



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

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to  
**NORTH WESTERN AREA PLANNING COMMITTEE  
14 MAY 2018**

<b>Application Number</b>	<b>FUL/MAL/18/00283</b>
<b>Location</b>	Hornbeams, Blue Mills Hill, Wickham Bishops, Essex, CM8 3LQ
<b>Proposal</b>	Demolition of existing house and detached garage and proposal for replacement dwelling with integrated garage and associated landscape scheme.
<b>Applicant</b>	Mr R Brewster
<b>Agent</b>	Mr Darren Furniss - KTB Architecture
<b>Target Decision Date</b>	07/06/18
<b>Case Officer</b>	Hilary Baldwin 01621 854477
<b>Parish</b>	<b>WICKHAM BISHOPS</b>
<b>Reason for Referral to the Committee / Council</b>	Major Planning Application Member Call In The item has been called in by Councillor H Bass on the grounds of public interest.

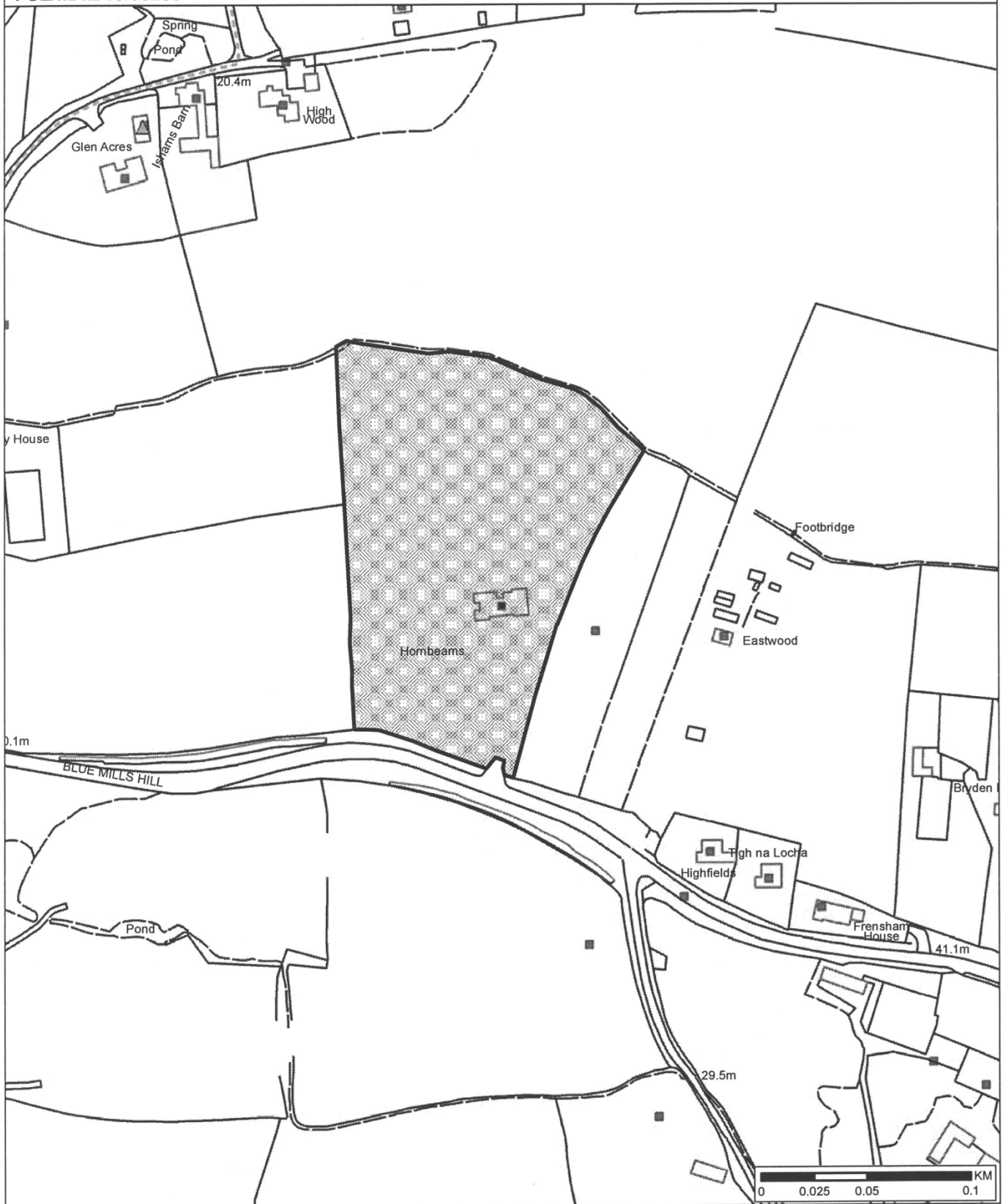
**1. RECOMMENDATION**


**GRANT PLANNING PERMISSION** subject to the conditions as detailed in Section 8 of this report.

**2. SITE MAP**

Please see overleaf.

**Hornbeams, Blue Mills Hill, Wickham Bishops**  
**FUL/MAL/18/00283**



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	NW Committee
	Date:	01/05/2018
www.maldon.gov.uk	MSA Number:	100018588

### **3. SUMMARY**

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

- 3.1.1 The application site is located to the north of Blue Mills Hill, close to the junction with Mope Lane. The site is outside the settlement boundary of Wickham Bishops.
- 3.1.2 The site hosts a four storey dwelling that is built into the changing ground levels, thereby appearing to be a 9.9 metre tall, two storey dwelling to the front (south) elevation and a 13 metre tall, three storey dwelling to the rear (north) with rooms to the roof, served by dormers to all sides. The existing building has a maximum width of 31 metres and a maximum depth of 16 metres, with a footprint of approximately 240 square metres at lower ground level and 286 at upper ground level and a floorspace of approximately 1000 square metres.
