

Maldon District Replacement Local Plan

Adopted Plan
Written Statement

November 2005

Part 1 of 2
Please also see Proposals Map



Contents

INTRODUCTION	10
Statutory Context	10
The purpose of the plan	10
Form and layout of the plan	10
The plan led approach and development control	11
StatementS of Conformity	11
statement of consultation and publicity	11
First Deposit Consultation	12
Revised Deposit Consultation	12
Sustainability Appraisal	13
Monitoring	13
STRATEGY	15
Introduction	15
The United Kingdom Sustainable Development Strategy	15
Planning Policy Guidance and Planning Policy Statements	15
Strategic Planning Guidance	16
The Regional Plan	16
The Structure Plan	16
The Regional Spatial Strategy	17
The Corporate Strategy	17
Other Local Strategies	18
The Local Plan land use strategy	18
The Principle of Sustainability	18
The Vision	18
Summary of the Local Plan Strategy	19
Strategic objectives	20
Strategic policies	21
POLICY S1 Development boundaries and new development	21
POLICY S2 Development outside development boundaries	21
CONSTRAINTS	22
Introduction	22
Objectives	22
Flood Risk and Management	22
POLICY CON1 Development in Areas at Risk from Flooding	24
POLICY CON2 Sustainable Drainage Systems	25
POLICY CON3 Coastal Defence	26
Development on Unstable Land	26
POLICY CON4 Development on Unstable Land	27
Article 4 Directions	27
Bradwell Nuclear Power Station	28
Major Industrial Hazards and Pipelines	29
Pollution prevention	29
POLICY CON5 Pollution Prevention	30
Contaminated Land	30
POLICY CON6 Contaminated Land	31
Southend and Stansted Airports	31
POLICY CON7 Development Affecting Airports	31
Advertisements in the Rural Area	32
Nature Conservation Designations	32
COAST AND COUNTRYSIDE	33
Introduction	33
Objectives	33

Nature Conservation.....	34
Designated Nature Conservation Sites.....	35
International Designations.....	35
National Designations.....	37
POLICY CC1 Development Affecting an Internationally Designated Nature Conservation Site.....	38
POLICY CC2 Development Affecting a Nationally Designated Nature Conservation Site.....	38
Local Designations.....	38
POLICY CC3 Development Affecting Locally Designated Nature Conservation Sites.....	39
POLICY CC4 Local Nature Reserves.....	39
Biodiversity Action Plans.....	40
Protected Species.....	41
POLICY CC5 Protection of Wildlife at Risk on Development Sites.....	41
Landscape.....	42
Landscape character.....	42
POLICY CC6 Landscape Protection.....	43
POLICY CC7 Special Landscape Areas.....	43
Formation of Amenity Lakes.....	43
POLICY CC8 Formation of Amenity Lakes.....	44
Landscape Improvements.....	45
Maldon Riverside Area.....	45
POLICY CC9 Maldon Riverside Area.....	45
Historic Landscape Features.....	45
POLICY CC10 Historic Landscape Features.....	46
Archaeology.....	47
Coast.....	47
Essex Coastal Strategy.....	47
The Coastal Zone.....	47
POLICY CC11 The Coastal Zone.....	48
Blackwater Estuary.....	48
Waterside Uses at Maldon.....	49
POLICY CC12 Maldon Waterside Area.....	50
Bradwell Power Station.....	50
The Crouch Estuary.....	51
Agriculture.....	52
Agricultural Land Quality.....	52
POLICY CC13 Protection of the Best and Most Versatile Agricultural Land.....	53
Agricultural Development.....	53
Accommodation for Agricultural Workers.....	53
POLICY CC14 Agricultural Workers' Dwellings.....	55
Temporary Accommodation for Agricultural Workers.....	56
POLICY CC15 Temporary Accommodation for Agricultural Workers.....	57
Agricultural Occupancy Conditions.....	57
POLICY CC16 Agricultural Occupancy Conditions.....	58
Development Associated with Agriculture.....	58
POLICY CC17 Intensive Livestock Units.....	59
POLICY CC18 Development Ancillary to Agriculture.....	59
Rural Diversification.....	59
POLICY CC19 Rural Diversification.....	61
Re-use of Listed Buildings in Rural Areas.....	62
POLICY CC20 Re-use of Listed Buildings in Rural Areas Currently or Formerly in Agricultural Use.....	62
Re-use of Rural Buildings for Residential Purposes.....	62

POLICY CC21 Re-use of Rural Buildings for Residential Purposes	63
Living in rural areas	64
Introduction	64
Replacement Dwellings in the Countryside	64
POLICY CC22 Replacement Dwellings	64
Garden Extensions in the Countryside	65
POLICY CC23 Garden Extensions in the Countryside	65
Minerals development	66
Minerals Local Plan	66
HOUSING	67
Introduction	67
Objectives	67
The planning strategy for housing provision	68
The Structure Plan	68
Housing in the Countryside	69
POLICY H1 Location of New Housing	69
POLICY H2 Infilling Housing in the Countryside	69
Housing supply	70
Guidance for Housing Provision	70
Housing Provision	70
POLICY H3 Housing Provision	71
The Plan Monitor and Manage approach	71
Delivering Housing Supply	72
Housing Allocations	72
POLICY H4 Land Allocated for Residential Development	73
Previously Developed Land	73
POLICY H5 Windfall Sites for Housing	74
Housing Density	74
POLICY H6 Housing Density	75
POLICY H7 Extensions to High Density Dwellings	76
Conversion of Dwellings and Other Buildings to Flats	76
POLICY H8 Conversion of Dwellings and Other Buildings to Flats	77
Modernising the Housing Stock	77
Special housing needs	77
Links with Other Council Strategies	78
Affordable Housing	78
POLICY H9 Affordable Housing	80
Rural Needs Housing	81
POLICY H10 Rural Exceptions Sites	82
Special Family Needs	83
POLICY H11 Special Family Needs	83
Residential Care Establishments	84
POLICY H12 Residential Care Establishments and Nursing Homes	84
Mobile Homes and Houseboats	85
POLICY H13 Houseboats	85
POLICY H14 Mobile Homes	86
POLICY H15 Replacement of Mobile Homes with Permanent Dwellings	86
Gypsy Sites	87
POLICY H16 Gypsy Sites - Public or Private Residential Caravan Sites	89
POLICY H17 Short Term Stopping Places for Gypsies	91
POLICY H18 Gypsy Sites - Transit Sites	92
EMPLOYMENT	93
Introduction	93
Objectives	94
Local Economy	95

Sustainability	95
Land Allocations	96
Retention of Existing and Previously Allocated Employment Areas	96
POLICY E1 Protection of Existing Allocated Employment Sites	96
POLICY E2 Allocation of Proposed Employment Sites	97
POLICY E3 Mixed Use Development - Timber Yard, Heybridge Basin	99
Causeway Industrial area and Sadds Wharf.....	99
POLICY E4 Mixed Use Development - Sadds Wharf.....	100
POLICY E5 Frontage to the River Chelmer	101
Design of Employment Buildings and Layout of Employment Areas.....	102
Protection of existing employment uses	102
Protection of Existing Small Employment Sites	102
POLICY E6 Protection of Existing Employment Uses	103
POLICY E7 Development Extension or Intensification of Employment Premises within Development Boundaries	103
Change of use to business	104
Business Use of a Property also Occupied for Residential Purposes.....	104
POLICY E8 Working from Home	105
Use of Existing or New Buildings within the Curtilage of Residential Properties for Business Use.....	105
POLICY E9 Use of Buildings within Residential Curtilage for Business Purposes	105
BUILT ENVIRONMENT	107
Introduction	107
Objectives	107
General Design Issues	108
Design of NEW DEVELOPMENT AND LANDSCAPING	109
Relationship of New Buildings to their Surroundings.....	109
POLICY BE1 Design of New Development and Landscaping.....	111
Access for Disabled People	111
POLICY BE2 Inclusive Access and Accessibility	112
Effect of Development on Occupiers of Neighbouring Buildings and Land	112
Design of Public and Private Circulation Spaces Including the Use of Street Furniture	112
POLICY BE3 Public and Private Amenity Spaces.....	113
Designing a Safe Environment	113
POLICY BE4 Designing a Safe Environment.....	113
Parking and Servicing	113
POLICY BE5 Parking Areas.....	114
Specific design issues	114
Design of Residential Buildings and Extensions.....	114
POLICY BE6 Extensions to Dwellings	115
Shop Fronts	116
POLICY BE7 Design of Shop Fronts	116
Lighting.....	116
POLICY BE8 Lighting.....	117
Advertisements	117
POLICY BE9 Advertisements on Buildings	118
POLICY BE10 Display of Advertisements Remote from the Site being Advertised	119
POLICY BE11 Advertisements within Conservation Areas and Affecting Listed Buildings.....	119
Conservation Areas	119
POLICY BE12 Control of Demolition in Conservation Areas	120
POLICY BE13 Development in Conservation Areas	121

Listed Buildings	121
POLICY BE14 Demolition of Listed Buildings	122
POLICY BE15 Change of Use Affecting Listed Buildings	122
POLICY BE16 Extensions, Alterations to and Additional Buildings in the Curtilage of Listed Buildings.....	122
Archaeology	123
Historic Towns	123
POLICY BE17 Preservation of Sites of Nationally Important Archaeological Remains and their Settings.....	124
POLICY BE18 Control of Development at a Site of Local Archaeological Value	124
Telecommunications	124
POLICY BE19 Telecommunication Development	127
POLICY BE20 The Installation of Satellite Dishes in Conservation Areas and on Listed Buildings	127
RETAIL AND TOWN CENTRES.....	129
Introduction	129
Objectives.....	129
Retail strategy	130
National Policy	130
Countywide Strategy	130
District Strategy	130
Town and district centres.....	132
Town Centre Core Retail Areas	132
POLICY SH1 Core Retail Areas.....	132
Development Outside Core Retail Areas	132
POLICY SH2 Protection of the Retail Function of Town and District Centres	133
Maldon Market.....	133
POLICY SH3 Maldon Market.....	133
Town and District Centre Development Sites	133
POLICY SH4 Town and District Centre Development Proposals	134
Town Centre Car Parking	135
Local Shopping Centres.....	136
POLICY SH5 Local Shopping Centres in Urban Areas.....	136
Rural Shopping	136
POLICY SH6 Village Shops and Services	137
Farm Shops	137
POLICY SH7 Farm Shops	138
Retail uses in employment areas	138
RECREATION AND LEISURE	139
Introduction	139
Objectives.....	139
The strategy for Public Open Space provision	140
Formal Open Space	141
POLICY REC1 Allocation of Land for Formal Public Open Space	143
POLICY REC2 Provision of Public Playing Pitches	143
Children's Play Space.....	144
POLICY REC3 Children's Play Space Associated with New Housing Developments and Elsewhere in the District	145
Other Formal Open Space.....	146
Informal Open Space	146
POLICY REC4 Allocation of Land for Informal Open Space	147
POLICY REC5 Provision of Informal Open Space	148
Amenity Areas	148
POLICY REC6 Provision of Amenity Areas	148
Protection of public open space.....	149

POLICY REC7 Protection of Existing Public and Private Open Space	149
POLICY REC8 Open Spaces in Towns and Villages	149
Indoor recreation facilities for sport	150
Swimming	150
Indoor Dry Sports.....	150
POLICY REC9 Indoor Sports, Leisure and Recreation Facilities	150
Maldon Leisure Quarter	151
Recreation in the countryside.....	151
POLICY REC10 Public Rights of Way	152
POLICY REC11 The Blackwater Rail Trail.....	152
POLICY REC12 Riding Establishments	153
Recreation and Tourist Attractions in the Countryside	153
POLICY REC13 Small-scale Proposals for Recreation and Tourist Developments in the Countryside.....	153
POLICY REC14 Golf Courses, Extensions and Facilities.....	155
POLICY REC15 Golf Driving Ranges.....	155
Other Recreational Pursuits.....	156
Temporary or Permanent Use of Land or Water	156
POLICY REC16 Permanent Uses of Land or Water for Sport	157
Water Recreation Facilities	157
POLICY REC17 Water Recreation Facilities	157
Inland Water Recreation	158
POLICY REC18 After-use of Gravel Workings	158
Tourist Accommodation.....	159
Hotel and Guesthouse Accommodation.....	159
POLICY REC19 Hotel and Guesthouse Accommodation.....	159
Static and Touring Caravan Sites, Chalet Sites and Camping Sites.....	160
POLICY REC20 Static and Touring Caravan Sites, Chalet Sites and Camping Sites	161
POLICY REC21 Redevelopment of Tourist Accommodation.....	161
Leisure Plots.....	161
TRANSPORT.....	163
Introduction	163
Transportation Responsibilities	163
Access to Opportunity - The District Transportation Strategy.....	163
Objectives.....	163
Transport Infrastructure	164
Road and Rail Links.....	164
Public Transport.....	165
The Safe Management of Traffic.....	165
Transport and New Development	166
POLICY T1 Sustainable Transport and Location of New Development.....	166
POLICY T2 Transport Infrastructure in New Developments	167
Development of Rail Freight Facilities on the Southminster Branch Line	168
POLICY T3 Rail Freight Facilities	168
Cycling.....	168
POLICY T4 Cycle Routes.....	169
POLICY T5 Cycle Parking Provision in New Developments	169
Walking	169
POLICY T6 Improvement to Pedestrian Facilities.....	169
Public Car Parking	170
POLICY T7 Shared Car Parking in New Development	171
POLICY T8 Vehicle Parking Standards.	172
Rivers and Waterways	172
PUBLIC UTILITIES.....	173

Introduction	173
Objectives.....	173
County Council services	173
Education.....	173
POLICY PU1 Provision of Education Facilities	174
Social Services.....	175
Highways	175
Library Service	175
Refuse Disposal	175
Maldon District Council.....	176
Waste Collection and Recycling.....	176
POLICY PU2 Recycling Facilities in New Developments	176
Street Cleansing.....	176
Health	177
POLICY PU3 Protection of Health Care Facilities	177
POLICY PU4 New Health Care Facilities	177
Fire and Rescue Service.....	178
POLICY PU5 Maldon Fire Station	178
Utilities	178
Electricity	178
POLICY PU6 Renewable Energy.....	179
Gas Supply	179
Water Supply	179
Sewage Treatment and Surface Water Disposal.....	180
Telecommunications	181
Bradwell Power Station	181
Appendix 1 Hierarchy of nature conservation designations	183
Appendix 2 Sites of Special Scientific Interest	184
Appendix 3 Scheduled Ancient Monument Sites.....	185
Appendix 4 Conservation Areas.....	186
Appendix 5 Public football pitch provision	187
Appendix 6 Children’s play space.....	188
Appendix 7 Wildlife AND GEOLOGICAL Sites	189
APPENDIX 8 TABLE 1 OF PPG 25 DEVELOPMENT AND FLOOD RISK.....	204
GLOSSARY.....	209

Tables

Table 1 Local Plan Monitoring	14
Table 2 Summary of Housing Provision 1996-2011	71
Table 3 Land Allocated for Residential Development.....	72
Table 4The Shopping Centre Hierarchy for Maldon District	132
Table 5Town and District Centre Redevelopment Sites	136
Table 6 Area Standards for Playing Pitch Provision	143
Table 7 Football Pitch Deficiencies.....	143
Table 8 Area Standards for Children’s Play Space.....	148
Table 9 New Informal Public Open Space Allocations.....	148
Table 10 Hierarchy of Nature Conservation Designations.....	183
Table 11 Sites of Special Scientific Interest.....	184
Table 12 Scheduled Ancient Monument Sites	185
Table 13 Conservation Areas	186
Table 14 Public Football Pitch Provision Requirements and Allocations.....	187
Table 15 Children’s Play Space Provision, Requirements and Deficiency	188

INTRODUCTION

STATUTORY CONTEXT

- i The Maldon District Replacement Local Plan (RLP) has been prepared in accordance with Part II of the Town and Country Planning Act 1990, the Planning and Compensation Act 1991, and the Planning and Compulsory Purchase Act 2004 (the 2004 Act). The RLP provides a comprehensive statement of land use policies and proposals for the Maldon District for the period April 2001 to October 2008. The RLP replaces the Maldon District Local Plan First Review adopted on 9 August 1996.

THE PURPOSE OF THE PLAN

- ii The RLP sets out a vision for land use planning in the District. This will guide inward investment, direct the location of new development and identify improvements in the land requirements of public services. The RLP draws on the United Kingdom Sustainable Development Strategy. It also meets the provisions of the Strategic Plan for the South East (RPG 9) and The Essex and Southend-on-Sea Replacement Structure Plan (RSP) within the context of local corporate strategies. Where there is a conflict between policies in the Structure Plan and the RLP, the latter is definitive.
- iii The 2004 Act introduces a new form of Development Plan. It abolishes Local Plans and Structure Plans and replaces them with Regional Spatial Strategies (RSS) and Local Development Frameworks. The transitional arrangements of the 2004 Act require that Local Plans such as the Maldon RLP are adopted then “saved” for a period of three years from adoption. Thus the RLP, once adopted, together with the adopted Replacement Structure Plan, the Essex Minerals Local Plan and Essex Waste Local Plan will form the statutory Development Plan for the District for a period of three years. During that time, the “East of England Plan” (the RSS) will supersede the Replacement Structure Plan. It is anticipated that a new Local Development Framework for Maldon District will replace the RLP for Maldon by Late 2008. The Development Plan is supported by other statutory and non-statutory plans such as the Local Transport Plan.

FORM AND LAYOUT OF THE PLAN

- iv The RLP consists of a Written Statement, which sets out policies and proposals supported by a reasoned justification, and a Proposals Map.
- v The Proposals Map consists of an Ordnance Survey base map of the Maldon District at 1:50,000 scale, together with inset maps at larger scales for all settlements with a development boundary, which allow more detail to be shown. The Proposals Map illustrates each of the proposals in the written statement, defining sites for particular developments or land uses and defining areas where policies apply. Where there is a contradiction between the Written Statement and the Proposals Map, the Written Statement is definitive.
- vi The RLP opens with a strategy chapter, which sets out objectives for the whole Plan. These are developed in the following topic chapters through detailed policy objectives, policies and proposals. The RLP therefore demonstrates how the vision links with policy. This will enable monitoring of the performance of policies and ensure that subsequent policy reviews are given a consistent long-term approach.

vii This document, the RLP, is the adopted Local Plan for the District.

viii The RLP is supported by the following Technical Papers:

- Residential Land Availability 2002
- Urban Capacity Study 2002, Buro Happold/EDAW
- Housing Needs Study 1999, Fordham Research Ltd.
- Sustainability Appraisal of the Maldon District Replacement Local Plan First Deposit, June 2002.

THE PLAN LED APPROACH AND DEVELOPMENT CONTROL

- ix Advice on the relationship between the Development Plan and the determination of planning applications and appeals is provided by Planning Policy Statement (PPS) 1, (2004), "Delivering Sustainable Development". Paragraph 29 states that planning decisions taken in accordance with the Plan are key to the delivery of sustainable development. It also states that a Planning Authority may decide to give different weight to social, environmental, resource or economic considerations (than is expressed in the Plan). Where this is the case, the reasons for doing so should be explicit and the consequences considered.
- x It is recognised that the RLP will not contain policies relating to every conceivable development proposal. There will be occasions when the decision maker will need to make a decision after assessing the material considerations and government advice. To assist in this process, each chapter contains a set of objectives that list the overall aims of the Plan. Where there is no policy, or where policies conflict and government advice is not definite, these objectives will assist in making a decision which is in accordance with the intent of the Plan.
- xi The RLP should be read as a whole. Policies will apply when appropriate and relevant to each case. For this reason, it is not necessary for one policy to cross-refer to the requirements of another for those requirements to be effective.

STATEMENTS OF CONFORMITY

- xii Essex County Council issued a "statement of conformity" for the First Deposit Draft Maldon District Replacement Local Plan on 4 January 2002. It issued a further "statement of conformity" for the Revised Deposit Draft Maldon District Replacement Local Plan on 18 December 2002. These statements confirmed that those stages of the RLP were in conformity with the Essex and Southend-on-Sea Replacement Structure Plan, adopted in April 2001.

STATEMENT OF CONSULTATION AND PUBLICITY

- xiii Regulation 21 of the Town and Country Planning (Development Plan) (England) Regulations 1999 requires that the Local Planning Authority prepare a statement of any persons that have been consulted when preparing the Plan. This statement should include any steps that have been taken to publicise the Plan and to provide the public with the opportunity of making representations in respect of that Plan.
- xiv The District Council has carried out pre-Deposit consultation on the following topics:
- Employment issues "21st Century Jobs" (1999)

- Retail and Town Centre Issues “Shopping Choices” (2000)
- Supplementary Planning Guidance: Gypsy Sites (adopted 1999)
- Supplementary Planning Guidance: Access to Opportunities, the District Transportation Strategy (adopted 2000)
- Supplementary Planning Guidance: Affordable Housing (adopted 2001)

First Deposit Consultation

- xv On 22 November 2001, the Council resolved to place the draft RLP on First Deposit. The Deposit period ran from 1 March to 12 April 2002.
- xvi A notice was published in the Essex Chronicle and the London Gazette, as required by the Regulations. Previous issues report and SPG respondees, people who had submitted proposals for inclusion in the Plan and people who registered an interest in the Plan were notified of the Deposit period. A seminar on the RLP for Parish Councils was held before the Deposit period started.
- xvii An exhibition on the First Deposit was prepared. This was displayed in the Council Offices and Maldon and Burnham libraries for the six week consultation period. A roving exhibition visited Heybridge, Tollesbury, Tolleshunt Knights and Latchingdon. To complement the consultation arrangements, a summary leaflet of the First Deposit was made available free of charge at the Deposit points.
- xviii Copies of the Plan were supplied to the Secretary of State and the organisations specified in the Development Plan Regulations and Planning Policy Guidance Note 12. Copies of the Plan and its supporting documents were placed on deposit at the Council’s offices, all the libraries in the District, the Tourist Information Centre in Maldon and the Tourist Information and Community Information Centre in Burnham-on-Crouch. Copies were available for inspection free of charge at these venues and could be purchased at the Council Offices.

Revised Deposit Consultation

- xix On 7 November 2002, the Council resolved to place the draft RLP on Revised Deposit. The Deposit period ran from 17 January to 28 February 2003.
- xx A notice was published in the Essex Chronicle and the London Gazette, as required by the Regulations. All those who were notified of the First Deposit period (see para xvi) were notified of the Revised Deposit period. Seminars on the RLP for Parish Councils and representative organisations were held at the beginning of the Deposit period.
- xxi Copies of the Revised Deposit Plan were supplied to the Secretary of State and the organisations specified in the Development Plan Regulations and Planning Policy Guidance Note 12.
- xxii Copies of the Plan and its supporting documents were placed on deposit at the Council’s offices, all the public libraries in the District, the Tourist Information Centre in Maldon and the Tourist Information and Community Information Centre in Burnham. Copies were available for inspection free of charge at these venues and copies could be purchased at the Council Offices. The Revised Deposit Written Statement and Map Revisions were placed on the Council’s website at www.maldon.gov.uk.

- xxiii An exhibition on the Revised Deposit was prepared. This was displayed in the Maldon District Council Offices and Maldon and Burnham libraries during the consultation period. A roving exhibition visited Maldon Town Hall, Latchingdon, Tollesbury, Blackwater Leisure Centre Maldon, Tolleshunt Knights and Heybridge. A summary leaflet on the Revised Deposit complemented the consultation arrangements and was made available free of charge at the exhibition and the Deposit points and on the Council's website.

Post Inquiry Modifications

- xxiv Following the Revised Deposit, the Council published a set of Further Proposed Modifications and then Pre Inquiry Modifications in Summer 2003. This was followed by the formal Public Inquiry, which opened in December 2003. The Inquiry Closed on 28 March 2004. The Inspector published his report into the Inquiry in June 2004.
- xxv The Council considered the recommendations included in the Inspector's Report on 14 October and 12 December 2004. A set of Post Inquiry proposed modifications was published in February 2005. A notice was published in the Essex Chronicle and a six week consultation period followed. Copies of the Post Inquiry proposed modifications were made available at the same Deposit points that were used for the initial and Revised Deposits. Everyone who commented at any time has been notified of the proposed changes to the Plan in accordance with the Regulations.
- xxvi Following consideration of representations to the proposed modifications, further modifications were made to the Plan. Further proposed modifications were published in June 2005. A notice was published in the Essex Chronicle followed by a six week consultation period. Copies of the Post Inquiry proposed modifications were made available at the same Deposit points that were used for the initial and Revised Deposits. Everyone who commented at any time has been notified of the proposed changes to the Plan in accordance with the Regulations.

SUSTAINABILITY APPRAISAL

- xxvii The RLP has been drafted with sustainability in mind. The First Deposit Draft has been subject to a Sustainability Appraisal. Improvements to the policies and proposals identified during the Sustainability Appraisal process were incorporated into the Revised Deposit draft of the Plan.
- xxviii Sustainability Appraisal has also been carried out for the Revised Deposit, Post Inquiry Modifications and the Further Proposed Modifications. These concentrated on the areas for improvement identified in the original Sustainability Appraisal, the new policies in the Plan and the policies with major amendments and updated the Appraisal to examine compliance with new Government Guidance and Planning Policy Statements that have been published since February 2003.

MONITORING

- xxix The RLP sets out the District Council's proposals up to 2011 (albeit acknowledging that the saved period for RLP policies is now three years) and establishes a framework of policies within which this development can occur. These policies are intended to achieve the strategic aims set out in the RSP. In order to assess the effectiveness of these policies, it is essential that continuous monitoring of change occurring in the District be undertaken. Monitoring will assess how effective or ineffective the policies of the Local Plan are in encouraging or restricting the various

types of land uses. Monitoring will need to assess the success or otherwise of a whole range of policies aimed at retaining the economic and social fabric of the District, whilst at the same time protecting the fragile environment of the District.

- xxx Where necessary, policies will need to be revised to ensure that the Plan remains “up to date and relevant” as required by PPS 1 (Delivering Sustainable Development) and PPS 12 (Local Development Frameworks).
- xxxi Monitoring will be co-ordinated or carried out by the District Council’s Planning Policy Section and collated on a regular basis. An Annual Monitoring Report will be prepared. The work will include the following:

Table 1 Local Plan Monitoring

Subject	Areas Monitored	Frequency
Legislation and Government publications	Circulars, PPGs, legislation	Upon publication
Housing	Land availability, brown field site development, provision of affordable housing, average density	Annually
Industry	Land availability, allocated land lost to other uses, area implemented, area remaining with and without planning permission	Annually
Outside development boundaries	Re-use of rural buildings – types of use, replacement dwellings, retention of village facilities	Annually
Retail	Vacancy rates in core areas, changes of use within and outside core areas	Bi – annually
Enforcement of planning control	Conditions monitoring, unauthorised uses	Annually
Policy implementation	Planning permissions granted contrary to policy	Annually
Appeal decisions	Categorised by type and policy	Annually
Strategy Implementation	Is the Local Plan meeting the strategy objectives? e.g. employment profile, commuting patterns.	Five yearly

STRATEGY

INTRODUCTION

- 1.1 The planning system regulates the development and use of land in the public interest. The system as a whole (and the preparation of development plans in particular) is the most effective way of reconciling the demand for development with the protection of the environment.
- 1.2 The RLP is concerned with the development and other use of land including measures for improvement of the physical environment and management of traffic, taking account of social and economic considerations.
- 1.3 There are three sources of policy, which are integrated in the RLP:
 - Government policy for Sustainable Development and Planning Policy Statements.
 - Regional Planning Guidance for the South East (RPG9) and the Essex and Southend-on-Sea Replacement Structure Plan (RSP), together with the emerging Regional Spatial Strategy for the East of England
 - Locally based service strategies, which reflect the mission of the District Council.
- 1.4 This RLP affords the opportunity to provide a sustainable framework for the long term development of the District.

