Emerging Maldon District Local Development Plan

Progress of the emerging LDP

- The Maldon District LDP was called-in by the Secretary of State in June 2015. In March 2016 he confirmed that the Examination could recommence, and appointed a new Inspector.
- At the Inspector’s request, the Main Modifications that arose from the previous Examination held in 2015 were subject to a six week consultation in September-October 2016.
- The Examination Hearings were held 10-19 January 2017.

Due to the Plan having been called in, the post examination Hearings procedure is different, in that the modifications will be consulted upon before the Inspector writes his report.

- The Post-Examination Hearing Modifications are due to be subject to a six week consultation from 24 February to 7 April 2017.
- Following the consultation, the representations received will be forwarded to the Inspector, so that he can take them into account in writing his report.
- The Inspector submits his report directly to the Secretary of State.
MINUTES of
SOUTH EASTERN AREA PLANNING COMMITTEE
11 APRIL 2016

PRESENT

Chairman Councillor R P F Dewick
Vice-Chairman Councillor N R Pudney
Councillors Mrs B F Acevedo, B S Beale MBE, R G Boyce MBE CC,
Mrs P A Channer CC, Mrs H E Elliott, A S Fluker, M W Helm
and R Pratt

1106. CHAIRMAN’S NOTICES

The Chairman drew attention to the list of notices published on the back of the
agenda.

1107. APOLOGY FOR ABSENCE

An apology for absence was received from Councillor P G L Elliott.

1108. MINUTES

RESOLVED

(i) that the Minutes of the South Eastern Area Planning Committee held on 7
March 2016, be received.

Minute 3 - Minutes

Councillor A S Fluker said that comments attributed to him in the second paragraph
of the Minute would read better with the words “he declared” instead of the words
“was in the practice of declaring”.

RESOLVED

(ii) that subject to the above amendment, the Minutes of the South Eastern Area
Planning Committee held on 7 March 2016 be approved and confirmed.
1109. DECLARATIONS OF INTEREST

Councillor R P F Dewick declare non-pecuniary interests in relation to Agenda Item 11 as he knew the applicant and agenda item 15 on the basis that he had carried out work at the application site in the past.

Councillor Mrs P A Channer declared a non-pecuniary interest in any item relating to Essex County Council (ECC) as she was a Member of ECC who was consulted on education, highways and other matters. She also declared a non-pecuniary interest in Agenda Items 11 and 13 as she knew the agent in each case.

Councillor R Pratt declared a non-pecuniary interest in Agenda Item 13 as he was a close friend of a volunteer, had bought a dog from the establishment, and would leave the meeting when this item was considered.

Councillor Mrs H E Elliott declared that she knew the applicants in connection with Agenda Items 4 and 6, and a non-pecuniary interest in Agenda Item 13 as she knew some of the volunteers, and in the interests of openness and transparency would leave the meeting for consideration of this item.

Councillor A S Fluker declared in the interests of openness and transparency that he knew the applicants in connection with Agenda Items 6 and 12, he knew the applicant and agenda on Agenda Item 11, he knew the applicant and had bought a dog from the establishment in connection with Agenda Item 13, and knew some of the objectors in connection with Agenda Item 14.

Councillor Mrs B F Acevedo declared that she knew the applicant in connection with Agenda Item 13 and lived close to the application site for Agenda Item 15.

Councillor N R Pudney declared that he knew some objectors and also knew the applicant in connection with Agenda Item 14.

Councillor Mrs Channer further declared that she knew the applicant in connection with Agenda Item 6 and was a patient at the surgery of the applicant in connection with Agenda Item 14.

Councillor B S Beale declared that he knew the agent in connection with Agenda Item 11.

1110. MEMBERS’ BRIEFING

The Committee received a briefing from Officers on the use of planning conditions. Reference was made to the Government Guidance on the use of conditions in connection with the grant of planning permission and the tests that had to be applied.
1111. FUL/MAL/16/00118 – AA DOG RESCUE, OLDFIELD LODGE, BURNHAM ROAD, LATCHINGDON

With the agreement of the Committee, the Chairman brought forward this item for early consideration due to the large public attendance. In line with their earlier declarations, Councillors Mrs H E Elliott and R Pratt left the meeting.

The Committee considered the report of the Director of Planning and Regulatory Services and determined the following planning application, having taken into account all representations and consultation replies received, including those listed on the Members’ Update circulated at the meeting.

Following the Officer presentation, Ms M Jackson, an objector, and Mr D Wallis, the agent, addressed the Committee.

<table>
<thead>
<tr>
<th>Application Number</th>
<th>FUL/MAL/16/00118</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>AA Dog Rescue Oldfield Lodge Burnham Road Latchingdon</td>
</tr>
<tr>
<td>Proposal</td>
<td>Retrospective application for change of use of buildings to dog centre and equestrian.</td>
</tr>
<tr>
<td>Applicant</td>
<td>Miss Charlene Nathan</td>
</tr>
<tr>
<td>Agent</td>
<td>Mr David Wallis - Smart Planning Ltd</td>
</tr>
<tr>
<td>Target Decision Date</td>
<td>30 March 2016</td>
</tr>
<tr>
<td>Case Officer</td>
<td>Nigel Hebden, TEL: 01621 875741</td>
</tr>
<tr>
<td>Parish</td>
<td>LATCHINGDON</td>
</tr>
<tr>
<td>Reason for Referral to the Committee / Council</td>
<td>Previous Committee Decision</td>
</tr>
</tbody>
</table>

The view was expressed from within the Committee that there appeared to have been little progress in dealing with the noise issue since the last deferment and that it was unlikely that the requirements of a noise mitigating planning condition would be met. It was also stated that the use was still having a detrimental effect on the amenities of neighbouring residents.

Concern was however expressed for the future welfare of the number of dogs currently kept at the establishment and it was suggested that the applicant be given one further opportunity to resolve the noise issue. Councillor A S Fluker proposed that consideration of the application be deferred, and this was seconded by Councillor Mrs P A Channer.

Debate ensued, and it was noted that the enforcement notice against the unauthorised use, currently the subject of appeal, gave a compliance period of six months. Officers advised that a Noise Abatement Notice had been served, and explained the noise level monitoring and mitigation issues between the Council and the applicant’s noise consultant.

The proposal for deferment standing in the name of Councillor A S Fluker was then put to the meeting and upon a vote being taken was declared lost. The Chairman then
put to the meeting the recommendation of refusal of the Officers and upon a vote taken this was agreed.

**RESOLVED** that this application be **REFUSED** for the following reason:

1. The application relates to the continuation of the use of the land as a dog rescue centre. From the information provided the Council concludes that the use causes harm by way of noise and general disturbance to the occupiers of nearby residential properties to the detriment of their standard of accommodation and that the mitigation measures proposed by the applicant will not alleviate this situation. Therefore, the development does not comply with the requirements of policies BE1, CC19 and CON5 of the adopted Maldon District Replacement Local Plan, policies D1 and D2 of the submission Local Development Plan and para 123 of the National Planning Policy Framework.

**POSITIVE AND PROACTIVE STATEMENT**


The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant / Agent. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal – which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

Councillors Mrs Elliott and Pratt then returned to the meeting.

**1112. FUL/MAL/15/00932 – CARAVAN 130 AND CARAVAN B44 AT ST LAWRENCE CARAVAN SITE, MAIN ROAD, ST LAWRENCE**

The Committee considered the report of the Director of Planning and Regulatory Services and determined the following planning application, having taken into account all representations and consultation replies received, including those listed on the Members’ Update circulated at the meeting.

<table>
<thead>
<tr>
<th>Application Number</th>
<th>FUL/MAL/15/00932</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Location</strong></td>
<td>Caravan 130 And Caravan B44 At St Lawrence Caravan Site, Main Road, St Lawrence</td>
</tr>
<tr>
<td><strong>Proposal</strong></td>
<td>Proposed use of 2 existing static holiday caravans for use as permanent residential warden's caravan.</td>
</tr>
<tr>
<td><strong>Applicant</strong></td>
<td>Mr Gary Duce - St. Lawrence Caravans Ltd</td>
</tr>
<tr>
<td><strong>Agent</strong></td>
<td>Mr Philip Jones - Savills (UK) Ltd</td>
</tr>
<tr>
<td><strong>Target Decision Date</strong></td>
<td>12.04.2016</td>
</tr>
<tr>
<td><strong>Case Officer</strong></td>
<td>Rebecca Greasley</td>
</tr>
<tr>
<td><strong>Parish</strong></td>
<td>ST LAWRENCE</td>
</tr>
</tbody>
</table>
Following the Officer presentation Mr Philip Jones the Agent addressed the Committee.

The view was expressed that despite the site being in a flood zone the risk of flooding was low, and the owner had accepted the risk having regard to the need to provide site security.

It was noted that the site was open for ten months of the year, the period having been extended in 2014. The recommendation of refusal reflected the flood risk concerns of the Environment Agency and was made in the interests of public safety, for both current and future occupiers of the site.

It was proposed by Councillor R G Boyce and seconded by Councillor Mrs P A Channer that the recommendation of refusal by the Officers be not accepted and that the application be approved. Upon a vote being taken, this was agreed and the Director of Planning and Regulatory Services was authorised to settle the planning conditions in consultation with the Ward Members.