- 3.1.3 The site also features a two storey garage building that measures 16.2 metres by 7.3 metres, with a maximum height of 6.1 metres. The site also features substantial tree planting, a manmade lake to the north of the dwelling and a vehicle access from Blue Mills Hill.
- 3.1.4 Planning permission was granted under the terms of application **HOUSE/MAL/16/00923** for substantial extensions to the existing dwelling to the front and rear which would have maintained the maximum height of the dwelling, but increased the floorspace by approximately 240 square metres.
- 3.1.5 This application seeks planning permission to demolish the existing dwelling and erect a replacement dwelling. The proposed dwelling would be located in a similar position to the existing dwelling and would feature accommodation over a total of four floors (including a small basement and mezzanine) with a total floorspace of approximately 1300 square metres.
- 3.1.6 The lower ground floor would measure a maximum of 42.5 metres wide and 29 metres deep, being built into the ground levels, thereby resulting in the south elevation being below the adjacent ground level. The ground floor area would measure 730 square metres in area, excluding an open internal courtyard at the centre of the building. A basement area would also be provided at the north east corner of the building to contain plant.
- 3.1.7 The upper ground floor would be generally 'L' shaped in arrangement with a maximum length of 32.5 metres at the east elevation and 42.5 metres at the north elevation and a floor area of approximately 506 square metres. The first floor accommodation would feature flat roofs being built to varying heights, with the garage at the south end having a height of 4 metres above the adjacent ground level and the north end of the building having a height of 8.2 metres above the lower ground level to the north. The central part of the building would feature a sculptural staircase with the roof height above this section raised to a height of 9.4 metres above the ground levels to the south. At the south end of the building, an integral triple garage would be provided.