The United Kingdom Sustainable Development Strategy

- 1.5 The UK Strategy sets out a framework for creating more sustainable patterns of development. This is elaborated in Planning Policy Guidance and new Planning Policy Statements. The Government has set four aims for sustainable development nationally.¹ These are:
 - Maintenance of high and stable levels of economic growth and employment;
 - Social progress which recognises the needs of everyone;
 - Effective protection of the environment;
 - Prudent use of natural resources.

Planning Policy Guidance and Planning Policy Statements

- 1.6 The Government's planning strategies are set out in Planning Policy Guidance Notes (PPGs) and the new Planning Policy Statements. These are supplemented by White Papers, Ministerial Statements and Department Circulars. They are material considerations in arriving at decisions on planning applications and appeals and provide guidance for the content of the Local Plan. The RLP was prepared in conformity with the old style PPG notes, of which two are particularly relevant to the preparation of a Local Plan:
- 1.7 PPG1 "General Policies and Principles" sets out the contents of a sustainable planning framework. This should:

¹ DETR, 1999, A Better Quality of Life, a strategy for sustainable development for the United Kingdom

- a) Provide for the nation's needs for commercial and industrial development, food production, minerals extraction, new homes and other buildings while respecting environmental objectives;
 - b) Use already developed areas in the most efficient way, whilst making them more attractive places in which to live and work;
 - c) Conserve both the cultural heritage and natural resources (including wildlife, landscape, water, soil and air quality) taking particular care to safeguard designations of national and international importance; and
 - d) Shape new development patterns in a way which minimises the need to travel.
- 1.8 PPG 12 "Development Plans" elaborates on the four objectives of the UK Sustainable Development Strategy and provides guidance on the scope of the Local Plan in addressing them. It also elaborates on transport policies, emphasising the relationship between Local Transport Plans and Development Plans.
- 1.9 The 2004 Act replaces old Planning Policy Guidance notes with new Planning Policy Statements. PPS 1 and PPS12 have already replaced PPG 1 and PPG12. However, whilst the new PPSs are intended to guide the preparation of new Local Development Frameworks, they new continue the four themes of sustainable development set out above. As such the new PPSs 1 and 12 do not require change to emerging Local Plans which are at an advanced stage of preparation, such as the Maldon District Replacement Local Plan.

Strategic Planning Guidance

- 1.10 The basis for the Land Use Strategy is provided by the Regional Planning Guidance for the South East (RPG9) and the Essex and Southend-on-Sea Replacement Structure Plan (RSP). The Local Plan is required to be in conformity with the Structure Plan until it is replaced by the East of England Plan. In addition, where local strategies have implications for land use planning, those aspects need to be integrated in a comprehensive Land Use Strategy. It is for the Local Plan to provide a mechanism to enable the strategies to be implemented by controlling development, reserving land for future use and co-ordinating the provision of services.

The Regional Plan

- 1.11 RPG 9 "Regional Planning Guidance for the South East " published in 1994 provides the regional framework for housing provision in the Essex and Southend-on-Sea Replacement Structure Plan (RSP). Revised guidance published in 2001 establishes a framework for development plans up to 2015. The RPG reflects a sustainable approach to planning in the South East and its principles have been reflected in the RSP policies.

The Structure Plan

- 1.12 The Essex and Southend-on-Sea Replacement Structure Plan (RSP) provides the strategic policy foundation for planning in the District and together with Local Plans forms the "development plan" for the area. The RSP contains a set of core policies that provide general strategic guidance for sustainable development. These cover the following themes:
- Achieving urban regeneration;

- Protecting the natural and built environment;
 - Encouraging economic success;
 - Sustainable new development; and
 - Sustainable transport
- 1.13 The core policies provide a general framework for a more detailed strategy. This sets out broad policies and levels of housing and employment development for each District in an integrated way. Maldon District forms part of “East Essex” together with Tendring District. The strategy for the District recognises the importance of protecting the coast and countryside whilst achieving a better balance between new homes and jobs within the district. Otherwise the relative remoteness of parts of the rural area, the closure of Bradwell Power Station and poor transport connections reinforce the need for strong restraint on development.
- 1.14 In summary the Structure Plan strategy for the District highlights the following areas for policies in the RLP:
- Protection of the coast and countryside;
 - Concentrating development within existing development boundaries;
 - Making the best use of existing sites within settlements for employment and housing and accommodating the housing requirement of 2800 within existing development boundaries;
 - No provision for additional green field housing;
 - New business, industry and warehousing to address the imbalance between local jobs and resident workforce which results in out commuting and the closure of Bradwell Power Station;
 - Improvement of access to the A12 to encourage inward investment;
 - Support for Maldon Town Centre as a focus of commercial and social activity;
 - The re-use of existing suitable buildings in the countryside for limited local employment;
 - Small-scale employment in the countryside as part of farm diversification schemes.

The Regional Spatial Strategy

- 1.15 The RPG and Structure Plan will be replaced by the emerging Regional Spatial Strategy for the East of England under the provisions of the 2004 Act. Until the East of England Plan is adopted, RPG 9 and the Replacement Structure Plan form the strategic background to planning in Maldon District and are still material considerations.

The Corporate Strategy

- 1.16 The District Council adopted its mission statement for the period 2000-2002 in December 1999 as part of the Corporate Strategy and updated its Corporate Strategy in 2003. The Mission Statement is:
“to deliver high quality services directly or in partnership with others, which are sustainable and responsive to the needs of our communities.”
- 1.17 The statement provides the foundation for a strategy for the Council’s activities including the content and preparation of the RLP. The corporate strategy includes two objectives that relate specifically to land use planning:

To protect and enhance the environment and quality of life, thus making the District a safer, healthier and more attractive place to work.

To increase the prosperity of the District, securing wealth and job creation through future economic strength and stability.

- 1.18 A key feature of the strategy is to ensure that all Council policy and decision making takes account of the future by following “the principle of sustainability” and to measure the effectiveness of this.
- 1.19 In order to ensure the sustainable development of the District, the Council will:
- Protect, maintain and improve upon the quality of the District’s natural and built environment;
 - Improve the overall standards of health and well-being throughout the community;
 - Provide and develop opportunities for the whole community to participate in leisure activities;
 - Encourage private and public housing which meets local needs in terms of cost (building) and affordability;
 - Protect and consolidate the District’s traditional and emerging industries;
 - Secure private sector investment in the provision of facilities to develop the District’s reputation as a premier leisure and business centre.

Other Local Strategies

- 1.20 The Corporate Plan has been refined by the drawing up of specific strategies, policies and action plans, including the Community Strategy, some of which have land use implications. Where relevant, the objectives and land use proposals of these strategies have been included in the RLP.

THE LOCAL PLAN LAND USE STRATEGY

The Principle of Sustainability

- 1.21 The RLP is intended to implement Government policy, regional guidance and the provisions of the RSP and work towards achievement of the five principles which underpin the District Council’s mission statement. Therefore a strategy for sustainable development on which to base the RLP has been drawn up.
- 1.22 Sustainability is commonly defined as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs” (World Commission on Environment and Development 1987).

The Vision

- 1.23 The function of the Land Use Strategy is to guide new development to sustainable locations (where for example there is a reasonable range of local services and a choice of transport) and to control development in a way that minimises adverse environmental impacts whilst meeting the reasonable needs of residents. Underlying this is the long held belief in the need to protect the countryside and coast from development pressures and create vibrant settlements that meet most day to day needs. This can be summarised in a vision for the planning of the District.

Vision for the Planning of Maldon District to 2008

- A well maintained countryside, coast and estuaries protected from damaging development and activities.
- Protection of the District's environmental, cultural and historic character.
- Increasing biodiversity.
- A diverse, competitive local economy which provides a range of local employment and business opportunities.
- Housing with a range of size, type and tenure in sustainable locations.
- Vital and viable market towns and villages.
- Recreation and leisure facilities available to all.
- Accessible services for all residents.
- A choice of transport modes for all purposes.

Summary of the Local Plan Strategy

- 1.24 The RLP Strategy aims to combine sensitive stewardship of the District's natural and built resources with economic regeneration and growth. As a rural area, the District's most important assets are the countryside and coast. These are not only important for their wildlife, landscape character and sense of place, but as a fundamental economic asset for industry and inward investment. Protection of these rural resources by the focusing of development within towns and villages is the keystone of the strategy. The Local Plan therefore requires development to be concentrated within defined settlement development boundaries. The strategy ensures that best use is made of existing public services and infrastructure whilst protecting the countryside.
- 1.25 The Strategy seeks to combine restraint in housing growth with the growth of local jobs, with the objective of reducing out commuting for work to other areas of high value employment, particularly in the office sector. If the Plan is to be successful, it is important to retain the employment base in both urban and rural locations and introduce opportunities for increased inward investment, thereby creating new job opportunities. Attracting inward investment can only be achieved by allocating sites that are of sufficient size, located where there are good transport connections and close to the potential labour force. The protection of rural sites is the counterbalance to urban locations, providing opportunities for the more remote rural settlements, retaining local employment and reducing travel distances.
- 1.26 Transport connections to the A12 and A130 routes are important to the accessibility of employment sites and for the social and service requirements of residents. The strategy therefore seeks improvement of these connections, laying the foundations for future local plans. It also aims to provide for alternative methods of transport, particularly in the built up areas.

- 1.27 Whilst aiming to grow and diversify local employment, the Strategy requires restraint in housing growth in line with that committed to by the previous Local Plan Review. This growth will come from sites within existing development boundaries, but at a much lower rate than has historically occurred. This will result in the export of some locally generated households from the District. Provision for the excess demand in households is anticipated in the RSP by the identification of growth in the adjoining Districts of Chelmsford, Braintree and Colchester.
- 1.28 The strategy of concentration of development within the development boundaries requires policies to enhance the quality of design in the towns and villages, including recognising the need for accessibility for all potential users, regardless of age, disability, gender, religion or financial circumstances. Many of these settlements are of outstanding architectural quality and their relative remoteness has limited the impact of development on them in the past. Their location in the countryside or on the coast enhances their value to residents and visitors and is an essential part of the unique economic offer of the Maldon District. The promotion of good design and protection of settlements from intrusive development will help to maintain this irreplaceable asset.
- 1.29 The towns and larger settlements will continue to provide services for residents and the vitality and viability of the town centres will be protected. The character of the town centres will be retained by careful control of new development. New recreation provision is made where this can be delivered within the life of the Plan.

STRATEGIC OBJECTIVES

- 1.30 Within this context, a sustainable development strategy needs to address local qualities which must be protected for future generations, balanced with the need to improve the social and economic well-being of the area. The following strategic objectives are derived from the Strategy and are elaborated on in the following sections of the Plan, where detailed policies are set out.

Strategic Objectives

- | | |
|-------|--|
| S i | To make provision for sustainable employment opportunities. |
| S ii | To protect and enhance the coast and countryside, recognising the contribution of their intrinsic character and beauty and the diversity of their landscapes, heritage and wildlife, the wealth of natural resources and the character, ecology and economy of the District. |
| S iii | To restrain housing growth and focus new housing within development boundaries. |
| S iv | To promote sustainability in provisions for public and private transport. |
| S v | To retain and protect the existing retail base in urban and rural areas. |
| S vi | To improve access to and the provision of sport and leisure facilities and enhance tourism for all. |

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.

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

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.

CONSTRAINTS

INTRODUCTION

- 2.1 There are within the District a number of statutory and physical restraints, which can affect the Local Planning Authority's decisions on development proposals. The areas covered by these restraints are indicated on the constraints maps and a brief summary of their effects is set out below.

OBJECTIVES

Strategic Objective

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

Constraints Objectives

- Ci To reduce the risk to property, life and the environment by ensuring that the appropriate statutory body is consulted where development is proposed within a relevant consultation zone or area of hazard.
- Cii To restrict permitted development rights where appropriate, to protect the urban and rural environment.
- Ciii To ensure that development is not located in areas that have been identified as being at risk from flooding and that development does not increase the risk of flooding elsewhere.

Flood Risk and Management

- 2.2 Historically, development has taken place in both river and coastal flood plains . Development in these areas over the years has meant that engineering works have been necessary to protect properties against the risk of flooding. Flood defences aim to minimise damage to people and property in the most severe flood conditions. Engineering solutions will not remove all risk of flooding. Overtopping in surge conditions will still occur and in extreme conditions there remains the possibility of defences being breached.
- 2.3 Flood plains are a natural part of the water environment and are a valuable aspect of the aquatic system. Engineered flood defences around and development upon flood plains interferes with the natural role of flood plains. Functional flood plains are unobstructed or active areas where water regularly flows in times of flood. Functional flood plains therefore act as "safety-valves," storing water that might otherwise flood other areas. As PPG25 advises, it is important that there should be no net loss of flood plain storage; accordingly the Council will seek to prevent development that may interfere with their functionality.
- 2.4 As the need for further development continues, pressure to build in areas that have been identified as being at risk from flooding will continue. In 2001 the Government published new planning policy guidance on Development and Flood Risk (PPG25).

The Guidance requires that priority should be given to allocating sites for development in descending order of flood risk. This emphasises the precautionary approach to be taken by Local Planning Authorities, defined as “taking action now to avoid possible environmental damage when the scientific evidence is inconclusive but the potential damage could be great.” The principle of the approach advocated in PPG25 aims to achieve the most sustainable approach in the long term, which is likely to include introducing soft engineering options such as natural flood meadows and coastal re-alignment. This process is explained more fully in paragraph 2.16

- 2.5 Flood risk is a major development constraint in Maldon District, particularly in the Coastal Zone. The Environment Agency publishes a Flood Map to identify areas protected from a 1 in 200 year tidal flood event. The Agency also publishes Flood Zone Maps that identify areas at risk from fluvial (river) and tidal flooding, although they do not take into account defences of any kind. The flood risk information on these maps must be taken into account in making planning decisions.
- 2.6 The District’s coastal location and the natural processes that occur result in large areas being at risk from tidal flooding. The 1 in 200 tidal flood level for Maldon & Heybridge is currently calculated at 4.54m (AOD). For coastal defence schemes, an allowance of 6mm per year of relative sea-level rise is made. For sea defences to be deemed “adequate” for new development proposals, they must provide a 1 in 200 standard of flood protection which will be maintained for the lifetime of the development (50 years), taking into account sea level rises through climate change. Burnham-on-Crouch and Mayland are protected to this standard. Maldon and Heybridge are defended to a 1:191 year event. Therefore the land below the 1 in 200 year level in Maldon and Heybridge is judged to be at risk from tidal flooding.
- 2.7 Fluvial flooding generally presents less risk to life than tidal flooding, but localised flooding has occurred recently after periods of prolonged rainfall. In these situations, the Government considers that Local Planning Authorities should give due weight to the need to avoid adding to the risk of flooding, or restricting the ability of an operating authority to construct, operate and maintain flood control works. Fluvial flood protection should provide for a 1 in 100 year flood event and be maintained for the life of the development, taking account of the effects of climate change.

Flooding and Development

- 2.8 Flooding from rivers and coastal waters is a natural process that plays an important role in shaping the natural environment. Government policy is to reduce the risks from flooding to people and the developed as well as natural environment. The Government looks to Local Planning Authorities to ensure that flood risk is properly taken into account in planning new development. This is particularly important insofar as climate change is expected to increase the risk of both coastal and river flooding as a result of sea-level rise and more intense rainfall. Some existing development in more exposed locations may not be sustainable in the longer term and may need to be replaced in safer locations.
- 2.9 Local Planning Authorities are required to adopt a risk-based approach to proposals for development in or affecting flood risk areas. This is expressed through the application of a sequential test giving priority to allocating or permitting development sites in descending order to the flood zones set out in Table 1 of PPG25 Development and Flood Risk. The principle behind the sequential test is one of precaution and that land at risk of flooding should only be developed if “there are no reasonable options available in a lower-risk category, consistent with other sustainable development objectives” including the benefits of regeneration or making

use of previously developed land. For ease of reference, Table 1 of PPG25 is repeated in Appendix 8.

- 2.10 The Environment Agency is responsible for producing Flood Risk Maps (the Flood Zone Map and the Flood Map) of areas at risk of flooding. These maps are being updated continuously as the Agency refines its understanding of climate change and likely flood risk areas. Consequently it is not viable to include a flood risk notation on the Proposals Map on a 'once for the lifetime of the plan' basis, as it is likely that the flood risk assessment for a particular location may change through time. The Authority acknowledges that this is a limitation, but advises that for the foreseeable future reference should be made to these Flood Risk Maps directly to ascertain the location of flood risk areas.
- 2.11 The Planning Authority is also required to properly consider the level of risk posed to the proposed development throughout its lifetime, as well as the effectiveness and environmental impacts of flood mitigation and management measures. Consequently planning applications for development within areas of flood risk (as shown by the Flood Risk Maps) must be accompanied by flood risk assessments appropriate to the scale and nature of the development. Flood risk assessments are changing with the development of technical information and the Environment Agency's Flood Risk Maps are regularly updated. Accordingly a flood risk assessment may also be required for locations close to the areas at flood risk, depending on the elevation and location of the proposed site. Development in areas already protected by existing flood defences will also require flood risk assessment
- 2.12 The Environment Agency is developing Flood Management Strategy Plans for the Rivers Roach and Crouch and for the Rivers Colne and Blackwater. These Flood Management Strategy Plans will identify the most appropriate and sustainable socio-economic and hydrodynamic means of providing flood management measures throughout the estuaries as a whole, whilst also ensuring that the legal obligations to protect and enhance protected environmental sites and habitats are met. This will involve changes to some flood defence strategies, including the incorporation of managed realignment in order to reduce pressures on higher priority defences elsewhere in the estuary.
- 2.13 Any proposals to modify flood defences, including maintenance, should be considered in the light of these Flood Management Strategy Plans. It should be noted that any such proposals are likely to require planning permission and detailed consideration in accordance with the Habitats Directive.

POLICY CON1 Development in Areas at Risk from Flooding

Development in areas at risk of flooding as shown by the latest Flood Risk Maps will only be permitted where:

- 1) **There are no alternative sites suitable for the type of proposed development at lower risk of flooding as set out in Table 1 of PPG 25, taking account of all sustainability criteria; and**
- 2) **It would not have an adverse impact on the function of the flood zone; and**

3) It would not increase the risk of flooding elsewhere.

Reducing the Risk of Flooding in New Developments

- 2.14 To help reduce the risk of flooding in new developments, developers should provide Flood Risk Assessments for sites where water courses are present and design development around existing water courses. Guidance on flood risk assessments is given in PPG25. In addition to where development occurs in flood risk areas, Flood Risk Assessments will be required where development may cause flooding problems through surface water run-off. This may typically occur with large-scale developments (1 hectare plus), or where surface water is discharged directly to a watercourse.
- 2.15 Development should not be within 9m of a main river or flood defence, as identified by the Environment Agency. In addition, development should not involve the culverting or diversion of watercourses (which require the consent of the Agency under the Land Drainage Act 1991) and ditches because of the adverse ecological, flood defence and other effects likely to arise. Culverting will only be permitted if there is no reasonably practicable alternative, or the detrimental effects would be so minor that they would not justify a more costly alternative. If this is the case, adequate mitigation must be provided for the damage caused.
- 2.16 Where development is permitted which is likely to increase the risk of flooding, the appropriate attenuation or mitigating measures must be provided. These are to be agreed by the Local Planning Authority, in consultation with the Environment Agency, and funded (both construction costs and long term maintenance) by the developer. The developer will need to demonstrate that the necessary consents from other riparian owners to undertake off-site works have been granted before planning permission is granted. The impact of such works on wildlife, landscape, residential and rural amenity will be treated as material considerations in determining any planning permission.
- 2.17 PPG25 recommends the use of Sustainable Drainage Systems (SuDS) in developments. Advice on best practice is available from the Environment Agency and the Construction Industry Research and Information Association. Combined with water conservation measures (e.g. grey-water systems, installation of water butts and low water use fittings), SuDS can greatly reduce the impact that development may have on the environment.

POLICY CON2 Sustainable Drainage Systems

To avoid adverse impacts through excess surface water discharge and/or pollution, where necessary, development proposals must incorporate attenuation or mitigation measures, including the use of sustainable drainage systems capable of being adopted by a nominated statutory undertaker.

Coastal Defence

- 2.18 The Coastal Zone is affected by erosion. However, maintaining the existing sea defences may be uneconomic or unsustainable because of the long-term cumulative effects on the environment. Coastal realignment and foreshore recharge are flood defence techniques that complement natural processes and may be permitted in appropriate locations. Such techniques offer a sustainable alternative to hard defences because both can be used to re-establish saltmarsh and recharge can also be used to help protect them. The Essex Shoreline Management Plan (1997)

proposes a medium term strategy of “hold the line” (maintain or improve the existing defence). In the longer term, a combination of “hold the line” and “coastal re-alignment” (move the existing defence line landward, in a controlled manner) in selective locations is recommended. The Flood Management Strategy Plans being developed by the Environment Agency (see paragraphs 2.12 and 2.13) will be used to set policy and will be based on environmental, technical and hydrodynamic as well as social and economic options. They will provide flood management measures to reduce flood risk whilst ensuring that the legal obligations to protect and enhance designated nature conservation sites are met. The Essex CHaMP (Coastal Habitat Management Plan) takes account of the implementation of the Habitats Directive on dynamic coastlines. These plans along with the second generation Shoreline Management Plan will be material considerations when determining planning applications for coastal realignment. The Council expects that any proposals for coastal re-alignment schemes will be the subject of an early and extensive public consultation process.

POLICY CON3 Coastal Defence

Proposals for soft engineering methods of coast protection or flood defence will only be permitted where they will ensure sustainable flood management of the estuary, taking into account:

- (a) the protection of life, agricultural land, homes and places of work;**
- (b) nature conservation and archaeological interests; and**
- (c) habitat creation.**

Development on Unstable Land

- 2.19 The effects of ground instability vary in their nature, scale and extent. At their most extreme, they may threaten health and safety and cause damage to buildings and structures. Damage caused by instability may necessitate expensive remedial action, cause the loss of buildings or restrict the use of productive land.
- 2.20 Under the Town and Country Planning Act 1990, it is not the responsibility of the Local Authority to investigate the ground conditions of any particular development site, but it is empowered to control most forms of development. When reaching decisions on development proposals, the Local Planning Authority will take into account as a material consideration the stability of the ground in so far as it affects land use or may cause serious damage to adjoining buildings.
- 2.21 Applicants are strongly advised to consult the Local Planning Authority before submitting a planning application in order to discuss potential stability problems. Applicants will also be advised whether a stability report will be necessary for their proposal. A person professionally qualified in a relevant discipline must make any report or statement that a site is stable. Planning conditions will be applied to any permission granted in the known areas of instability in order that any necessary engineering solutions to ensure the safety of the development and its occupants are implemented before the development is occupied.
- 2.22 The area of instability in Maldon is located between the High Street and the River Blackwater and stretches from Church Street in the east to the Maldon by-pass in the west. These areas lie across a known geological slip plane and collectively are an example of a post-glacial abandoned cliff. There has been a history of subsidence on

a number of sites in this part of Maldon and a careful check on further development is considered necessary to prevent any additional erosion of land stability.

- 2.23 This is based on the best information available to the Authority and is by no means exclusive. It remains the responsibility of the developer to demonstrate that the proposal will not adversely affect the stability of the land in question and to show that the proposed development will not endanger people or buildings on adjoining land either now or in the future.

POLICY CON4 Development on Unstable Land

An area of unstable ground is known to exist in Maldon as described in paragraph 2.22. Planning permission will not be granted for development in this area unless it can be clearly demonstrated that either:-

- a) the proposed development site is stable**
- or**
- b) a programme of works to existing ground conditions, as agreed with the Local Planning Authority, is implemented to ensure the site can be made to an acceptably stable standard.**

Article 4 Directions

- 2.24 The Local Planning Authority may make a Direction under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 to restrict 'permitted development'. Where appropriate, this power will be sought to resolve identified problems

Leisure Plots

- 2.25 The Local Planning Authority is able to make Directions under Article 4 of the Town and Country Planning Act (General Permitted Development) Order 1995 to restrict the exercise of "permitted development rights" granted by that Order. Directions will be made in an effort to introduce added control in appropriate cases.
- 2.26 In the past, large areas of land mainly in the rural and coastal parts of the District have been subdivided, advertised for sale and sold and become used as "leisure plots." Individuals owning or occupying such land have exercised "permitted development rights" to enclose their land with gates and fences, erect sheds and similar structures and site caravans. Significant harm is likely to be caused to the landscape and local amenity as a result of such development, which would be contrary to a range of planning policies relevant to the areas in question
- 2.27 In the past, the Local Planning Authority has made Directions, which have been confirmed by the Secretary of State, in relation to the coastal parishes surrounding St Lawrence Bay and for specific sites at the Smugglers Club Ground in Althorne, and Saltcote Hall Farm in Heybridge. In 2002, Directions have been made and confirmed in relation to "investment plots" advertised for sale at a site off Maldon Road (A414) in Woodham Mortimer.
- 2.28 The effect of the Directions is that planning permission is required for a range of minor operations and temporary uses of land that would otherwise be permitted by the 1995 Order (or its predecessors). Directions seek to exercise control over prospective development. Where the operations or uses have taken place and have exceeded any limitation imposed by the Direction, enforcement action may be taken

in the absence of planning permission being obtained. Further details of the Directions in force are available from the District Council.

Maldon Conservation Area

2.29 Article 4 Directions (under Article 4(2) of the Town and Country Planning (General Permitted Development) Order 1995) are in place on the following roads in Maldon Conservation Area:

- Victoria Road (2001)
- Butt Lane (2001)
- Tenterfield Road (1998)
- North Street (1998)
- Church Street (1998)
- The Hythe (1998)

2.30 The Article 4 Direction removes permitted development rights for the replacement of windows and doors in an elevation of any dwelling fronting a highway. In other words, replacement of existing front windows and doors cannot be undertaken unless planning permission is granted. Listed buildings are excluded from Article 4 Directions, as consent is already required for alterations that affect their character.

2.31 The purpose of the Article 4(2) Direction is to:

- a) Protect the character of roads and their respective contributions to the Maldon Conservation Area;
- b) Prevent the further loss of original features and insensitive alterations to unlisted buildings which contribute towards that character;
- c) Promote a high standard of conservation and design quality for replacement features through advice and grant aid.

