

MALDON DISTRICT COUNCIL

Princes Road, Maldon, Essex CM9 5DL

Telephone: 01621 854477

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION REFERENCE

FUL/MAL/20/00519

PROPOSAL

Additional tourism and interrelated leisure development, comprising 70 holiday lodges with associated change of use of the land within two areas of the site, alterations to existing Bunsay clubhouse, extension of Bunsay car park and new golf academy.

LOCATION

Warren Golf Club Old London Road Woodham Walter Essex
(UPRN - 100091650785)

NAME OF APPLICANT:

Mr John Moran - The Warren Golf And Country Club

NAME AND ADDRESS OF AGENT:

Mr Clive Simpson - Clive Simpson Planning Limited
Brook House
Witham Road
Tolleshunt Major
CM9 8JT

DECISION DATE 12 February 2021

In pursuance of the powers exercised by them as Local Planning Authority this Council having considered your application to carry out the above development in accordance with the submitted drawing(s) referenced PD15, PD16, PD01, 180383 PD02 Rev G, 180383 PD03 Rev D, PD05 Rev A, PD11 Plan View, PD11 Rev A Site Plan, PD04-WL1, PD04-WL2, PD06 Rev A, PD07 Rev A, PD08 Rev A, PD09 Rev A, PD10 Rev A, PD12 Rev A, PD13 Rev A, PD14, do hereby give notice of their decision to:

REFUSE PERMISSION

for the said development for the reasons appended to this Notice.



RICHARD HOLMES
DIRECTOR OF SERVICE DELIVERY

IMPORTANT: PLEASE REFER TO THE NOTES ATTACHED TO THIS DOCUMENT

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REASONS FOR REFUSAL

- 1 The application site is located within a rural countryside setting and both sections of the application site where the holiday lodges are proposed add to and are characteristic of the overall rural setting with a sense of tranquillity. The use of the land for holiday lodges (along with the associated necessary infrastructure) would introduce an incongruous and visually harmful development which would have an urbanising impact upon the rural character and appearance of the site and erode much of the open nature of the site. The proposal would therefore fail to protect the intrinsic character and beauty of the countryside contrary to guidance contained within the National Planning Policy Framework as well as policies S1, S8, E5 and D1 of the approved Maldon District Local Development Plan.
- 2 Insufficient information has been submitted to demonstrate there is an identified need for the 70 holiday lodges proposed. The development would therefore represent inappropriate development outside of the settlement boundary without justification contrary to policies S1, S8 and E5 of the Maldon District Local Development Plan as well as the National Planning Policy Framework.
- 3 The redevelopment of the Bunsay clubhouse and use of the land to the south of the Bunsay clubhouse for 50 holiday lodges would result in harm to the amenity of the area through noise and would materially harm the amenity of the occupiers of the dwellings along Little Baddow Road, namely Apple Cottage and No's 1 and 2 Hawkins Farm Cottages contrary to guidance contained within the National Planning Policy Framework as well as policies E5, D1 and D2 of the approved Maldon District Local Development Plan.
- 4 The stationing of 20 holiday lodges on land to the east of the non-designated heritage asset 'Wayside' would result in a moderately adverse effect upon the setting and significance of this non-designated heritage asset by eroding its idyllic rural surroundings. In this instance due to the lack of justification for the holiday lodges and the harm to the rural landscape setting of the site it is considered that the public benefits of the proposal would not outweigh the limited harm that the 20 lodges would cause to the non-designated heritage asset 'Wayside'. The proposal would therefore result in harm to this non-designated heritage asset contrary to the guidance within the National Planning Policy Framework as well as Policies S1, E5, D1 and D3 of the approved Maldon District Local Development Plan.
- 5 In the absence of a completed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure the necessary payment of a Travel Plan monitoring fee as requested by the Highway Authority, the impact of the development cannot be mitigated contrary to Policies S1 and T2 of the Maldon District Local Development Plan and Government advice contained within the National Planning Policy Framework

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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 identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant/Agent the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to liaise with the Applicant/Agent to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

NOTES:

Your Right of Appeal

If you disagree with the decision of the Local Planning Authority to refuse permission for the proposed development you can appeal to the Secretary of State. If you want to appeal, you must do so within six months of the date of this notice, using a form that you can get from:

The Planning Inspectorate, Appeals Registry, Room 3/15A, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

The Secretary of State can allow a longer period for giving notice of an appeal, but this will only be done where there are special circumstances that excuse the delay in giving notice beyond the six month period.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development, having regard to the relevant statutory provisions and any relevant directions. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notice

If following this decision of the Local Planning Authority to refuse permission to develop land, or any decision of the Secretary of State, the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council a purchase notice requiring that the Council purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.