverable supply of housing land for a period in excess of five years. This is a material consideration and means that any application for new development must be determined in accordance with the development plan unless material considerations indicate otherwise.

- 5.1.2 There are three dimensions to sustainable development as defined in the NPPF. They are the economic, social and environmental roles. The Local Development Plan (LDP) through the preamble to Policy S1 reiterates the requirements of the NPPF.

- 5.1.3 The application site is located within the defined settlement boundary of Heybridge as defined by the LDP. Policy S8 is the strategic policy that would apply to this site, allowing development to be directed to sites within settlement boundaries to prevent urban sprawl beyond existing settlements and to protect the district's landscape. On this basis the general principle of development in this locality would be acceptable subject to other material considerations which will be discussed in the report below. These material considerations would include the impact on the character and appearance of the area, impact on the amenity of the neighbouring residential properties, and if the development would put the future occupiers at risk of flooding.

5.2 Council's Current Position - Five Year Housing Land Supply

- 5.2.1 In September 2017, the Council published its latest Policy Advice Note regarding the Council's current status on the Five-Year Housing Land Supply 2016/2017 September 2017.
- 5.2.2 Since the submission of the outline planning application it has been announced that the LDP has been approved by the Secretary of State. As such, the LDP is now a part of the Development Plan and the policies contained within are material consideration when determining all development proposals in the Maldon District.

5.3 Housing Need

- 5.3.1 The proposal would provide two x two bed new dwellings. Policy H2 of the LDP contains a policy and preamble (paragraph 5.2.2) which when read alongside the evidence base from the Strategic Housing Market Assessment (SHMA) shows an unbalanced high number of dwellings of three or more bedrooms, with less than half the national average for one and two bedroom units. The Council therefore, encourages, in Policy H2, the provision of a greater proportion of smaller units to meet the identified needs and demands. The Council's updated SHMA, published in June 2014, identifies the same need requirements for 60% of new housing to be for one or two bedroom units and 40% for three bedroom plus units.
- 5.3.2 The NPPF is clear that housing should be provided to meet an identified need as set out in Paragraph 50. In this instance, the proposed dwellings would therefore assist in meeting the housing shortfall need as set out in the SHMA and Policy H2 of the LDP. The provision of two x two bed dwellings would contribute to the identified housing need and would be a material consideration in favour of the proposal. However, the small quantum of development proposed would limit the benefits of the scheme.

5.4 Flood Risk

- 5.4.1 Policy D5 of the LDP sets out the Council's approach to minimising flood risk. Policy S1 requires that new development is either located away from high risk flood areas or is safe and flood resilient when it is not possible to avoid such areas.
- 5.4.2 The application site lies in the fluvial and tidal Flood Zone 3a defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. New dwellings and residential uses are classified as more vulnerable as defined in the National Planning Practice Guidance (NPPG) and previously in the technical guidance to the NPPF, therefore to comply with the NPPG

and NPPF, the application would require to pass the Sequential and Exception Tests. The requirement to apply the Sequential Test is set out in Paragraph 101 of the NPPF work. The Exception Test is set out in paragraph 102 and should be completed before the application is determined.