- 3.1.8 At first floor (described as the mezzanine level), located at the north west corner of the building, a 70 square metre snug/study/night kitchen would be provided to the main bedroom along with a void area above the bedroom. This element of the building would measure 10.6 metres by 10.8 metres with a mono-pitched roof built to a maximum height of 12.9 metres and a minimum height of 10.5 metres (relative to the ground levels to the north).
- 3.1.9 The building would have a modern architectural styling with a significant amount of glazing, bronze metal cladding and light brickwork. The building would appear to feature a number of segments that are linked together rather than a conventional dwelling, with glazing used extensively to link the blocks and provide skylights. The building would feature a bronze coloured canopy projecting to the south of the tallest part of the building that would create an entrance feature to the main bedroom. The dwelling would be surrounded by various formal amenity areas including patio areas at lower ground floor level, a drop off area and large driveway to the south of the building at upper ground floor level and various areas of formal planting. The main part of the flat roof would be built as a sedum roof, with PV panels towards the south end of the roof.
- 3.1.10 At the south of the building, the access to the site would be provided in the same location. 7 metres to the north of the south boundary would be a gatehouse that would measure 5.4 metres deep and 3.4 metres wide with a sedum and louvered roof built to a height of 2.7 metres. This structure would contain air conditioning and air source heat pump equipment. A new 2 metre tall, bronze tone entry gate would be provided adjacent to that structure and a below ground water tank would be provided to the south of that building, beneath a grasscrete 'service area.' Close to the south west corner of the site, the applicant proposes the erection of a mower store that would measure 2.8 metres by 3.9 metres and 2.8 metres tall. A bin store is also proposed adjacent to the entrance that would measure 2.29 metres by 0.9 metres and 1.2 metres tall.
- 3.1.11 The submitted plans show extensive landscaping works which appear to include the following:
- Sculptured and contoured ground levels consisting of two hillocks to the south west of the dwelling and one to the south.
  - Native hedgerow planting at the boundaries of the site.
  - New Tree planting, particularly to the west side of the building to enclose a gap between existing tree coverage.
  - A stepped walkway to the west side of the dwelling and stepped soft landscaped area to the east with a Jacuzzi built within a terrace area.
- 3.1.12 Details of integral lighting schemes to all amenity areas about the building have also been submitted.

## **3.2 Conclusion**

- 3.2.1 The proposed replacement dwelling would be of a larger size than the existing large dwelling at the site and of a much more modern design, with a greater number of domestic structures at the entrance to the site. However, it is considered that the proposal is compliant with all aspects of policy H4 and would not cause harm in terms

of residential amenity or highway safety. It is considered that the proposal offers the opportunity to undertake an interesting development, with a substantial increase in landscaping and a reduction of the prominence of built form at the site. It is therefore considered that the proposal can be found acceptable.

#### **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 - Three dimensions to sustainable development
- 8 - Roles of sustainable development
- 14 - Presumption in favour of sustainable development
- 17 - Core planning principles
- 28 - Supporting prosperous rural economy
- 29-41 - Promoting sustainable transport
- 47-55 - Delivering a wide choice of high quality homes
- 56-68 - Requiring good design
- 109-125 - Conserving and enhancing the natural environment
- 196-197 - Determining applications

##### **4.2 Approved Maldon District Local Development Plan (July 2017) Policies:**

- Policy S1 – Sustainable Development
- Policy S2 – Strategic Growth
- Policy S8 – Settlement Boundaries and the Countryside
- Policy D1 – Design Quality and Built Environment
- Policy D2 – Climate Change and Environmental Impact of New Development
- Policy H4 – Effective Use of Land
- Policy N2 – Natural Environmental and Biodiversity
- Policy T1 – Sustainable Transport
- Policy T2 – Accessibility

##### **4.3 Relevant Planning Guidance / Documents:**

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

#### **5. MAIN CONSIDERATIONS**

##### **5.1 Principle of Development**

- 5.1.1 The Council is required to determine planning applications in accordance with its approved Development Plan unless material considerations indicate otherwise [Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004), Section 70(2) of the Town and Country Planning Act 1990 (TCPA1990) and paragraph 196 of the NPPF].