**RESOLVED** that this application be **APPROVED** subject to the following conditions:

1. The use of the two caravans for permanent residential occupation hereby permitted shall be used by staff members only.
2. The Emergency Flood Evacuation Plan that forms part of this permission shall be made available to all users of the site at all times throughout the lifetime of this permission.
3. Within 3 months of the date of this decision, a site-specific flood risk assessment shall be submitted to, and agreed in writing by the local planning authority. The flood risk assessment must demonstrate that the site will be safe for its lifetime taking account the vulnerability of its users, without increasing flood risk elsewhere, and where possible will reduce risk overall.

**POSITIVE AND PROACTIVE STATEMENT**


The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. Furthermore, Members of the planning committee which took the decision to grant planning permission considered the proposal to be acceptable.
1113. FUL/MAL/15/01328 – 12 THE PLOVERS, ST LAWRENCE

The Committee considered the report of the Director of Planning and Regulatory Services and determined the following planning application, having taken into account all representations and consultation replies received.

<table>
<thead>
<tr>
<th>Application Number</th>
<th>FUL/MAL/15/01328</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>12 The Plovers St Lawrence Essex CM0 7PE</td>
</tr>
<tr>
<td>Proposal</td>
<td>Change of use from holiday home to residential dwelling</td>
</tr>
<tr>
<td>Applicant</td>
<td>Mrs Maureen Delasalle</td>
</tr>
<tr>
<td>Agent</td>
<td>N/A</td>
</tr>
<tr>
<td>Target Decision Date</td>
<td>15 April 2016</td>
</tr>
<tr>
<td>Case Officer</td>
<td>Kara Elliott, TEL: 01621 875860</td>
</tr>
<tr>
<td>Parish</td>
<td>ST LAWRENCE</td>
</tr>
<tr>
<td>Reason for Referral to the Committee / Council</td>
<td>Departure from the Local Plan</td>
</tr>
</tbody>
</table>

Following the Officer presentation, Mr Stephen Delaselle, the son of the applicant, addressed the Committee.

RESOLVED that this application be APPROVED subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2. 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 pursuant to the provisions of Class A, B, C, E of Part 1, Schedule 2 shall be undertaken without planning permission having been obtained from the Local Planning Authority.

POSITIVE AND PROACTIVE STATEMENT

Town and Country Planning (Development Management Procedure) (England) Order 2015 - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.
The Committee considered the report of the Director of Planning and Regulatory Services and determined the following planning application, having taken into account all representations and consultation replies received.

<table>
<thead>
<tr>
<th>Application Number</th>
<th>FUL/MAL/15/01363</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>Wycke Farm Main Road Mundon Essex</td>
</tr>
<tr>
<td>Proposal</td>
<td>Single detached dwelling with double garage and stable block.</td>
</tr>
<tr>
<td>Applicant</td>
<td>Mr C Wilson</td>
</tr>
<tr>
<td>Agent</td>
<td>Mr J Crisp - Arcady Architects Ltd</td>
</tr>
<tr>
<td>Target Decision Date</td>
<td>14 April 2016</td>
</tr>
<tr>
<td>Case Officer</td>
<td>Nigel Hebden, TEL: 01621 875741</td>
</tr>
<tr>
<td>Parish</td>
<td>MUNDON</td>
</tr>
<tr>
<td>Reason for Referral to the Committee / Council</td>
<td>Previous Committee Decision Parish Trigger</td>
</tr>
</tbody>
</table>

Following the Officer presentation Mr J Crisp, the agent, addressed the Committee.

**RESOLVED** that this application be **REFUSED** for the following reasons:

1. The site lies within an unsustainable location. Therefore, the erection of new residential development, remote from community services and essential support facilities, and inaccessible by a range of transport, would be contrary to the 'presumption in favour of sustainable development' contained in the National Planning Policy Framework and to policy T1 of the adopted Maldon District Replacement Local Plan.

2. The proposed development by reason of its nature, design, scale and siting within a predominantly rural area, would have an adverse impact on the character, appearance and intrinsic beauty and quality of the rural landscape and the setting of the adjacent public footpath. As such the proposal would be contrary to the requirements of policies S2, H1, BE1 and CC6 of the Maldon District Replacement Local Plan, and policies S1, D1 and N2 of the Maldon District Local Development Local Plan and core planning principles and guidance contained in the National Planning Policy Framework.

**POSITIVE AND PROACTIVE STATEMENT**

Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012 - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant/Agent. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal which may lead to the submission of a more acceptable proposal in the future. The
Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

1115. HOUSE/MAL/16/00010 – 57 NIPSELLS CHASE, MAYLAND

The Committee considered the report of the Director of Planning and Regulatory Services and determined the following planning application, having taken into account all representations and consultation replies received.

<table>
<thead>
<tr>
<th>Application Number</th>
<th>HOUSE/MAL/16/00010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>57 Nipsells Chase Mayland Essex CM3 6EH</td>
</tr>
<tr>
<td>Proposal</td>
<td>Erection of rear single storey 25sqm flat roof extension. Demolition of existing porch. Extension of front single storey 1.75sqm porch. Replacement of existing garage door with window to create new ground floor bedroom</td>
</tr>
<tr>
<td>Applicant</td>
<td>Mr Stephen Denner</td>
</tr>
<tr>
<td>Agent</td>
<td>Mr Mark Amos</td>
</tr>
<tr>
<td>Target Decision Date</td>
<td>10 March 2016</td>
</tr>
<tr>
<td>Case Officer</td>
<td>Emily Hall, TEL: 01621 875744</td>
</tr>
<tr>
<td>Parish</td>
<td>MAYLAND</td>
</tr>
<tr>
<td>Reason for Referral to the Committee / Council</td>
<td>Parish Trigger</td>
</tr>
</tbody>
</table>

Following the Officer presentation Mr Mark Amos, the agent, addressed the Committee.

Some concerns were expressed within the Committee as to potential loss of outlook and overbearing effect of the proposed extensions, particularly to the front. The Officer recommendation was however agreed.

RESOLVED that this application be APPROVED subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.
3. With the exception of the flat roof, which shall be constructed in accordance with the details as set out in the application, the external surfaces of the development hereby approved shall be constructed of materials and of a finish to match the existing dwelling.
4. Prior to the commencement of the development details of the surface water drainage scheme to serve the development shall be submitted to and agreed in writing by the local planning authority. The agreed scheme shall be implemented prior to the first occupation of the development.
5. The flat roof of the development hereby permitted shall not be used at any point as a balcony, for sitting out on or for amenity space.
POSITIVE AND PROACTIVE STATEMENT
Town and Country Planning (Development Management Procedure) (England) Order 2015 - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

1116. FUL/MAL/16/00055 – LAND NORTH WEST OF STITCHES FARM, LOWER CHASE, ALTHORNE

The Committee considered the report of the Director of Planning and Regulatory Services and determined the following planning application, having taken into account all representations and consultation replies received.

<table>
<thead>
<tr>
<th>Application Number</th>
<th>FUL/MAL/16/00055</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>Land North West Of Stitches Farm Lower Chase Althorne Essex</td>
</tr>
<tr>
<td>Proposal</td>
<td>Re-siting of an Agricultural Workers Dwelling approved at FUL/MAL/14/01008</td>
</tr>
<tr>
<td>Applicant</td>
<td>Stuart Davis Ltd</td>
</tr>
<tr>
<td>Agent</td>
<td>Ms C Legg - Smart Planning Ltd</td>
</tr>
<tr>
<td>Target Decision Date</td>
<td>15 April 2016</td>
</tr>
<tr>
<td>Case Officer</td>
<td>Kara Elliott, TEL: 01621 875860</td>
</tr>
<tr>
<td>Parish</td>
<td>ALTHORNE</td>
</tr>
<tr>
<td>Reason for Referral to the Committee / Council</td>
<td>Parish Trigger</td>
</tr>
</tbody>
</table>

Following the Officer presentation Ms C Legg, the agent, addressed the Committee. Concern was expressed within the Committee at the impact this proposal would have on the open countryside, and that this was a totally unsuitable location. Officers confirmed that this proposal was identical to that already approved in a nearby location, and the fact that this was the subject of recent appeal decision was a material consideration. In reply to a question, the Committee was advised that sustainability was relevant to proposals for agricultural dwellings and was reflected in the relevant policy.

It was proposed by Councillor R G Boyce and seconded by Councillor M W Helm that the Officer recommendation of approval be not accepted and that the application be refused based on the remoteness and impact of the development in the open countryside due to its size, scale and bulk. Upon being put to the meeting and a vote taken this was agreed.

Councillors R G Boyce, Mrs P A Channer and A S Fluker asked their objection to this application be recorded.
RESOLVED that this application be REFUSED for the following reason:

1. The siting, scale, bulk and size of the proposed dwelling would have a significant and material detrimental effect on the character and appearance of the streetscene and open countryside setting, particularly in views afforded from the north across the site. In failing to contribute to the protection and enhancement of the natural environment the proposed development is in conflict with adopted policies BE1, CC6 of the adopted Replacement Local Plan, D1 of the emerging Local Development Plan and core planning principles and guidance contained in the National Planning Policy Framework.