Bradwell Nuclear Power Station

2.32 To ensure that the Health and Safety Executive's HM Nuclear Installations Inspectorate is aware of development which would result in an increase in people resident or employed in or visiting the area, it is consulted on planning applications according to the following guidelines:

- ZONE 1 Any development leading to an increase in residential accommodation, or likely to cause an influx of non-residential population, within a radius of approximately 1 mile (1.6 kilometres) from the site of the reactors.
- ZONE 2 Any development providing residential accommodation, permanent or temporary, for more than 50 people, in the area between approximately 1 mile (1.6 km) and 2 miles (3.2 km) radius of the reactors.
- ZONE 3 Any development likely to lead to an increase exceeding 500 people in the population of the area within a radius of between approximately 2 miles (3.2km) and 5 miles (8 km) of the site of the reactors.

Major Industrial Hazards and Pipelines

- 2.33 Certain sites and pipelines are designated as notifiable installations by virtue of the quantities of hazardous substances present. The siting of such installations will be subject to planning controls, under the Planning (Hazardous Substances) Regulations 1992, aimed at keeping these separated from housing and other land uses with which such installations might be incompatible from the safety viewpoint. In accordance with Department of the Environment, Transport and the Regions Circular (DETR) 04/2000 the Local Authority will consult the Health and Safety Executive, as appropriate, about the siting of any proposed notifiable installations.
- 2.34 The area covered by this Local Authority contains a number of installations handling notifiable substances, including pipelines. Whilst they are subject to stringent controls under existing health and safety legislation, it is considered prudent to control the kinds of development permitted in the vicinity of these installations. For this reason, the Planning Authority has been advised by the Health and Safety Executive of consultation distances for each of these installations. In determining whether or not to grant planning permission for a proposed development within these consultation distances, the Planning Authority will consult the Health and Safety Executive and the Environment Agency about the risks to the proposed development from the notifiable installation in accordance with the DETR Circular 04/2000.

Pollution prevention

- 2.35 The planning aspects of pollution prevention are detailed in PPS23 – Planning and Pollution Control. The planning system has an important role to play in determining the location of development which may give rise to pollution and in ensuring that other developments, including housing developments, are not affected by major existing or potential sources of pollution. Any air or water quality consideration that relates to land use and its development can be a material planning consideration. However, the perception of risk should not be material to the consideration of a planning application unless the land-use consequences of such perception can be clearly demonstrated.
- 2.36 The planning system focuses on whether the development is an acceptable use of the land, not the control of the processes or substances. Local Planning Authorities (LPAs) are to assume that the relevant pollution control regime will be properly applied. The planning and pollution control regimes should complement rather than duplicate each other. Planning conditions should not be used to control the pollution aspects of a development that are subject to prior approval by a pollution control authority.
- 2.37 In addition to planning legislation, there may be other regulatory regimes that will require compliance. Therefore developers are encouraged to hold early discussions with the Council, the relevant pollution control authority and other relevant bodies on the proposed development. The parallel submission of applications under planning & pollution control procedures is also encouraged. Outline planning applications should not be used for developments where the risk of pollution is significant.

POLICY CON5 Pollution Prevention

Development having an adverse impact on the environment by means of pollution release to land, air, water (including groundwater) etc will be refused. All developments will be expected to minimise their impact on the environment by adopting environmental best practice and implementing the necessary pollution prevention measures.

Contaminated Land

- 2.38 Contaminated land is defined under Part IIA of the Environmental Protection Act 1990 as any land which appears, to the Local Authority in whose area it is situated, to be in such a condition, by reason of substances in, on or under the land, that:
- Significant harm is being caused or there is a significant possibility of such harm being caused; or
 - Pollution of controlled waters is being, or is likely to be caused.”
- 2.39 The definition is such that there has to be an active link between the source, pathway and receptor. If any one of these three elements is missing, the land will not be contaminated under this definition.
- 2.40 Other land may be potentially contaminated, but does not meet the legal definition in 2.31. This could be because the site is derelict and as such no receptor is at risk. Land subject to Development Plans will be subject to planning conditions to ensure that the site is remediated to a “suitable for use” standard.
- 2.41 Industrial change and demographic shift during the 20th century resulted in the re-organisation of our towns and cities. Industries moved out of the towns or disappeared altogether, leaving ‘brown field’ gaps in the urban landscape. Changes in heating methods and the advent of the consumer society have had a significant effect on the type and volume of refuse it has been necessary to landfill. Inevitably, these changes have left behind a legacy of contaminated land, which in some cases may be harmful.
- 2.42 The District is essentially rural with agriculture, tourism and housing as its main land uses. There is little in the way of heavy industry both now or in the past. Heavy industry in the past was geared around agriculture as the primary industry, for example Sadd’s Wharf, Maldon (timber and lime imports), Bentalls, Heybridge and Maldon Ironworks (manufacture of agricultural equipment). Currently pockets of industrial activity can be found across the District on various industrial estates, primarily on previously developed land. In the future, industry is likely to be geared towards low polluting B1 uses. One major site though is Bradwell Nuclear Power Station, which closed in March 2002 and is currently being decommissioned. Other potentially contaminated sites can include petrol stations, old quarries, landfill sites, derelict land, waste processing sites, sewage works, scrap yards and sites where hazardous substances are stored, amongst others.
- 2.43 There are a few sites that are known to be contaminated and remediation (cleaning-up of the contamination) has taken place at some of these sites. This was primarily reactive. There may be some re-developed sites that have not been remediated to the standards that would be expected today. The Draft Maldon District Contaminated Land Strategy Framework Document and the Environmental Protection Act Part IIA will lead to a proactive investigation to check sites that are potentially contaminated.

- 2.44 However, it remains the responsibility of the developer to demonstrate that the land to be developed either is not contaminated, or can be satisfactorily cleaned-up to make it fit for the proposed use. Where a development is proposed on previously developed land, applicants are strongly advised to consult the Local Planning Authority before submitting a planning application in order to discuss potential contamination problems. Applicants will also be advised whether a contamination and remediation report will be necessary for their proposal. This should comprise of detailed site investigation and risk assessment and, where appropriate, details of how contamination will be remediated to a standard suitable for the intended use of the site. A person professionally qualified in a relevant discipline must write any such report. Planning permission will not be granted unless there is reasonable confidence that the required remediation can be satisfactorily carried out.

POLICY CON6 Contaminated Land

Planning applications on land that is known to be potentially contaminated, or is found to be potentially contaminated during the consideration of the application, will not be approved unless:

- (a) A report is provided demonstrating that the site can be remediated to the appropriate standard for the proposed use to enable the site to be developed and occupied safely;**
- (b) The phasing of any approved remediation measures shall be agreed before the implementation of the planning permission.**

Any contamination subsequently found during development will be required to be remediated to the appropriate standard for the proposed use before further development can proceed.

Southend and Stansted Airports

- 2.45 The Local Planning Authority is required to consult Civil Aviation Authority (CAA) and Southend Airport before granting consent for the development of all buildings, structures and works exceeding 90 metres in height, in the area shown on the constraints maps. Although it is extremely unlikely that this Authority would need to deal with such an application, it would be a relevant consideration in the siting of television masts or some overhead power lines for example. CAA and Southend Airport also must be consulted in respect of applications likely to attract birds, for example refuse tips, reservoirs, sewage disposal works, nature reserves and bird sanctuaries, in particular areas as shown on the constraints maps. Southend Airport must be consulted on wind farms, refuse tips, reservoirs, sewage disposal works and bird sanctuaries proposals in the south of the District. Stansted Airport must be consulted on wind farm development proposals in the north west of the District, as shown on the constraints maps.

POLICY CON7 Development Affecting Airports

Planning permission for wind farms, refuse tips, reservoirs, sewage disposal works and bird sanctuaries within airport consultation areas shown on the Proposals Map will not be granted if the proposed development would have a detrimental effect on the safe operation of the relevant airport

Advertisements in the Rural Area

- 2.46 An Area of Special Control for Advertisements in the rural areas has been confirmed by the Secretary of State; this is dealt with in the Built Environment chapter.

Nature Conservation Designations

- 2.47 The District Council will consult English Nature on all planning applications on or within 500m (or beyond in some cases) of any nationally or internationally designated nature conservation site. Details of these sites are in the Coast and Countryside chapter.

COAST AND COUNTRYSIDE

INTRODUCTION

- 3.1 The Maldon District is characterised by its coast and countryside, features that make the area unique in Essex and underpin the local economy.
- 3.2 The Essex coast is one of the country's most important coastlines, forming part of the Greater Thames complex of estuaries and stretching for over 300 miles. It is of international importance for nature conservation, supporting an abundance of birds and wildlife, ranging over extensive rural landscapes and retaining many archaeological and historical features. Maldon District's 58 miles of coastline is substantially undeveloped and is of great scenic and wildlife importance. It includes the north bank of the Crouch Estuary, the Dengie Flats and the Blackwater Estuary.
- 3.3 For the purposes of the Local Plan, "the countryside" is defined as the rural areas beyond development boundaries. The countryside is a valuable resource, which needs protection for its own sake, as well as for its importance for agriculture, nature, landscape conservation, tourism and generally for the quality of life it offers residents. It is an area in which people live and work and is an important economic asset. It is essential that the Local Plan ensures a precautionary approach to development in the countryside. This requires both protection of its assets and careful control of additional development that is actually necessary in the countryside.

OBJECTIVES

- 3.4 Chapter 1 has set out the overarching strategy for the Local Plan. In this context, the following objectives for the coast and countryside have been adopted.

Strategic Objective

- Sii To protect and enhance the coast and countryside, recognising the contribution of their intrinsic character and beauty and the diversity of their landscapes, heritage and wildlife, the wealth of its natural resources and the character, ecology and economy of the District.

Coast and Countryside Objectives

- CCi To protect the countryside and undeveloped coast for its own sake.
- CCii To protect and enhance the natural environment, landscape and special characteristics of the countryside and Coastal Zone and in particular to safeguard the interests of the international, European and national designated and proposed sites.
- CCiii To ensure that development not requiring a coastal location is located away from the Coastal Zone.
- CCiv To resist development in the countryside that is not allowed under Local Plan policies.

CCv	To ensure that where development takes place in the countryside, it is of an appropriate form, character and material that does not affect the character of the locality.
CCvi	To seek to maintain a balance between all competing interests within the countryside and coast and minimise conflict. In cases where interests are irreconcilable, the conservation of the natural environment will take precedence.
CCvii	To achieve a sustainable approach to the rural economy by safeguarding and promoting an appropriate level of economic activity in the countryside.

NATURE CONSERVATION

- 3.5 The combination of climate, soils and topography has resulted in a wide range of habitats in the District, but their continued existence depends upon the uses to which the land is put. In the past, trends in agriculture have been reducing the extent and number of habitat types. However, agriculture itself depends on the conservation of beneficial bacteria, soil invertebrates, pollination, predators, and parasites. The maintenance of a diversity of habitats is essential to retain a balanced natural environment. This broad objective is what is now understood as ‘biodiversity’, defined simply as, “the variety of life that is around us and all over the world.”
- 3.6 Much of the District is of significant nature conservation importance. This is emphasised by the extent of international and national designations that apply particularly to the coast. The RLP has defined a Coastal Zone in accordance with Government guidance and provides protective policies for designated sites within it.
- 3.7 Within the Coastal Zone, the internationally important habitats include saltmarsh, grazing marsh, mudflats and river channels. They are of particular importance because of their significance for migratory birds. Saltmarsh is a rare and specialised habitat and is one of the most natural ecosystems remaining in Britain. The Blackwater, Crouch and Dengie Marshes represent around 4.5% of the total saltmarsh habitat in the UK, a resource of around 2000ha. It is however a declining habitat with an erosion rate as high as 2% a year, caused by a combination of natural processes, sea level rise and constraints imposed by traditional sea defences.
- 3.8 Opportunities to encourage the protection and re-creation of saltmarsh should be promoted to enhance the nature conservation value of the designated sites and to contribute to wider natural processes, including its role as a natural sea defence. At Northey Island, Tollesbury Marshes and the Orplands, managed realignment (the planned breaching of the sea wall) has resulted in the re-creation of saltmarsh.
- 3.9 Biodiversity encompasses all living things from microscopic organisms to the largest trees. It includes exotic, rare and endangered plants and animals and those that are found in back gardens and parks and ponds. Biodiversity is also the combination of species and their habitats (surroundings). See paragraph 3.34 onwards for Biodiversity Action Plans.

Designated Nature Conservation Sites

- 3.10 The Local Plan contains policies for the protection of these assets. Appendix 1 contains a table showing the hierarchy of nature conservation designations in Maldon District. In order to reflect the many types of designated sites, a hierarchical approach for their protection has been adopted.

International Designations

Ramsar Sites

- 3.11 Ramsar sites are named after an international conference held on wetland wildfowl and waterfowl conservation at Ramsar in Iran, in 1971. The conference resulted in the Convention on Conservation Wetlands of International Importance, which was ratified by the U.K. Government in 1976. The UK accepted responsibility for promoting the conservation of wetlands of international significance within its territory with respect to birds, plants and invertebrates. The criteria for selection of Essex Ramsar sites are based on the rare species of plants and animals they support. They also qualify because they regularly support over 20,000 waterfowl and internationally important populations¹ of several species of waterfowl. There are three listed Ramsar sites in Maldon District: the Blackwater Estuary, the Dengie and the Crouch and Roach Estuaries.

¹ An "internationally important population" is defined as 1% of the individuals in a population of one species or subspecies of water bird

Special Protection Areas (SPA)

- 3.12 SPAs are designated specifically for their importance to wild birds. Under the European Community Directive on the Conservation of Wild Birds adopted in April 1979, the U.K. Government is required to take special measures to conserve the habitats of rare or vulnerable species listed in the Directive and all regularly occurring migratory species. Member states are required to designate suitable areas as Special Protection Areas and to protect these areas from damaging development (see policy CC1). The boundaries of the SPAs run landward down to the mean low water mark.
- 3.13 Much of the coast forms part of the Mid Essex Coast Special Protection Area. The Mid-Essex Coast Special Protection Area is of international importance as a wetland habitat for birds, regularly supporting more than 180,000 over-wintering and passage waterfowl.
- 3.14 Old Hall Marshes, Dengie Flats, Blackwater Estuary and the Crouch and Roach Estuaries are designated as SPAs. These sites are designated for their importance to individual species of birds, such as Brent geese, little terns and hen harriers, as well as the overall numbers of birds they support. Within these areas, particular species of birds are present in internationally important numbers, i.e., the area regularly supports in winter 1% or more of the world population of these species. Other species are present in nationally important wintering numbers, defined as 1% or more of the British wintering population.

Special Areas of Conservation (SAC)

- 3.15 SACs are intended to protect natural habitat types of European importance and the habitats of threatened species of wildlife under Article 3 of the Habitats Directive (EC

Council Directive on the Conservation of Natural Habitats of Wild Fauna and Flora, 1991).

- 3.16 The Essex Estuaries candidate SAC (cSAC) covers the whole of the Blackwater Estuary, the Dengie and the Crouch and Roach Estuaries from the point of the highest astronomical tide out to sea. As such, it relates to the seaward part of the Coastal Zone. The Essex Estuaries have been selected as a cSAC for the following habitat features:
- Pioneer saltmarsh
 - Cordgrass swards
 - Atlantic salt meadows
 - Mediterranean saltmarsh scrubs
 - Estuaries,
 - Inter-tidal mudflats and sandflats.
- 3.17 The Mid-Essex Coast SPA and the Essex Estuaries cSAC are shown on the Proposals Map.

The Essex Estuaries European Marine Site.

- 3.18 Where a SPA or SAC is continuously or intermittently covered by tidal waters, or includes any part of the sea in or adjacent to the UK, the site is referred to as a European Marine Site. The marine components of the Essex SPAs and SAC are being treated as a single European Marine Site called the Essex Estuaries European Marine Site (EEEMS). This extends along the coast from Jaywick near Clacton to Shoeburyness near Southend, from the line of the highest astronomical tide out to sea. It includes the Maplin and Buxey Sands.
- 3.19 Effectively, the whole of the District's coastline is within the EEEMS, although terrestrial parts of the SPAs, i.e. freshwater grazing marshes inside the sea walls, such as at Old Hall Marshes, are not included, as they occur above the highest astronomical tide.
- 3.20 Local Authorities are "relevant authorities" under the Habitats Regulations and along with other statutory Authorities are responsible for the conservation and management of European Marine Sites. The District is represented on the management group of the Essex Estuaries Scheme of Management. The Management Scheme document will be a material consideration when considering proposals which may impact on the European Marine Site.

The Conservation (Natural Habitats etc) Regulations

- 3.21 The Conservation (Natural Habitats) Regulations 1994 places new responsibilities on Local Authorities - that in the exercise of any of their functions, they are to have regard to the requirements of the Habitats Directives, so far as they may be affected by the exercise of those functions. These will have significant impacts on planning in the Coastal Zone. Every planning application which is likely to have a significant effect, either directly or indirectly, on the cSAC, SPA or Ramsar sites needs to be assessed for its "in combination" effects and for its cumulative impacts. Whilst each individual case may not be harmful, the combined effects could be harmful to the European and internationally important sites. Therefore individual proposals may be refused in order to avoid setting a precedent for further development.

National Designations

National Nature Reserves (NNR)

3.22 National Nature Reserves are nationally important sites, which may also be internationally important, representing the full range of native flora and fauna and geological or physiographical (landform) features in England. They are owned or leased by English Nature, or bodies approved by them, or are managed by landowners under a Nature Reserve Agreement. They are essentially managed for nature conservation. The function of NNRs is conservation, scientific research and study, education, amenity and recreation. However, many of the NNRs in the District are intertidal, making them dangerous to access. Two NNRs were declared in the Maldon District in 1983: The Blackwater Estuary and the Dengie Flats.

Sites of Special Scientific Interest (SSSI)

3.23 SSSIs are notified under the Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way Act 2000. Notification as a SSSI gives legal protection to these sites. The CRoW Act has introduced new duties concerning SSSIs for public bodies. Owners and occupiers and public bodies must consult English Nature before carrying out any work which may damage a SSSI, whether it is inside or outside the SSSI boundary. They must take English Nature's advice into account before doing any work. Public bodies must consult English Nature before allowing anyone else to carry out an operation which may damage a SSSI. The CRoW Act places a general duty on all public bodies to take reasonable steps, consistent with the proper exercise of their functions, to further the conservation and enhancement of the features for which a SSSI has been notified.

3.24 SSSIs represent the country's best wildlife and geological sites forming a national network representing the diversity of wildlife, range of habitats and geological and physiographical features which occur naturally in England. Like NNRs, they have a valuable role in scientific research and education and help foster an appreciation of the countryside. The SSSIs in the District are shown on the Proposals Map and are listed in Appendix 2.

3.25 English Nature plays a key role in nature conservation with statutory responsibility for the establishment and ownership or management of National Nature Reserves and the notification and protection of SSSIs. On behalf of the Government, English Nature designate SPAs, Ramsar sites and SACs. Under the Habitats Regulations, the Council must consult English Nature when determining planning applications that may have a significant effect on a European or international site and have regard to any representations made by English Nature.

3.26 It is necessary to safeguard and protect areas of substantive nature conservation value from the impact of development. It is important to recognise that development outside designated sites can damage sites both directly, e.g. through pollution discharge, or indirectly, e.g. by the abstraction of water. Therefore any proposals that fall within English Nature's consultation area around international and national designated sites, or outside this zone, will be determined with regard to the potential impact they may have on the designated site.

3.27 The District Council will therefore consult and work closely with English Nature on all planning applications within the designated sites and their defined consultation zones and any proposals which are likely to adversely affect the nature conservation interests of these sites.

Environmentally Sensitive Areas (ESAs)

- 3.28 Maldon District is included within the designated Essex Coast Environmentally Sensitive Area (ESA). This area was designated by MAFF (now DEFRA) in 1994, because it has been identified as an area where traditional farming methods have helped to create a distinctive landscape, wildlife habitats or historic features.
- 3.29 The purpose of the ESA scheme is to support the continuation of these farming practices and encourage measures that will enhance the environment. It provides for financial incentives, encouraging farmers to adopt particular management practices to encourage enhancement and protection of particular landscape characters or habitats. This designation highlights the importance of the Essex coastline and should be taken into consideration when determining applications for development.

POLICY CC1 Development Affecting an Internationally Designated Nature Conservation Site

Development likely to have a direct or indirect effect on a Ramsar site, Special Protection Area or Special Area of Conservation will not be permitted unless it is necessary for reasons of overriding public interest. Any such proposals will be subject to the most rigorous examination. Where development is permitted, the use of conditions or planning obligations will be considered, to avoid and/or minimise harm to the site, to enhance the site's nature conservation interest and to secure any compensatory measures and appropriate management that may be required.

POLICY CC2 Development Affecting a Nationally Designated Nature Conservation Site

Development likely to have a direct or indirect effect on a National Nature Reserve, Site of Special Scientific Interest or Environmentally Sensitive Area will not be permitted unless the need for the development clearly outweighs the importance of the site or the effects can be satisfactorily mitigated. Where development is permitted, the use of conditions or planning obligations will be considered, to avoid and/or minimise harm to the site, to enhance the site's nature conservation interest and to secure any compensatory measures and appropriate management that may be required

Local Designations

Wildlife Sites (WS)

- 3.30 These were formerly known as Sites of Importance for Nature Conservation (SINCs) and were identified by the Essex Wildlife Trust following a survey. Wildlife Sites are subdivided into habitat types, such as woodland, grassland, mosaic sites, freshwater and coastal. These sites need to be protected from development, which would adversely affect them. The Wildlife Sites are shown on the Proposals Map and listed in Appendix 7.

Regionally Important Geological Sites

- 3.31 Regionally Important Geological Sites (RIGS) are the most important places for Earth Science outside statutorily protected land such as geological SSSIs. Typical RIGS include disused quarries, cliffs, isolated boulders and river meanders. RIGS are important as an educational, historical and recreational resource and are broadly

equivalent to Wildlife Sites and other non-statutory wildlife designations. RIGS are identified by locally developed criteria and notified to Planning Authorities by RIGS groups. The designation of RIGS is one way of recognising and thereby protecting important Earth Science and landscape features for future generations to enjoy.

Local Nature Reserves

3.32 Local Authorities, under the National Parks and Access to the Countryside Act 1949, can establish Local Nature Reserves (LNRs). These habitats of local significance can make a useful contribution both to nature conservation and to the opportunities for the public to see, learn about and enjoy wildlife. There are three proposed LNRs in the District (see inset map 14):

- Ironbridge Water Meadow - unimproved water meadow
- Heybridge Creek – reed bed and saltmarsh
- Heybridge Gravel Pits - flooded gravel pits of significant ornithological interest adjacent to the Blackwater River

3.33 There has been increasing awareness in recent years of the importance of nature conservation and the rich heritage of wildlife, which is under threat from widespread development pressures. Nature conservation interests are a material consideration in determining planning applications that potentially affect areas of significant nature conservation value.

POLICY CC3 Development Affecting Locally Designated Nature Conservation Sites

Proposals for development within or affecting areas designated as Local Nature Reserves (LNR), Wildlife Sites (WS) (formerly SINCs), or Regionally Important Geological Sites (RIGS) will not be permitted unless:

- (a) The reasons for the proposal outweigh the need to safeguard the conservation or geological value of the site, and**
- (b) The proposal does not cause loss or damage to the nature conservation or geological interest of the site in which the development is proposed, or**
- (c) Any adverse or potentially adverse effects on a LNR, WS or RIGS of a proposal will be satisfactorily mitigated, for example through the creation of habitats of equal quality and value elsewhere on the site or in the District.**

POLICY CC4 Local Nature Reserves

The creation and management of Local Nature Reserves will be encouraged. Sites identified as proposed LNRs on the Proposals Map shall be reserved for that purpose:

- (i) Ironworks Water Meadow, Maldon (CC4/1)**
- (ii) Heybridge Creek, Heybridge (CC4/2)**
- (iii) Heybridge Gravel Pits, Heybridge (CC4/3)**

Biodiversity Action Plans

3.34 Following the Earth Summit in Rio de Janeiro in 1992, a commitment was made for all countries to conserve and enhance their biodiversity, to contribute to the global resource. This has resulted in the UK Biodiversity Action Plan (published in 1995), and more recently at the local level, The Essex Biodiversity Action Plan (BAP) published in March 1999. Species and habitats that occur in Essex were selected from the national list of plans, together with ones that are characteristic or indicative of the Essex countryside. The Essex BAP contains action plans for 25 species of plants and animals and 10 habitats. National and Essex BAPs of particular interest to Maldon District include the following species and habitats:

Species	Habitats
UK BAP	
<ul style="list-style-type: none">• Native oyster	<ul style="list-style-type: none">• coastal saltmarsh• mud flats
Essex BAP	
<ul style="list-style-type: none">• bittern• harbour porpoise• twaite shad• grey partridge• shining ramshorn snail• water vole	<ul style="list-style-type: none">• coastal grazing marsh• seagrass beds• heathland• old orchards• saline lagoons• reed beds

3.35 Although some areas are designated for special protection, such as SSSIs, it is important to safeguard all areas from unnecessary development. The appraisal of any planning proposal should include an assessment of the biodiversity issues on that particular site and any impacts its development might have on the biodiversity value of any nearby sites.

3.36 District and Borough Councils localised this process further by selecting “flagship species” of particular local importance. This Council adopted the Maldon District Biodiversity Action Plan in 1999. The Maldon District flagship species are:

- | | |
|---|---|
| <ul style="list-style-type: none">• grey partridge• ground lackey moth• common seal | <ul style="list-style-type: none">• elm tree• reed bunting• shrubby sea blite |
|---|---|

3.37 The objectives of the Biodiversity Action Plans emphasise that both countryside and urban areas are important for the protection and enhancement of habitats. This is recognised in policy CC5.

3.38 The Countryside Act 1968 instructs Local Planning Authorities to have regard to the desirability of conserving the natural beauty and amenity of the countryside. The Council will seek to prevent unnecessary destruction of the visual, historic and wildlife features of the countryside. It must be recognised, however, that some changes will inevitably occur. Ways of restricting and compensating for any losses

will be sought, such as the creation of habitats of equal quality elsewhere on the site or in the District.

Protected Species

- 3.39 The presence of protected plant or animal species (great crested newts, badgers, bats etc) is a material consideration in the consideration of planning applications. However, the presence of redundant rural buildings or established habitats, for example hedgerows, trees, woods, permanent pasture, watercourses and ponds, could indicate that there might be protected species at or near that location. Where protected species are known or suspected to be on or using a proposed development site, applicants should submit an ecological survey of the site as part of the planning application package.
- 3.40 In certain circumstances, it may be appropriate for species to be relocated from a site if the habitat to be provided is equal to or better in quality than the habitat from which the species is being moved
- 3.41 Where protected species are found, development works that could affect the species or its habitat may require a licence from either DEFRA (in the case of European protected species) or English Nature (where badgers are affected) in addition to any planning permission granted. The decision to issue a licence is based upon a consideration of whether there is over-riding public interest for the development to go ahead and the maintenance of species populations. Therefore it is imperative that an appropriate survey is undertaken prior to the grant of planning permission and the results are submitted as part of the planning application. Any mitigation measures required to enable the development to take place should be designed into the scheme at an early stage. These may take the form of extensions to existing habitats, the creation of new habitats, the protection or creation of "habitat corridors" and the location or creation of new geological exposures. In such instances, applications may be referred to English Nature and Essex Wildlife Trust for their advice.