- 5.4.2 The NPPG identifies that the Sequential Test aims to steer new development to areas with the lowest probability of flooding, with the aim to steer development towards Flood Zone 1. Local Planning Authorities (LPAs) are required to take into account the vulnerability of land uses and consider reasonably available sites where possible in Flood Zone 2. It is only when there is no reasonably available land within Flood Zone 1 or 2 that sites can be considered in Flood Zone 3, taking into account the vulnerability of the land use and applying the exceptions tests (where required).
- 5.4.3 In addition the Exceptions Test is also applicable and is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. This is a two part test requiring evidence to be submitted to show that the benefits of the development would outweigh the risk of flooding and that the development will be safe for its lifetime. This aspect of the test requires the submission of a Flood Risk Assessment (FRA).
- 5.4.4 In terms of the Sequential Test, as part of the FRA dated June 2017 (updated in August 2017) prepared by Flood Smart Pro Geo Smart Information Ltd), the Applicant has stated that the site is located in a Flood Zone 3. On Page 20 of the FRA, the Applicant has highlighted that an Exception Test is required once a Sequential Test has been passed. For this site to pass the Sequential Test it must be demonstrated that there are no alternative reasonably available sites at lower risk of flooding within Maldon and Heybridge. For a site to be considered to be reasonably available it must be 'deliverable' and 'developable' as defined by the NPPF (2012). No information has been submitted as part of the application submission to show that there are no alternative reasonably available sites at lower risk of flooding within Maldon and Heybridge. Also, the report does not make it clear why the Sequential Test has applied to Maldon and Heybridge only and not to the District as a whole as there are built up areas elsewhere which are not vulnerable to flooding and the Council does not have any specific policy directing development safely or specifically to these areas.
- 5.4.5 Outline planning permission seeks to construct two x two-storey dwellings with accommodation at first floor level. As part of the submission mitigation measures have been discussed to ensure damage to properties would be minimised in the event of flood risk.
- 5.4.6 In the above officer report, the Council can now demonstrate a five year housing land supply. As such, the Council should only be encouraging further development on suitable sites. The details provided in the application are not considered to sufficiently demonstrate that there are no alternative suitable sites in the area which fall outside of fluvial and tidal Flood Zone 3a. The Council's view is taken that there are sites available in the district as a whole where land falls outside of the highest risk Flood Zone and where permission could be obtained. Whilst it is acknowledge that the proposal seeks to construct two dwellings and not four dwellings as mentioned in

the FRA within the settlement of Heybridge, it is considered that the Applicant has failed to meet the requirements of the Sequential Test.

- 5.4.7 There are two parts to the Exception Test and there is no need to deal with this specifically as the site has clearly failed the Sequential test. Notwithstanding this, the first part of the Exception Test requires the Council to be satisfied that the development provides wider sustainability benefits to the community that would outweigh flood risk. In this instance, and as noted above, the Council can demonstrate a five year housing land supply, and the benefits of the scheme in this instance are not considered to outweigh the harm of increased risk of flooding.
- 5.4.8 The second part of the Exception Test requires the submission of an FRA which demonstrates the development will be safe for its lifetime, without increasing flood risk elsewhere, and will reduce the overall flood risk where possible.
- 5.4.9 In terms of Tidal Flooding, the modelled tidal flood level at the Site during the 1 in 200 year including climate change event is approximately 5.07 m Above Ordnance Datum (AOD). Based on the lowest ground level at the Site of 3.05mAOD, the flood depths are likely to be up to 2.02m. The 1 in 200 year breach and 1 in 1,000 year breach flood levels are 5.50 and 5.85 mAOD respectively.
- 5.4.10 With Fluvial Flooding, the modelled flood level at the Site would be approximately 3.28 mAOD. Flood depths during this event could be up to 0.23m.
- 5.4.11 In order to afford a level of protection against flooding, the FRA has recommended that the minimum finished first floor level required should be 5.85 mAOD which would be exactly the same as the 0.1% (1 in 1000) annual probability breach flood level of 5.85mAOD and therefore there should be dry refuge in this extreme breach event. The Environment Agency has advised that a 300mm freeboard above the flood levels should be applied to the floor levels to take account of any inaccuracies in the flood level modelling should the application be approved to ensure that the proposed refuge would be sufficiently safe in a breach flood event.
- 5.4.12 In light of the above, it is important to recap that the proposal would lie in tidal Flood Zone 3a defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as being more vulnerable to flooding. The proposal for the construction of two dwellings would conflict with the NPPG and NPPF. Further, the Council can demonstrate a five year housing land supply, and on this basis, the benefits of the proposal in this instance are not considered to outweigh the harm of increased flooding as a result of the development.
- 5.4.13 The Environment Agency has considered the submitted FRA and has raised no objection to the FRA. However, it does remind the Council that the Sequential and Exception Tests should be completed prior to the determination of the application. It is important to note that the Sequential and Exception Tests are assessments that the Council are required to undertake and not for the Environment Agency.
- 5.4.14 The above is further supported by the most recent appeal decision at the Blackwater Marina, The Esplanade, Maylandsea, Essex (appeal reference: APP/X1545/W/17/3166607 dated 29 June 2017) where the Planning Inspector states that development proposals should be steered away from areas at the highest risk of

flooding. As it stands, no details has been submitted to show that there are no reasonably available sites appropriate for the proposal in areas with a lower probability of flooding in the District and therefore the proposal would fail to satisfy the Sequential Test, contrary to policy D5 of the LDP, the NPPF and the NPPG.