POSITIVE AND PROACTIVE STATEMENT


The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and clearly setting these out in the reason(s) for refusal. Furthermore, Members of the planning committee which took the decision to refuse planning permission have been asked to consider whether there are opportunities to amend the development to address this harm. Where a potential way forward has been identified, this has been communicated to the Applicant/Agent. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

1117. OUT/MAL/16/00107 – LAND EAST OF BROOK LANE, ASHELDHAM

The Committee considered the report of the Director of Planning and Regulatory Services and determined the following planning application, having taken into account all representations and consultation replies received, including those listed on the Members’ Update circulated at the meeting.

<table>
<thead>
<tr>
<th>Application Number</th>
<th>OUT/MAL/16/00107</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>Land East Of Brook Lane Brook Lane Asheldham Essex</td>
</tr>
<tr>
<td>Proposal</td>
<td>Construction of four 2 bedroom bungalows</td>
</tr>
<tr>
<td>Applicant</td>
<td>Mr David Hall</td>
</tr>
<tr>
<td>Agent</td>
<td>Mr Anthony Cussen - Cussen Construction Consultants</td>
</tr>
<tr>
<td>Target Decision Date</td>
<td>28 March 2016</td>
</tr>
<tr>
<td>Case Officer</td>
<td>Nigel Hebden, TEL: 01621 875741</td>
</tr>
<tr>
<td>Parish</td>
<td>ASHELDHAM</td>
</tr>
<tr>
<td>Reason for Referral to the Committee / Council</td>
<td>Applicant Related to Member of Staff Previous Committee Decision</td>
</tr>
</tbody>
</table>

Councillors M W Helm and Mrs H E Elliott declared non-pecuniary interests in this application as they knew the agent.

Following the Officer’s presentation Mr Anthony Cussen, the agent, addressed the Committee.
It was noted from the Members’ Update that an additional reason for refusal was being recommended based on the objection from Historic England, and that a response from the Parish Council was still awaited.

In the debate that followed Members were mindful of the most recent appeal decision and the reasons for refusal, the potential impact of the scale of this proposal on the Hill Fort (a Heritage Asset), and sustainability issues.

The Committee agreed with the Officer recommendation of refusal together with the additional reason referred to above.

**RESOLVED** that this application be REFUSED for the following reasons:

1. The site is in a sensitive rural location outside of the defined settlement boundary where policies of restraint apply. The Council can demonstrate a five year housing land supply to accord with the requirements of the National Planning Policy Framework. The site has not been identified by the Council for development to meet future needs for the District and does not fall within either a Garden Suburb or Strategic Allocation for growth identified within the Local Development Plan to meet the objectively assessed needs for housing in the District. Further, the erection of four new dwellings in this location would result in an inappropriate form of development with associated paraphernalia and activities, into the open countryside setting and would have an urbanising effect on this otherwise rural area. The proposal would, therefore, cause demonstrable harm to and adversely impact upon the natural beauty, tranquillity, amenity and traditional quality of the landscape setting and fail to make a positive contribution to the locality, falling short of meeting the environmental strand of the principles of sustainable development. The proposal is, therefore, contrary to policies S2, BE1 and CC6 of the adopted Maldon District Replacement Local Plan, policies S8 and D1 of the submission Local Development Plan and core planning principles and guidance contained in the National Planning Policy Framework.

2. The proposed development by reason of its extent and location would adversely affect the setting of a scheduled ancient monument (Asheldham Hillfort) which would result in harm to its significance contrary to the requirements of policy BE17 of the Maldon District Replacement Local Plan, policy D3 of the Maldon District local development Plan and guidance contained within the National Planning Policy Framework.

**POSITIVE AND PROACTIVE STATEMENT**


The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant/Agent. Unfortunately, it has not been possible to resolve those matters within the timescale allocated for the determination of this planning application. However, the Local Planning Authority has clearly set out, within its report, the steps necessary to remedy the harm identified within the reasons for refusal which may lead to the submission of a more acceptable proposal in the future. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.
1118. HOUSE/MAL/16/00108 – 23 RAMSEY CHASE, LATCHINGDON

The Committee considered the report of the Director of Planning and Regulatory Services and determined the following planning application, having taken into account all representations and consultation replies received.

<table>
<thead>
<tr>
<th>Application Number</th>
<th>HOUSE/MAL/16/00108</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>23 Ramsey Chase Latchingdon Essex CM3 6JT</td>
</tr>
<tr>
<td>Proposal</td>
<td>2 storey side and single storey front extension</td>
</tr>
<tr>
<td>Applicant</td>
<td>Mr &amp; Mrs D Reece-Ford</td>
</tr>
<tr>
<td>Agent</td>
<td>Blue Door Solutions</td>
</tr>
<tr>
<td>Target Decision Date</td>
<td>06 April 2016</td>
</tr>
<tr>
<td>Case Officer</td>
<td>Kara Elliott, TEL: 01621 875860</td>
</tr>
<tr>
<td>Parish</td>
<td>LATCHINGDON</td>
</tr>
<tr>
<td>Reason for Referral to the Committee / Council</td>
<td>Parish Trigger</td>
</tr>
</tbody>
</table>

Following the Officer presentation Mrs Reece-Ford, the applicant, addressed the Committee.

The general view within the Committee was that this proposal was acceptable given the size of the plot and the minimal difference to the appearance of the property or impact on the street scene. The Chairman put to the Committee the Officer recommendation of refusal and on vote being taken this was not accepted. Upon the proposition of Councillor R G Boyce (a Ward Member) and seconded by Councillor N R Pudney, and a vote taken, the Committee agreed to approve the application subject to suitable conditions which would include the provision of obscured glazing to certain windows and a restriction on the creation of any additional windows.

**RESOLVED** that consideration of this application be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.
3. The external surfaces of the extension hereby approved shall be constructed of materials and of a finish which match those of the existing building.
4. Prior to the first occupation of the extension hereby permitted, the first floor windows in the south and west elevations of the extension shall be glazed with opaque glass and of a non-openable design and shall be retained as such thereafter.
5. 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 new windows shall be constructed within the extension without planning permission having been obtained from the local planning authority.
POSITIVE AND PROACTIVE STATEMENT

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. Furthermore, Members of the planning committee took the decision to grant planning permission as the proposal has been considered acceptable.

1119. OUT/MAL/16/00120 – LAND REAR OF 60A MALDON ROAD, BURNHAM-ON-CROUCH

The Committee considered the report of the Director of Planning and Regulatory Services and determined the following planning application, having taken into account all representations and consultation replies received.

<table>
<thead>
<tr>
<th>Application Number</th>
<th>OUT/MAL/16/00120</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>Land To The Rear Of 60A Maldon Road Burnham-On-Crouch Essex</td>
</tr>
<tr>
<td>Proposal</td>
<td>Outline planning permission for proposed demolition of No.58 Maldon Road and the erection of 6 No.residential units. with ancillary works including new vehicular and pedestrian access off Maldon Road and Estate Road (Resubmission)</td>
</tr>
<tr>
<td>Applicant</td>
<td>Dr Hamid Latif</td>
</tr>
<tr>
<td>Agent</td>
<td>Mr David Devries</td>
</tr>
<tr>
<td>Target Decision Date</td>
<td>3 May 2016</td>
</tr>
<tr>
<td>Case Officer</td>
<td>Nigel Hebden, TEL: 01621 875741</td>
</tr>
<tr>
<td>Parish</td>
<td>BURNHAM NORTH</td>
</tr>
<tr>
<td>Reason for Referral to the Committee / Council</td>
<td>Previous Committee Decision Major Development</td>
</tr>
</tbody>
</table>

Councillor R P F Dewick said that although he did not know the applicant he had carried out work on this site in the past, but this did not amount to an interest.

Councillor R G Boyce declared a non-pecuniary interest as he noted that his brother was listed as having made a supporting representation.

Councillor R Pratt said that he knew Town Councillor Wendy Stamp, who had registered to speak, as she was a fellow Burnham on Crouch Town Councillor. It was however clarified that Mrs Stamp was speaking as a local resident and not as a Town Councillor.
Following the Officer presentation Mrs Wendy Stamp, an objector, and Mr Ian Parsons, a supporter, addressed the Committee.

Concern was expressed within the Committee that this proposal represented backland development with an inappropriate access onto Maldon Road. It was further submitted that this land was valuable open space and would add to the intensification of housing in this locality given the nearby strategic allocation site included in the Local Plan.

The Committee was advised that the applicant had not submitted a s.106 agreement to deal with the potential mitigation of this proposal and therefore this could be added to the reasons for refusal. This was agreed.

RESOLVED that this application be REFUSED for the following reasons:

1. The proposed development would result in a contrived, isolated and backland form of residential development that would not respect the existing pattern of development or urban grain. Furthermore, the development would have an urbanising effect on the rural character of the area and would result in an unwelcome visual intrusion into the open and undeveloped countryside, to the detriment of the character and appearance of the area contrary to policies S2, CC6 and BE1 of the adopted Maldon District Replacement Local Plan and policies D1 and N2 of the emerging Local Plan and core planning principles and guidance contained in the National Planning Policy Framework.

2. In the absence of a signed legal agreement the development makes no contribution to affordable housing or school transport, which would be required with respect to mitigating the wider impacts of the development on local infrastructure and townscape. As such the proposal is considered to be contrary to policy PU1 of the adopted Maldon District Replacement Local Plan, policies H1 and I1 of the Maldon District Local Development Plan, and the National Planning Policy Framework.