POLICY CC5 Protection of Wildlife at Risk on Development Sites

- 1. Planning permission will not be granted for any development that would be liable to cause demonstrable harm to a species of animal or plant, or its habitat, protected under law, unless conditions are attached requiring the developer to take steps to secure their protection.**
- 2. If development is likely to affect features of nature conservation interest, planning permission will not be granted for development there unless either:**
 - (a) The development would not harm them; or**
 - (b) Adequate mitigation measures are put in place; or**
 - (c) The importance of the development outweighs the value of the features.**

- 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.

- 3.50 Policy CC8 applies to amenity lakes only. The construction of agricultural irrigation reservoirs is development permitted by the Town and Country Planning (General Permitted Development) Order 1995, provided they are used for farming purposes and the spoil remains on the site. Works involving the extraction of minerals or the export of spoil from the site require planning permission from Essex County Council (see 3.137 - 3.139).
- 3.51 Amenity lakes are used as a landscape feature for the enhancement of the visual amenity of the area, for leisure, such as private fishing lakes, for nature conservation purposes and for other similar uses.
- 3.52 The design should maximise ecological value. The design of the lake should be such that it provides a range of depths, allowing a range of habitats to develop. Any amenity lake should be designed to minimise losses through evaporation, transpiration² or leakage and consequently should only be located where this can be achieved.
- 3.53 The creation of new amenity lakes is subject to the other policies and constraints, such as BE17 and BE18 for protection of archaeological sites and CON1 development in areas at risk from flooding. Any lakes and the associated disposal of excavated material should not lead to a net decrease in flood plain storage capacity or impede flows.
- 3.54 An abstraction licence may be required to fill or maintain a lake. Maldon District is one of the driest districts in the UK and the granting of such a licence for this purpose would not be guaranteed. Therefore, the District Council strongly advises that applicants find out from the Environment Agency whether an abstraction licence is required and, if so, obtain one before submitting a planning application.

POLICY CC8 Formation of Amenity Lakes

- 1. An excavation to provide a new area of amenity water will only be permitted if all of the following criteria are met:**
 - (a) Evidence is submitted to show that the proposed lake can be formed by excavation only;**
 - (b) Evidence is submitted to show that the proposed lake can be filled and maintained at a satisfactory level by natural means without affecting nature conservation interests;**
 - (c) A scheme is submitted to show that the excavated material can be satisfactorily incorporated in the existing landforms within the application site;**
 - (d) The location of the lake accords with and enhances the surrounding landscape and is sited and landscaped in such a way as to link it with existing ecological features in the locality, e.g. hedgerows, trees, etc.;**

² Transpiration = loss of water through plant leaves.

- (e) **Any application for the excavation of a lake shall be accompanied by a description of the proposed use of the lake and any associated infrastructure;**
- (f) **The proposed use of the lake would not generate activity detrimental to the amenity and character of the countryside or to nature conservation interests.**

Landscape Improvements

3.55 Opportunities to enhance the landscape throughout the District will always be encouraged where they accord with the character of the area. The Council will support the safeguarding of key landscape features by encouraging management agreements wherever possible. In some cases, it may be appropriate for the Council to acquire land as part of a development scheme and lease it to an appropriate organisation such as the Essex Wildlife Trust. The Council will continue to encourage tree planting, appropriate landscaping schemes and new woodlands through the exercise of planning conditions and obligations, assisting Parish and Town Councils with advice and, where possible financial assistance or direct action.

Maldon Riverside Area

3.56 The water meadows, hillside and open fields at the western end of Maldon are seen as being important in terms of providing a landscape setting for the town. A number of physical constraints preclude development, including access and geological and drainage difficulties. In addition, part of the site is recognised as having nature conservation value. Much of the area lies within the Chelmer and Blackwater Canal Conservation Area. As such it is considered necessary that any development allowed will require special consideration to ensure that no harm is done to the area in terms of detriment to its character, any identified nature conservation interest and the conservation area.

POLICY CC9 Maldon Riverside Area

Within the Maldon Riverside Area shown on the Proposals Map, development will not be permitted if it would:

- (a) **Detract from the character of the area;**
- (b) **Adversely affect biodiversity or otherwise affect nature conservation interests;**
- (c) **Have a detrimental impact on the character or appearance of the conservation area.**

Historic Landscape Features

Protected Lanes

3.57 True rural lanes occur essentially in ancient landscapes such those found in East Anglia and often reflect long vanished field systems. These minor roads, often with steep banks and sharp bends are unsuitable for heavy traffic and are vulnerable to road improvements and straightening. Because of their great age, the banks and verges are considered to be valuable natural habitat, particularly for rare plants.

- 3.58 It is the County and District Councils' policy to preserve the traditional character of these lanes by the management of traffic, by control of development and through co-operation with landowners. The lanes of special importance have been selected by the Essex County Council and are set out on Proposals Map and are designated as protected lanes. The policy below (CC10) refers specifically to lanes under the ownership and maintenance of the County Council Highways Agency and not green lanes, bridleways or cart tracks.

Registered Historic Parks and Gardens

- 3.59 English Heritage compiles the Register of Parks and Gardens of Special Historic Interest in England. These make a significant contribution to the richness of the local scene and to the diversity and pattern of the national landscape. Historic parks and gardens are a fragile and finite resource. Braxted Park in Great Braxted is a Grade II* Registered Park and is the only registered park or garden in the District. The site is protected by the Local Plan and English Heritage must be consulted on any planning applications affecting it.

Ancient Woodlands

- 3.60 Ancient woodlands are those which have been in continuous existence since before 1600. Ancient woodlands are important because they can contain a wide range of flora and fauna, much of which is confined to ancient woodland sites, e.g. bluebells and wood anemones. It is not possible to recreate ancient woodland habitat, with its complex interrelationships of plants and animals, geology, soils and nutrient cycling systems as well as cultural and historic values. All ancient woodland over two hectares is recorded in the Ancient Woodland Inventory.
- 3.61 All identified ancient woodlands are designated as Wildlife Sites (WS) in the Plan. The District Council aims to ensure that no ancient woodland is lost to or adversely affected by development. Wildlife Sites are shown on the Proposals Map.

Hedgerow Protection

- 3.62 The Hedgerow Regulations (1997) safeguard all hedgerows in the countryside. The Regulations require that prior notification be given to the District Council before the removal of any rural hedgerow. The Council determines whether the hedgerow is important following set criteria. If it is found to be important, the Council serves a "Hedgerow Retention Notice" prohibiting the hedgerow's removal.

Battle of Maldon Site

- 3.63 The Local Plan protects the Registered Site of the Battle of Maldon near Northey Island. The archaeological value of the battlefield is currently unconfirmed. However, the battle itself is important for both its historical significance and for the Anglo-Saxon poem ("The Battle of Maldon") it inspired, which is one of the greatest works of early English literature.

POLICY CC10 Historic Landscape Features

Development will not be permitted which would have a materially adverse impact upon landscape features of historic importance, such as ancient woodlands, registered parks and gardens, registered battlefields, protected lanes and hedgerows.

Any proposal, which would give rise to a material increase in the amount of traffic using protected lanes, will not be permitted.

Archaeology

- 3.64 The Local Plan seeks to protect archaeological features within the Coastal Zone at risk from development where known and to provide opportunities to excavate further areas of potential. Policies BE17 and BE18 control development affecting archaeological sites across the District.

COAST

Essex Coastal Strategy

- 3.65 In May 1984 Essex County Council published the Essex Coastal Protection Subject Plan, with the purpose of securing the protection of the undeveloped parts of the coast, estuaries, tidal rivers and the immediate hinterland. It established firm policies and defined an area of coastline, referred to as the “coastal protection belt”, in which there would be stringent restriction on development which would radically alter the estuarine environment. This designation has been included in the Maldon District Local Plan since 1987.
- 3.66 The “Essex Coastal Strategy” published by Essex County Council in 1994 aims to encourage the sustainable use of the Essex coastline and provides a framework for Structure Plan and Local Plan policies. The Strategy develops the concept of the “Coastal Zone.” The landward boundary of the Coastal Zone is the same as that identified in the Coast Protection Subject Plan (1984) and aims to protect the rural undeveloped coastline from development.
- 3.67 The strategy is concerned with both land use planning issues and with setting a framework for management plans. It includes policies that refer to issues below the low water mark and within inter-tidal areas. Therefore the Coastal Zone includes an area of interest beyond the shoreline. Although Local Authorities do not have statutory responsibilities beyond the Mean Low Water Mark, they do have interests and views on the activities that take place there. Activities undertaken within the seaward part of the Coastal Zone may have an impact upon the shoreline, in terms of related development or visually.

The Coastal Zone

- 3.68 Planning Policy Guidance Note 20 (The Coast) published in 1992 and PPG 25 Development and Flood Risk (2001) advocate Coastal Zone management in order to safeguard all the interests on the coastal resource. The Coastal Zone has been defined in accordance with this guidance and is shown on the Proposals Map.
- 3.69 It is primarily based on the Coastal Protection Belt in the 1996 Local Plan and includes the inter-tidal areas as far as Mean Low Water Mark. It excludes all the settlements within the coastal area. In the cases of the Blackwater and Crouch Estuaries, the whole of the estuary within the District is included within the Zone to provide clarity and consistency and to extend planning control over moorings in the two rivers. The Coastal Zone policy takes into account both landward and seaward features.

- 3.70 The defined Coastal Zone has an open and rural character. As such, it is a unique, finite and irreplaceable resource in its own right and this is justification for its protection. Coastal views are available from within most of the Coastal Zone, though in some places views of the water itself are obscured by sea defence walls. It is also important for nature conservation and for the quality of the landscape. Proposals for development will only be acceptable if they have to be located in the defined Coastal Zone and preserve the character of the area.

Flood Management Strategy Plans

- 3.71 The Environment Agency is developing Flood Management Strategy Plans for the Rivers Roach and Crouch and for the Rivers Colne and Blackwater. These Flood Management Strategy Plans will identify the most appropriate and sustainable socio-economic and hydrodynamic means of providing flood management measures throughout the estuaries as a whole, whilst also ensuring that the legal obligations to protect and enhance protected environmental sites and habitats are met. This will involve changes to some flood defence strategies, including the incorporation of managed realignment in order to reduce pressures on higher priority defences elsewhere in the estuary.
- 3.72 Any proposals to modify flood defences, including maintenance, should be considered in the light of these Flood Management Strategy Plans. It should be noted that any such proposals are likely to require planning permission and detailed consideration in accordance with the Habitats Directive.

Settlements in the Coastal Zone

POLICY CC11 The Coastal Zone

Within the defined Coastal Zone, development will only be permitted if:-

- (a) It requires a coastal location or is associated with an existing use within the Coastal Zone;**
- (b) The location, siting, design, materials and landscaping would not adversely affect the open and rural character of the area, its historic features and its wildlife;**
- (c) It has minimal impact on views into and out of the area;**
- (d) It meets an essential overriding local need which cannot be met within the settlement development boundaries; and**
- (e) Every reasonable effort is made to use previously developed land and/or buildings in preference to undeveloped land.**

Blackwater Estuary

Blackwater Estuary Management Plan

- 3.73 The Government in 1992 endorsed the concept of Coastal Zone Management. This led to English Nature's "Estuaries Initiative," in which encouragement and technical and financial support were provided for preparing Estuary Management Plans. As part of this initiative, the Blackwater Estuary Management Plan was prepared and adopted as a joint plan between Maldon District Council, Colchester Borough Council

and English Nature in 1996. Some of the issues raised are relevant to the Local Plan and are included in this chapter.

- 3.74 An Issues Update Paper was published in 1999 and the Management Plan was reviewed in 2002. A new Management Plan is under production and is expected to be published in 2006. It will also form part of the mechanism for managing the candidate Special Area for Conservation (cSAC).
- 3.75 The Blackwater Estuary Management Plan addresses the management of the wide range of interests on the estuary. A number of detailed mechanisms are proposed in the Management Plan which are outside the remit of the Local Plan, such as the control of the use of launching sites and speed limits within the Maldon District. Successful implementation of many of the management proposals will however address many of the wider concerns about congested areas of the estuary.
- 3.76 In addition to being the Local Authority covering the Blackwater, Maldon District Council owns or leases significant areas of the river. The District Council will promote measures that resolve conflict between various users and uses. In addition, it will seek to encourage improved public access where appropriate and enhance the appearance of the coast. As part of this, it will implement the Blackwater Estuary Management Plan and use it where appropriate as a material planning consideration when determining planning applications within its boundary.

Maldon Harbour Improvement Commissioners

- 3.77 Although the commercial use of the port has declined, it continues to serve some industry and an expanding leisure sector, as well as riparian businesses.
- 3.78 The Maldon Harbour Improvement Commissioners (MHIC) are established by a local Act of Parliament, known as The Maldon Harbour Order 1865. The Commissioners' jurisdiction extends in and over the whole of the River Blackwater from Fullbridge, up Heybridge Creek and downstream to a point above Heybridge Basin. Broadly, the Commissioners have a duty to provide the harbour and are empowered to regulate it. The MHIC Clerk and Harbour Master carry out the day-to-day operation of the port. The MHIC continues to voice an independent opinion on matters concerning the port.

Waterside Uses at Maldon

- 3.79 The southern bank of the Blackwater at Maldon comprises a number of long established waterside uses, such as boat building, boat sales, chandlery and sail making. A predominantly non-residential area, the waterside area has a particular character and connections associated with commercial and leisure riverside uses. The Hythe Quay retains traditional activities associated with the Thames Barges. The Hythe Quay is one of the most important tourist attractions for the town. Behind the waterside area are streets containing 19th century residential terraces.

The south bank waterfront derives its character from the combination of the variety of traditional water-orientated land uses. It is important that any development that is permitted in this area seeks to retain this character. Development will only be permitted where it enhances and consolidates the character of the waterside frontage as a working area. The aim is to retain and enhance the commercial and water-orientated uses that currently occupy the area. Further residential development is not appropriate in this area. For the purposes of policy CC12, waterside uses include the following:

- boat building, repair, sales and storage,
- sail making,
- chandlery,
- sailing clubs,
- non-residential moorings and berths,
- manufacturing uses directly associated with the river,
- traditional riverside activities associated with the Thames Barges,
- areas of public and private open space,
- museums/interpretation centres with a maritime theme,
- and other similar uses.

3.80 For over a century, the Maldon Crystal Salt Company has operated from premises in the Waterside Area, from where it manufactures Maldon Sea Salt that has national and international brand recognition. The Salt Company is experiencing increasing operational difficulties at these premises, including the relatively low saline content of the River Blackwater in this relatively upstream location, particularly during the winter months. To overcome these difficulties, the Salt Company may have to relocate to a location further downstream where the salt content of the River is higher. The Council will work constructively with the Company in any search for new production premises, given its special locational requirements.

POLICY CC12 Maldon Waterside Area

Within the Maldon Waterside Area, the District Council will seek to retain and enhance waterside uses. Development will only be permitted in the Waterside Area if all of the following criteria are met:

- (a) It consolidates or introduces a use which is beneficial to retaining the working waterside character of the area, and**
- (b) It enhances the waterside character of the area.**

Bradwell Power Station

Existing Consultation Arrangements

3.81 The existing consultation arrangements for development proposals are described at paragraph 2.32 in the Constraints chapter.

Decommissioning

3.82 Bradwell Power Station shut down in March 2002. The station will be decommissioned, a process by which the station is taken permanently out of service and is closed down in a careful and controlled way. The strategy proposed by British Nuclear Fuels is known as "Safestore". This involves four phases:

Defuelling

All the nuclear fuel from the site will be removed and taken to Sellafield over two to three years, removing 99.9% of radioactivity from the site.

Works Phase

Clearance and landscaping of the site over 10 years.

“Safestore” Period

This is a passive period of monitoring, care and maintenance of the site for about 85 years. Intermediate level waste from the site will be stored on site until a national repository becomes available.

Site Clearance

Dismantling of remaining buildings.

- 3.83 The decommissioning of the Station is being considered under the Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999 S.I. No.2892. This requires an Environmental Assessment to be prepared and consent obtained from the Health and Safety Inspectorate of the Nuclear Installations Inspectorate. The District Council is a consultee in this process.
- 3.84 The District Council will be concerned to safeguard the rural and residential amenities of the District in its response to the Environmental Assessment and any development required as part of the decommissioning process, for example new storage facilities for existing waste on the site. This matter will also invoke waste disposal planning control, which is a function of the Joint Structure Plan Authorities through the Waste Local Plan. The District Council is also mindful to ensure that demolition materials and other residues from the site are transported on adequate roads and by rail and water.
- 3.85 The redevelopment of the site is not a consideration for this Plan, given the length of the decommissioning process. Maldon District Council will consider reviewing the policies relating to the Bradwell Power Station site if decommissioning is completed during this Plan period and if the economic development of the District requires it. However, the Power Station site and land outside its confines lie within the Coastal Zone and therefore are subject to strict restraint policies applying to the coast and countryside.

The Crouch Estuary

- 3.86 The River Crouch is extensively used for cruising and dinghy sailing and by motor cruisers. Commercial vessels also use the river and discharge at Creeksea Terminal. Burnham-on-Crouch is famous for sailing and is known as “The Cowes of the East Coast”.
- 3.87 The Crouch Harbour Authority maintains a fairway and although there is usually plenty of water available for sailing, congestion is inevitable at times. The navigable channels of the Rivers Crouch and Roach provide 18 miles of safe waters at low tide and 25 miles at high tide.
- 3.88 The number of on-river moorings has decreased, assisted by the provision of a 350-berth yacht harbour in 1989 at Burnham-on-Crouch. This facility also provides a public launching ramp and a number of on-shore facilities for visiting yachtsmen. Further upstream at Stow Creek, North Fambridge, a small yacht marina has a capacity of 180 boats (Westwick Marina). Continued pressure for sailing facilities is evident on the Crouch. In 2000 the total number of boats sailing on the estuary was about 2200, a small decrease since 1980 (2500).
- 3.89 Like the Blackwater, the River Crouch is internationally important for its nature conservation value (saltmarsh and mudflat habitats and over-wintering bird populations), forming part of the Essex Estuaries European Marine Site. As such, it

is protected by European legislation, as described in paragraphs 3.12 – 3.20. However the Crouch is suffering an accelerated rate of loss of saltmarsh as compared with the Blackwater and Roach rivers, which may be caused by the speed of tidal flow due to past controls (sea walls and canalisation works) confining parts of the river.

Crouch Harbour Authority

- 3.90 The Crouch Harbour Authority was established by the Crouch Harbour Act 1974. The Harbour Authority's jurisdiction covers the whole of the River Crouch from a point west of Battlesbridge, the River Roach from Rochford and then out to sea to beyond Buxey Sand. The Harbour Authority owns or leases considerable portions of the Crouch riverbed. Together with its statutory powers, this gives it a unique opportunity to maintain the delicate balance between open-air recreation and nature conservation. The Harbour Master carries out the day-to-day operation of the Harbour. In addition, an Advisory Committee, whose members represent local commercial and leisure organisations with interests in the two rivers, assists the Authority.
- 3.91 The duties of the Harbour Authority are to preserve, protect, regulate, manage, maintain and improve the harbour and its navigation, in addition to having regard for conserving and enhancing the natural beauty of the countryside and encouraging the provision and improvement of facilities for its enjoyment and open-air recreation. The Crouch Harbour Management Plan (1996) contains details of the Crouch Harbour Authority's policies.

AGRICULTURE

- 3.92 Agriculture has the greatest visual impact of any land use in the District; farming has created the landscape we see now. The countryside needs farmers to maintain it in the long-term and invest in biodiversity projects such as woodlands and hedgerows. Arable farming is by far the most important farming practised in the District, although the agricultural pattern is very varied, with horticulture and fruit-growing mostly found in the northern part of the District. Modern farming techniques and management have led to larger farm units, increased productivity and declining employment.

Agricultural Land Quality

- 3.93 The Department for Environment, Food and Rural Affairs (DEFRA) (formerly MAFF) operates a long-established land classification system, with Grades 1, 2 and 3a being identified as the highest quality agricultural land. This should be protected from development and retained for agricultural use wherever possible because of its versatility. DEFRA is able to advise whether agricultural land is grade 1,2 or 3a.
- 3.94 Local Plan policy seeks to protect such land and guide development to alternative locations. However, development, such as habitat creation for sustainable flood defence, may exceptionally take place on BMV land if no other suitable alternative location exists.

POLICY CC13 Protection of the Best and Most Versatile Agricultural Land

Development will not be permitted if it would result in the loss of the best and most versatile agricultural land within grades 1, 2 and 3a of the DEFRA land classification system, unless all the following criteria are met:

- (a) **There is an overriding need for the development and it is allowed under other policies in the Plan;**
- (b) **Land in grades below 3a is unavailable or impractical for the purpose proposed, which does not have an environmental value recognised by a statutory designation;**
- (c) **The development is proposed on land of the lowest practicable grade.**

Agricultural Development

- 3.95 Agriculture may require specific development such as agricultural buildings, ancillary uses associated with the agriculture function, or residential accommodation for the farm workers. It is necessary for development essential to the needs of agriculture to take place in the countryside. However, it is important that there is no adverse effect on the qualities of the countryside and immediate surroundings.
- 3.96 In certain cases, permitted development rights for development on agricultural units of five hectares or more cannot be exercised unless the applicant has applied to the Local Planning Authority for a determination as to whether prior approval is required.
- 3.97 Annex E of PPS 7 (The Countryside – Environmental Quality and Economic and Social Development) states that Local Planning Authorities should verify that the development does benefit from permitted development rights and does not require planning permission before accepting a prior notification application. Having determined the validity of the prior notification procedure, the Authority must balance the operational needs of enterprise against ensuring that the following items of acknowledged environmental importance are not harmed:
- Areas of Special Landscape Value and the area within the Coastal Zone;
 - Sites of Special Scientific Interest and areas of National and International Importance for Nature Conservation;
 - Settings of Listed Buildings;

Accommodation for Agricultural Workers

- 3.98 The strategic approach emphasised in this Plan is to direct new residential development into urban areas within defined development boundaries. New dwellings are not normally permitted in the countryside. Dwellings for farmers and farm workers should be located in existing settlements unless a proven need for a dwelling to be located on a farm can be clearly demonstrated. Accommodation for agricultural workers on farm holdings is an exception to the settlement policy in this

Plan. Therefore it is justified that the Plan strictly controls their development, in order to protect the countryside and not undermine the Plan's settlement policy.

- 3.99 The general thrust of the policies relating to this subject reflects the assumption that there is a finite need for this type of development and that past planning permissions have satisfied this housing requirement. The restoration or conversion of agricultural buildings that are no longer suitable for modern agricultural purposes will take precedence over new buildings, particularly if they are considered to be suitable in terms of size, location and access.
- 3.100 It is equally important to ensure that those dwellings that have been permitted to satisfy a functional agricultural requirement are prevented from becoming occupied by persons not connected with the agricultural or forestry industry. As part of reducing development pressure on the countryside, where a farmer requires a further dwelling in addition to the existing farm housing stock, permission will be subject to conditions being imposed which ensure retention of those dwellings for occupancy by agricultural/forestry workers.
- 3.101 Annex E to PPS 7 sets out guidance to Local Planning Authorities in respect of agriculture/forestry dwellings. In particular, it advises that a 'functional test' will be required in all cases to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available on the site at most times.
- 3.102 In cases where a 'functional test' is inconclusive, a 'financial test' will be required to provide further evidence of the genuineness of the stated intentions to engage in farming or forestry or the size of the dwelling which the unit can sustain. The test of financial viability is necessary where the enterprise might be considered to have an uncertain future. In these cases, such a test is necessary to establish the likelihood of a further dwelling being situated in a rural area without agricultural justification. Favourable consideration is only likely to be given if the functional and financial tests are met and if the holding is greater than five hectares.
- 3.103 When deciding applications for agricultural workers' dwellings, the District Council will consider the needs of the holding rather than the occupier and in particular will take the following into consideration:
- a) The viability of the holding;
 - b) The need for workers to be accommodated on the holding;
 - c) The existing accommodation available on the holding;
 - d) The need for the dwelling to be related to a full-time worker;
 - e) The reason why any existing accommodation does not meet the needs of workers to be housed on the holding;
 - f) Whether an existing dwelling, previously housing workers employed on the holding or closely connected with it, has recently been sold, separated or alienated from it;
 - g) Whether the proposed dwelling is of an appropriate size for the functional need and is of a suitable size for the needs and means of a person employed in agriculture. This is also a relevant consideration for proposals to extend dwellings subject to an agriculture occupancy condition.
- 3.104 The approach to considering applications for dwellings for agricultural workers has to be seen in the context of other countryside policies that seek to protect the visual amenities of the District. The dwelling permitted should be commensurate with the size of the holding and with the income required from the holding to sustain the construction and running costs of the dwelling. Conditions may be attached to the

consent for the dwelling which prevent the uncontrolled enlargement of the dwelling beyond that considered appropriate in relation to the size of the holding. Siting of the new dwelling should take into account not only the functional need but also the appearance of the area. All new agricultural dwellings should be in close proximity to any other dwellings on the holding unless functional requirements determine another location.

Conditions Attached to Planning Consents for Dwellings for Agricultural Workers

3.105 In cases where the Authority is minded to grant permission for a new dwelling for an agricultural worker, the Authority will seek to control the development through conditions or an agreement which:

- Prevent the loss of the dwelling from the stock of agricultural dwellings in the District;
- Ensure that the dwellings forming part of that holding's stock of agricultural dwellings are retained as part of the agricultural dwelling stock;
- Apply agricultural occupancy conditions to other dwellings on the holding;
- Require applicants/owners/interested persons to enter into an Obligation with the District Council preventing the future subdivision of the existing farm unit and the disposal of any building or dwelling forming part of the existing farm holding.

3.106 In order to ensure that the dwelling is constructed to meet the current needs of the applicant and enterprise, conditions will be attached reducing the period for implementation of the consent. Once constructed, it is important to ensure that the dwelling is retained for its original purpose and not allowed to be extended, thereby rendering it incapable of being retained as a dwelling occupied by a person employed in agriculture.

