

Response to Planning Applications to be determined by Maldon District Council.

Response from: Woodham Walter Parish Council

Planning Application Reference: 23/00521/OUT

Location: Land between Ash Cottage and High Prospect Top Road, Woodham Walter

Our views on the above application are:

Please tick the appropriate box

1. We recommend the granting of planning permission, for the reasons listed below:

*

or

2. We recommend the refusal of planning permission, for the reasons listed below:

*

At an Extra Ordinary Meeting of Woodham Walter Parish Council which was attended by approximately 60 residents, Councillors unanimously voted to strongly object to this application.

The principle of development should be considered contrary to Policies S1, S8, D1, H4, T1, T2 and D2 of the Maldon District Local Development Plan (2017), the Maldon District Design Guide (2017) and the policies and guidance in the National Planning Policy Framework (2021).

It also does not accord with the adopted Woodham Walter Village Design Statement (2017), the Woodham Walter Conservation Area (March 2017) and the Draft Local Heritage Assets Document (2022).

The detailed reasons are within the accompanying pages.

or

3i. We have no comment

3ii. We raise no objection but wish to make the following comment:

***Reasons for response (Please include the relevant policy in the Submission version of the Local Development Plan i.e. Policy D1 – Design Quality and built Environment, Policy S8 Settlement Boundaries and the Countryside)**

Signed: 

Date: 30 June 2023

Version May 2016

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1. General

- a. The planning statement is incorrect as it is based on inaccurate MDC data already notified.
 - i. District Cllr's advise that the 5YHLS has been satisfied (understood to now be 6.36 years).
 - ii. The facilities stated are incorrect:
 1. No shop(s) (closed 2013).
 2. No suitable public transport. All services have a limited timetable and all bar one must be pre-booked at least 2 hours before departure and one operates on Tuesdays and Thursdays only. The LPA accepts that the bus services are not suitable for either commuters or shoppers.
 3. Travel times quoted are questionable.
 4. NHS doctors and dentists in Danbury, the nearest facilities, are oversubscribed.
- b. Although access is reserved, the practicality of accommodating the significant change in level will exacerbate pedestrian access, further impaired by the very narrow, single track, carriageway of Top Road. Given the change in level it is to be noted that the additional footpath shown will not be accessible for the disabled.
- c. The plans are incorrect as they show High Prospect not Wincroft as exists. Wincroft is approx. 5m closer to the rear boundary and therefore the application site, which affects the street scene and increases potential overlooking of the existing dwelling. (20/00132/FUL Demolition of existing bungalow. Proposed new 4 bed bungalow. Approved 03/04/2020)
- d. The plans do not show a blue line around other areas of land within the same ownership.
- e. Indicative plans do not show the significant change in levels between the application site and the road/neighbouring properties.

2. Site

- a. Woodham Walter possesses plenty of the ingredients of an attractive and vibrant historic Essex village (*Conservation Area Character Assessment MDC*).
- b. Woodham Walter is referred to as an Arcadian Village in the Braintree, Brentwood, Chelmsford, Maldon and Uttlesford Characterisation Assessment (1 of only 6 in District) with characteristic long vistas across open countryside. This proposal would result in those vistas being significantly interrupted from many locations and lost completely from Top Road, Brook Close and the core village.
- c. The site lies outside of the defined settlement boundary (DSB) on agricultural land that would not normally be considered for the grant of planning permission and therefore the 5YHLS is of relevance. The field is used for arable crops.
- d. The proposed site fronts on to a narrow lane – one car width average 3m by the Women's Club. The lane has dangerous junctions with restricted sight lines at each end with both The Street and Little Baddow Road. The restricted lane width, elevated height of the site (varying between 1m and 1.5m approximately) and existing partial footpath would make access to individual properties for vehicles and pedestrians impractical and dangerous.
- e. The introduction of more vehicles will endanger pedestrians and other road users.
- f. Access for the disabled is recommended at 1:12 maximum steep incline i.e., 1m high and 12m long and has not been considered in the context of the elevated site, the position of the proposed dwellings and the rear boundary. It is difficult to understand how this can be achieved on this site in this location.
- g. Existing surface water drainage problems for properties on Top Road, Brook Close and Rectory Road will be exacerbated by increased hard surface, surface water run-off and general surface water drainage.