POSITIVE AND PROACTIVE STATEMENT

Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012 - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and clearly setting these out in the reason(s) for refusal. The Local Planning Authority is willing to provide pre-application advice in respect of any future application for a revised development.

1120. FUL/MAL/16/00147 – HIGH HOUSE FARM, OLD HEATH ROAD

The Committee considered the report of the Director of Planning and Regulatory Services and determined the following planning application, having taken into account all representations and consultation replies received, including those listed on the Members’ Update circulated at the meeting.
1121. HOUSE/MAL/16/00148 – 3 HILLSIDE ROAD, BURNHAM-ON-CROUCH

The Committee considered the report of the Director of Planning and Regulatory Services and determined the following planning application, having taken into account all representations and consultation replies received.

<table>
<thead>
<tr>
<th>Application Number</th>
<th>HOUSE/MAL/16/00148</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>3 Hillside Road Burnham-On-Crouch Essex CM0 8EY</td>
</tr>
<tr>
<td>Proposal</td>
<td>Proposed extension, internal alterations and loft conversion plus construction of proposed garage.</td>
</tr>
<tr>
<td>Applicant</td>
<td>Mr Attie Van Belkum</td>
</tr>
<tr>
<td>Agent</td>
<td>Adam McLatchie</td>
</tr>
<tr>
<td>Target Decision Date</td>
<td>6 April 2016</td>
</tr>
<tr>
<td>Case Officer</td>
<td>Emily Hall, TEL: 01621 875744</td>
</tr>
<tr>
<td>Parish</td>
<td>BURNHAM SOUTH</td>
</tr>
<tr>
<td>Reason for Referral to the Committee / Council</td>
<td>Parish Trigger</td>
</tr>
</tbody>
</table>

It was noted that this application had been WITHDRAWN by the applicant.

1122. HOUSE/MAL/16/00206 – 6 RAMBLERS WAY, BURNHAM-ON-CROUCH

The Committee considered the report of the Director of Planning and Regulatory Services and determined the following planning application, having taken into account all representations and consultation replies received.
Following the Officer presentation Mrs C Braisted, the applicant, addressed the Committee.

Members were generally of the view that the proposed extension was not that big, there was no demonstrable harm, and that the neighbour had no objection. It was proposed by Councillor R Pratt, and seconded by Councillor M W Helm, that this application be approved contrary to the Officer recommendation. Upon being put to the vote this was agreed with it being left to Officers to apply suitable conditions including the requirement for obscured glazing to appropriate windows.

RESOLVED that this application be APPROVED subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.
3. The external surfaces of the extension hereby approved shall be constructed of materials and of a finish which match those of the existing building.
4. Prior to the first occupation of the extension hereby permitted, the rooflight in the southwest roofslope shall be glazed with opaque glass and of a non-openable design and shall be retained as such thereafter.
5. The annexe hereby permitted shall be occupied only as an annexe for purposes ancillary to and in conjunction with the use of the existing property as a single dwelling house and not as a separate or independent unit of residential accommodation.

POSITIVE AND PROACTIVE STATEMENT

Town and Country Planning (Development Management Procedure) (England) Order 2015 - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. Furthermore, Members of the planning committee took the decision to grant planning permission as the proposal has been considered acceptable.
1123. OTHER AREA PLANNING AND RELATED MATTERS

The Committee considered the report of the Director of Planning and Regulatory Services and Members’ Update on the following matters:

(i) Appeals Lodged:

It was noted that the following appeals had been lodged with the Planning Inspectorate:

- **Appeal Start Date:** 04/03/2016  
  **Application Number:** HOUSE/MAL/15/01010 (APP/X1545/D/16/3145083)  
  **Site:** 11 The Spinnaker – St Lawrence  
  **Proposal:** Open sided decking area with a roof (4.8x5.2), hand rails and spindles  
  **Appeal by:** Mr Colin Day  
  **Appeal against:** Refusal  
  **Appeal procedure requested:** Householder Appeals Service (HAS)

- **Appeal Start Date:** 2/3/2016  
  **Application Number:** COUPA/MAL/15/01193 (APP/X1545/W/16/3145035)  
  **Site:** Sparrow Wycke Farm Main Road Mundon  
  **Proposal:** Prior approval of proposed Change of Use of Agricultural Building to a Dwellinghouse (Use calls C3), and for associated operational development.  
  **Appeal by:** Clive Gande  
  **Appeal against:** Refusal  
  **Appeal procedure requested:** Written Representations

- **Appeal Start Date:** 10/03/2016  
  **Enforcement Notice Reference Number:** ENF/14/00142/BC  
  **Appeal Reference Number:** APP/X1545/C/16/3145308  
  **Site:** Roman Farm - Old Heath Road - Southminster  
  **Alleged Breach of Planning Control:** Without planning permission the unauthorised change of use of part of the agricultural building from an agricultural barn to a residential dwelling.  
  **Appeal by:** Mr M Roman  
  **Grounds of Appeal:** That, at the time of the enforcement notice was issued, it was too late to take enforcement action against the matters stated in the notice, the steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections, that the time given to comply with the notice is too short.  
  **Appeal procedure requested:** Public Inquiry
Appeal Start Date: 04/04/2016
Application Number: FUL/MAL/15/01046 (APP/X1545/W/16/3142883)
Site: Land South West Of High House Green Lane Burnham-On-Crouch
Proposal: Application for the erection of a four bedroom detached dwelling, revised application following refusal FUL/MAL/14/01216
Appeal by: Mr S Latif
Appeal against: Refusal
Appeal procedure requested: Written Representations

Appeal Start Date: 07/04/2016
Application Number: HOUSE/MAL/16/00014 (APP/X1545/D/16/3146541)
Site: Nuthouse - 4 Maldon Road - Burnham On Crouch
Proposal: Demolition of existing outbuilding and erection of an ancillary annexe
Appeal by: Mrs Jane Smerald
Appeal against: Refusal
Appeal procedure requested: Householder Appeal Service (HAS)

(ii) Appeal Decisions:

It was noted from the Members’ Update that the following appeal decisions had been received from the Planning Inspectorate:

FUL/MAL/15/00706 (Appeal Ref: APP/X1545/W/15/3139455)
Proposal: Construction of single storey dwelling
Address: Land South East Of Down Hall - Downhall Road - Bradwell On Sea
APPEAL DISMISSED – 17 March 2016
DECISION LEVEL: Committee (as per Officer recommendation to refuse)

1124. DELEGATED PLANNING APPLICATIONS

The Committee received and noted the list of decisions on planning applications taken by the Director of Planning and Regulatory Services under delegated powers, circulated at the meeting for the period 7 March 2016 – 10 April 2016.

There being no further business the meeting closed at 10.17 pm.

R P F DEWICK
CHAIRMAN
### Maldon District Council standard

<table>
<thead>
<tr>
<th>ALL HOUSING</th>
<th>Potential for 1 disabled space per dwelling (except in particular circumstances in town centres below)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A maximum of 1 space for a one bedroom unit</td>
</tr>
<tr>
<td>Two/three bedroom dwelling</td>
<td>A maximum of 2 spaces</td>
</tr>
<tr>
<td>Four bedroom dwelling</td>
<td>A maximum of 3 spaces</td>
</tr>
<tr>
<td>Development with communal car parking allocated to each dwelling unit</td>
<td>1 visitor parking space for every 2 dwellings</td>
</tr>
<tr>
<td>New flats or housing incorporating communal parking which is not designated to individual housing units and is subject to a planning condition ensuring that the parking provision remains genuinely communal</td>
<td>1 visitor space per 4 dwellings</td>
</tr>
</tbody>
</table>

### DEVELOPMENT IN TOWN CENTRES

| Conversion of upper storeys above commercial premises for use as residential flats | May be permitted with no car parking provision |
| Development with communal car parking allocated to each dwelling unit | 1 visitor parking space for every 4 dwellings |
| New flats or housing incorporating communal parking which is not designated to individual housing units and is subject to a planning condition ensuring that the parking provision remains genuinely communal | No requirement to provide visitor spaces |

### IN ALL CASES

Developments with a greater number of parking spaces will only be permitted provided they comply with Policies M/BE/4 and M/BE/6 contained in the Maldon District Draft Replacement Local Plan Revised Deposit

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**USE CLASS C3 - Dwelling Houses**

- Use as a dwelling house (whether or not as sole main residence):
- By a single person or by people living together as a family
- By residents living together as a single household
JUSTIFICATION

1. Maldon District Council justifies the adoption a uniform standard of parking provision for Use Class C3 across the District's settlements outside the defined town centres as follows:

   a) Adopted Local Plan policy is structured to reflect the rural nature of the District. The town of Maldon suffers from similar infrastructure deficits as the rest of the district. It has no railway station, poor public transport and a reliance on larger settlements for a proportion of its residents’ employment, comparison goods shopping and entertainment needs. This is reflected in adopted Local Plan policy S1 which makes no ‘tiered’ distinction between policy approaches to the town of Maldon as compared to other settlements in the District. This position is likely to prevail until the significant deficits in public transport infrastructure provision are adequately addressed.

   b) Policy T8 within the adopted Local Plan makes allowance for variance from Vehicle Parking Standards on a case by case criteria based assessment. Such an assessment may take into account guidance within PPG3 and PPG13 when considering development proposals within the non-town centre parts of the District's larger settlements. However, given the policy of restraint towards housing development within the District and the limited number of brownfield sites in these locations such development opportunities are not anticipated to be significant within the timeframe of the Local Plan.