POLICY CC14 Agricultural Workers' Dwellings

1. **Dwellings which are to be occupied by agricultural workers will only be permitted if all of the following criteria are met:**
 - (a) **Evidence is submitted with the application demonstrating that there is a functional need for a dwelling or additional dwelling to be located on the holding;**
 - (b) **The need relates to a full-time worker, or one who is primarily employed in agriculture, and his/her dependents;**
 - (c) **The size of the dwelling is appropriate to the functional need for it;**
 - (d) **Where a new building is proposed, there are no extant planning permissions for agricultural dwellings, nor are there buildings or dwellings on the holding capable of being converted or altered to provide suitable residential accommodation;**
 - (e) **Evidence is submitted showing that, preceding the date of the application, no dwelling or building capable of being converted to a dwelling has been sold away from the holding and no relevant occupancy condition has been removed from a dwelling on the holding.**

- (f) Evidence is submitted showing that there is a functional need and that the viability of the enterprise can support the additional accommodation.
2. Permission for a dwelling for an agricultural worker will have conditions attached relating to the following matters:
- (a) Commencement of the development within 3 years;
- (b) Removal of rights to extend the dwelling pursuant to the Town and Country Planning (General Permitted Development) Order 1995;
- (c) Restriction of occupation to persons solely or mainly working, or last working, in the locality in agriculture as defined in the Town and Country Planning Act 1990, or to a widow or widower of such a person and to any resident dependants;
- (d) Where the permission has been granted for an additional dwelling, the occupancy restriction (c) will be imposed on all other dwellings used in connection with the holding.
3. Where appropriate, a Section 106 Obligation may be used to tie the dwelling to the adjacent farm buildings or to the land of the farm holding, to prevent any future fragmentation of the holding.

Temporary Accommodation for Agricultural Workers

- 3.107 As part of the general concept of protecting the countryside for its own sake, it is not considered appropriate to allow temporary structures in the countryside. An exception to this general rule may relate to residential accommodation associated with the establishment of a new farming enterprise. In these circumstances, the Authority would need to be satisfied that the temporary accommodation would be replaced within a relatively short period. Applicants involved in establishing a new agricultural enterprise, whether it is commenced as an addition to an existing farming enterprise or as an entirely new enterprise, will be required to submit evidence to establish the functional requirement for any new residential accommodation.
- 3.108 In addition, the applicants should submit evidence showing:
- Firm evidence of their intention and ability to develop the enterprise;
 - Evidence that the enterprise has been planned on a sound financial basis;
 - Evidence to show that the accommodation is necessary having regard to the type of farming enterprise and that the accommodation could not be provided elsewhere on or adjacent to the holding;
 - Evidence of a business plan, which shows the replacement of the temporary accommodation with permanent accommodation within a specific time-scale.
- 3.109 In granting a temporary consent for residential accommodation in these circumstances, it is not the intention of the Authority to renew these consents on a regular basis. Applications for renewal will be considered having regard to the circumstances of each particular case and especially whether the time-scale for replacing the temporary accommodation is being adhered to.

Conditions to be Attached to Permissions for Temporary Accommodation for Agricultural Workers

- 3.110 Consents of this nature are clearly exceptions to the countryside policies adopted by the Authority and if the agricultural enterprise fails to consolidate, then the Authority should be able to rapidly rectify the situation. For this reason, it is necessary for the applicant to give a clear indication as to when the temporary accommodation will be replaced with permanent housing. The Authority should also make it clear to the applicant that consent for the temporary accommodation will not be extended indefinitely.

POLICY CC15 Temporary Accommodation for Agricultural Workers

1. **Planning permission will not be granted to site a caravan or other form of temporary accommodation for an agricultural or forestry worker in the countryside outside development boundaries unless all of the following criteria are met:**
 - (a) **Evidence is submitted demonstrating that there is a functional need for a dwelling to be located on the holding;**
 - (b) **The need is for accommodation for an agricultural worker to be present on the holding throughout the year;**
 - (c) **There is clear evidence that the enterprise has been planned on a sound financial basis and a firm intention and ability to develop it has been demonstrated;**
 - (d) **Evidence is submitted to show that there is no alternative accommodation either on, or near to, the holding;**
 - (e) **The siting of the temporary accommodation within the holding is satisfactory.**
2. **Planning permissions for temporary accommodation for agricultural and forestry workers will normally contain, among others, the following conditions:**
 - (a) **The removal of the temporary accommodation after a period of no more than 3 years;**
 - (b) **Restriction of occupation to persons solely or mainly working, or last working, in the locality in agriculture as defined in the Town and Country Planning Act 1990, or to a widow or widower of such a person and to any resident dependants.**

Agricultural Occupancy Conditions

- 3.111 For many years, the planning regime has permitted dwellings in the rural areas for agricultural workers as an exception to the general national policy of protecting the countryside from unnecessary and intrusive built developments. In most cases, conditions have been attached to these dwellings to ensure that they remain part of the dwelling stock that assists the agricultural industry in maintaining its viability and functionality.

- 3.112 The District Council recognises that circumstances may change, rendering a property surplus to requirements. However, before persons not employed in agriculture can occupy a dwelling, the District Council would need to be assured that the dwelling has been occupied in compliance with the original occupancy condition for a reasonable period.
- 3.113 The agricultural dwelling stock in the rural areas is a finite resource and not one that should be unnecessarily reduced. Before permission is granted to allow the dwelling to be occupied by a person not employed in agriculture, it is important to ensure that the agricultural community no longer needs the dwelling. Therefore evidence will be required that there is no prospect of the dwelling being sold, rented or leased to a person who can comply with the agricultural occupancy conditions.

POLICY CC16 Agricultural Occupancy Conditions

Permission to occupy a dwelling without compliance with a restrictive condition will only be granted where all of the following criteria are met:

- (a) Proof of no further agricultural need for the property;**
- (b) Evidence of circulation/marketing of availability of the property for sale, rent or lease to other farmers in the area at a price that reflects the imposition of a restrictive occupancy condition and confirmation of their lack of interest;**
- (c) Evidence of advertising the property for sale, rent or lease, by estate agents and agents specialising in this type of property, in farming journals and newspapers nationally for a minimum period of three months, including specific reference to the agriculture occupancy condition and at a price to reflect the occupancy condition;**
- (d) A period of 10 years elapsing from the date the house was first occupied.**

Development Associated with Agriculture

Intensive Livestock Units

- 3.114 Intensive livestock units designed to accommodate pigs, poultry or calves can be totally independent of the surrounding land holding and therefore can function viably within relatively small land holdings. The siting of these units need not follow either the existing pattern of agricultural buildings in the countryside or the current pattern of land ownership. The erection of buildings or engineering operations for the storage of slurry or sewage sludge within 400 metres of a building normally occupied by people, other than those connected with agriculture, requires planning permission. Normally these buildings are located adjacent to an existing farming enterprise and rely on the land holding associated with it.
- 3.115 In determining applications for these units, the District Council will ensure that the location does not impair the visual amenities of the countryside. In addition, it will also consider other matters such as:
- The disposal of effluent
 - The level of traffic generated

- The impact on any adjoining properties.

3.116 The rearing of poultry or pigs intensively in an installation with more than

- 1) 40,000 places for poultry, or
- 2) 2,000 places for production pigs (over 30kg), or
- 3) 750 places for sows

is subject to the Pollution Prevention and Control (England and Wales) Regulations 2000, which came into effect on 1 August 2000. Applicants should contact the Environment Agency at an early stage to discuss how these regulations will affect their proposals.

POLICY CC17 Intensive Livestock Units

In considering planning applications for intensive livestock units, the District Council will require that:

- a) The location ensures that they are not detrimental to the character and amenities of the surrounding countryside;**
- b) New buildings are carefully sited to ensure that the amenity of the occupiers of residential properties and communities are not unduly affected by noise, smell or disturbance.**
- c) The disposal of effluent is not detrimental to nature conservation interests.**

3.117 Agricultural businesses inevitably involve secondary activities, such as agricultural machinery firms, processing industries, grading of agriculture produce, crop drying etc. These activities may require development of large buildings, for example where a processing plant is required, and may be associated with effluent, smell, noise and traffic. In most cases, such development should be located on existing or allocated employment areas where local environmental effects can be minimised. Where it is demonstrable that no alternative location is available for such activity to take place on an existing employment area, or that it would be impractical to use such available areas, a rural location may be considered under this policy.

POLICY CC18 Development Ancillary to Agriculture

New buildings or activities associated with agriculture, but which are not agricultural in nature and do not form part of the agricultural holding, will only be permitted if it is demonstrated that:

- (a) The activity could not be located on an existing or allocated employment area;**
- (b) There is a justifiable functional need for the additional activity to take place in the rural area.**

RURAL DIVERSIFICATION

3.118 Rural diversification aims to promote a sustainable, diverse and adaptable agricultural sector. It is a necessary process to enable the rural economy to grow, adapt to changing circumstances and remain viable and competitive. Therefore the District Council will support rural diversification projects. Examples of projects

include farm tourist accommodation, small business development and small-scale recreation activities.

- 3.119 Providing additional income to farmers enables farming to continue, provides employment and helps the reuse of redundant or underused farm buildings and land which would otherwise fall into disrepair. This helps to support and maintain the rural economy. Non-farming employment in rural areas allows the rural workforce to find alternative employment as the agricultural economy changes, as well as providing a customer base for rural shops and services.
- 3.120 Although the District Council is supportive of rural diversification, it should not take place at the expense of the environment. It is a priority for the Council to strictly control the extent and possible intrusion of new buildings and associated external features into the undeveloped countryside, Coastal Zones and Special Landscape Areas. Therefore the re-use of existing buildings will be encouraged. Care will be taken that development which is allowed should not have a detrimental appearance on the area or where the conversion or replacement of a building is allowed it should not detract from the existing built character. It is also important that new uses do not affect the amenity of neighbouring uses.
- 3.121 The replacement of existing buildings and land uses may be allowed near to established settlements where local services and public transport are available, provided that this would effect an environmental improvement in terms of impact of the development on the countryside. The re-use of remote rural buildings for uses other than agricultural uses that are directly related to the existing or adjacent farm holdings may not be permitted as they perform poorly in terms of sustainability.
- 3.122 Rural diversification should not take existing employment away from settlements, as they provide a more sustainable location. Thus new employment, rather than the relocation of existing employment uses away from areas which perform better in terms of sustainability criteria, is required. This is to enable towns and villages to maintain their viability and to support local services and to keep existing employment uses located in areas which are considered to be more sustainable.
- 3.123 Conversion of appropriate buildings in suitable locations could open the countryside to people wishing to enjoy the unspoiled coastline and countryside. Footpath, cycleway and bridleway access to the coastline is limited and proposals for the conversion of buildings for holiday accommodation where further access is promoted will be encouraged. The conversion of suitable existing rural buildings to provide hotel and other serviced accommodation will be encouraged, provided all relevant criteria are met.
- 3.124 Where appropriate, planning conditions will be applied to remove permitted development rights that would otherwise accompany the new use, in order to help protect the visual appearance of the countryside.
- 3.125 Other policies in the Plan also need to be considered such as recreation policies REC19 to REC21.

POLICY CC19 Rural Diversification

Proposals for the change of use of rural buildings outside the defined development boundaries to employment uses will be permitted if:

- (a) the building to be used is of permanent, substantial and sound construction;**
 - (b) the building is of a suitable type and scale for re-use for employment purposes;**
 - (c) any building work respects the building's historic or architectural importance or contribution to local character;**
 - (d) the traffic to be generated by the new use can be safely accommodated by the site access and the local road system;**
 - (e) the proposed use will not harm the local environment through the creation of noise, dust, smoke, fumes, grit, vibration or any form of water, soil or air pollution;**
 - (f) there is sufficient room in the curtilage of the building to park any vehicles of those who will work or visit there and also to service its use, all without detriment to the visual amenity of the countryside;**
 - (g) no storage of raw materials or finished goods is to take place outside the building if it would be detrimental to the visual amenity of the area;**
 - (h) no new fences, walls or other structures associated with the use of the building or the definition of its curtilage or any subdivision of it will be erected if they would harm the visual amenity of the countryside;**
 - (i) the use of the building would not lead to the dispersal of activity on such a scale as to prejudice the vitality of nearby towns or villages; and**
 - (j) the visual impact of any proposals, including associated highway works required by the development, will be kept to a minimum.**
- 2. Proposals for the replacement of an existing rural building outside the defined development boundaries for employment uses will not be permitted if;**

- (a) the building to be replaced is not of sound and permanent design and construction;
- (b) the replacement building would prejudice the vitality and viability of a nearby town or village;
- (c) the replacement building would have a detrimental impact on the surroundings and landscape;
- (d) the scale of the replacement building is greater than the existing building; and
- (e) the form, bulk and general design of the building is not in keeping with the surroundings.

Re-use of Listed Buildings in Rural Areas

3.126 The Council aims to ensure that listed buildings of architectural and historic interest are occupied and maintained in a satisfactory condition. Consequently, whilst it is not necessary to find uses for and retain all rural buildings, there is a requirement to prevent listed buildings being demolished or altered detrimentally. The use of a listed building which would result in external or internal changes being made which would damage the integrity of the building will not be permitted. Policy BE16 may also apply.

POLICY CC20 Re-use of Listed Buildings in Rural Areas Currently or Formerly in Agricultural Use

Planning permission will only be granted for the re-use and adaptation of a rural building which is listed as grade I, II* or II for a commercial use if it complies with all the criteria stated in policy CC19 and:

- (a) In the case of a building presently in agricultural use, there is sufficient evidence to show that the building has no suitable alternative use;
- (b) The proposed conversion preserves or where appropriate enhances the character, fenestration and structure of the building, features of special architectural or historic interest and its setting;
- (c) The proposed conversion does not subdivide the internal spaces of the building to the detriment of the character of the listed building.

Re-use of Rural Buildings for Residential Purposes

3.127 The re-use of rural buildings for residential uses is contrary to other policies in this Plan, particularly the settlement policy. Re-using rural buildings for residential use will exacerbate the imbalance between employment opportunities and rural population and will increase pressure on rural services. It will also deprive potential employment uses of some premises.

- 3.128 The change of use of a rural building to residential use introduces domestic activity within the areas immediately surrounding the buildings, eroding the rural character of buildings in the landscape. Therefore it is likely that planning conditions will be applied to remove permitted development rights which would automatically allow additional domestic features in the countryside.
- 3.129 Therefore this form of re-use has a low priority compared to other forms of re-use. Conversions of this nature should therefore only be allowed in the most exceptional circumstances, for example for agricultural or forestry workers. Where a residential re-use is exceptionally permitted, any extension of the curtilage into the open countryside will not be allowed.
- 3.130 Where planning permission is granted for the conversion of a rural building to residential use and where it is determined that additional farm buildings in association with the existing agricultural holding would have a detrimental impact on the landscape, it is likely that planning conditions will be applied to remove permitted development rights for additional agricultural buildings to help protect the landscape from intrusion by additional structures

POLICY CC21 Re-use of Rural Buildings for Residential Purposes

Proposals for the change of use of rural buildings outside the defined development boundaries to residential uses will not be permitted unless the following criteria can be met:

- (a) It is demonstrated that the building cannot be used for employment uses under policy CC19;**
- (b) The building is worthy of preservation by virtue of its historic or architectural importance or contribution to local character, is of permanent, substantial and sound construction and is proposed for re-use without major or complete reconstruction;**
- (c) The building is located adjacent to or is closely related to an existing town, village or public transport infrastructure;**
- (d) The building is of a suitable type and scale for re-use for residential purposes;**
- (e) Any conversion work respects the building's historic or architectural importance or contribution to local character;**
- (f) The traffic to be generated by the new use can be safely accommodated by the site access and the local road system;**
- (g) There is sufficient room in the curtilage of the building to park the vehicles of those who will live or visit there without detriment to the visual amenity of the countryside; and**

- (h) **No new fences, walls or other structures associated with the use of the building or the definition of its curtilage or any subdivision of it will be erected which would harm the visual amenity of the countryside.**

LIVING IN RURAL AREAS

Introduction

- 3.131 The previous group of policies relating to operational development and change of use in the countryside has been designed to enable it to be maintained as a farming landscape, whilst creating sufficient local employment to maintain the social fabric and economic vitality of the area.
- 3.132 The following policies on residential development are exceptions to the Plan's settlement policy. These have common themes aimed at protecting the countryside from intrusive development, maintaining the existing settlement pattern, not creating more housing in rural areas and not placing additional pressure on the already stretched public utilities.

Replacement Dwellings in the Countryside

- 3.133 It is the aim of this policy to allow for the replacement of dwellings in a way that protects the landscape of the District for its own sake. No increase in the impact of a dwelling on the landscape and the prevention of previously undeveloped areas from being developed are the desired outcomes. To prevent increases in unsuitable or unsustainable development, the dwelling which is to be replaced has to be lawful in terms of planning legislation.
- 3.134 In order to assess the impact of the replacement dwelling on the surrounding countryside, it will be necessary for the application to be accompanied by plans showing details of the dwelling together with its siting and the landscaping proposals for the site. Failure to supply these details will result in the Local Planning Authority requesting further details as required by Article 3(2) of the Town and Country Planning (General Development Procedure) Order 1995. The design details and landscaping proposals will be considered in relation to the policies contained in the Built Environment chapter.
- 3.135 The rebuilding of habitable dwellings which have been destroyed by fire or other natural disasters will usually be permitted.

POLICY CC22 Replacement Dwellings

The replacement of a permanent dwelling situated outside development boundaries will only be permitted if all of the following criteria are satisfied:

- (a) **The new dwelling with its associated outbuildings, walls/fences and landscaping positively enhances the amenities and character of the landscape in which it is situated;**
- (b) **The size of the replacement property does not require the extension of the existing residential curtilage,**

- (c) **Where the dwelling is vacant and in poor condition, evidence is provided to show that the building has been in permanent occupation.**

Garden Extensions in the Countryside

- 3.136 In the countryside, the size of a house generally corresponds with the size of the garden and this in turn fits with the adjacent field pattern. The District Council aims to ensure that this field pattern, relating to landscape features such as ditches, hedges and physical changes in the gradient of the land, is not destroyed by inappropriate land use changes.
- 3.137 Apart from the changes in the field pattern, the enlargement of a residential curtilage introduces a small-scale domesticated area into a landscape of field patterns and features on a much larger scale. To reduce the urbanisation of the countryside, a hedgerow comprising native species must define the garden extension's boundaries. Soft fencing of the extended garden area will only be allowed as a temporary measure, whilst the hedgerow matures. Panel fencing is an alien feature in the countryside and therefore will not be permitted.
- 3.138 In some circumstances, a number of householders group together to purchase part of a field for garden extensions. Where such a "group application" is submitted, planning permission will only be granted if the proposal meets all the criteria in policy CC23 and all of the householders in that group of dwellings are participating in the proposal.

POLICY CC23 Garden Extensions in the Countryside

1. **Extensions to residential gardens will only be permitted in the countryside outside development boundaries if all of the following criteria are met:**
 - a) **Evidence is submitted to illustrate that the area of land involved can no longer be effectively farmed;**
 - b) **The proposal would not be detrimental to the amenities of the occupiers of the neighbouring properties;**
 - c) **The residential use of the site would not be visually detrimental to the character of the surrounding landscape or to existing landscape features.**
2. **Where new boundaries are being formed, consent will be subject to a condition requiring them to be defined by new hedgerows comprising native species. Fencing will only be permitted in exceptional circumstances. Soft fencing will be permitted as a temporary measure until the hedgerows have matured.**

MINERALS DEVELOPMENT

Minerals Local Plan

- 3.139 The Joint Structure Plan Authorities are responsible for minerals planning control in the District and policies for mineral workings are included in both the Structure Plan (2001) and the Minerals Local Plan First Review (1996). This Plan identifies a "preferred site" for minerals extraction at the Royal Oak Pit, Woodham Mortimer. This is an extension to an existing site including deeper working of a consented area. The Minerals Local Plan Second Review will commence in 2002 and has a target adoption date of 2004.
- 3.140 Although the Maldon District Council does not determine applications of this type, it is consulted by the County Council and asked to express its views on the proposals. When commenting to the County Council on applications to work land for sand and gravel or to provide or extend plant at sand and gravel pits, the District Council will consider the following:
- (i) Whether there is an identified national, regional or local need for the sand and gravel or the plant;
 - (ii) Evidence on the amount and the quality of the sand and gravel proposed to be worked;
 - (iii) The quality of any agricultural land affected and the general effect on the viability of an agricultural holding;
 - (iv) The likely effect on the conservation of other natural resources and archaeological sites;
 - (v) The likely effect on public safety and local amenity;
 - (vi) The likely means of transporting the materials that are either won from the site, or are used in or arise from any manufacturing processes on the site;
 - (vii) The likely effect on the highway network and adjoining settlements.
 - (viii) The most beneficial after-use of the land;
 - (ix) The effect on public rights of way and proposed replacement paths.
- 3.141 In the past, gravel working in the Plan Area has resulted in several flooded pits and more are likely to become available in the future (see policy REC18). Such pits may be suitable for a range of sports including water skiing, sailing and angling, or for nature conservation (see policy REC17). The use of certain pits for water skiing and sailing instruction would increase safety and reduce congestion on the rivers and estuaries. This Council will continue to liaise with current gravel pit operators in consultation with the Minerals Planning Authority to secure the most appropriate after-use of the land (see also policy CC8).

HOUSING

INTRODUCTION

- 4.1 Chapter 1 of the Plan sets out a sustainable strategy for the development of the District. The strategy seeks to make the best use of land already committed to development, to regenerate buildings and sites and to concentrate development within existing development boundaries, minimising the loss of greenfield land. This approach is followed through in making provision for new housing development.

OBJECTIVES

Strategic Objective

- Siii To restrain housing growth and focus new housing within development boundaries.

Housing Objectives

- Hi To make provision for sufficient housing to meet the requirements of the Essex and Southend-on-Sea Replacement Structure Plan between 1996-2011.
- Hii To restrict the development of new market housing to sites within development boundaries.
- Hiii To restrict new housing in the countryside to exceptional rural needs.
- Hiv To maximise the use of land within development boundaries without compromising environmental constraints.
- Hv To promote the redevelopment of previously developed sites and conversion, subdivision and re-use of property for housing types and densities to meet the differing requirements of the population.
- Hvi To substantially increase the provision of new affordable housing on residential development sites and to encourage new rural affordable housing on exception sites.
- Hvii To make provision for affordable housing for social rent and social shared ownership through planning obligations

THE PLANNING STRATEGY FOR HOUSING PROVISION

The Structure Plan

- 4.2 The quantity of housing required over the Plan period has been established by the Essex and Southend on Sea Replacement Structure Plan (RSP). This is based on current Regional Planning Guidance for the South East (RPG 9) 1991-2011 and the Government's 1992 Household projections. New RPG has been adopted by the Government in 2001 and provides a new housing requirement for Authorities in the South East up to 2016. However, the District now falls within the Eastern Region following reorganisation of regional planning arrangements in April 2001. This has not affected the Structure Plan provisions for the District.
- 4.3 The Structure Plan views the District as an area of "planning restraint upon further housing development" (see Strategy chapter). In determining the housing requirement, account was taken of the existing commitment carried forward from previous plans. Accordingly this scale of housing provision is not intended to require release of greenfield sites outside currently adopted development boundaries. The Structure Plan requires the provision of 2800 additional dwellings (net) between 1996 and 2011.
- 4.4 This strategy is part of the approach to re-balancing the number and location of jobs and homes. Past plans have been successful in providing for new housing, but employment development has lagged behind despite allocations of employment land in successive plans. This has contributed to large numbers of out-commuters. The Local Plan therefore needs to put in place the foundations of a more sustainable work/home relationship by providing more local jobs in proximity to the largest settlements and slowing the increase in housing. The Structure Plan recognises that not all locally generated households that form will be accommodated by this strategy and that some will need to locate outside the Plan area. However the shortfall is small, calculated to be about 100 dwellings over the Structure Plan period.

Pattern of Development

- 4.5 Development boundaries were adopted for 25 settlements in the Maldon District Local Plan 1987 and reviewed in the First Review of 1996. Development boundaries identify the limits of built development, concentrating this in settlements that generally offer a range of local services. The boundaries also have the important function of protecting the countryside from urban sprawl.
- 4.6 The maintenance of development boundaries as adopted in 1996 for the control of housing location is important in achieving the Structure Plan strategy because the District's housing requirement is based on existing plans and commitments. Therefore the development boundaries established by the 1996 plan should define the limits of new housing development. The resulting pattern of development reinforces the focus of population on the five largest settlements of Maldon, Heybridge, Burnham-on-Crouch, Southminster and Mayland, which together accommodate 60% of the District's population. It is in these locations that 68% of the identified sites are found. This is fully consistent with the need to relate housing to the level of services available and provision of local employment.

Housing in the Countryside

- 4.7 The Plan area includes 28 parishes with a population of less than 3000. Eight parishes have a scattered settlement pattern with no development boundaries and there are many sporadic, often isolated groups of dwellings. The strategy aims to direct development to sustainable locations where there exist a range of services, community facilities and access to public transport and employment. For this reason, policy S1 directs development to sites within the development boundaries of settlements listed there and defined on the Proposals Map. The exception to this is for agricultural workers' accommodation under policy CC14 and affordable housing on rural exceptions sites under policy H10. Policy S2 seeks to prevent development in general outside development boundaries. There are, however, provisions for the re-use of redundant buildings outside development boundaries as well as for replacement of existing houses.
- 4.8 Perpetuation of sporadic housing development is opposed to the principles of sustainable development. Therefore, outside development boundaries, housing development will only be allowed in specific and exceptional circumstances, for example where there is proven agricultural need (policies CC14, CC15 and CC16 refer). Consolidation and infilling by housing will not be allowed. Particular identified affordable housing needs may be addressed through the "exceptions policy" set out in policy H10.
- 4.9 The Maldon District Local Plan First Review identified two areas that required special protection against infilling at Beacon Hill in Wickham Bishops and Totham Plains in Tolleshunt Major.
- 4.10 Beacon Hill is very attractive and characterised by large houses set in spacious grounds. It is a dispersed settlement that has no core or identifiable limits. Any infilling of the area would seriously detract from the attractive character of the landscape and result in perpetuation of an unsustainable form of development.
- 4.11 A substantial number of infill plots had been allowed in the past on Plains Road, Little Totham and in the Maldon District Local Plan First Review the area was particularly protected from further infill. This protection will now continue under policy H2.

POLICY H1 Location of New Housing

New housing will not be allowed outside development boundaries unless it complies with the other policies in the Local Plan.

POLICY H2 Infilling Housing in the Countryside

Consolidation and infilling of existing housing outside development boundaries will not be permitted unless it is for agricultural workers' accommodation.

HOUSING SUPPLY

Guidance for Housing Provision

- 4.12 Planning Policy Guidance Note 3 “Housing” requires that the maximum use is made of previously developed land, empty properties and the conversion of non-residential buildings for housing, in order both to promote regeneration and to minimise the amount of greenfield land being taken for development. An Urban Capacity Study should be carried out to identify these sources of supply.
- 4.13 Previously developed land (PDL) is defined in PPG 3 (Annex C) as follows:
- “Previously developed land is that which is or was occupied by a permanent structure (excluding agricultural or forestry buildings), and associated fixed surface infrastructure. The definition covers the curtilage of the development. Previously developed land may occur in both built up and rural settings. The definition includes defence buildings and land used for mineral extraction and waste disposal where provision has not been made through development control procedures. The definition excludes land and buildings that are currently in use for agriculture or forestry purposes and land in built up areas which has not been developed previously (e.g. parks, recreation grounds and allotments even though these areas may contain certain urban features such as paths, pavilions and other buildings). Also excluded is land that was previously developed, but where the remains of any structure or activity have blended into the landscape in the process of time (to the extent that it can reasonably be considered as part of the natural surroundings), and where there is a clear reason that could outweigh the re-use of the site – such as its contribution to nature conservation – or it has subsequently been put to an amenity use and cannot be regarded as requiring redevelopment.”
- 4.14 The Structure Plan strategy has established that the District housing requirement is commitment-based and does not require the release of land outside development boundaries.