5.5 Design and Impact on the Character of the Area

- 5.5.1 National planning policy places great importance on the design of the built environment and states that high quality design should ensure that new development is visually attractive, responsive to local character, helps to promote healthy communities, and creates buildings which are durable, adaptable, and function well within the surrounding area to create a safe and accessible environment. Good design should enable and encourage people to live healthy lifestyles, reduce the risk of crime, create accessible environments which are inclusive for all sectors of society, and increase opportunities for social interaction.
- 5.5.2 Policy D1 of the LDP states that all development must, amongst other things, respect and enhance the character and local context and make a positive contribution in terms of: (b) Height, size, scale, form, massing and proportion; (d) Layout, orientation, and density; (2) Provide sufficient and useable private and public amenity spaces; (4) Protect the amenity of surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight.
- 5.5.3 The above policy should also be read in conjunction with Policy H4 of the LDP in relation to Backland and Infill Development. The policy states that backland and infill development will be permitted if all the criteria (1, 2, 3 and 4) are met.
- 5.5.4 As part of the application submission, an illustrative Site Plan (Revision 1A dated 01.09.2017) has been submitted to show the layout of the development proposal. The Site Plan shows that each dwelling would be approximately 5.9 metres deep x 9.9 metres wide. Between Plot 1 and Plot 2, four off-street parking spaces are provided, two for each property. No elevational drawings have been submitted to show how the dwellings would relate to existing dwellings at Coopers Avenue when viewed in the street scene however it has been hinted in the Planning Statement (Paragraphs 5.2 and 5.4) that the houses would be two-storeys in height with reference to *'first floor windows'* and *'landing windows'*.
- 5.5.5 In terms of the height, size, scale, form, massing and proportion, the dwellings would be consistent with the existing dwellings along Coopers Avenue and Ramsey Close in accordance with policy D1 of the LDP.
- 5.5.6 With regard to the actual layout of the development within the plot, it is noted that the two dwellings would be positioned between 1.5 metre and 2.9 metre from the footway whereas in the previous application OUT/MAL/17/00680, it was noted that the dwellings were positioned closer to the footway (between 1 metre and 2.1 metres). The Council at the time had concerns regarding the number of dwellings proposed within the plot which would have resulted in a cramped and contrived form of development with inadequate private amenity space to the rear of each property. While the number of dwellings have been reduced from four to two with 57m² private amenity space for each property, it is important to note that the proposed floor area of each dwelling is approximately 60m² which is not too dissimilar to the previous

outline application: OUT/MAL/17/00680 where the two pairs of semi-detached dwellings, Plots 1 and 2 and Plots 3 and 4, were measured at 64m² each. Even though there has been a slight reduction by 4m², it is considered that the built form of development would still be cramped within the plot and when viewed in the street scene.