3. NPPF

General Sustainability.

Woodham Walter cannot be considered to be a sustainable village within the context of the NPPF for the following reasons:

- i. No shop (closed in 2013).
- ii. No suitable regular public transport.

- iii. Limited employment without the use of a car
- iv. No library (mobile or otherwise).
- v. No medical services.
- vi. Extremely limited employment opportunities.
- vii. Need to use a car for essential services and for wider village activities

- a. Economic**
 - i. There is no guarantee that a local workforce will be used
 - ii. There is no guarantee that locally sourced materials will be used
 - iii. Any positive contribution to the village's economy would be very limited given the lack of local services.

b. Social.

- i. Only 1 central public house (the Queen Victoria on Top Road having been closed for a year).
- ii. Church
- iii. School & Nursery
- iv. Golf Club (public and private) (outside of the core village and not therefore included in the MDC's Rural Facilities and Settlement Hierarchy)
- v. Village Hall.
- vi. Women's Club (private clubroom)

c. Environmental

- i. Essential use of cars due to village location. Properties of this scale are likely to require at least 2 cars which will introduce approx. another 12 vehicles with the appropriate number of vehicle movements on the very restricted lane.
- ii. The proposal will cause the destruction of Arcadian village long vistas and big sky from within and without the village in all directions.
- iii. Dwellings on the elevated site will dominate the central village and cause serious over looking and domination of Top Road, Brook Close and some Little Baddow Road and Rectory Road dwellings. This will have a negative visual impact on the village central core and surrounding countryside as well as destroying the street scene along the defined settlement boundary in this area.
- iv. A net gain in bio-diversity has not been demonstrated,
- v. Possible noise disturbance from heat pumps .
- vi. Indicative plans show significant size of dwellings which are larger than those in close proximity.
- vii. There are no re-cycling facilities within the core village but a single bottle bank within the grounds of Bunsay Downs located outside of the main village boundary (approx. ¾ mile away).

4. MDC LDP

a. Rural Landscape

- i. The domestication and urbanisation of the site, readily visible across the surrounding landscape, creates an incongruous form of development that is out of keeping eroding the intrinsic beauty of the open countryside and that of an Arcadian Village.
- ii. The principle of development should be considered contrary to Policies S1, S8, D1, H4, T1, T2 and D2 of the Maldon District Local Development Plan (2017), the Maldon District Design Guide (2017) and the policies and guidance in the National Planning Policy Framework (2021).
- iii. Future food security and the loss of a food production zone.
- iv. Being an Arcadian villager there is concern that the proposed ribbon development will not only destroy the vistas but also provide an incentive to develop further around and on the field.

b. Defined Settlement Boundary

- i. NPPF requirement of a 5-year housing land supply is satisfied by MDC with an excess to requirements (6.36yrs).
- ii. DSB should therefore be protected and should carry some weight.

5. RAMS

- a. The site is within the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy(RAMS) zone of influence for the Crouch and Roach Estuaries Special Protection Area (SPA) and Ramsar site; Essex Estuaries Special Area of Conservation (SAC); Blackwater Estuary SPA and Ramsar Site and the Dengie SPA and Ramsar site.
- b. The proposed development falls within the scope of the RAMS as relevant development. Given that the proposal is for additional housing, and its proximity to the SPAs and SAC there is a reasonable likelihood that it would be accessed for recreational purposes by future occupants of this development. This additional activity would have the potential, either alone or in combination with other development in the area, to have a likely significant effect on the European sites.
- c. The proposal would constitute habitats development and mitigation would be required.