Housing Provision

- 4.15 Within the above guidance, an assessment has been made of likely housing provision within development boundaries. Outside development boundaries, conversion of buildings and development of land for housing will be strictly controlled. The definition of previously developed land specifically excludes agricultural and forestry buildings and the conversion of suitable buildings to residential use will be considered as an exception within the context of countryside policies.
- 4.16 The assessment has been based on the identification of known and potential housing sites. This comprises the 2001 Maldon District Residential Land Availability schedule and Urban Capacity Study. Consultants Buro Happold and EDAW undertook the Urban Capacity Study for the settlements of Maldon, Heybridge, Burnham-on-Crouch, Great Totham, Mayland and Southminster. After accounting for sites/capacity previously identified in the Residential Land Availability schedule, the UCS identified additional capacity for 604 dwellings that are likely to be developed before the end of the Plan period.
- 4.17 Housing provision has been assessed by analysing the following elements based on the position at March 31 2002 and with a base date of April 1 1996. Detail on this

can be found in the 2002 Maldon District Residential Land Availability schedule and the 2001 Urban Capacity Study. All figures are net, taking account of losses. The supply of housing will be monitored annually.

Table 2 Summary of Housing Provision 1996-2011

Housing Provision	Net Units to 31.3.2003
Completions from 1996	2151
Sites with planning permission	584 ^a
Housing allocations	33 ^b
Urban capacity sites	289 ^c
Other sites without planning permission	110
Windfall sites	30
Losses	-50
Total	3147
Structure Plan requirement	2800
Surplus	+347

Notes:

- a) Less 10% for non-implementation.
- b) Assume a balance between the deletion of MH4/5 and the allocations for mixed uses at Sadds Wharf and Heybridge Basin.
- c) Delete 120 from the "Chalet Site"; less 10% for non-implementation.

POLICY H3 Housing Provision

Provision is made for an additional 2800 dwellings (net) in the District for the period 1996-2011 as set out in Table 2.

THE PLAN MONITOR AND MANAGE APPROACH

- 4.18 PPG 3 advocates a "Plan, Monitor and Manage" approach to housing provision. This requires plans to set out how they will achieve the housing requirement over the plan period, monitor performance and, in the light of that information, manage future supply by review of Plans. As background to the provisions in this Plan, there has been a study of housing land availability and the capacity of the existing adopted Plan. It has been concluded that adequate land is available to meet the Structure Plan requirement without altering development boundaries established by the previous plans.
- 4.19 It is recognised that there are difficulties in accurately predicting when new housing will become available from identified or windfall sites. Past Local Plans have

underestimated the contribution from these sources. The extent of sites identified in the Urban Capacity Study for Maldon District (March 2002) has resulted in a total number of units for the Plan period which exceeds the Structure Plan requirement. This is not intended as an over-supply of housing during the Plan period, but instead represents a portfolio of sites that will be periodically monitored and reviewed in co-operation with the Joint Structure Plan Authorities, using the “Plan, Monitor, Manage” approach. The aim will be to ensure that the Structure Plan housing provision for the District is met, whilst maximising the use of sites within urban areas. An estimate of further windfall housing, based on the findings of the Urban Capacity Study, is taken into account in assessing the likely delivery of additional housing.

- 4.20 No approach to the phased release of housing sites is proposed in the Plan. This reflects the District’s housing supply situation of new housing development taking place within defined settlement development boundaries, mainly on previously-developed sites, and that no additional greenfield land is allocated for housing. The Council does not wish to unnecessarily hold back housing development on greenfield sites that are within development boundaries contributing towards the Structure Plan housing requirement and meeting local housing needs, particularly for affordable housing.

DELIVERING HOUSING SUPPLY

Housing Allocations

- 4.21 All but four sites allocated for housing development in the Maldon District Local Plan First Review have received planning permission or have been implemented. The Replacement Local Plan carries forward these remaining sites.

Table 3 Land Allocated For Residential Development

Parish	Inset No.	Site No.	Location	Capacity
Southminster	20	H4/1	East of Burnham Road	3
Little Totham	13	H4/2	East of The Street	8
Tollesbury	23	H4/3	Darnet Road	3
Tolleshunt D’Arcy	24	H4/4	North of Chapel Road	6

Schedule to Table 3

H4/1 Land East of Burnham Road, Southminster

- 4.22 This site lies close to a former landfill site, from which there is the possibility of landfill gas migrating to strata beneath this site. The developer will be expected to investigate its presence or likely presence and any effects that landfill gas may have on development of the site and its subsequent residential use. The developer will also be expected to put in place any remedial measures that are considered necessary as a result of investigations.

H4/2 Land East of the Street, Little Totham

- 4.23 A site has been allocated east of The Street overlooking the green. This site is larger than that identified in the previous Local Plan. The reason for the increase in size is to enable a village green area to be created in front of the new dwellings. The number of dwellings to be built must not exceed the number that could have been developed on the land identified in the previous Plan, when it was estimated that

eight dwellings could be accommodated. Development of the site will be subject to a legal obligation including the following terms:

- a) The land shown as REC1/2 on the Little Totham Proposals map will be drained, graded and seeded and will be conveyed to the District Council for the sum of £1 prior to the commencement of development, including a 10-space hard surface car park which will be constructed prior to such conveyance.
- b) A 15 metre landscape buffer strip will be provided at the northern end of the recreation provision. The landscaping will be in accordance with a scheme to be approved by the Local Planning Authority and will be planted and carried out during the first planting season after the commencement of development and thereafter maintained in perpetuity.
- c) Land within housing allocation H4/2 to be identified as a village green through the development control process shall be graded and landscaped and conveyed to Maldon District Council for the sum of £1.

H4/4 Land North of Chapel Road, Tolleshunt D’Arcy

4.24 A site has been allocated on land north of Chapel Road for frontage residential development. It is estimated that the site is suitable for about six dwellings. Development of the land will be subject to a legal obligation to be entered into by all interested parties with the District Council to include the following:

- a) A landscape buffer strip of a minimum of 15 metres shall be planted on the northern boundary of the site in accordance with a scheme to be agreed by the Local Planning Authority.

POLICY H4 Land Allocated for Residential Development

The sites listed in Table 3 and shown on the Proposals Map will be reserved for residential development. Development of the sites will be subject to the requirements set out in this Plan.

Previously Developed Land

4.25 The definition of previously developed land is set out in paragraph 4.13. PPG 3 requires targets to be set for plans for the quantity of new housing to be provided on previously developed land. The Regional target is 60% by 2008. The RSP estimates that across the Plan area, 50% of new housing will take place within existing development boundaries and on brownfield sites. The Local Plan is commitment-based and therefore most of its housing provision stems from earlier planning policies requiring the development of greenfield sites. A 60% target for the District is not achievable.

Windfall Sites

4.26 There will be a significant contribution to housing supply from small sites and large previously developed and intensified windfall sites, both with and without permission. In particular, there are a number of longer-term opportunity sites within and adjoining Maldon Town Centre and on redundant sites within development boundaries. Such sites have location advantages, particularly for affordable housing. Unless such sites are safeguarded by policy or allocation for other purposes, there will be a presumption in favour of their redevelopment for residential use.

POLICY H5 Windfall Sites for Housing

Within development boundaries infilling, conversions and the re-use of previously developed land for housing will be encouraged, provided it is demonstrated that the site is not protected by another policy in this Plan.

Housing Density

Government Guidance

- 4.27 An important feature of policy for more efficient use of land is higher housing density. The more housing that can be provided within development boundaries, the less the future take of greenfield sites and erosion of the countryside. Government guidance encourages developments that make efficient use of land (not less than 30 dwellings per hectare (dph) [12.5 dwellings per acre (dpa)] and promotes higher densities (30-50 dph) [12.5-21 dpa]. Intensification and reduced car parking provision are two methods that can be used.

Past Density

- 4.28 Maldon is a rural district. Half the population lives outside the established large settlements of Maldon, Heybridge and Burnham-on-Crouch in rural villages or a scattering of settlements on small plot developments at densities less than 20 dph (8 dpa). The Government's objective to make best use of land by promoting development at increased density would seem to encourage the redevelopment of low density rural housing with high density urban style development. However, development patterns that increase overall housing numbers in rural areas would conflict with Structure Plan policies to avoid significant incremental expansion of housing in small towns and villages. Such proposals are also unlikely to be compatible with the existing character of the villages in the rural area.

Future Density

- 4.29 By contrast with the rural area, the largest settlements, particularly Maldon, Heybridge and Burnham-on-Crouch, are highly urbanised. Development has achieved a range of densities including some recent examples both around and over 50 dph [21 dpa]. Infill or higher density redevelopment may be appropriate in these areas. In such circumstances, good design and layout of new development will be needed to achieve the objective of making the best use of urban land whilst improving the quality and attractiveness of the urban landscape.
- 4.30 The Council wishes to protect the District's environmental, cultural and historic characteristics. In particular, new housing development should aim to contribute to and respect them, especially if a building has come to the end of its serviceable life. To avoid policy prohibiting development where a single dwelling may need to be replaced, policy allows a differentiation between replacing a single dwelling and other redevelopment. Design and layout must be informed by the wider context. The local pattern of dwellings, streets and spaces, building traditions, materials and ecology all help to determine the character and identity of new development.
- 4.31 The Council wishes to encourage development which:
- ◆ creates places and spaces with the needs of people in mind, which are attractive and have their own distinctive identity, but which respect and enhance local character;
 - ◆ promotes designs and layouts which are safe and take account of public health, crime prevention and community safety considerations;

- ◆ focuses on the quality of the places and living environments being created and give priority to the needs of pedestrians rather than the movement and parking of vehicles; and
 - ◆ promotes the energy efficiency of new housing where possible.
- 4.32 The Government wishes to promote higher density development in order to make the best use of land. New higher density development will be expected to pay particular attention to design and layout in order to avoid compromising the existing character of the surrounding area. In particular, proposals to redevelop land at higher density must demonstrate that there would be no adverse impact on the existing character of the area and will be judged against policies in Chapter 6 Built Environment. Taking account of policy BE1, the Council will not accept high density development that harms the existing character of the area where it is located
- 4.33 Within the larger settlements, the ability to increase density to fall within the government's target range will depend on the scale and location of the site and nature of the surrounding development. More guidance on this will be drawn from the results of the Urban Capacity Study referred to above. The range set out in PPG 3 is adopted as a target. The built environment policies in this Plan provide guidance on design and transport policies refer to new car parking standards. Further guidance is provided by the Essex Design Guide, adopted by the District Council as Supplementary Planning Guidance in 1997.

Consideration of High Density Layouts

- 4.34 Housing developments seeking to maximise the use of land in accordance with the upper part of the range set out in PPG 3, utilising low-rise accommodation, are likely to involve layouts having a high proportion of the site covered by buildings. New dwellings benefit from a provision in the Town and Country Planning (General Permitted Development) Order 1995, which enables them to be extended subject to size limitations. Utilising this provision on developments of this nature could give rise to amenity problems relating to over-development or overlooking. In these circumstances, the District Council may wish to exercise their discretion and remove the occupier's right to extend the property without first seeking consent.

POLICY H6 Housing Density

Residential development will be permitted within the range of 30-50 dwellings per hectare (net), subject to the following exceptions:

- 1. Development at densities of less than 30 dwellings per hectare may be permitted in those rural settlements listed in policy S1 (i.e. excluding Maldon, Heybridge and Burnham-on-Crouch) or for affordable housing schemes permitted under the terms of the Rural Exceptions Sites policy H10, where high density development would compromise the existing character and setting of the surrounding area.**
- 2. Developments at densities of greater than 50 dwellings per hectare may exceptionally be permitted in areas of Maldon, Heybridge and Burnham-on-Crouch where there is good access to public transport links to employment, education, leisure, food retailing and health facilities and an appropriate design solution can be demonstrated.**

In all cases, the design and layout of proposals must protect the character and appearance of the surroundings and the residential amenity of people living nearby.

POLICY H7 Extensions to High Density Dwellings

Where it is considered necessary to protect the amenities of occupiers of high density, low-rise housing developments, planning permission will be the subject of a condition preventing the uncontrolled extension to the existing property.

Conversion of Dwellings and Other Buildings to Flats

- 4.35 In recognition of declining household sizes, the Council will consider sympathetically the conversion of dwellings to flats in appropriate locations. This will achieve a closer match between the available dwelling stock and housing needs. It will contribute, in a limited way, to increasing the supply of smaller, more affordable dwellings for single people and couples. Conversion of properties outside development boundaries will not be acceptable, as it would be contrary to one of the Plan's basic aims of concentrating development in settlements in order to protect the countryside.
- 4.36 A coherent basis for considering conversion proposals is required, as uncontrolled subdivision could lead to over-development affecting the character of the area and the safety, convenience and amenity of existing residents. Generally, any proposals will need to provide self-contained units of accommodation containing reasonable living spaces. The number of units proposed in relation to the size, facilities and layout of the premises will be closely examined.
- 4.37 Off-street parking facilities will be required in accordance with adopted car parking standards. A high standard of finish to the parking areas will be expected through the use of appropriate materials and surface treatments. The complete hard surfacing of front gardens will not normally be acceptable. Satisfactory screening will be required to protect the amenities of surrounding properties. The suitability of the point of access and its effect on highway safety will be taken into account.
- 4.38 The need to conserve the character, environment and amenities of established residential areas must be recognised. Over-development and poorly screened and cramped parking areas, likely to affect the amenity of neighbours, will not be acceptable. The external character of the building should be retained as far as possible. The property should normally have a single external entrance door to the front and have satisfactorily screened car parking and refuse storage areas. Careful attention should be paid to the design and siting of any external staircases.
- 4.39 Proposals must take into account potential noise transmission problems, both internally and with any adjoining property. Bedrooms should not be adjacent to, below or above the living rooms of other units and proposals must make allowance for fitting of noise insulation if necessary.
- 4.40 The applicant will need to demonstrate how private amenity areas, particularly those fronting the highway, will be maintained and provide for a minimum of 25 sq m per flat.

POLICY H8 Conversion of Dwellings and Other Buildings to Flats

Proposals for the conversion of dwellings and other buildings to flats within development boundaries will be required to comply with all of the following criteria:

- a) **The provision of adequate car parking in a satisfactory manner with suitable access, except in the areas of Maldon and Burnham-on-Crouch town centres defined on the Proposals Map;**
- b) **Adequate measures to protect the amenities of adjoining residents from sound transmission by way of insulation or layout;**
- c) **Satisfactory screening of refuse storage areas and parking spaces;**
- d) **The provision of a minimum of 25 square metres of amenity space per flat, except in the areas of Maldon and Burnham-on-Crouch town centres defined on the Proposals Map**

Conversion of Upper Floors to Residential Accommodation

4.41 Opportunities exist, particularly in the town centres, for the re-use of upper floors of shops and offices. This will make a valuable contribution to housing supply in sustainable locations and will reinforce the town centre focus advocated in town centre policies. Within these areas, policies for private amenity space and car parking may be relaxed.

Modernising the Housing Stock

4.42 There is a continuous need to maintain, adapt and modernise existing dwellings and the local plan allows extension and modification of dwellings in appropriate circumstances. Where a dwelling has been rendered uninhabitable by, for example, fire, natural disaster or subsidence and is located within a development boundary, its replacement will be allowed subject to built environment policies. Policies for these developments are set out in the Built Environment chapter.

4.43 Outside development boundaries, the impact of proposals for extension, alteration or replacement on the landscape will need to be assessed. Policies for this type of development are set out in the Coast and Countryside chapter.

SPECIAL HOUSING NEEDS

4.44 PPG 3 and Circular 06/98 (Affordable Housing) set out the need to link housing strategy and planning policy for the delivery of affordable housing. The Council has undertaken a Housing Needs Survey which has identified a need for affordable housing in the District and has adopted a housing strategy which is reviewed annually. The Local Plan includes policies seeking to maximise the provision of affordable housing through the planning system as part of the District Council's response to the identified need.

Links with Other Council Strategies

- 4.45 The Maldon District Housing Strategy details the actions the Council intends to undertake to fulfil its role as the Housing Authority. These affordable housing policies form one part of this Strategy.
- 4.46 Local Plan I employment allocations and policies and the Economic Development Strategy can affect the demand for affordable housing. Helping the local economy to improve enables more people to afford their own home, thereby reducing the demand for social housing.
- 4.47 The importance of good housing as a factor in promoting good health, both physical and mental, is well recognised. Therefore, the effectiveness of the Housing Strategy has implications for the Health Improvement Programme, while providing safe and secure homes helps to implement elements of the Community Safety Strategy.

Affordable Housing

- 4.48 The District Council adopted Supplementary Planning Guidance on Affordable Housing in April 2001. This is available as a background paper to the Local Plan.

Definition of Affordable Housing

- 4.49 Affordable housing comprises both low-cost market and subsidised housing (irrespective of tenure, ownership or financial arrangements) that will be available to people who cannot afford to rent or buy houses generally available on the open market². For the purposes of Policies H9 and H10 in this part of the Plan, affordable housing is defined as that meeting the needs of households where:
- a) their gross income is less than one third of their mortgage requirement; or
 - b) renting privately, on the open market, would take up more than 25% of their net income.
- 4.50 In the context of local incomes and local market house prices and rents, the type of affordable housing most needed in Maldon District is social rented, supplemented by a small number of shared-ownership homes provided by Registered Social Landlords (RSL). The majority of those in housing need can only afford social rented housing provided by RSLs³. A small percentage of people in housing need could afford social shared-ownership, where the ownership of the dwelling is split in perpetuity between the RSL and the occupier. Low cost market and low cost discounted housing can play only a minor role in meeting the need for affordable housing in Maldon District.

Housing Need

- 4.51 The Maldon District Housing Needs Survey (HNS) 1999 has identified a substantial housing need in the District (1577 households in 1999). It forecasts that housing need will grow by a further 1911 households by 2006. In total, an estimated 3488 households may be in housing need between 1999 and 2006. Housing management solutions to housing need could solve almost half the estimated need by providing 1631 affordable dwellings. Therefore around 1857 new affordable dwellings could be required to meet the forecast need in full.

² DETR, Circular 6/98, Planning and Affordable Housing

³ Fordham Research Ltd., 1999, Maldon and District Housing Needs Survey

- 4.52 A good mix of sizes and types of dwellings is required³. The need is predominantly for smaller dwellings and family homes: one, two and three bedroom properties.

Housing Land for New Affordable Housing

- 4.53 The housing provision in the period up to 2011 is commitment-based. In the last Plan period, large greenfield releases included planning obligations to provide affordable housing. There is not that opportunity in this Plan. However, there will be a number of regeneration sites (previously developed land) and windfall sites coming forward in the Plan period within development boundaries and the contribution the Local Plan can make to meeting the District's housing need on windfall sites should be optimised.

Re-using Existing Buildings

- 4.54 Better management of the existing affordable housing stock can meet a significant proportion of the District's housing need. In addition, the District Council is currently developing an Empty Homes Initiative, which aims to identify empty homes and bring them back into use. The Council has also considered to what extent the re-use of existing buildings can help meet the need for affordable housing. In the District, there are few large dwellings suitable for converting into smaller units. The Local Plan supports the conversion of vacant upper floors over shops into flats (policy H8). This policy has had limited impact and some town centre flats are now being taken back into commercial use. The District does not have a large stock of offices or commercial buildings and few of these would be suitable for conversion to residential uses. However, to support the local economy it is important that this resource is not depleted. Therefore, the scope for converting existing buildings into smaller residential units is limited.

Delivering Affordable Housing

- 4.55 The District Council can set the site size threshold for housing development sites at which point affordable housing is required as part of the development. Similarly, it can set a target for the proportion of affordable housing on any site meeting the threshold.⁴

Site Size Thresholds

- 4.56 There is substantial and growing need for affordable housing in Maldon District. The majority of identified residential development sites have already been accounted for in the planning system. There are no greenfield housing sites allocated in the Plan and a limited number of large brownfield sites suitable for residential use will come forward. There are no large sites coming forward in the villages. Taking into account local circumstances and housing need, the national site size threshold at which affordable housing will be required as part of the development is lowered in accordance with the provisions of Circular 6/98.
- (a) In settlements with more than 3000 population the threshold is:
- housing developments of 15 or more dwellings, or
 - residential sites of 0.5 hectare or more.
- (b) For smaller settlements of 3000 or less population the threshold is:
- housing developments of 12 or more dwellings, or
 - residential sites of 0.4ha or more.

⁴ DETR, Circular 6/98, Planning and Affordable Housing

Affordable Housing Targets

- 4.57 The target for affordable housing to be provided on sites meeting these thresholds is 30% of the total number of units on the site, preferably consisting of 28% social rented and 2% social shared-ownership housing. This takes account of the existing and predicted number of households in housing need, the limited supply of available land and the recommendations of the Maldon District Housing Needs Survey (1999). The Council will negotiate for this figure on appropriate sites (H9).
- 4.58 On sites meeting the threshold criteria, the developer will need to demonstrate that the requirement for affordable housing has been adequately met before planning permission is granted:
- a. The affordable housing must remain available in perpetuity for people on low incomes;
 - b. The affordable housing should be provided by a Registered Social Landlord (registered with the Housing Corporation). Only in extreme circumstances, where the provision of the affordable housing is jeopardised, would the Council withhold its approval;
 - c. The proposal must be financially viable for the RSL to implement and provide rents, shared ownership or ownership options at affordable levels in perpetuity;
 - d. The affordable housing must meet the priority housing needs in the District at the time of the development;
 - e. The affordable housing scheme should generally be provided on-site rather than on another site in the District;
 - f. The land for the affordable housing is to be provided with all the necessary service and drainage connections to enable the scheme to be constructed.
- 4.59 The Council will wish to negotiate planning obligations under Section 106 of the Town and Country Planning Act 1990 with house builders. These will detail the mechanisms for providing affordable housing and for ensuring that such housing remains available in perpetuity to the lower income groups in the housing market. The Council does not wish to prescribe how the affordable housing is to be brought forward at this stage; it is a matter for negotiation on each individual site. However, sale of land to RSLs at values that may compromise the delivery of the target 30% affordable housing would not fulfil the affordable housing requirement on the site.

POLICY H9 Affordable Housing

- 1. For the purposes of this policy, affordable housing is defined as meeting the needs of households where:**
 - a. Their gross income is less than one third of their mortgage requirement, or**
 - b. Where renting privately, on the open market, would take up more than 25% of their net income.**

2. **The District Council will seek the provision of up to 30% of the total number of dwellings permitted on any appropriate site, subject to this policy for affordable housing.**
3. **The affordable housing provision will be made as part of the development in settlements where there are adequate local facilities including a primary school, shops, and public transport adequate to allow access to employment. In other settlements, a commuted sum may be required for equivalent provision in an alternative location.**
4. **The District Council will negotiate for the inclusion of this element of affordable housing in:**
 - a. **Settlements with a population of more than 3000 (Burnham-on-Crouch, Heybridge, Maldon, Mayland and Southminster), on housing developments of 15 or more dwellings or residential sites of 0.5 hectares or more;**
 - (b) **Settlements with a population of 3000 or less on housing developments of 12 or more dwellings or residential sites of 0.4ha or more.**
5. **The District Council will seek to enter into a planning obligation to secure the availability in perpetuity of the affordable housing to people in housing need.**

Rural Needs Housing

- 4.60 Annex B of Planning Policy Guidance Note 3 “Housing” (March 2000) sets out the Government’s policy on rural local housing need. Sites that would not normally be released for housing development can be released for affordable housing as an exception to normal policies, if the District Council is satisfied that there is a need for such housing and that arrangements will be made to reserve it for local needs. Such proposals could include Housing Association or Village Trust schemes for rent or for shared-ownership.
- 4.61 Sites coming forward under this policy are exceptions to the Local Plan housing strategy. Houses on exception sites are additional to those required to meet the general market housing provision as set out in this Plan. General market housing used to cross-subsidise affordable housing on the same site is inappropriate on exception sites. Planning permissions granted for exception site housing do not set a precedent for other housing proposals in the rural area. The exceptions policy (M/H/10) does not apply to the larger settlements of Burnham-on-Crouch, Heybridge or Maldon.
- 4.62 In assessing proposals for the provision of local needs housing, the District Council will have regard to the Housing Needs Register, Housing Needs Survey (1999) and the views of the local Parish Council. Developers or other providers will be expected to substantiate the local housing need including, if required by the District Council, the carrying out of household surveys.
- 4.63 Definition of 'local need' would include the following categories:
- i First time buyers, who have established local connections;

- ii Dependants of local households;
 - iii Retired or disabled people who live and/or work locally;
 - iv Households living in the locality in substandard accommodation;
 - v Households not having separate accommodation but living in the locality;
 - vi Persons or households on the Local Authority's housing waiting list and living in the locality.
 - vii People with supported housing needs
- 4.64 All persons involved should have personal connections within the particular settlement concerned, or within those parishes immediately adjoining.
- 4.65 The Housing Needs Survey 2003 concluded that the most effective means to secure affordable housing "in perpetuity" is by way of planning obligations. There are many similarities between affordable housing and meeting "local needs". Therefore before any development is permitted, the scheme developers must conclude a Section 106 obligation with the Council. This will prescribe the means of providing the affordable housing and ensuring that such housing meets the needs of local people when first completed and for the foreseeable future and remains available in perpetuity for those on low incomes.

POLICY H10 Rural Exceptions Sites

1. **Outside village development boundaries the District Council may grant planning permission for affordable housing to meet local needs, provided the proposal meets all of the following criteria:**
 - a) **The development can be demonstrated to meet a particular local housing need that cannot be accommodated in any other way;**
 - b) **The Parish Council accepts the need for affordable housing and supports the proposal;**
 - c) **The proposed site is adjacent to the village development boundary and is otherwise generally acceptable in planning terms. The site itself should have no overriding planning or infrastructure constraints;**
 - d) **The site is in or adjoining villages where there are adequate local facilities such as a primary school, shops, and public transport adequate to allow access to employment;**
 - e) **The housing design is of an appropriate and satisfactory quality and character in order to reinforce local identity and a sense of place.**
 - f) **The developer of the scheme enters into a planning obligation with the District Council and other relevant bodies to secure the availability in perpetuity of the affordable housing so provided.**
2. **For the purposes of this policy, affordable housing is defined as meeting the needs of households where:**
 - (a) **Their gross income is less than one third of their mortgage requirement, or**

- (b) **Where renting privately, on the open market, would take up more than 25% of their net income.**

Special Family Needs

- 4.66 Special family needs, such as the accommodation of an elderly infirm relative or relatives, occasionally require the provision of additional facilities through the alteration or extension of existing dwellings or installation of temporary accommodation. The need to provide facilities to provide care within the family has become increasingly important as life expectancy becomes longer and government social policies place greater emphasis on care in the community. Any application that is submitted for this type of accommodation must be accompanied by evidence confirming the necessity for the proposal.
- 4.67 This provision will be considered favourably provided it does not impinge on the long-term aim of the Authority to restrict residential growth in the countryside and the provision does not affect the amenities of the area in which it is situated. Extensions of this nature will need to have regard to the policies in the Built Environment and Coast and Countryside chapters.
- 4.68 In order to ensure that permissions for further accommodation for relatives do not have a cumulative affect on the overall growth of residential accommodation in the countryside, careful consideration will be given to the internal layout of any extension to ensure that:
- a) The accommodation is the minimum required to satisfy the functional needs of the prospective occupier/occupiers;
 - b) The proposed accommodation can be satisfactorily used as part of the accommodation to the existing dwelling house;
 - c) There is a common main entrance to both the existing house and the proposed new accommodation;
 - d) The extended property does not result in over-development of the curtilage.
- 4.69 Where the applicants have sufficient room to locate some form of temporary accommodation within the curtilage of the dwelling, size of the accommodation may not be a factor in determining whether permission would be forthcoming. In proposals involving the provision of temporary accommodation, it will be necessary to ensure that:
- a) The temporary accommodation is capable of removal and there is an undertaking that it is removed following the cessation of the need;
 - b) The provision of this form of accommodation does not harm the visual amenities of the area or the amenities of occupiers of neighbouring property.