- 5.1.2 The site lies well outside the defined settlement boundaries of Wickham Bishops and is therefore considered to be in a countryside location for the purposes of planning policies.
- 5.1.3 Policy S1 of the Local Development Plan 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 will apply, inter alia, the following key principles in policy and decision making:*
- 2) *Deliver 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*
  - 3) *Promote the effective use of land and prioritise development on previously developed land and planned growth at the Garden Suburbs and Strategic Allocations;*
  - 4) *Support growth within the environmental limits of the District;*
  - 5) *Emphasise the importance of high quality design in all developments;*
  - 6) *Create sustainable communities by retaining and delivering local services and facilities;*
  - 12) *Maintain the rural character of the District without compromising the identity of its individual settlements;*
  - 13) *Minimise the need to travel and where travel is necessary, prioritise sustainable modes of transport and improve access for all in the community”*
- 5.1.4 The requirement to focus strategic growth to the District’s main settlements is also reiterated in Policy S2. The reason for that is that these areas constitute the most suitable and accessible locations in the District. It is also noted that *“Strategic growth in the rural villages will be related to the settlement hierarchy, reflect the size, function and physical capacity of the settlement and will not result in unsustainable spatial patterns to the detriment of the wider area.”*
- 5.1.5 Policies S1 and S2, Policy S8 of the approved Maldon District Local Development Plan (LDP) seek to support sustainable developments within the defined settlement boundaries. This is to ensure that the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. It is clearly stated that outside of the defined settlement boundaries, Garden Suburbs and Strategic Allocations, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon.
- 5.1.6 The abovementioned policies are in compliance with the National Planning Policy Framework (NPPF) which in order to promote sustainable development in rural areas, suggests that housing should be located where it will enhance or maintain the rural communities, such as small settlements.
- 5.1.7 Policy H4 allows for the erection of replacement dwellings subject to the following criteria:
- 1) The residential use of the original dwelling has not been abandoned;
  - 2) The original dwelling is not a temporary or mobile structure;
  - 3) The original dwelling is not worthy of retention because of its design and relationship to the surrounding area;

- 4) The proposed replacement dwelling is of an appropriate scale to the plot and its setting in the landscape;
- 5) The proposed replacement dwelling is of a design appropriate to its setting; and
- 6) The proposal will not involve the loss of any important landscape, heritage features or ecology interests.

5.1.8 The existing dwelling is described above and is substantial in terms of size and visual impact. The use of the building as a dwelling has not been abandoned and the dwelling is not temporary. Whilst being impressive in many respects, it is not considered that the building is of a design or relevance or importance to the landscape setting that would enable the Local Planning Authority to sustain an argument that the dwelling should be retained. The proposal is therefore considered to be compliant with criteria 1), 2) and 3).

5.1.9 The other criteria of this policy will be assessed in detail below, but subject to these considerations it is considered that there is no basis to object to the principle of replacing one dwelling with another in a countryside location.

## **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 sought to create a high quality built environment for all types of development.

5.2.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The NPPF states that “*The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people*”.

5.2.3 Paragraph 64 also states that “*permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions*”.

5.2.4 This principle of good quality design is reflected to the approved MDLDP. The basis of policy D1 of the approved MDLDP seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution in terms of:-

- a) *Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;*
- b) *Height, size, scale, form, massing and proportion;*
- c) *Landscape setting, townscape setting and skylines;*
- d) *Layout, orientation, and density;*
- e) *Historic environment particularly in relation to designated and non-designated heritage assets;*

- f) *Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and*
- g) *Energy and resource efficiency.*