- 5.5.7 The Council acknowledges that the plans submitted are indicative at this stage, but having considered the shallow nature of the plot, any proposal for two dwellings would inevitably appear cramped. As such, it is not considered that this has been adequately addressed in this resubmission.
- 5.5.8 It is also pertinent to note that in December 2017, the Local Planning Authority adopted the Maldon District Design Guide (MDDG) which is an adopted Supplementary Planning Document and is now a key mechanism for the delivery of design quality within the district. This new guide, not only looks at overall layout and form, but also the individual characteristics of the built environment. This document is now a material consideration in the assessment of all planning applications.
- 5.5.9 As such, this document considers layout and density a key factor in the delivery of new development. Section C12 states that new development should respond to the existing pattern of development within a settlement taking cues from existing patterns of plot subdivision and the relationship between the built and non-built form. Effective use of land includes local density appropriate to the location and must respond to and enhance the character of the existing settlement. Section C14, also states that form and massing have a significant contribution to the character of the area.
- 5.5.10 The pattern of development in this location is that of a uniform pattern of development with residential properties fronting directly onto the road frontage with rear gardens measuring between 80m² and 100m². The area to the north of Goldhanger Road was built as comprehensive development in accordance with the Essex Design Guide (EDG). Although it is acknowledged that the site has been separated from the rear garden of No. 156 Goldhanger Road as mentioned in the report above, it does not follow that its future use for residential development is satisfactory in this location.
- 5.5.11 Having considered the development proposal by introducing two dwellings onto the plot which has a similar floor area to the two pairs of semi-detached properties as previously refused under OUT/MAL/17/00680 and the physical constraints of the plot, it is considered that the development would harm the character of the area thus would fail to accord with policy D1 of the LDP. Notwithstanding No. 2A Cooper Avenue which was given planning consent in 2012 (planning reference: FUL/MAL/12/00648 dated 11 October 2012), it is considered that the indicative layout of the two dwellings within the physical constraints of the plot would mean that the grain of development would appear dense and out of keeping with the prevailing pattern of development when viewed at a wider context. Therefore it is considered that the development proposal would be contrary to the aims and criterion of the MDDG.

5.6 Impact on Residential Amenity

- 5.6.1 Policies D1 and H4 of the LDP advises that any development should protect the amenity of surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight and that any backland / infill development should not result in unacceptable material impact upon the living conditions and amenity of nearby properties.
- 5.6.2 The application site is located to the north of dwellings within Goldhanger Road and adjacent to dwellings in Coopers Avenue. No illustrative elevational drawings have been submitted with this outline planning application although it has been explained in Paragraph 5.5.4 of the report that the dwellings would be two-storeys in height.
- 5.6.3 Having considered the position of the dwellings within the small plot and the close proximity between the proposed dwellings with existing residential properties to the west of the site where existing residential properties currently enjoy and benefit from some privacy, it is considered that the proposal would have the potential to cause overlooking of the private rear amenity space of adjacent neighbouring occupiers. While it is noted that the planning application is outline application with all matters reserved and the positioning of window openings to minimise impact on neighbouring amenity can be considered at a later stage, it is considered that due to the close proximity of the proposed dwellings, and the potential positioning of any window openings, particularly at first floor level, the development could result in actual and perceived overlooking of the neighbouring dwellings along Goldhanger Road and Coopers Avenue. This would result in an unneighbourly relationship which would result in a loss of privacy to the occupiers of the neighbouring property to the detriment of their residential amenities, contrary to policies D1 and H4 of the LDP. However, to overcome overlooking and loss of privacy to existing residential properties surrounding the site, the internal floor layout of the dwellings could be designed to prevent loss of amenity to neighbouring residential properties at the reserved matters stage. Further, to protect the amenity of neighbouring residential properties, an informative could be imposed at the outline application stage regarding window openings should the application be approved so that the Applicant is fully aware that such concerns needs to be addressed at the reserved matters stage.

5.7 Access, Parking and Highway Safety

- 5.7.1 The Council's adopted Vehicle Parking Standards (VPS) state that for two bedroom houses a maximum of two car parking spaces, measuring 4.8 metres x 2.4 metres (minimum) should be provided.
- 5.7.2 Based on the illustrative Site Plan submitted, it appears that two, off-street parking spaces would be provided to the south side of Plot 1 and north side of Plot 2. The dimension of each parking space measuring approximately 3 metres x 5.5 metres is considered acceptable and meets policy requirement contained in T2 of the LDP and the VPS. The Highway Authority has raised no objection to the proposal subject to conditions and informative to be imposed should the application be approved.
- 5.7.3 Letters of representation received has raised concerns regarding the submission of a Construction Method Statement. This requirement can be dealt with by planning conditions should the application be approved.