POLICY H11 Special Family Needs

Applications for extensions to existing dwellings to provide for special family needs will be considered sympathetically, provided a separate dwelling unit is not created and the curtilage of the original dwelling is adequate to meet the increased residential use of the site.

Residential Care Establishments

- 4.70 Since the mid 1980s there has been a marked growth in the number of residential care homes for the elderly. This nationwide trend reflects the increasing numbers of old people, their rising affluence and changes in the way they are cared for.
- 4.71 Under the Registered Homes Act 1984, such homes have to be registered with the Social Services Department of the County Council. Social Services, Building Control Officers and the Fire Services lay down stringent requirements relating to the buildings used, the facilities provided and the management and operation of the home. Residential care establishments or rest homes differ from nursing homes largely in the degree of professional nursing care involved; nursing homes are registered with the Health Authority.
- 4.72 The most appropriate locations for such a use are considered to be large detached properties, set in grounds in a residential area and with reasonably good access to public transport and local facilities. The latter consideration will mean that proposals for conversion of properties situated outside development boundaries will not normally be acceptable. Adequate private open space will need to be provided for residents within the site as well as on-site car parking to the required standard. Backland sites will also normally be unacceptable, given problems of traffic noise and disturbance, overlooking and problems of privacy and the poor outlook for prospective residents.
- 4.73 Applications to extend residential care establishments will be considered in terms of the space available, the effect on adjoining properties, space requirements for parking and private amenity, any loss of trees or significant change to the setting and character of the area and, of course, the design of the proposed extension. Similar considerations will apply to any 'new build' proposals; they will also need to conform to the Council's broader planning and housing policies. A site unacceptable for housing development will generally be regarded as unacceptable for a new residential home. The following policy has been introduced to provide guidance for considering proposals for residential care establishments. However, with the exception of consideration (c) below, the policy is equally relevant to proposals for nursing homes.

POLICY H12 Residential Care Establishments and Nursing Homes

Proposals for the change of use of dwellings to rest homes/residential care establishments will be required to meet all of the following criteria:

- a) There is no adverse impact on neighbouring properties and the character of the area;**
- b) Adequate on-site parking and private amenity space is provided;**
- c) There is availability of public transport and local facilities and services in close proximity;**
- d) Adequate road access is available and there is no adverse impact from the additional traffic movements;**

- e) **The building lends itself to conversion, having particular regard to fire precaution and building regulation requirements and the availability of sewage disposal facilities.**

Mobile Homes and Houseboats

Houseboats

- 4.74 The overall strategy of the Local Plan is to restrict new residential development outside development boundaries. Houseboats in permanent occupation are a form of residential development and require the same land based infrastructure as traditional permanent housing. For example, they would require the construction of car parks, access roads, refuse disposal points, toilets etc. As the Blackwater and Crouch Rivers and most of the Chelmer and Blackwater Navigation are outside the development boundaries, new sites for stationing houseboats would not conform to the Local Plan settlement strategy.
- 4.75 The coast forms part of the Essex Estuaries European Marine Site, the wildlife interest of which is particularly sensitive to disturbance. Any use or development that may adversely affect the nature conservation value of the estuaries cannot be permitted. The stationing of houseboats increases both disturbance levels throughout the year and the risk of pollution occurring in the coastal area. Therefore the Council does not wish to see houseboats stationed within nationally or internationally designated nature conservation sites in the District.
- 4.76 The existing locations of many houseboats are also within Conservation Areas. It is the Council's view that the stationing of further houseboats in Conservation Areas is a form of development that detracts from the Area's appearance and quality, contrary to the aims of Conservation Area designation and policies.
- 4.77 Small groups of houseboats are stationed on the River Blackwater and the River Crouch within development boundaries. All of these houseboats are stationed without the benefit of planning permission, although some have existing use rights preventing the Authority from removing them. The use of the rivers for residential purposes competes with other maritime uses, which have a greater need to be located on or adjacent to the rivers. The Council takes the view that this finite resource is better used to exploit the industrial heritage of the river and inherent tourist interest than for it to develop as a residential area.

POLICY H13 Houseboats

Within the Chelmer and Blackwater Conservation Area shown on the Proposals Map and on the rivers elsewhere in the District, planning permission will only be given for the stationing of houseboats if either:

1.
 - (a) **The proposal would not pollute the area;**
 - (b) **There would be no impact on the nature conservation value of the area;**
 - (c) **There would be no impact on the visual appearance of the Conservation Area;**
 - (d) **Associated development on land would not have an impact on the appearance of the area;**
 - (e) **The proposal is located within existing development boundaries;**
 - (f) **The proposal does not conflict with existing users;**

or

2. **The proposal relates to the replacement of an existing houseboat.**

Mobile Homes

4.78 Under Section 29 of the Caravan Sites and Control of Development Act 1960, a mobile home is defined as “any structure designed or adapted for human habitation which is capable of being moved from one place to another.” The siting of mobile homes outside the development boundaries is contrary to the Plan’s settlement strategy of focusing new residential development within defined settlements. Policy CC15 allows for the siting of temporary accommodation for agricultural workers, policy H16 relates to proposals for gypsy caravan sites and policy REC20 relates to the siting of static and touring caravan sites, chalet sites and camping sites. Other policies in the Plan allow for mobile homes or other forms of temporary or non-permanently occupied accommodation. There is sometimes a need for a mobile home to be sited to provide temporary housing whilst a permanent replacement dwelling is built and any proposal can be dealt with on its merits taking account of the permanent permission. There are no other circumstances in which it is considered that the siting or permanent occupation of mobile homes would be acceptable outside the development boundaries.

POLICY H14 Mobile Homes

Outside the development boundaries shown on the Proposals Map, planning permission will not be granted for the stationing or permanent occupation of mobile homes/caravans, except where this is allowed in accordance with other policies in the Plan, or where required to provide temporary accommodation during the construction of a replacement dwelling. In these exceptional circumstances, planning permission will only be granted if there would be no harm to the character and visual appearance of the area.

Mobile Homes in Permanent Occupation

4.79 Where they exist, mobile homes in permanent occupation are part of the District’s housing resource. The Maldon District Housing Needs Survey identifies a need for affordable housing in the District and mobile homes make a small contribution to the range of low cost, affordable housing in the rural area. They tend to be smaller than permanent houses and less obtrusive in the countryside. In view of this, the replacement of a mobile home with a permanent dwelling would only be acceptable if it is carefully assimilated within the landscape, does not increase visual impact and is replaced with an affordable housing unit.

POLICY H15 Replacement of Mobile Homes with Permanent Dwellings

On land outside settlements defined by development boundaries shown on the Proposals Map, the replacement of a mobile home in permanent occupation with a permanent dwelling will only be granted if:

- (a) **It would provide an affordable housing unit;**
- (b) **The character and appearance of the countryside would not be adversely affected; and**

- (c) **It would not be more visually prominent than the existing unit**

Gypsy Sites

4.80 Public consultation on “Supplementary Planning Guidance: Gypsy Sites” was undertaken in 1999. Following detailed consideration of the representations received, the Supplementary Planning Guidance: Gypsy Sites was adopted by the Council in 1999.

Definition of Gypsies

4.81 For the purposes of development control, Gypsies are defined as persons “of nomadic habit of life, whatever their race or origin” (Section 24(8) Caravan Sites and Control of Development Act 1960). This means people who wander or travel for the purpose of making or seeking their livelihood and does not include persons who move from place to place without any connection between their movement and their means of livelihood (DoE Circular 18/94 Gypsy Sites Policy and Unauthorised Camping).

The Types of Gypsy Site

4.82 There are three types of Gypsy caravan sites:

- Residential caravan sites allow for the settled occupation of Gypsies in between periods of travelling. Residential sites require a high level of services in order to provide an adequate quality of life for the occupiers.
- Short Term Stopping Places cater for Gypsies who are visiting an area on a temporary basis. As sites for short term use, these require much lower levels of utilities and services. As a minimum, these should include convenient water supplies and sewage disposal facilities.
- Transit sites are for stays of one or two days duration for Gypsies on the way to other destinations and might only provide an area of hard standing.

The Need for Provision.

4.83 Under the Caravan Sites Act 1968, County Councils had a duty to provide adequate accommodation, in the form of caravan sites, for the Gypsies resorting to or residing in their areas. The Criminal Justice and Public Order Act 1994 removed this obligation. However, Local Authorities continue to have discretionary powers to provide such sites under the Caravan Sites and Control of Development Act 1960. They also have a continuing role as Planning Authorities in relation to the development of both public and private sites.

4.84 Circular 1/94 “Gypsy Sites and Planning” provides guidance on the provision of Gypsy sites, requiring local authorities to assess the need for Gypsy accommodation and make suitable locational and/or criteria-based policies in development plans against which to judge planning applications. The Structure Plan Policy requires Local Plans to make provision for sites where appropriate.

The Code for Travellers in Essex

4.85 After the Criminal Justice and Public Order Act 1994 came into force, Essex County Council drew up the Code for Travellers in Essex as a means of resolving the conflicts between the Act and the traditional Gypsy way of life. The Code was subsequently adopted by the District and Borough Councils in Essex. It provides for the temporary toleration of small, unauthorised Gypsy encampments for up to 28 days, subject to the Gypsies complying with the conditions of the Code. The Essex

Code has proved effective in controlling the numbers of unauthorised encampments, but will not in itself resolve the issue of providing suitable authorised sites. The Code will be reviewed regularly.

Current Provision of Residential Gypsy Caravan Sites

- 4.86 Local Authority-run caravan sites have been provided at Wood Corner, Old London Road, Woodham Walter (20 pitches) and Brick House Road, Tolleshunt Major (6 pitches). Private residential sites within the District provide 11 pitches for 12 caravans (as at June 1998).
- 4.87 The Department for Transport, Local Government and Regions twice yearly publish figures of authorised local authority and private sites and unauthorised caravan sites. The three most recent counts identified an average of three unauthorised caravans in Maldon District. In conjunction with Essex County Council, Maldon District Council will continue to monitor the numbers of Gypsies in the District.

The Provision of New Residential Sites for Gypsies

- 4.88 It is the view of the District Council that the current provision is adequate in both numbers and location. It reflects traditional patterns of movement by Gypsies into the District. The District Council is concerned that a narrow interpretation of the Government guidance on the provision of Gypsy sites (DoE Circular 1/94) will create an inexhaustible demand for public or private residential caravan sites.
- 4.89 Therefore the District Council will assess the level of need for additional sites with reference to the records of trends, the number of Gypsy caravans in the District, the geographical distribution of caravans, the current capacity of authorised Local Authority or private residential sites and the number of unauthorised encampments in the District. The fact that an applicant may choose to occupy an unauthorised site is not in itself sufficient grounds to demonstrate the need for an additional authorised site. The Council will not normally grant planning permission for additional private sites if there is available capacity within the current stock of authorised private sites.
- 4.90 Where proposals are made for new residential sites, these would be expected to provide an acceptable living environment, including the provision of main services. The Council will take into account the criteria in Circular 1/94 (Annexe B) which contains an illustrative list of residential site characteristics.
- 4.91 A site licence for a private caravan site enables the operator to implement the development required by the conditions of the site licence. This is under the provisions of Part 5 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995. As the majority of the sites are likely to be in a rural area, it is felt that the policy should ensure that there is a requirement to submit details of the design of any associated building(s) with the planning application to station the caravan. In addition, any permission granted would include conditions withdrawing the right to construct any further buildings without first obtaining the consent of the Authority.
- 4.92 In order to allow for the assessment of the impacts of any Gypsy site proposal on the local area and of any changes in circumstances, the planning permission if granted may be for a temporary period in the first instance. DoE Circular 1/94, paragraph 24 states that the circumstances where the granting of a temporary permission would be appropriate are:
- (a) If the applicants propose to use the site for only a limited amount of time, or
 - (b) If the land is to be redeveloped on some occasion in the future.

4.93 The granting of permission may be made personal to the applicant.

POLICY H16 Gypsy Sites - Public or Private Residential Caravan Sites

1. **Proposals for the provision of publicly and privately owned residential Gypsy caravan sites will be required to comply with all of the following criteria:**
 - a) **The applicant shall demonstrate that he/she is a Gypsy, that is a person of nomadic habit of life, whatever his/her race or origin, who wanders or travels for the purpose of making or seeking his/her livelihood (as defined by Section 24 of the Caravan Sites and Control of Development Act 1960 and clarified by R. v. South Hams District Council, ex parte Gibb), or that the development will be utilised by Gypsies;**
 - b) **There is a demonstrated need in the District for a caravan site and for the number of pitches proposed. The assessment of need will be made with reference to the records of trends, the number of Gypsy caravans in the District, the geographical distribution of caravans, the current capacity of authorised Local Authority or private residential sites, where appropriate, and the number of unauthorised encampments in the District;**
 - c) **The proposal will be subject to other policies contained in the Plan. Applications for proposals in or adjoining areas of nature conservation value, sites of archaeological importance, Special Landscape Areas and agricultural land grades 1, 2 and 3a will be refused;**
 - d) **The site should be defined by existing landscape features and be capable of being screened by landscaping. All necessary services and amenities, including those required by any site licence, shall be provided without unacceptable harm to the landscape and rural character;**
 - e) **The site should be located close to a settlement with access to local services and facilities e.g. shops, schools etc., but care will be taken to avoid encroachment on the open countryside;**
 - f) **The site has, or is capable of having, a convenient and safe vehicular access to the road network and adequate room for the parking and turning of vehicles;**
 - g) **No industrial, retail, commercial or storage activities shall take place on the site, other than the parking of no more than two vehicles in connection with the occupier's trade or business;**
 - h) **The proposal is capable of providing an acceptable living environment which would include the provision of electricity, drinking water, washing facilities, sewage disposal and regular refuse collections.**

2. Each residential unit on site may include a mobile home and a touring caravan only, unless specifically stated in the planning permission. Any planning application submitted shall include the provision of any necessary buildings or structures required to comply with the conditions of the site licence. Any consent issued will contain conditions requiring that any further buildings or structures shall require specific planning permission.
3. Planning permissions will be subject to the following conditions or any other conditions relevant to the site:
 - a) The site shall be landscaped in accordance with a scheme agreed in writing with the District Council;
 - b) Planning permission, if granted, may be for a temporary period in the first instance to allow for an assessment of the proposal's impact on the local area and of any change in circumstances;
 - c) Planning permissions for residential sites under this policy may be made personal to the applicant;
 - d) Any further buildings or structures on the site shall require specific planning permission.

Provision of Short Term Stopping Places (STSPs)

- 4.94 Short Term Stopping Places (STSPs) would be used by Gypsies resorting to the District on a temporary basis, for example for seasonal work or for family reasons. The length of stay at these sites will be limited to a maximum of 28 days per family unit, as specified in the Code for Travellers in Essex.
- 4.95 Although individual occupants of STSPs will be time-limited, it must be acknowledged that these sites are likely to be in permanent use. The location of sites needs to be accessible to the principal road network and must be suitable for continuous use, with permanent features such as safe road access, landscaping, water supply and sewage disposal and regular domestic refuse collection. These sites should have a hard-surfaced entrance or access road providing a hard standing for caravans and vehicles.
- 4.96 It has been accepted that the sites are most likely to be managed by the County Council and the search for sites has been based on land owned by the District and County Councils. Provision by a private applicant has not been ruled out. It will be the responsibility of the relevant Local Authority or applicant to ensure that the site is managed and maintained to a satisfactory standard and is utilised by *bona fide* Gypsies. Provision would need to be made to meet all the clean-up and site maintenance costs.
- 4.97 The RSP sets out planning policy for Short Term Stopping Places and requires Local Plans to make site-specific provision where possible. In adopting its Supplementary Planning Guidance on Gypsy Sites, The District Council resolved to review the need for site-specific provision.
- 4.98 There is no adopted strategy across Essex Authorities for making provision for STSPs. However the District needs to be seen in the wider context of adjoining Districts. Most Gypsies requiring Short Term Stopping Places in Maldon District are visiting other families, rather than in transit on the main County highway routes,

reflecting the District's peninsula geography. For the most part, the policy of toleration under the Travellers' Code for Essex caters for these occasions. In response to consultation on the draft SPG, it was the County Council's view that a criteria-based policy would be an appropriate response to the level of activity observed, without the inherent danger of a "honeypot affect" and the creation of unsustainable trips into this District.

- 4.99 Past counts of unauthorised encampments have indicated that on average there may be three at any one time in the District. There are however annual fluctuations, with as few as seven encampments recorded in 2000. The number of caravans on each encampment also varies, but is rarely less than two. This would indicate that, to be effective, sites should have the capacity for at least two units.
- 4.100 The availability of sites in Local Authority ownership at appropriate locations and of adequate size has been reviewed, but none meet the criteria. The combination of uncertainty about the level of demand, lack of a clear strategy and lack of appropriate sites has led to the conclusion that a criteria-based policy should be included in the Replacement Plan. This will enable the District and County Councils to work towards provision of a site, if justified by demand and when resources are available.

POLICY H17 Short Term Stopping Places for Gypsies

- 1. Proposals for Short Term Stopping Places for Gypsies will be expected to comply with all of the following criteria:**
 - a)The applicant shall demonstrate that the development will be utilised by Gypsies, that is persons of nomadic habit of life, whatever their race or origin, who wander or travel for the purpose of making or seeking their livelihood (as defined by Section 24 of the Caravan Sites and Control of Development Act 1960 and clarified by R. v. South Hams District Council, ex parte Gibb);**
 - b)There is a demonstrable need in the District for a Short Term Stopping Place. The assessment of need will be made with reference to the current capacity of authorised Short Term Stopping Places, records of trends, the number of Gypsy caravans, the geographical distribution of caravans and the number of unauthorised encampments in the District;**
 - c)Sites will not be permitted in or adjacent to sites of nature conservation value, archaeological importance, Special Landscape Areas or on agricultural land grades 1,2 or 3a. Care will be taken to avoid encroachment on the open countryside;**
 - d)The site should be located close to a settlement with access to local services and facilities;**
 - e)The site should be defined by existing landscape features and be capable of being screened by landscaping on the site. All necessary services and amenities, including those required by any site licence, shall be provided without unacceptable harm to the landscape and rural character;**

- f) The site is located close to the principal road network and has a convenient and safe vehicular access to the road network and adequate room for the parking and turning of vehicles;
 - g) The site will be provided with a hard standing, convenient water supply, sewage disposal facility and regular refuse collection;
 - h) It will be the applicant's responsibility to ensure that the site is managed and maintained to a satisfactory standard. Conditions will be imposed to ensure the satisfactory management of the site;
 - i) The length of stay for each caravan will be no longer than 28 days. Return to the site within 3 months will be prohibited;
 - j) No industrial, retail, commercial or storage activities shall take place on the site.
2. Planning Permission will be subject to the following conditions, in addition to any other conditions imposed for a particular site:
- a) Planning permission will be temporary;
 - b) The site will be landscaped in accordance with a scheme to be agreed in writing with the District Council.

Transit Sites

4.101 Transit sites (that is, sites for overnight stays for Gypsies travelling from one area to another) will not be provided in Maldon District, due to its location on the far eastern periphery of Essex and remoteness from the main trunk routes through the region.

POLICY H18 Gypsy Sites - Transit Sites

Proposals for transit sites for Gypsies in Maldon District will be refused.

Other Considerations

4.102 Where Gypsies or Local Authorities wish to purchase land for the siting of caravans, Maldon District Council will encourage early discussions regarding the suitability of the site in planning terms for this type of development. Pre-purchase discussions are strongly advised. In cases where planning permission is granted for a Gypsy site, the Council will wish to apply standards to that site just as it does to new housing sites.

EMPLOYMENT

INTRODUCTION

- 5.1 For the purposes of the RLP, employment is defined as business, industry and warehousing uses, within classes B1 to B8 of the Town and Country Planning Act (Use Classes) Order 2005.
- 5.2 The Essex and Southend-on-Sea Replacement Structure Plan (RSP) has determined the employment strategy for Essex. It states that in recent years Maldon District has accommodated further housing and population growth without a corresponding increase in the local job opportunities, which has led to unemployment and extensive out-commuting for work. It also acknowledges that after 2002, Bradwell Nuclear Power Station, which is the largest local employer, will be de-commissioned, leading to a substantial reduction in on-site employment.
- 5.3 To rectify these problems and create an environment likely to attract inward investment, the RSP requires that a further 10ha of land be allocated in the urban areas (Burnham-on-Crouch or Maldon/Heybridge) to supplement the 11ha (as at 1996, already available in those settlements). This would result in a total of 21ha of land being available for industrial, business and warehousing purposes during the period 1996-2011.
- 5.4 Tables 4 & 5 illustrate that allocations made in the Maldon District Local Plan First Review, together with the areas of employment land unimplemented and available in 1996, provide an area of 24.8ha of employment land to be developed between 1996 and 2011. Implementation of these existing allocations during the Plan period will assist in absorbing the expected employment needs created by the closure of Bradwell Nuclear Power Station, as well as reducing the level of out-commuting from this District.
- 5.4 Despite the provision and servicing of two medium-sized employment areas (at Wycke Hill and Langford) during the life of the First Review Plan, the rate of implementation has been relatively slow, suggesting that the current allocations will not be fully implemented until after the end of the Replacement Plan period.
- 5.5 The District Council is concerned that the allocation of land for employment purposes isolated from any other land allocation and without obvious likelihood of implementation would:
- a) Create an over provision of employment land in this Plan period;
 - b) Reduce the likelihood of the existing allocations being implemented;
 - c) Hinder the regeneration of existing urban employment areas;
 - d) Create an area of development which because of its nature, size and proposed use cannot be easily absorbed into the landscape;
 - e) Increase pressure on urban employment areas for redevelopment to other uses.
- 5.6 There is agreement with the RSP strategy to restrict housing development and promote employment in the District. Having assessed the current land availability situation, it is felt that the areas allocated for industry over the whole District allow the Authority to comply with the Structure Plan strategy. In 1996 (the Structure Plan base date) there was 25.02ha of undeveloped employment land available; comprising 10.2ha located in urban areas, and 14.82ha unimplemented allocations

(Table 5). This provision satisfies the RSP requirement for 21ha of land for employment development. Following an appeal decision (2001) the total land available includes a further 2.2ha of land at Sadds Wharf, Maldon.

- 5.7 Encouraging employment opportunities has to be balanced with retaining and enhancing the District's greatest asset, its environmental quality. The RSP recognises that the District does not have good links with the County's transport infrastructure and this, with the overriding importance of the District's environmental constraints, suggests that the allocation of the additional land should be handled with extreme care.
- 5.8 If this District is to develop in a manner which is in sympathy with its environmental constraints, a longer term strategy has to be considered and one which embraces a period over which 10ha of employment land is likely to be developed. The monitoring of this Local Plan will include annual surveys of land available in both urban and rural areas, as well as the demand for sites within the District.
- 5.9 Against this background, the Authority has considered its employment strategy for the Plan period. Currently there is sufficient employment land capacity, if account is taken of the areas that were allocated in the Local Plan First Review. At current building rates, this capacity would last beyond the likely replacement of the RSP with the new Regional Spatial Strategy. Therefore additional employment land is not being allocated in the District in the Replacement Local Plan. However, the RSP review will enable this Authority to make provision for this employment allocation, in combination with any other land allocations required by that review in any subsequent alteration to the Replacement Local Plan.

OBJECTIVES

Strategic Objective

Si To make provision for sustainable employment opportunities.

Employment Objectives

Ei To encourage employment growth opportunity and prosperity in a sustainable manner, which caters for both the needs of the urban and rural areas of the District whilst protecting the environment.

Eii To promote the use of suitable buildings in the countryside for employment uses.

Eiii To protect from changes to other uses all the existing large employment sites and allocations which are major generators of employment.

Eiv To encourage new firms and opportunities for the growth of local firms.

Ev To provide sufficient land for employment development to meet the requirements of the Structure Plan.

Evi To improve the quality and encourage the maximum use of existing allocated employment areas, increasing the potential for employment opportunities and providing a high quality environment.

Evii	To encourage the use of land and buildings in connection with tourism.
Eviii	To provide an appropriate level of employment opportunities in the smaller settlements and the countryside.

Local Economy

- 5.10 64% of people living in districts north of and including Chelmsford live and work in the same district. This compares with Maldon where 45% of the resident workforce work outside the District. Of those that live and work in the District, the vast majority are in manual employment. 83% of the firms within the District employ less than 10 people. Unemployment is comparatively low, although the District is expected to suffer from declining total employment in the next decade. It is forecast that the biggest increase in employment is likely to be in distribution, hotels and catering.
- 5.11 Household income is relatively high when compared nationally and with Essex, but low when compared with the neighbouring Authorities. The combination of these factors suggests that if the District Council is to reverse the flow of commuters out of Maldon, new types of businesses will have to be attracted to the District.

Sustainability

- 5.12 In a District that is large in area, sparsely populated and has poor road links, the concept of sustainability becomes extremely important. The environmental constraints increase the need to ensure that the proposals contained in this Plan meet the needs of this generation without compromising the ability of future generations to meet their own needs.
- 5.13 There are relatively few settlements in the District that exceed a population of 3000 and only two areas that have a population exceeding 6000, Maldon/Heybridge and Southminster/Burnham-on-Crouch. The dispersed settlement pattern results in a necessity to create and maintain employment opportunities in locations that serve a number of settlements. The tables in policy E1 and E2 set out unimplemented allocations allocated in the previous Plan together with existing employment areas. Retention of these sites will ensure that employment opportunities are in balance with the resident population of both the Dengie Peninsula and northern part of the District. These larger sites are supported by policies aimed at retaining smaller employment areas/sites that are not specifically allocated for employment use.
- 5.14 The employment base will be supplemented by the use of rural buildings for commercial purposes, where they are located close to existing settlements defined in the Local Plan. The conversion of suitably located buildings for commercial use is extremely important in maintaining the rural economy without destroying the fragile environmental quality of the District. Policies relating to the location of suitable buildings for conversion are contained in the Coast and Countryside chapter.
- 5.15 The combination of the retention of existing unimplemented allocations, protection of existing employment areas, protection of small non-conforming commercial sites and re-use of suitable rural buildings will provide a sustainable employment framework for the District.