- 5.2.5 It should be also noted that policies S2 and S8 seek to avoid new development outside defined development boundaries, with policy S8 stating that development will only be approved “*where the intrinsic character and beauty of the countryside is not adversely impacted upon*”. Policy D1 requires new development to be of a good standard of design and to contribute to and enhance local distinctiveness.
- 5.2.6 The existing dwelling is substantial in terms of size, scale and mass and therefore, even despite its setting well back from the public highway, has an imposing and dominating impact on the character and appearance of Blue Mills Hill. The extensions approved under the terms of the 2016 application at this site would further increase the size of the dwelling and increase the visual impact of the dwelling. In both circumstances, the visual impact is heightened by the large outbuilding to the side of the dwelling and the domesticated, manicured landscaping and entrance enclosures at the frontage of the site.
- 5.2.7 The proposed dwelling would have a footprint that is approximately 700 square metres, thereby being substantially larger than the 290 square metre footprint of the upper ground floor of the existing building and the 118 square metre garage building. However, the majority of this footprint would be built into the lower ground levels and would therefore not be visible from the public highway to the south and this would reduce the impact of the built form.
- 5.2.8 To demonstrate this, it is considered relevant to note that the floorspace of the building would be 150 square metres larger than the combined floorspace of the existing dwelling and garage building at the site. Therefore the ‘above ground’ element of the building is substantially reduced in comparison to the existing building. For these reasons, it is considered that the proposed dwelling is commensurate with the size of the existing dwelling and the plot on which it would sit and therefore it is considered that the proposal would accord with the requirement of criteria 4) of policy H4 as discussed above.
- 5.2.9 It is noted that each of the calculations set out above are made in relation to the existing buildings at the site and have no regard to the extensions that were approved under the terms of application **HOUSE/MAL/16/00923**. If compared to that substantially larger dwelling, which would have had a lower ground floor footprint of approximately 420 square metres and a total floorspace (excluding the garage building) of approximately 1230 it is considered that the contrast between the size of the dwellings is marginal. As with the above, it is noted that the proportion of the built form that would be at lower ground level would also be increased, thereby reducing the visual impact from the south.
- 5.2.10 The proposed dwelling would be visually striking in a wholly different manner than the existing dwelling. The majority of the building would be much lower in height, but a tower feature to the north-west corner would project to a height of 12.9 metres, which would be approximately 1 metre lower than the ridge height of the existing building.

- 5.2.11 The proposed dwelling would be of modern design and would not therefore be alike any other dwelling within the surrounding area. However, the same is also true of the existing dwelling. In this instance, noting that the building is viewed in isolation and therefore there is not an established streetscene or character that must be replicated, it is considered that there is scope to propose a dwelling that is of markedly different design and character.
- 5.2.12 The proposed development is of a modern design and it is considered that this is an appropriate location for such a design approach. Overall the design is considered to be acceptable.
- 5.2.13 Of more concern is the introduction of buildings to the south part of the site including the proposed gate house and mower store. The gate house would be a more substantial visual feature than the existing entrance enclosures and would therefore have a much greater visual impact on the streetscene and the character of the countryside. However, given the gains that would be derived from the reduction of the scale of above ground built form at the site and the indicative landscaping proposals which would soften the impact of the buildings, it is considered that the proposed gatehouse and gates, on balance, can be found acceptable. The same is also true of the proposed mower store which would be a small addition that can be screened by changing ground levels and landscaping.
- 5.2.14 For these reasons, it is considered that the proposal can be accepted to be in accordance with the design and scale requirements of policy H4 and the other design based policies and guidance that are set out within national and local planning policy documents.

### **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.
- 5.3.2 As set out above, the dwelling sits in relative isolation a significant distance from all neighbouring dwellings. It is therefore the case that the proposals would not cause a loss of light, privacy or outlook that is materially different or worse than the existing dwellinghouse.

### **5.4 Access, Parking and Highway Safety**

- 5.4.1 Policies D1, H4 and T2 of the approved MDLDP 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.
- 5.4.2 The Maldon District Council Vehicle Parking Standards (VPS) states that residential dwellings comprising four or more bedrooms require a maximum of three off-street parking spaces. This parking requirement would be met by this proposal.

5.4.3 The Highway Authority have assessed the proposal and raised no objection subject to a number of conditions. It is considered that these conditions would be able to be complied with and therefore imposing those restrictions would not be unreasonable. The means of access to the site and the parking provision is therefore considered to be acceptable.

## **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 Essex Design Guide SPD advises a suitable garden size for each type of dwellinghouse, namely 100sq.m. of private amenity space for dwellings with three or more bedrooms. The site would be served by significant amenity space and would therefore comply with this requirement.

5.5.2 The submitted plans show the provision of significant landscaping within the site and native hedgerows at the boundaries of the site. It is considered that the landscaping provision would enhance the appearance of the site and mitigate the impact of the development and it is therefore considered that the hard and soft landscaping should be secured through the imposition of conditions.

5.5.3 The proposal has been accompanied by a tree planting plan. However, there is not considered sufficient detail within the plan in relation to tree protection and retention. A condition for such details can be appended to any grant of permission.