2. The Council is committed to promoting an inclusive community that meets the needs of everyone including those who may have disabilities. It also has an aging population. It is reasonable to expect an increase in the number of people who have to apply for disabled parking permits. Failure to make provision for disabled parking at home discriminates against people who become disabled in later life. It is therefore necessary that housing offers the potential for disabled parking although the parking does not have not be provided immediately.

3. The District has a poor road layout that is difficult to serve by public transport. It also has a dispersed population and a high level of out-commuting. The combination of these factors places great reliance on the motor car for accessing shopping leisure and employment facilities.
4. For these reasons it is considered inappropriate to drastically reduce the level of car parking provision within the curtilage of residential dwellings. Policies have been introduced in the Replacement Local Plan which seek to reduce the impact of car parking in residential areas and the implementation of these policies will ensure that car parking provision does not dominate the residential environment and is not excessive.

5. Allowing the change of use of accommodation above the ground floor in town centres to residential without the need to provide car parking reflects the need to encourage activity in the Town Centres. It will also encourage the provision of affordable accommodation within easy reach of services and employment.

**EPOA standard**

<table>
<thead>
<tr>
<th>Context</th>
<th>Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>In the case of major new developments</td>
<td>an average of 1.5 spaces over an estate may be possible</td>
</tr>
<tr>
<td>For main urban areas and locations where access to public transport is good</td>
<td>a maximum of 1 space per dwelling is appropriate</td>
</tr>
<tr>
<td>Where an urban location has poor off-peak public transport services</td>
<td>a maximum of 2 spaces per dwelling is appropriate</td>
</tr>
<tr>
<td>In rural or suburban locations where services are poor,</td>
<td>a maximum of two spaces for three bedroom properties and a maximum of three spaces for four bedroom properties is appropriate</td>
</tr>
</tbody>
</table>
Maldon District Boundary
Inset Map Boundaries 1-29

Policies and Proposals
Coastal Zone
National Nature Reserve
Site of Importance for Nature Conservation
Site of Special Scientific Interest (SSSI)
Special Landscape Area
Special Protection Area
Ancient Monument
Blackwater Rail Trail
Candidate SAC
Conservation Area
Gas Pipeline
Industrial Safeguard Zone
Powerline
Protected Lane
Public Open Space
Registered Historic Park or Garden
Bradwell Nuclear Power Station
5 mile Nuclear Safeguard Zone
Article 4 Direction
Regionally Important Geological Site
space, i.e. whether it is a space to move through, such as a passage, or whether it is space to stand or sit in, such as a square or courtyard.

6.9 PPS1 Delivering Sustainable Development says:—“Good design should:
- address the connections between people and places by considering the needs of people to access jobs and key services;
- be integrated into the existing urban form and the natural and built environments;
- be an integral part of the processes for ensuring successful, safe and inclusive villages, towns and cities;
- create an environment where everyone can access and benefit from the full range of opportunities available to members of society; and
- consider the direct and indirect impacts on the natural environment.”

6.10 To achieve and encourage good design that is compatible with the area in which the building is situated, it is necessary to ensure that the building is well designed in itself. In addition, it should relate well to the adjacent buildings and enhance or create appropriate and attractive public spaces. In certain circumstances where the development is located in a sensitive area or occupies a large site, there will be a requirement to submit a design statement as part of the planning application to illustrate that the proposal is in conformity with policies BE1 and BE2.

DESIGN OF NEW DEVELOPMENT AND LANDSCAPING

6.11 Design is a subjective issue in which one individual may find something aesthetically pleasing whilst another may not. Nevertheless, good well thought-out design is recognisably different from a lack of attention to design. A well-designed building should appear to be a self-contained form that complements and enhances its location and surroundings. The relationship of the height to width, depth and roof pitch should be satisfactory. The position, size and number of openings, such as doors and windows, should create a balanced composition on each elevation, although they need not be placed in a regular pattern to achieve this. In sensitive areas, especially where buildings are located abutting public areas, particular attention should be given to matters of detail such as brickwork, door and window details, gutters, down-pipes etc. The intention of the Council is to ensure that the aesthetic qualities of the district are generally improved by new development.

Relationship of New Buildings to their Surroundings

6.12 The layout and design contribute to a sense of place, both within the development and in terms of views into and out. It is important that individual developments are well designed. Care has to be taken that any development takes account of the area in which it is situated. New development in areas of poor architectural quality can become the catalyst for regeneration and enhancement through good design. The design of the building itself then becomes the overriding factor, rather than the surrounding environment.

6.13 In areas of good architectural quality, the need to respect the character of the adjacent buildings has a higher priority. In this situation, ensuring that the building enhances the existing character should be the issue that determines the suitability of the proposal. In all cases, it is important that new development does not cause nuisance to or harm the surrounding area.
6.14 Significant attention has to be given to ensuring that development does not cause demonstrable harm to the occupiers of adjacent buildings, by reason of disturbance, overlooking or loss of light, or by being overbearing, either by reason of the design of the building or as a result of the manner of its use. The degree of importance attached to these matters is related to the function of the buildings involved.

6.15 Separately to the above, the Council recognises that new development has an impact on the environment by way of energy and water use as well as the production of waste (both in the construction process and afterwards when the development is occupied). Careful attention to these issues can reduce the impact on the environment in much the same way that good design can make a positive contribution. In the same way that the quality of design is now a material consideration in development control decisions, the Council will start to consider the water, energy and waste implications of development in the development control process.

6.16 The landscape treatment and provision of amenity space in and around developments, not only in respect of the site’s visual amenities, but also in terms of how successfully the site functions to provide amenity as a place for people, the spaces around buildings and the structures and landscape features that enclose and occupy these spaces all combine to make up the landscape of a development. Trees, means of enclosure (hedges, walls, railings, fences and gates) and surface treatments (roads, driveways and footpaths) all contribute to the quality of character and functional success of a development. Successful development provides sufficient space for landscaping and amenity as part of the design concept and does not consider amenity as an afterthought. Where necessary, the Council will prepare Supplementary Planning Guidance (documents) on design issues in connection with new developments.

6.17 In any new development proposal, every effort should be made to retain good existing landscape features, such as trees, hedges, old walls, ponds or water courses. This includes the construction phase. This can provide a framework and structure for the development site that will lead to more interesting layouts with a feeling of maturity and a good relationship with the existing surroundings. These features may also be of historical or wildlife significance. It is vitally important that the practicalities of protecting existing features during development and their long-term conservation are fully appreciated and properly accommodated in the proposals. A detailed site survey (including topographical information) and a thorough appraisal are the essential starting points for considering these issues. Planning conditions will be attached to require that any submitted landscaping scheme be implemented at the appropriate time. The District Council proposes to produce guidance on landscape, conservation and design issues.

6.18 Policies relating to the protection of wildlife, landscape protection and historic landscape features in the Coast and Countryside chapter should also be considered when preparing a landscape scheme for a development site.
POLICY BE1 Design of New Development and Landscaping

Development Proposals will be permitted if:-

a) They are compatible with their surroundings, and/or improve the surrounding location in terms of :-
   i) Layout
   ii) Site coverage
   iii) Architectural style
   iv) Scale / bulk / height
   v) External materials
   vi) Visual impact
   vii) Effect on the safety and or amenity of neighbouring properties or the occupiers therein
   viii) Relationship to mature trees
   ix) Relationship to important landscape or open spaces
   x) Traffic impact and access arrangements.

b) Within defined development boundaries they harmonise with the general character of the area in which they are set;

c) Outside defined development boundaries they make a positive contribution to the landscape and open countryside;

d) Measures to protect important nearby features such as trees and historic buildings during the construction process are included;

e) Landscaping is included as an integral part of the overall design;

f) Amenity space is provided appropriate to the type of development

Access for Disabled People

6.19 The Council is committed to promoting an inclusive society that offers opportunity for everyone. All new development and particularly that intended for general public use must promote accessibility both into and within and make appropriate safe provision in terms of access, egress and parking. An environment designed to be accessible to disabled people will be more accessible and user-friendly for everybody, including wheelchair and pushchair users, people with physical and sensory impairments and elderly people. Easy access is part of good design and is beneficial to local business. The appropriate stage at which to consider accessibility is in the initial design, not as an afterthought. This is particularly important with regard to development and alterations to existing and historic buildings

6.20 Section 76 of the Town and Country Planning Act 1990 imposes a duty on Local Planning Authorities to draw to the attention of applicants for planning permission the need to have regard to certain provisions for disabled people. The buildings affected by this legislation are offices and factories and those to which Section 4 of the Chronically Sick and Disabled Persons Act 1970 apply. Section 4 applies to development which will result in the provision of a building to which the public is admitted, whether on payment or otherwise.
Archeology

6.62 The Ancient Monuments and Archaeology Areas Act 1979 requires the consent of the Secretary of State before any works are carried out within the area of a scheduled Ancient Monument. The location of Ancient Monuments in the Maldon District is listed in Appendix 3 and shown in map form on the Proposals Map. In addition to these Scheduled Monuments, the County Council maintains the Essex Heritage Conservation Record, which records the locations of Scheduled Ancient Monuments, previous archaeological finds and known archaeological sites and listed buildings. Government guidance in PPG 16 advises that not all nationally important remains meriting preservation will necessarily be scheduled. This same advice further advises that where nationally important remains, whether scheduled or not, and their settings are affected by proposed development, there should be a presumption in favour of their physical preservation.