5.8 Private Amenity Space and Landscaping

- 5.8.1 The proposal would provide two x two bed dwellings. The EDG advises that dwellings containing two bedrooms should provide between 50-75sqm of private amenity space. The Planning Statement submitted states that each dwelling would have approximately 57m² of private amenity space. In this respect, the proposal would meet this requirement contained in the EDG. While the private amenity spaces meet policy requirement, it is considered that the size of the garden, by reason of its shape and depth, would be wholly out of keeping with the prevailing pattern of development in the locality. As such, the proposal would fail to accord with Policy D1 and H4 of the LDP.
- 5.8.2 No detail of landscaping has been submitted as this will be considered at the reserved matters stage should the application be approved.

6. ANY RELEVANT SITE HISTORY

- **OUT/MAL/17/00680** - Outline planning permission for 2 No. pairs of semi-detached dwellings. Refused: 8 August 2017.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Heybridge Parish Council	Support the outline application but withhold any comments until the final application detail has been submitted	Noted

7.2 Statutory Consultees and Other Organisations (*summarised*)

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Environment Agency (EA)	No objection to proposal subject to conditions. Also, it is the Council's responsibility to ensure that the Sequential and Exception Test is completed before the application is determined	Noted in report.
Emergency Planner	As the development is sited within flood zone 3, it is advised that a condition be imposed for a flood water evacuation	Noted in report.

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	plan should the application be approved.	
Essex County Council (ECC) Highways	No objection subject to conditions and informative to be imposed should the application be approved.	Noted in report.

7.3 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Environmental Health Services (EHS)	No objection subject to conditions and informative to be imposed should the application be approved	Noted in report

7.4 Representations received from Interested Parties (*summarised*)

7.4.1 Letters were received **objecting** to the application from the following and the reasons for objection are summarised as set out in the table below:

- Ben White 154 Goldhanger Road Heybridge Essex
- Bob Gear 14 Ramsey Close Heybridge Maldon
- Jacqueline & James Campbell 154 Goldhanger Road Heybridge Essex
- Mrs Sheila Ellis 5 Coopers Avenue Heybridge Maldon

Objection Comment	Officer Response
Cramped form of appearance.	Noted in the report
The latest plans are of close resemblance to the previous application refused .	
Parking spaces are inadequate in dimension.	
No construction method statement has been submitted.	
Soft landscaping has been removed and impacting on nesting birds, squirrels and bats.	
The development would result in increase in surface water.	
Sewerage system is insufficient.	
The site is in Flood Zone 3.	
Properties proposed seems large.	
Overlooking and loss of privacy to the occupiers at 154 Goldhanger Road.	
Inadequate number of parking spaces.	
The development would cause difficulties for buses getting through Coopers	

Objection Comment	Officer Response
Avenue.	

7.4.2 Letters were received **in support** of the application from the following and the reasons for support are summarised as set out in the table below:

- Mr John Francis Beachway 156 Goldhanger Road Heybridge

Supporting Comment	Officer Response
Proper use of empty land proving two bedrooms and two parking spaces for two modest starter / retirement homes	Noted.

8. **REASONS FOR REFUSAL**

- 1 The application site is located in Flood Zone 3a which has a high probability of flooding. The Council can demonstrate a Five Year Housing Land Supply and as such residential development should be directed to areas of low risk of flooding. Furthermore, the submitted Flood Risk Assessment is unsatisfactory as it has failed to apply the Sequential Test is set out in Paragraph 101 of the National Planning Policy Framework (NPPF). The Exception Test is set out in paragraph 102 thus fails to demonstrate that the proposed development would be safe for prospective occupiers of the site. Therefore, the development would be contrary to Government guidance and advice contained in the NPPF, the NPPG, and policy D5 of the Maldon District Local Development Plan (MDLDP).
- 2 The provision of two detached dwellings on this site, would introduce a cramped and contrived form of development which is out of keeping and fails to reflect the prevailing pattern of development in the immediate locality. The development proposal would therefore be contrary to policies S1, D1 and H4 of the MDLDP, and Government advice contained in the NPPF.