## **5.6 Other Material Considerations**

5.6.1 Following the advice of the Council's Environmental Health Officers, matters relating to surface and foul water drainage can be addressed through the imposition of conditions. It is noted that the proposed block plan includes the positioning of a septic tank. However, the agent has confirmed that the foul drainage will be disposed of by way of a package treatment plant.

5.6.2 The applicant has submitted an ecology assessment which contains a number of recommendations with respect to the means of undertaking construction works at the site and providing lighting at the site. It is considered that a condition can be imposed to ensure that the development is undertaken with the relevant and enforceable elements of this document and this will therefore ensure that there is not likely to be a harmful impact on protected species at the site. In any event, it is relevant to note that protected species are protected under the terms of other legislation.

## **6. ANY RELEVANT SITE HISTORY**

- **FUL/MAL/98/00820** – Demolition of existing dwelling and erection of new house and garage - Approved
- **FUL/MAL/01/00590** - Demolition of existing dwelling and erection of new house and garage – Approved
- **FUL/MAL/07/00041** and **FUL/MAL06/01125** - Redesign and repositioning of garage approved under **FUL/MAL/01/000590** and new entrance piers/gates. – Both Approved

- **HOUSE/MAL/16/00923/** - Extend the existing house to the front, rear and sides, alterations to the existing facade treatment, remedial works to address water ingress and hard and soft landscaping to the front and rear garden. – Approved.
- It is noted that a number of applications have related to the land to the east of Hornbeams, but that is not of relevance to this proposal.

## 7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

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

<b>Name of Parish / Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
Wickham Bishops Parish Council	Support the application. It is considered that the proposed landscaping and alterations to the entrance would enhance the appearance and highway safety of the site.	Comments Noted and discussed where relevant above.

### 7.2 **Statutory Consultees and Other Organisations**

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
ECC Highway Authority	No objection subject to the imposition of conditions.	Noted and discussed above.

### 7.3 **Internal Consultees**

<b>Name of Internal Consultee</b>	<b>Comment</b>	<b>Officer Response</b>
Environmental Health	No objection subject to conditions.	Please refer to relevant paragraphs 5.6.1 of the report
Leisure and Liveability Officer	Support the proposal, but wishes to see formal hard and soft landscaping plans and further topographical details.	These matters are to be addressed through the imposition of conditions.

### 7.4 **Representations received from Interested Parties**

No representations have been received by the Local Planning Authority.

## 8. PROPOSED CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
REASON: To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall accord with that shown on drawing No's: HRB\_CP, HRB\_EX00\_P\_SP, HEB\_EX01\_P\_LGF, HRB\_EX02\_P\_GF, HRB\_EX03\_P\_1F, HRB\_EX04\_P\_2F, HRB\_EX06\_S\_A-A REV A, HRB\_EX07\_S\_B-B REV A, HRB\_EX08\_E\_C-C REV A, HRB\_EX09\_E\_D-D REV A, HRB\_EX10\_E\_E-E REV A, HRB\_EX11\_E\_F-F REV A, HRB\_EX12\_E\_G-G REV A, HRB\_EX13\_E\_H-H REV A, HRB\_EX14\_E\_GA REV A, MMX 207/1, MMX 207/2, HRB\_PR00\_P\_SP, HRB\_PR01\_P\_B, HRB\_PR02\_P\_LGF, HRB\_PR03\_P\_UGF, HRB\_PR04\_P\_M, HRB\_PR05\_P\_R, HRB\_PR06\_S\_A-A, HRB\_PR07\_S\_B-B, HRB\_PR08\_S\_C-C, HRB\_PR10\_S\_E-E, HRB\_PR11\_S\_F-F REV A, HRB\_PE13\_E\_H-H REV A, HRB\_PR14\_E\_J-J, HRB\_PR15\_E\_K-K REV A, HRB\_PR16\_E\_L-L, HRB\_PR17\_E\_CY, HRB\_SAB, HRB\_SAG, HRB\_SAL, HRB\_SLP, HRB\_TS, RB\_01.1, RB\_01.2, RB\_01.3, RB\_02.1, RB\_02.2, RB\_02.3, RB\_02.4, RB\_03.1, RB\_03.2, RB\_03.4, RB\_04.1, RB\_04.2A, RB\_04.2B, RB\_04.3, RB\_04.3, RB\_05.1, RB\_05.3, RB\_06.1, RB\_06.2, RB\_06.3, RB\_07.1, RB\_07.2 and RB\_07.3.  
REASON: To ensure that the development is carried out in accordance with the details as approved.
- 3 Prior to the commencement of the development hereby approved, samples of all materials to be used in the external elevations of the buildings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. Subsequently the development shall only be undertaken using the approved materials.  
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.
- 4 No development shall take place until full details of both hard and soft landscape works to be carried out including details of a planting implementation scheme, aftercare and maintenance and replacement programme out have been submitted to the Local Planning Authority for approval in writing. The scheme shall also include details of the planting of hedges at the site boundaries. The landscape works shall be carried out in accordance with the approved details with soft landscape works carried out within the first available planting season (October to March inclusive) following the occupation of the dwelling hereby approved.  
REASON: To secure appropriate landscaping of the site in the interests of visual amenity and the character of the area in accordance with policy D1 of the Maldon District Local Development and the provision and guidance of the National Planning Policy Framework.
- 5 No development shall take place until a scheme for the provision and implementation of a surface water drainage scheme has been submitted to the Local Planning Authority for approval in writing. The scheme shall be constructed and completed in accordance with the approved plans and prior to the occupancy of any part of the development.