6.63 Applications for planning permission for development affecting Scheduled Ancient Monuments and other important Archaeological Sites will normally be refused if there is an overriding case for preservation. Where there is no overriding case for preservation in situ of archaeological remains, planning permission may be granted subject to archaeological conditions. Any such condition will allow an appropriate mitigation strategy to be put in place and implemented.

6.64 The Coastal Zone on both the landward and seaward sides of the low water mark is a rich resource for archaeological and historical features, with the river valleys of the Chelmer, Blackwater and Crouch being a focus for early settlement.

6.65 The inter-tidal areas of the Blackwater Estuary host extensive areas of Neolithic land surface (c. 3000 BC) and the remains of large timber fish traps, many of which are of Middle Saxon date (AD 600-800). These appear as a series of posts and wattle fencing visible on low spring tides.

6.66 Much of the land adjoining the coast in the District is in agricultural use. Many areas have further archaeological features evident, including crop marks, decoy ponds and red hills, demonstrating some of the history of the area. In some cases where greenfield sites have been developed, e.g. at Elms Farm, Heybridge, excavations have revealed extensive archaeological deposits of national importance.

Historic Towns

6.67 Supplementary Planning Guidance relating to the historic towns of Essex has been prepared by Essex County Council and adopted by this Authority in 1999. It sets out guidance for the management of the urban archaeological resource of 31 towns in Essex, including Maldon and Burnham-on-Crouch.

6.68 The management strategy adopted, where applicable, divides towns into three zones: Scheduled Ancient Monuments, areas of archaeological potential and areas of archaeological destruction. Proposals for development will be determined in accordance with the detailed strategy set out in the SPG for each of these zones and the Local Plan policies relating to archaeology and development.
POLICY BE17 Preservation of Sites of Nationally Important Archaeological Remains and their Settings

(a) There is a presumption in favour of the physical preservation of nationally important archaeological remains and their settings, whether scheduled or not, listed in Appendix 3.

(b) Development will not be permitted if it fails to preserve the archaeological value and interest of the remains or their settings of the sites listed in Appendix 3.

POLICY BE18 Control of Development at a Site of Local Archaeological Value

(a) Planning permission for development which would have a detrimental effect on remains of local archaeological value will only be granted if the importance of the development outweighs the local value of the remains.

(b) If planning permission is granted, conditions will be imposed to ensure that the remains are properly recorded and evaluated and, where practicable, preserved.

Telecommunications

6.69 The principal telecommunications systems relate to those used for public telecommunications, satellite television broadcasting and terrestrial broadcasting. Public telecommunications use one of three systems.

a) The first is the fixed link system, which operates through cable connections and line of sight radio signals to antennae or satellites. Cable television companies use this system.

b) The second is the cellular system and this caters for mobile telephone users. It involves the creation of a number of base stations, each servicing a limited area (cell). The size of the cell is determined by the number of users and the transmitter aerials have to be located within each cell to ensure that signals from one cell do not spill over into another cell. To avoid blind spots from buildings and hills, antennae must be situated in elevated positions. Technological advancement has introduced the “Universal Mobile Telecommunications System” (3G or UMTS) enabling users to have access to enhanced services. The system is expected to use existing structures, although it is still likely the operators will have to develop a number of new sites.

c) The third form of public telecommunication is via personal communication networks. This system offers two-way radio communication using small handsets.

6.70 In addition to public telecommunications, other systems involve satellite and terrestrial television broadcasting. In the case of satellite television broadcasting, television signals are beamed direct-to-home from the satellite to individual receiving antennae (satellite dishes). The dishes have to be in direct line of sight with the
3. Where there is special wildlife value, or where wildlife gains can be achieved, the developer will be required to:

(a) Take steps during development to secure the protection of the nature conservation interest;
(b) Carry out any identified mitigation measures;
(c) Carry out any identified habitat enhancements.

4. Relocation of the wildlife interest from the development site will only be considered in exceptional circumstances.

LANDSCAPE

Landscape character

3.42 Maldon District has an attractive and varied landscape. The Local Plan seeks to maintain the local variations in the landscape. There is a distinct contrast between the well-wooded, higher land to the west and the flat marsh and pasture landscapes of the valleys to the east. One-third of the District is low lying with only subtle undulations creating variation in the landscape. Areas of higher land include Wickham Bishops, the Braxteds, Purleigh, Cold Norton, Stow Maries, Maldon and the Dengie Ridge.

3.43 The Local Plan identifies Special Landscape Areas. However, the Structure Plan recognises that these give only partial recognition of the value of the landscape generally. In order to protect the visual quality of the wider countryside, a landscape character assessment will be published as Supplementary Planning Guidance. This will help guide detailed consideration of the landscape impact of development proposed in the countryside by identifying the development capacity of different landscape types and appropriate maintenance and enhancement measures.

3.44 Landscape Character Assessments will supersede the current designation of Special Landscape Area (SLA). However, it would be inappropriate to delete SLAs in advance of a landscape character assessment being completed for the District, as there would be an absence of planning guidance on the matter. Until such assessments have been completed, Special Landscape Areas will be used to identify areas where protection, conservation or restoration of existing character should be given highest priority.

3.45 Proposals that would result in the loss of trees which make a valuable contribution to the character of the landscape, a settlement, or its setting will be resisted. The Council will make Tree Preservation Orders (TPO) where appropriate to protect trees and woodland areas of significant amenity value. Important tree and woodland features contributing to the character of open spaces in or near settlements, or in the wider landscape, including those associated with road routes, rivers, lakes and canals and those in highly visible positions, will be protected.

3.46 In 1995 CPRE and the Countryside Commission published “Tranquil Area Maps” for England. Tranquil Areas are defined as places which are sufficiently far away from the visual or noise intrusion of development or traffic to be considered unspoilt by urban influences. The majority of the District is shown as a tranquil area. Rural tranquillity is an important resource and is one of the defining features of the English
countryside. As such it needs to be recognised and valued more highly. Therefore policy CC6 includes tranquillity as one of the aspects of the landscape that should be protected.

**POLICY CC6 Landscape Protection**

The natural beauty, tranquillity, amenity and traditional quality of the District’s landscape will be protected, conserved and enhanced. Proposals for development in the countryside will only be permitted provided that:

(a) No harm is caused to the landscape character in the locality, and

(b) The location, siting, design and materials are appropriate for the landscape in which the development is proposed, and

(c) The development is landscaped to protect and enhance the local distinctiveness and diversity of the landscape character of the area in which it is proposed.

3.47 Areas of special landscape quality defined by the County and District Council are shown on the Proposals Map. It is important that the District's natural heritage of fine landscape should be protected. When completed, the Landscape Character Assessment for the District will be used in conjunction with the policy on Special Landscape Areas.

**POLICY CC7 Special Landscape Areas**

Within Special Landscape Areas permission will not be given for development unless its location, siting, design, materials and landscaping conserve or restore the character of the area in which the development is proposed. The Special Landscape Areas are:

- Chelmer - Blackwater Ridges
- Dengie Marshes
- Crouch - Roach Marshes
- Blackwater - Colne Estuary
- Upper Crouch
- Woodham Scarp

**Formation of Amenity Lakes**

3.48 The landform of the District has been shaped by natural means over millions of years, resulting in a landscape where lakes or ponds tend to be found in undulations in the landscape, fed by streams or rivers. Large man-made areas of water are present in the Essex landscape and are a result of the extraction of large quantities of gravel, or are agricultural reservoirs or reservoirs serving the residential population of the County.

3.49 The creation of an area of water at a location where there is no visual suggestion that such a landscape feature would naturally occur would be visually disruptive in the landscape. In addition, the excavation of a depression which is water-filled by mechanical means is not only likely to be visually obtrusive but also unsustainable.
S vii To create a sustainable and accessible environment in which living, working and leisure encourage pride in the District, recognising its important historic qualities.

S viii To co-ordinate public utility provision with new development.

S ix To control development within the natural, man-made and statutory constraints that exist in and apply to the District.

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**STRATEGIC POLICIES**

1.31 Two overarching strategic policies provide the foundation for the Plan.

**POLICY S1 Development boundaries and new development**

New development will be directed to those sites within the development boundaries which are not constrained by the Local Plan. The following settlements with development boundaries are identified on the Proposals Map:

- Althorne
- Bradwell
- Burnham-on-Crouch
- Cold Norton
- Goldhanger
- Great Totham (North and South)
- Heybridge & Heybridge Basin
- Latchingdon
- Little Totham
- Maldon
- Mayland
- Mundon
- North Fambridge
- Purleigh
- Southminster
- St. Lawrence
- Steeple
- Tillingham
- Tollesbury
- Tolleshunt D'Arcy
- Tolleshunt Knights
- Tolleshunt Major
- Wickham Bishops
- Woodham Mortimer
- Woodham Walter

**POLICY S2 Development outside development boundaries**

Outside development boundaries defined in the Local Plan, the coast and countryside will be protected for their own sake, particularly for their landscape, natural resources and areas of ecological, historical, archaeological, agricultural and recreational value.