6. Relevant Planning Decisions

- a. PIP/MAL/20/01284 Refused and Dismissed at appeal. The site is in close proximity to the current application and therefore considered relevant.
MDC REASON FOR REFUSAL The development is not considered to be sustainable as a result of the site's limited accessibility, the harm the development would cause to the character and appearance of the area (including to the setting of Woodham Walter Conservation Area), the adverse impact the development would have on the European nature conservation sites and the loss of Grade 2 agricultural land. The social and economic benefits of the proposal would not be sufficient to outweigh this harm. The principle of development would therefore be unacceptable and contrary to Policies S1, D1, D2, D3, H4, N1 and N2 of the approved Maldon District Local Development Plan and the NPPF. APPEAL REASONS FOR DISMISAL: The appeal should be dismissed as it does not comply with Article 5B (1) of the Town and Country Planning (Permission in Principle) Order 2017 (as amended).
- b. FUL/MAL/20/00519 Refused and Dismissed at appeal. Whilst the site is approx. 1 mile away from Bunsay Downs the inspector gave weight to the impact on the character and appearance of the area. That proposal was noted as being “*within countryside agreed to be of high value and sensitivity to change*”. The field on which the proposal is located is part of that high value countryside and intrinsic to the character and beauty of the countryside in this village.

7. Village Design Statement

- a. The adopted Woodham Walter Village Design Statement (VDS) details that Top Road lies within the central village area. “*Generally, C20th single and 2-storey housing and the Women’s Club (1906) sit inside the triangle, with a grass bank and rising arable land opposite. **There is a fine view of this part of the village from St Michael’s (Church) with rooftops and gable ends rising and falling with the change in elevation either side of the stream.***” This demonstrates the accepted views of the area and this proposal will be detrimental to those views and a detrimental visual impact on the core village vistas.

8. Conservation Area

- a. The eastern end of Top Road falls within the adopted Woodham Walter Conservation Area. This includes The Queen Victoria Public House (vacant for the last 12 months) on Top Road.
- b. Ash Cottage is also within the CA on the corner of Top Road and Rectory Road and adjacent to the proposed site. Ash Cottage is subject to an Article 4 Direction designed to preserve or enhance the special character or appearance of a place.
- c. The LPA should therefore consider the impact on the CA including on the Article 4 Direction at Ash Cottage which the Parish Council contests would be detrimental to the setting of these buildings.

9. Heritage Assets

- a. Women’s Club which is situated on Top Road opposite the proposed site is on the MDC Draft List of Woodham Walter Heritage Assets (May 2022) and identified as meeting the criteria of a Local Heritage Asset. The proposal would detrimentally affect the setting of the Women’s Club.

10. Other Points and Issues Raised by Councillors and residents at Extra Ordinary Meeting (Not Covered Above)

- a. Construction traffic would have difficulty accessing site because Top Road is too narrow and unsuitable and will cause unacceptable disruption. Great concern that alternative field entrances at Little Baddow Road, Gun Hill and West Bowers Road would need to be utilised.
- b. Road safety and junction accesses. The Top Road junction at The Queen Victoria is particularly unsuitable to additional traffic. Sight lines are very poor.
- c. 'Indicative' plans. The site plan and dwelling drawings submitted were stated at the public meeting as being indicative. There can be no guarantee that a reserved matters application will replicate the initial proposal.
- d. Construction Management Plan - closure of Top Road etc. would have unacceptable impact on local residents (including required access by carers and school bus) and particularly at school drop off/pick up times.
- e. Local workforce – no guarantee that this would be locally sourced as stated in the planning statement.
- f. MDC services such as waste and recycling are already stretched as they don't always get round to all properties in the village now.
- g. MDC Corporate Plan indicates support for local and rural communities and this community is looking for support to resist this proposed development.
- h. Long views – site can be seen from many angles around the village including the vista from the church field
- i. Local infrastructure poor
- j. Negative impact on amenity of neighbouring properties
- k. Indicative drawings do not show the change in level. The footpath shown would be an escarpment.
- l. Disabled access into properties would be difficult with the change in levels for a 1 in 12
- m. The green space indicated opposite the Queen Victoria does not indicate ownership or responsibility for maintenance.