- REASON: To ensure the incorporation of an appropriate drainage scheme in accordance with policy D2 of the Maldon District Local Development Plan.
- 6 Prior to the commencement of the development details of the foul 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 the incorporation of an appropriate drainage scheme in accordance with policy D2 of the approved Maldon District Local Development Plan.
- 7 Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no development as specified in Schedule 2, Part 1, Classes A, B, C, D, E or G other than those expressly authorized by this permission, shall be carried out without express planning permission first being obtained from the Local Planning Authority.
- REASON: To enable the Local Planning Authority to safeguard the character and visual amenity of the approved dwelling and the area in accordance with policy D1 of the approved Maldon District Local Development Plan, the Maldon District Design Guide and the provisions and guidance as contained within the National Planning Policy Framework.
- 8 Prior to the first beneficial occupation of the dwelling hereby approved, the driveway and garage parking spaces shown on the approved plans which are attached to and form part of this permission shall be constructed, surfaced, laid out and made available for use in accordance with the approved scheme. The parking spaces shall be retained for such purposes at all times thereafter.
- REASON: To ensure appropriate parking is provided in accordance with policies T1 and T2 of the approved Maldon District Local Development Plan.
- 9 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 trees within the site in the interests of visual amenity and the character of the area in accordance with policy D1 of the approved Maldon District Local Development Plan.

- 10 No development shall commence until details of existing ground levels and proposed finished ground and floor levels of the dwelling and all outbuildings at the site have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.  
REASON: In the interests of visual amenity and the character and of the area in accordance with policy D1 of the approved Maldon District Local Development Plan.
- 11 All of the accommodation hereby approved shall only be used as a single dwelling and none of the accommodation shall be occupied as self-contained, independent residential accommodation.  
REASON: To ensure that the accommodation remains ancillary to the existing dwelling house and does not create a separate or independent unit in accordance with policies D1 and H4 of the approved Maldon District Local Development Plan.
- 12 Unless otherwise demolished as part of the construction of the development hereby approved, all parts of the existing dwelling and garage building shall be demolished, with all waste materials removed from the site, within three months of the first occupation of the dwelling hereby approved.  
REASON: To ensure that the development is undertaken in accordance with the approved plans and in accordance with policies D1 and H4 of the approved Maldon District Local Development Plan
- 13 In accordance with recommendations 2, 4, 5, 6, 7, 9, 10 and 11 of the Ecological and Biodiversity Appraisal (MKA Ecology Limited, Version 2, dated 05 February 2018).  
REASON: To ensure the conservation interests identified in the report are satisfactorily protected in accordance with policy N2 of the approved Maldon District Local Development Plan.