**Policy D1 Design Quality and Built Environment**

**Context**

3.1 The District has a built environment with a distinctive character that is closely related to its local environment and history. 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.

**Policy D1 Design Quality and Built Environment**

All development must:

1) 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.

2) Provide sufficient and usable private and public amenity spaces, green infrastructure and public open spaces;

3) Contribute positively towards the public realm and public spaces around the development;

4) Protect the amenity of surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight;

5) Include safe and secure vehicle and cycle parking in accordance with the Council’s adopted parking standards;

6) Maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian and cycle routes;

7) Maximise opportunities for sport and physical activity;

8) Contribute to and enhance local distinctiveness;

9) Incorporate design measures to reduce social exclusion, the risk of crime, and the fear of crime; and

10) Encourage inclusive design and effective use of internal and external space.

In addition, all developments must also demonstrate that they are in general conformity with the design principles set out in the emerging ‘Maldon District Design Guide SPD’ and any other relevant local development documents, neighbourhood plans or village design statements (VDSs) adopted or endorsed by the Council.
3.2 The Council will seek to ensure that all development will not have a detrimental impact on its surrounding area and local context and will actively seek opportunities for enhancement in the built environment. Recognised principles of good design should be sought to create a high quality built environment for all types of development, irrespective of location within the District. Although visual appearance and the architecture of individual buildings are important factors, good design should improve connections between people and places, and should integrate new development into the natural, built and historic environment.

3.3 The historic and built environment of the District is distinctive in character and diverse in its location across towns and villages in rural, coastal, and estuarine environments. However, there are concerns that the unique character of some parts of the District is gradually being eroded by insufficient and inconsistent design principles. When located close to, or in the setting of a heritage asset, new development should respect the importance, character and local context of that asset. Good design should seek to positively respond to the important features of the asset, and enhance its overall setting and function.

3.4 The Council expects all development to support the principles of inclusive design, to ensure that new development can be used by all people. Design should also seek to reduce social exclusion within the District, and seek to improve people’s access to housing, employment, and required services and facilities. The design of new development should also maximise people’s ability to access required services and facilities by sustainable methods of transport, particularly through the provision of high quality pedestrian and cycle routes.

3.5 New development should seek to respect the local character and identity of the area outlined within the Maldon District Characterisation Assessment (Qube, 2006), Essex Design Guide (ECC, 1997), and the emerging Maldon District Design Guide SPD. The Maldon District Characterisation Assessment provides guidance to developers on the essential characteristics of towns, villages, and hamlets in the area. The Characterisation Assessment is being used to inform the production of the Maldon District Design Guide, which will provide guidance on the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally. The Essex Design Guide provides a general guide to design principles in the County.

3.6 New development should be in accordance with the Council’s adopted parking standards outlined in the Maldon District Vehicle Parking Standards SPD (or successor document) which outlines recommended cycle, motorcycle, and car parking space provision in relation to the size and use of new development.

3.7 Design principles outlined in neighbourhood plans or VDSs which have been adopted or endorsed by the Council are material considerations in planning decisions and should be considered in the design of new development. These documents provide a key source of local policy interpretation to supplement the LDP. Details of the documents endorsed or adopted are available on the Council’s website.

3.8 Policy S3 sets out a design approach for the planned growth at the Strategic Allocations and Garden Suburbs. Development at these locations will be expected to incorporate the design principles of both Policy D1 and Policy S3.
3.9 KEY EVIDENCE BASE DOCUMENTS:

- Essex Design Guide (ECC, 1997)
- Landscape and Visual Impact Assessment (ECC, 2010a)
- Maldon District Characterisation Assessment (Qube, 2006)
- Maldon District Historic Environment Characterisation Project (ECC, 2008a)
- Maldon District Vehicle Parking Standards SPD (MDC, 2006a)
- Maldon Historic Skyline Survey (ECC, 2009c)
- Maldon Landscape Character Assessment (CBA, 2006)
- Wickham Bishops Village Design Statement (Wickham Bishops Parish Council, 2010)

Policy D2
Climate Change & Environmental Impact of New Development

Context

3.10 The Government is committed to mitigating and adapting to the potential impacts of climate change and reducing the risks that it poses. The Intergovernmental Panel on Climate Change Fourth Assessment Report (IPCC, 2007) indicated that most of the observed increase in global air temperatures in the last 50 years is likely to have been a result of man-made greenhouse gas emissions. Climate change therefore represents the greatest challenge facing human society at the beginning of the 21st century.

All development must minimise its impact on the environment by incorporating the following principles:

1) Development shall minimise energy demand and greenhouse gas emissions. Developments should maximise the use of energy from decentralised and renewable or low-carbon sources, unless this is not feasible or viable. Any such provision should be operational before any building is occupied;

2) Subject to viability, all residential development should achieve a minimum of Code for Sustainable Homes Level 4;

3) All non-residential development should achieve a minimum of BREEAM ‘Very Good’ rating or be supported by a bespoke assessment that demonstrates appropriate environmental performance results above current Building Regulation requirements;
3.20 KEY EVIDENCE BASE DOCUMENTS:

- Joint Municipal Waste Management Strategy for Essex 2007 to 2032 (ECC, 2008b)
- Air Quality Standards Regulations (HM Government, 2010b)
- Planning and Energy Act (HM Government, 2008a)
- Ambient Air Quality Directive (EU, 2008)
- The Code for Sustainable Homes: Setting the standards in Sustainable Homes (DCLG, 2008)
- The Fourth Assessment Report (AR4) (IPCC, 2007)
- Essex and Southend Waste Local Plan (ECC, 2001)

Policy D3 Conservation and Heritage Assets

Context

3.21 Within the district of Maldon, heritage assets have helped to shape our towns, villages and
hamlets, and characterise our rural, coastal and estuarine landscapes. The social and
economic history of the District has presented a unique and diverse quality to the historic
environment through settlement patterns, agricultural land use and industrial and commercial
activities. Continuous settlement and past human activity has given a rich archaeological
heritage to the District that is both fragile and irreplaceable.

3.22 Heritage assets are a finite resource which requires careful management and protection
to ensure that they are preserved for the interest and enjoyment of current and future
generations. Heritage assets are the cherished and precious reminders of the past, and
provide a sense of place, pride, and identity in their locality. The Council places great value
on the significance and quality of the historic environment and its ability to promote tourism,
commerce, business and a desirable environment to live, work, visit and enjoy. To preserve
the history and character of the District, the Council will seek to ensure that heritage assets
continue to contribute to our cultural, social and economic life as a beneficial and sustainable
resource.

3.23 The Council is committed to safeguarding and enhancing the historic environment through its
numerous grant schemes, approved conservation area reviews and appraisals, and through
recognition of exemplary schemes for innovative design and good practice in conservation at
the annual Conservation and Design Awards.
**Policy D3**  
**Conservation and Heritage Assets**

**Heritage Assets**

All development proposals that affect a heritage asset (both designated and non-designated) and its setting will be required to:

1) Preserve or enhances its special character, setting and townscape / landscape value in a manner which is appropriate to its significance;

2) Submit a Heritage Statement to explain the significance of the heritage asset, giving justification for the development proposals, and clearly identifying their impact on the heritage asset's special character and setting.

Development proposals which affect a heritage asset will also have to be in accordance with respective national policies and guidance in the National Planning Policy Framework.

Change of use, extensions, additions, alterations, and demolition (partial or total) to any heritage asset or any building within a conservation area will require clear and convincing justification and will only be permitted if:

- The Council is satisfied that the proposal would not harm the asset or building, its setting and any features that contribute to their special architectural or historic interest;

  or

- The public benefits of the proposal overwhelmingly outweigh the loss or harm to a heritage asset or building.

Where the loss of a heritage asset is justified based on the merits of a new development, the Council will ensure, through appropriate planning conditions and obligations, that the new development will be implemented as proposed.

**Enabling Development**

In exceptional circumstances, where a heritage asset is at risk and requires significant repairs to maintain or enhance its heritage value, and the cost for repair and / or investigation is unobtainable by any other means, the notion of ‘Enabling Development' could be considered.

Enabling development will be on a site by site basis to secure the long term future of a heritage asset, where the public benefits clearly outweigh the harm. Any such scheme will also need to be supported by English Heritage and any other relevant statutory agencies as required.

**Archaeology**

Where development might affect geological deposits, archaeology or standing archaeology, an assessment from an appropriate specialist source should be carried out. This assessment must include consultation of the Historic Environment Record. The assessment should be carried out during an early stage of the planning process to identify the likely impact on known or potential heritage assets and assess their significance. The assessment will also provide the basis for potential mitigation strategies, including excavation, in situ preservation, and recording.
Policy Clarification

3.24 A heritage asset is defined as a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets include national designations, assets identified on the Council’s local list or those identified on the Essex Historic Environment Record.

3.25 Proposals for new development which could have an impact on a heritage asset are required to produce a heritage statement to demonstrate an understanding of the significance of the asset, and justify the development proposals in relation to character and setting of the heritage asset. Where appropriate, a heritage statement could be included within a design and access statement.

3.26 Given the significance of the historic environment in the District, all harm, from demolition to harm through development within the setting of a designated heritage asset, requires clear and convincing justification. Loss of a listed building or other highly valued designated heritage asset should be wholly exceptional. Total loss of a designated heritage asset or substantial harm to it may be justified in exceptional circumstances either on the grounds that the harm is necessary to deliver public benefits that outweigh that harm, and that the public benefits could not be provided elsewhere or by other means, or because the asset is demonstrably unviable and its removal could enable development which provides significant public benefit that cannot be provided elsewhere or by other means.

3.27 ‘Enabling development’ means allowing development to take place that would not normally be granted permission, to enable the delivery of a development that provides significant public benefit, while repairing the heritage asset itself or keeping it in beneficial use. Enabling development must provide significant improvements to a heritage asset which could not otherwise be obtained, and secure its long term future or use for the public benefit.

3.28 A conservation area is an area of special architectural interest, with a character or appearance which is considered desirable to preserve or enhance. There are 13 conservation areas in the District, which are identified in the Proposals Map accompanying the LDP. Conservation areas are designated heritage assets, and great weight should be given to their preservation and enhancement. Loss of a building or other element that makes a positive contribution as set out in the relevant conservation area review and appraisal requires clear and convincing justification. Development within a conservation area should seek to enhance or better reveal the significance of heritage assets in the area.

3.29 Development proposals should always consider the desirability of sustaining and enhancing the significance of heritage assets. Where possible, viable uses should be identified for heritage assets which are consistent with their conservation, contribute to sustainable communities, and make a positive contribution to local distinctiveness.

3.30 Essex County Council maintains the Historic Environment Record for the County, which provides information on all sites of archeology and historic importance in the District. Consultation of the Historic Environment Record should be undertaken for any development which may affect a heritage asset.
3.31 Developers are required to identify the significance of, and preserve by record, any heritage assets to be lost, wholly or in part, as part of any approved development. The obligation should be proportionate to the importance of the asset and the impact of the development and the evidence should be made publicly available through the Council.

3.32 KEY EVIDENCE BASE DOCUMENTS:

- Local List of Buildings of Architectural or Historic Interest (MDC, 2012c)
- Landscape and Visual Impact Assessment (ECC, 2010a)
- Coastal and Intertidal Archaeology Survey (ECC, 2009a)
- Maldon District Characterisation Assessment (QUBE, 2006)
- Maldon District Historic Environment Characterisation Project (ECC, 2008a)
- Maldon Historic Barns Project (ECC, 2009b)
- Maldon Historic Skyline Survey (ECC, 2009c)
- Maldon Landscape Character Assessment (CBA, 2006)
- Maldon Conservation Area Reviews and Character Appraisals (ECC, various dates)

Policy D4 Renewable and Low Carbon Energy Generation

Context

3.33 The Climate Change Act 2008 (HM Government, 2008b) aims to encourage the transition to a low carbon economy in the UK through a series of challenging targets that seek to reduce greenhouse gas emissions by 34% by 2020 and 80% by 2050. The UK has also signed up to the Renewable Energy Directive (EU, 2009) which includes a national target of 15% of energy from renewable sources by 2020.

3.34 In addition, the Government has determined that new nuclear power stations will be necessary if the UK is to meet its carbon reduction targets and meet the nation’s energy needs. Bradwell-on-Sea has been identified by the Government through the National Planning Statement for Nuclear Power Generation, as one of the potential sites to accommodate additional new nuclear provision.
2.94 The Council will produce a separate Rural Allocations DPD to provide further details in relation to rural housing, employment and other developments. In principle, the scale of future development in each of the rural villages will reflect the landscape and infrastructure capacity in the locality, the character of the village, and the extent of local needs. Individual parish councils will be invited to work with the District Council in preparing the DPD and local residents will be consulted to ensure the DPD takes into account the vision and preference of local communities.

2.95 The Council will provide assistance in the production of community-led plans in accordance with the protocol, including any neighbourhood plans which set out future planning guidance on a parish / town level. The Council will expect these plans to be in compliance with the planning principles set out in the LDP and other national and local planning policies and guidance.

2.96 KEY EVIDENCE BASE DOCUMENTS:

- Maldon District Local Development Plan Preferred Options Consultation Document (MDC, 2012g)
- Maldon District Draft Local Development Plan Consultation Document (MDC, 2013k)
- Maldon District Rural Facilities Survey (MDC, 2011b)

**Policy S8: Settlement boundaries and the Countryside**

**Context**

2.97 Within the District there are a number of towns and villages of varying size and function. It is therefore useful, for planning purposes, to group the settlements into a hierarchy based on their current size, level of service provision, local character as well as identified opportunities and constraints.

2.98 The hierarchy will help to group settlements by size and function. However, it should be noted that the hierarchy does not in itself dictate the levels of growth for individual settlements. Rather, it is a reflection of the current status and function of the villages within the District; a settlement hierarchy will also help to inform the Council’s future development strategies including the production of a Rural Allocations DPD.

2.99 Policy S8 also provides further clarification in terms of the types of development that may be more suitably located in the countryside with reference to other relevant policies within the LDP.
Policy S8
Settlement boundaries and the Countryside

The Council will support sustainable developments within the defined settlement boundaries.

The following table sets out the settlement hierarchy in full:

<table>
<thead>
<tr>
<th>Classification</th>
<th>Settlement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main settlements</td>
<td>Maldon, Heybridge, Burnham-on-Crouch</td>
</tr>
<tr>
<td>Larger villages</td>
<td>Great Totham, Mayland, Southminster, Tollesbury, Wickham Bishops</td>
</tr>
<tr>
<td>Smaller villages</td>
<td>Althorne, Bradwell-on-Sea, Cold Norton, Cock Clarks, Goldhanger, Heybridge Basin, Langford, Latchingdon, Little Totham, Mundon, North Fambridge, Purleigh, St.Lawrence, Steeple, Stow Maries, Tillingham, Tolleshunt D'Arcy, Tolleshunt Knights, Tolleshunt Major, Woodham Mortimer, Woodham Walter</td>
</tr>
<tr>
<td>Other villages</td>
<td>Asheldham, Beacon Hill, Dengie, Great Braxted, Hazeleigh, Little Braxted, Ulting</td>
</tr>
</tbody>
</table>

The countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. 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 it is for either:

a) Additional development as identified in adopted neighbourhood plans (in accordance with Policies S1 and S7);

b) Employment generating proposals (in accordance with Policy E1);

c) Community services and facilities to meet local need (in accordance with Policy E3);

d) Agriculture and forestry and related development (in accordance with Policy E4);

e) The re-use of a redundant or disused building that would lead to an enhancement to the immediate setting (in accordance with Policies E4 and D3);

f) Rural diversification, recreation and tourism (including equestrian and related activities) proposals (in accordance with Policies E4 and E5);

g) Agricultural and essential workers’ accommodation (in accordance with Policy H7);

h) Rural exception sites for affordable housing (in accordance with Policy H5);

i) Travellers and Travelling Showpeople accommodation (in accordance with Policy H6);

j) Green infrastructure, open space and sports facilities (in accordance with Policies N1, N2 and N3);

k) Utility and highway infrastructure (in accordance with Policies D4, T1, T2, I1 and I2);

l) Mixed use development proposals that enable the delivery of a new Community Hospital or a similar healthcare facility (in accordance with Policy I2); and

m) Other development proposals that are in compliance with policies within the LDP, neighbourhood plans and other local planning guidance.
Policy Clarification

2.100 The LDP groups all existing settlements in the District into four different categories (Main settlements, Larger Villages, Smaller Villages and Other Villages) in accordance with their size and function. Defined settlement boundaries are set out in the Proposals Map. The following considerations have been applied in determining the settlement hierarchy for the District:

**Settlement Hierarchy Categories**

<table>
<thead>
<tr>
<th>Classification</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main settlements</td>
<td>Defined settlements with a range of services and opportunities for employment, retail and education. They serve a wide catchment area and contain good public transport links</td>
</tr>
<tr>
<td>Larger villages</td>
<td>Defined settlements with a limited range of services and opportunities for employment, retail and education. They serve a limited local catchment and contain a lower level of access to public transport.</td>
</tr>
<tr>
<td>Smaller villages</td>
<td>Defined settlements containing few or no services and facilities, with limited or no access to public transport, very limited or no employment opportunities.</td>
</tr>
<tr>
<td>Other villages</td>
<td>Other rural villages with no defined settlement boundary.</td>
</tr>
</tbody>
</table>

2.101 Policy S8 also seeks to reinforce the Council’s priority which is to protect the countryside for its intrinsic value. Development will still be largely restricted in the countryside to protect its character and attractiveness. However, the Council also recognises the need to maintain a sustainable rural economy, and the need to allow some flexibility for appropriate developments to be considered in the countryside in certain circumstances. This is because some land uses or activities may be more suitable in the countryside rather than within the defined settlement boundaries.

2.102 **KEY EVIDENCE BASE DOCUMENTS:**

- Maldon District Local Development Plan Preferred Options Consultation Document (MDC, 2012g)
- Maldon District Draft Local Development Plan Consultation Document, Maldon District Council (MDC, 2013k)
- Maldon District Rural Facilities Survey (MDC, 2011b)