LAND ALLOCATIONS

Retention of Existing and Previously Allocated Employment Areas

- 5.16 The existing allocated areas provide an employment base for the District's workforce. This employment base has been increased in previous Local Plans by further employment allocations. Whilst not all of these allocations have been implemented, the majority do have planning permission. Bearing in mind the need to create a sustainable society and the closure of the Bradwell Nuclear Power Station, the retention of these sites is considered to be necessary to maintain a reasonable employment base in the remoter parts of the District.
- 5.17 Historical factors are primarily responsible for the location and existence of some of these sites and consequently very little planning control has been exerted over their development. Some of these sites are poorly located for uses such as warehousing and distribution. Whilst it is recognised that it is not possible to prevent the continuation of the current uses, the allocations in policies E1 and E2 identify land which is suitable for intensification of warehouse development in areas where the highway network offers suitable access

POLICY E1 Protection of Existing Allocated Employment Sites

1. The sites indicated below and defined on the Proposals Map will be reserved for employment development. Planning applications for development will only be permitted for employment purposes if they accord with the use class specified.

Inset map	Site ref no.	Site	Total¹ area allocated 2001	Land in urban areas available in 1996⁴	Appropriate uses²
5	E1/1	Burnham Business Park, Burnham-on-Crouch	4.35ha	1.67ha	B1 B2 B8
5	E1/2	Springfield Industrial Estate, Burnham-on-Crouch	4.35ha		B1 B2 B8
14	E1/3	West Station Yard, Spital Road, Maldon	3.1ha		B1 B2 B8
5	E1/4	Station Approach Industrial Area, Burnham-on-Crouch	1.75ha	0.16ha	B1 B2
1	E1/5	Hall Road, Southminster	2.4ha		B1 B2
26	E1/6	Beckingham Business Park, Tolleshunt Major	6.3ha		B1 B2
15	E1/7	Mayland Industrial Estate, Mayland	1.2ha		B1

14 14A 14B	E1/8	The Causeway, Maldon ³	50.0ha	5.17ha	B1 B2 B8 S106
14	E1/9	Wycke Hill, Maldon	4.0ha	3.20ha	B1 B2
23	E1/10	Woodrolfe Road, Tollesbury	3.96ha		B1 B2
10	E1/11	Waterworks Site, Langford	2.0ha		B1 S106
			83.41ha	10.2ha	

1. Total gross area allocated. The amount of undeveloped land may be less.
 2. Appropriate uses refers to the Use Classes described in the Schedule to the Town and Country Planning (Use Classes) Order 2005. B1 = light industry/offices; B2 = general industry; B8 = distribution/warehousing.
 3. The Causeway Area, within Maldon and Heybridge, includes: Mill Lane, Station Road, Blackwater Trading Estate, Quayside Park, Heybridge House Industrial Estate, Leigh Road, Galliford Road Industrial Estate, Street Industrial Estate, Benbridge Industrial Estate, Hall Road, The Square, Heybridge and Bentalls Industrial Estate on Colchester Road.
 4. Land in urban areas available in 1996, identified in the Essex County Council Land Availability Survey (1996) and shown to be available in Table 10.1 in the Replacement Structure Plan (2001). The total land available in 1996 (Structure Plan base date): 10.2 ha in urban areas + 2ha Langford waterworks (table 4) + 12.4ha unimplemented allocations (table 5) = 24.6ha
- S106** Sites that have been carried forward from the Maldon District Local Plan First Review Plan, where a Section 106 obligation is required under policy E1(3).

POLICY E2 Allocation of Proposed Employment Sites

1. The following sites shown on the Proposals Map are allocated for employment development in accordance with the uses outlined in the table. Development proposals should meet the specific requirements as set out below

Inset map	Site ref no.	Site	Planning permission	Total ¹ area allocated	Appropriate uses ²	Specific Requirements
4	E2/1	Bradwell Bait Farm, Maldon Road, Bradwell	Y	1.8ha	B1 Mixed Use Housing	S106 Phasing of development to relate housing and employment to each other Design and building height

10	E2/2	Waterworks Site, Langford	Y	1.5ha	B1 (a), (b), (c)	S106 Protection from fluvial flooding Eaves height less than 6.9m to protect rural location Maximum of 7.3% coverage of total land area with buildings Provision of a permissive right of way between Ulting Lane and the access road to the golf course
20	E2/3	Pantile Hill, Southminster	Y	2.95ha	B1 B2	S106 Phasing of development in access with nearby housing and provision of land Landscaping around the site alongside the road to provide visual screening Planting of new woodland to the west of the site to provide screening
12	E2/4	Mapledean Nursery, Latchingdon	Y	1.70ha	B1 B2	
15	E2/5	Mayland Industrial Area, Mayland	N	0.42ha	B1	
12	E2/6	Mayfair Mushroom Farm, Latchingdon	N ³	2.15ha	B1 B2	S106 Landscaping to the south of the site to protect residential amenity limit on the height of buildings to 5m reflecting rural location Upgrade access from main highway
20	E2/7	Goldsands Road, Southminster	N	0.60ha	B1 B2	
20	E2/8	Hall Road, Southminster	N	0.60ha	B1 B2	
				9.92ha		

- 1 Total gross area allocated. Except for Sadds Wharf, these sites were also available in 1996 in addition to those areas identified in Table 5
- 2 Appropriate uses refers to the Use Classes described in the Schedule to the Town and Country Planning (Use Classes) Order 2005. B1 = light industry/offices; B2 = general industry; B8 = distribution/warehousing.
- 3 There is no planning permission for the redevelopment of the site however as of September 2005 most existing units have planning permission for employment uses.

S106 Sites that have been carried forward from the Maldon District Local Plan First Review Plan where a Section 106 agreement is required under policy E1(3).

Mixed Use Development

5.18 The sites allocated for 'mixed use' in policies E3 and E4 will be subject to Supplementary Planning Documents setting out the appropriate level of housing and mixture of appropriate uses. The Council acknowledges that both these sites are very difficult to develop, owing to the risk of tidal flooding, constrained access and proximity to historic setting of the relevant conservation areas. In addition the Environment Agency indicates that, as part of its requirements, the housing component of these sites must be no more than required to achieve the regeneration of the sites. The Council will work within partnership with developers to achieve regeneration of these key locations. If planning applications are received before the relevant planning Supplementary Planning Documents are completed, the Council will take account of the preparatory notes accompanying policy BE1.

Timber Yard, Heybridge Basin

5.19 This site is located close to the Heybridge Basin Conservation Area. Development must conserve or enhance the setting of the conservation area. It is within tidal flood risk area and development must satisfy the requirements of the Environment Agency. Access is constrained by the capacity of Basin Road and the junction on the Goldhanger Road. The employment component of a mixed-use development must make a contribution to the employment strategy of the Local Plan. A maritime leisure-related activity would be particularly welcomed.

POLICY E3 Mixed Use Development - Timber Yard, Heybridge Basin

Within the former timber yard site in Heybridge Basin shown on the Proposals Map, planning permission will be granted for a mixed-use development of housing and Class B1 employment uses provided:

- (a) The extent of Class B1 uses promotes the objectives of the Employment Strategy**
- (b) Flood risk measures satisfy the requirements of the Environment Agency**
- (c) Development conserves and enhances the setting of the nearby Conservation Area.**

Causeway Industrial area and Sadds Wharf

Sadds Wharf

5.20 In recognition of the appeal decision, the land previously allocated in the Maldon District Local Plan First Review for port-related industrial uses was allocated for employment (B1). Unlike the remaining parts of the Causeway Industrial Area, this area is vacant and undeveloped, creating an opportunity to generate a character sympathetic to its riverside location and Maldon Conservation Area. However, until that planning permission is implemented, the previous use of the site as a wharf could be continued. The site therefore has three possible uses; to continue the previous port activity, a change to B1 employment use in accordance with the extant planning permission or a change to mixed use in accordance with the site allocation in policy E4

- 5.21 Sadds Wharf is a key site within the District. Development of this site must take account of numerous conflicting issues. The site is within tidal flood plain. Development of any housing and employment use will have to satisfy the requirements of the Environment Agency. The site is adjacent to a listed building and directly opposite the Maldon Conservation Area. The scale, design and massing of development must conserve or enhance the setting of these designated spaces. The existing access to the site runs through an employment area that includes a small number of houses. Development must not lead to traffic impacts that adversely affect the existing employment and housing uses. The mixture of potential uses must not lead to the loss of employment opportunity.
- 5.22 In view of its prominent location and the important role it will play in the regeneration of the adjacent industrial area, a specific policy has been included in this Plan. The policy is intended to ensure that the allocation benefits the community, not only in the provision of further employment, but also in the creation of an environment that complements its riverside location. In order to perform this role, the adjacent buildings and the scale and form of buildings required to relate to this riverside location need to be taken into account.

POLICY E4 Mixed Use Development - Sadds Wharf.

On the site of Sadds Wharf, Station Road, Maldon shown on the Proposals Map, planning permission will be granted for a mix of uses including offices, housing and leisure provided;

- (a) The design form and scale of the buildings permitted and the materials used in their construction shall be compatible with:**
 - (i) the adjacent buildings known as 'The Granaries,'**
 - (ii) the character of the buildings located within the designated Conservation Area to the south, and**
 - (iii) the scale of the adjacent estuarine landscape.**
- (b) Development does not lead to highway impacts that have an adverse impact on the existing employment uses in Station Road.**
- (c) Flood risk measures satisfy the requirements of the Environment Agency.**

Causeway Industrial Area

- 5.23 The area fronting the Causeway and the River is located at the entrance to one of the main approaches to the Town and is close to a Conservation Area. It is extremely prominent and can influence the overall character of the locality and setting of the central core of the town. The location of the area within walking distance of the Town Centre could allow it to become an area of intense employment activity of great benefit to maintaining the vitality and viability of the Town Centre.
- 5.24 There is a need to seek a comprehensive solution to redeveloping the area to maximise its potential whilst at the same time recognising the special contribution the area can make to the character of Maldon. This area has evolved over a long period. It is a large area with no identifiable character and has no adopted internal road pattern to allow the site to maximise its potential. Sensitive development of the land fronting The Causeway and that having a frontage to the River Blackwater as far as the Sadds Wharf allocation is crucial to improving the approach to and setting of the historic town centre of Maldon.

- 5.25 The Causeway Industrial Area embraces a significant area of land, which has developed over a period of years leaving it without any identifiable character. The appeal decision to permit the former port area to be developed for employment purposes allows the District Council to ensure that it is developed to a high standard. It also provides a catalyst for the regeneration of the whole of the Causeway Industrial Area.
- 5.26 The industrial area with frontage to the Causeway has a visual association with the Maldon Conservation Area. The road is an important entrance to the town. Much of the Causeway Area is under-used and is visually damaging to the setting of Maldon, but has the potential to positively enhance it.
- 5.27 It is essential that this area has a bias towards developments requiring high quality buildings. This will achieve a regeneration solution which creates job opportunities that will reduce current out-commuting as well as ensuring built development that is compatible with and enhances the area.
- 5.28 To achieve this within the employment allocations E1/8 and E1/16, part of the area is zoned to restrict it to development that results in buildings compatible with the historic townscape and riverside location.
- 5.29 If regeneration is to be successful, vehicular and pedestrian access to the area has to be improved. Station Road is at present congested by parked cars and lacks adequate footpaths. Any redevelopment that takes place in this area should incorporate measures to relieve and improve the current traffic problems, as there is presently no adopted highway serving the remaining part of the area. In order to maximise the potential of the allocation, the District Council will endeavour to secure a further adoptable vehicular and pedestrian access to the area. Pedestrian access to and along the whole length of the river frontage from The Causeway to and including Sadds Wharf would be of benefit not only to those people employed in the adjacent buildings but also to the community at large.
- 5.30 This area is in multiple ownership, and is located in an extremely prominent part of the town and is immediately adjacent to a Conservation Area. The Council believes that developing the north bank of the river with new buildings rather than open storage is the best means of achieving effective regeneration and proposes to produce Supplementary Planning Documents (SPD) to support policies E4 and E5. The SPD will address vehicular access to the area, design issues relating to buildings and spaces and pedestrian access to the river frontage.

POLICY E5 Frontage to the River Chelmer

Within the area shown on the Proposals Map development will only be permitted if the following criteria are met:

- (a) it is of a high quality external design compatible with its location adjacent to the listed buildings at the Granaries, Conservation Area and river frontage;**
- (b) public access to the river front is included for both pedestrian and cycle use; and**
- (c) there are minimal external storage and delivery areas excluding car parking requirements especially facing the river banks.**

Design of Employment Buildings and Layout of Employment Areas

- 5.31 It is becoming increasingly important and a demand of the public that employment areas are designed to create a pleasant working environment. Policies aimed at improving the quality of employment areas will assist in attracting new employers to the District. The external design of buildings and the spaces created by their position in the street scene are matters that can be influenced by the planning process. Development or re-development of land within an existing employment area creates the opportunity to improve the amenities of the particular site and the surrounding area. Policies contained in the Built Environment chapter address these issues.

PROTECTION OF EXISTING EMPLOYMENT USES

Protection of Existing Small Employment Sites

- 5.32 The majority of firms in the District employ less than 10 people and many of these firms are located on sites outside the defined employment areas. Some of these are located in rural areas and occupy buildings formerly used for farming. Others occupy sites in residential areas where land values place pressure on site owners to seek permission to redevelop the sites. They tend to be small freehold sites whose relatively low overheads enable them to be occupied by seedbed enterprises. They form an important element of the employment buildings stock. Unless the site is totally unsuitable for employment use or that use causes an uncontrollable nuisance, retention of the site for employment purposes is necessary and sustainable and prevents further use of greenfield sites to replace employment land lost to other uses.
- 5.33 Loss of employment sites in rural areas is generally due to conversion or redevelopment to housing. Loss of these sites places pressure on rural buildings to be used for employment purposes in less sustainable locations. As the rural building stock is a finite resource, it is considered that there should be a presumption in favour of its being used for employment purposes, to retain the economic vitality of the rural areas. Policies are contained in the Coast and Countryside chapter relating to the re-use of rural buildings for commercial purposes.
- 5.34 It is the District Council's intention to protect employment sites. Where alternative uses are proposed, the applicant will be expected to submit convincing evidence to prove that the site is unsuitable for continued employment use in terms of its effect on local character and amenity. Efforts to market the site should be demonstrated by way of a report submitted alongside a planning application for the alternative proposals. The report should describe the marketing campaign, record enquiries received and explain why no sale or letting of the premises has taken place. Where possible, the enquirer's own comments and reasons should be cited, providing copy correspondence as necessary. In terms of advertising and marketing the site, the District Council will expect boards to be erected on or close to the site for a period of at least three consecutive months advertising its availability. In addition, sites should be marketed in local newspapers and commercial property journals that circulate within the District and across Essex for at least a three-month period. In all cases the sale, rental or leasing cost of the site (as appropriate) being marketed should be at a level which reflects its current lawful use at the time of marketing.
- 5.35 Additionally, any new use should offer greater benefits to the local community than those provided by continued employment use of the site. This could be through the provision of local services and community and leisure facilities. Affordable housing may be appropriate on sites within defined development boundaries or those

adjacent to certain villages (policy H9 refers). For the purposes of policy E6, market housing is not regarded as such an appropriate alternative use.

- 5.36 Associated with the need to protect the existing small business base is a need to allow existing sites to expand or intensify, as well as for new opportunities to be developed if circumstances allow. If small sites are located within residential areas, it is necessary to give greater emphasis to protecting the status quo if expansion is likely to cause harm to residential amenity.

POLICY E6 Protection of Existing Employment Uses

Development which would cause the loss of an employment site will not be permitted unless:

- a) The present use of the site irreparably harms the character and amenities of the adjacent area and there are no other remedies available to rectify the loss of character other than seeking a cessation of the current use; or**
- b) The site would have a greater benefit to the community if an alternative use were permitted; or**
- c) There is evidence of advertisement “For Sale” by estate agents and in local newspapers and commercial property journals circulated throughout the District and County, for a period of at least three months at a price to reflect its current lawful use and this evidence is submitted showing that the site has been marketed by agents operating in the locality and that**
- d) There is confirmation of a lack of interest.**

POLICY E7 Development Extension or Intensification of Employment Premises within Development Boundaries

Proposals for the extension or intensification of employment uses, or the introduction of employment uses on sites which lie outside existing or allocated employment areas, but within existing development boundaries, will only be acceptable if they satisfy all of the following criteria:

- (a) Improvement of the residential amenity of adjacent properties;**
- (b) Improvements to access, off street car parking and manoeuvring where required;**
- (c) Improvements to the appearance of the site by the appropriate design of new buildings and inclusion of an appropriate landscaping scheme.**

CHANGE OF USE TO BUSINESS

Business Use of a Property also Occupied for Residential Purposes

- 5.37 The District relies on a number of small companies contributing significantly to its employment base. Some of these enterprises require a limited amount of floor space and are ideally suited to being operated from the home of the proprietor of the business. These businesses very often begin life as a part-time occupation and gradually develop into full-time work. As much of the employment in the District is created by small businesses, it is important that the creation of small businesses is encouraged.
- 5.38 The rural nature of the District with its scattered centres of population, remoteness from major commercial centres and limited employment opportunities has created and perpetuates a small business culture. There is a need to provide services to the rural communities on easily accessible sites. The growth in the use of computer technology has encouraged home working, both by the self employed and by employees of larger organisations.
- 5.39 PPG 4 “Industrial and Commercial Development and Small Firms” explains that using a single room in a house as an office is unlikely to mean that the residential character of the house has changed and therefore planning permission is not required. A change of use for which planning permission is required is likely to occur when the use generates external activity, comprising additional vehicle or pedestrian movements and noise or fumes above that normally expected of a residential property. Persons, other than those occupying the house, employed at the premises are also likely to result in additional external activity, even if it is only the arrival, departure and stationing of an additional vehicle. This additional activity could be sufficient to change the residential character of the house, resulting in a change of use occurring that requires planning permission.
- 5.40 This problem can be divided into three categories:
- a) Home working of a nature that is not defined as development,
 - b) Home working that is defined as development, but is not detrimental to matters of acknowledged importance,
 - c) Home working that is contrary to (b).
- 5.41 In order to define whether the proposal falls within category (c), it will be necessary to assess the proposal against the following matters of acknowledged importance:
- a) Uses generating unreasonable levels of noise, smell, disturbance etc.;
 - b) Uses which are visually detrimental to the character of the area;
 - c) Uses which are not sustainable and are contrary to the general thrust of employment and settlement strategies of the Plan.
- 5.42 Where home working involves development requiring planning permission, assessing proposals against these criteria is likely to restrict employment uses to large dwellings which are capable of accommodating a family as well as a business. These dwellings are also likely to be situated in relatively large curtilages situated either in a defined settlement or close to a defined settlement.

POLICY E8 Working from Home

The use of part of a dwelling for employment purposes will only be permitted provided the proposal meets all of the following criteria:

- (a) Most of the building is retained as a residential unit of accommodation and the proposed use remains secondary to the residential use;
- (b) The business use is not detrimental to the amenities of the occupiers of adjoining/adjacent properties;
- (c) The use of the property is not visually detrimental to the character of the area in which it is situated;
- (d) The location and level of employment resulting from the proposal does not conflict with the development and full occupation of existing and proposed employment sites in listed in policy E1 and E2.

Use of Existing or New Buildings within the Curtilage of Residential Properties for Business Use

- 5.43 The use of outbuildings, or the construction of new buildings, for commercial purposes within the curtilage of dwellings would almost certainly be defined as development requiring planning permission. In many locations, this form of development is likely to invade the privacy of the occupiers of neighbouring property, even if it is only as a result of movement from the residence to the outbuilding. Using either a new or existing building within the curtilage may be an acceptable alternative to using accommodation within the dwelling. In these circumstances, the size of the accommodation permitted must still allow the residential use to dominate.

POLICY E9 Use of Buildings within Residential Curtilage for Business Purposes

The use of a building within a residential curtilage for business purposes will only be permitted if the proposal meets all of the following criteria:

- a) The occupier of the house is wholly employed in the building;
- b) The internal space of the building is no larger than that which could be accommodated in the house and retain its primary residential use;
- c) The business use is not detrimental to the occupiers of the adjacent properties;
- d) The use of the property and its curtilage does not result in external activity being introduced that is detrimental to the character of the area;

- e) **The location and level of employment resulting from the proposal does not conflict with the development and full occupation of existing and proposed employment sites in policy E1.**

BUILT ENVIRONMENT

INTRODUCTION

- 6.1 Recent Government guidance promotes good design both in the layout and individual design of buildings. The aim is to make the urban environment a more attractive place for people to live, work and play. This approach is intended to encourage more people to live in the urban areas, reducing the unsustainable trend towards living in the rural areas and long travel distances to work. It emphasises the importance of achieving the correct balance between the size of buildings and the spaces surrounding them. The built environment creates the atmosphere for social interaction within our settlements and generates an environment in which work and recreation can be undertaken with pleasure. It can become the catalyst for further prosperity and job creation (paragraph 17-18 PPS1).
- 6.2 The built environment concerns design in its widest sense, involving the design of individual buildings, the definition of public spaces, streets and vistas and the context for future development. In the countryside the design of individual buildings must ensure that those buildings are absorbed into the landscape in which they are situated.
- 6.3 The fundamental approach adopted is to apply design principles to all forms of built development. Policies relating to these principles are to be found at the beginning of this chapter. Issues that relate to specific types of development are to be found towards the end of the chapter.
- 6.4 The District Council adopted The Essex Design Guide for Residential and Mixed Use Areas as Supplementary Planning Guidance in 1997. The principles set out in the Guide will be a material consideration when considering proposals for new residential and mixed-use developments.

OBJECTIVES

Strategic Objective

- Svii To create a sustainable and accessible environment in which living, working and leisure encourages pride in the District, recognising its important historic qualities.

Built Environment Objectives

- BEi To ensure the construction of well designed buildings using materials sympathetic to the area.
- BEii To recognise the importance of the historic environment and protect those buildings of importance from demolition and damaging alteration.
- BEiii To ensure that new buildings harmonise with their surroundings.
- BEiv To ensure that alterations to buildings do not cause harm either to the general character of the area or to the occupiers of neighbouring property.

BEv	To promote improvements to public spaces.
BEvi	To protect the countryside from the harmful impact of poorly designed or sited development.
BEvii	To protect the public from crime through good design.
BEviii	To promote accessible and sustainable development.
BEix	To attract business and investment by improving the quality of the built environment.
BEx	To preserve or enhance the character and appearance of Conservation Areas and buildings, open spaces, trees, views into and out of Conservation Areas and other aspects of the environment which go to make up their character

GENERAL DESIGN ISSUES

- 6.5 The settlements of Maldon District are comprised of buildings of traditional design. The buildings are predominantly two storeys high and have pitched roofs of varying angles reflecting the type of roof covering used. The buildings are generally constructed using brick and timber frames. Materials used in the construction of buildings have traditionally been soft red, gault or London stock bricks, with weatherboarding or render for the walls. Roofs of buildings generally are clad in plain clay tiles or clay pantiles, slates or thatch. There are very few buildings constructed above three storeys high. Industrial and farm buildings built since the Second World War have incorporated the use of portal frames with asbestos cladding and profiled metal cladding.
- 6.6 The general pattern of development therefore is low rise using traditional materials and the spaces between the buildings reflect their intimate human scale. It is the intention of the Authority to perpetuate and strengthen this basic character when considering new developments in the District. Extensions to properties have to respect the size of the existing property and this exerts limitations on the size and design of extensions. Outside the settlements and in the rural areas, size is restricted more by the need to ensure that the character of the landscape is retained.
- 6.7 Many of the central areas of settlements pre-date planning control and have buildings which are traditional in design. Using a fenestration pattern involving relatively small window openings gives the building a degree of solidity. Combining a satisfactory fenestration pattern with simple, well articulated building forms helps create an identifiable townscape and one which can be associated with the existing character of the area.
- 6.8 The use of relatively low domestic scale buildings has resulted in the spaces created by these buildings being small, especially in the areas where the built form dominates. The retention of these human scale spaces and the creation of further spaces of a similar character in new developments are considered necessary to perpetuate the District's identity. These spaces need to reflect the function of the

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 catalysts 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.

- 6.21 The Building Act 1984 has recently been amended to extend Part M, covering access and facilities for disabled people, to include new dwellings. Circular 8/98 advises that the approach to and the internal layout and the construction of dwellings are matters for building control, whilst the location and arrangements of dwellings on the site are matters for planning. Although the Authority does not have any power under planning legislation, applicants should be aware that in certain situations, especially where it is intended to develop a sloping site, the requirements of the Building Regulations may have a significant effect on the appearance of the dwellings.

POLICY BE2 Inclusive Access and Accessibility

Development where access by people with disabilities is necessary must incorporate the following features:

- a) **Car parking specifically designed and allocated close to the entrance of the building in accordance with the adopted standards;**
- b) **Access from the car park and other access routes to the entrance of the building designed for use by people with disabilities, including wheelchair users;**
- c) **The layout of any associated street furniture suitable for use by people with disabilities.**
- d) **Facilities that take into account the needs of people with disabilities for transport to and from the site.**

Effect of Development on Occupiers of Neighbouring Buildings and Land

- 6.22 New building, whether an extension, a means of enclosure or a new building, can have a detrimental effect on the amenities of the occupiers of adjacent buildings. External activity associated with any new building or use of land should be located to minimise any possible nuisance to occupiers of neighbouring property. Whilst views across neighbouring land cannot be protected by the planning system, consideration should be given to the effects new development has on occupiers of adjacent land and buildings.

Design of Public and Private Circulation Spaces Including the Use of Street Furniture

- 6.23 The function of a space is determined by the size, proportions and materials used to surface the area. The apparent size of the space is affected by the height of buildings surrounding it. The creation of these spaces and their enhancement is an integral part of determining the quality of the public realm. They establish links with other areas and influence movement and patterns of activity. The Local Planning Authority recognises that the space around the building and the space it assists in enclosing is often as important as the building itself. Allied to this is the need for the space to offer opportunity for the public to use it by providing appropriate street furniture and signage to promote accessibility.

POLICY BE3 Public and Private Amenity Spaces

Planning applications which involve the creation of public and private open spaces will need to satisfy the following criteria:

- (a) **The size, proportions and surface treatment of the space relate to its functional requirements and define public and private spaces;**
- (b) **The surface treatment of the space enhances its visual appearance;**
- (c) **The size and proportions of the space relate to the height and bulk of the buildings enclosing the space; and**
- (d) **Appropriate provision is made for street furniture and signage to and from the open circulation space.**

Designing a Safe Environment

6.24 Circular 5/94 (Planning Out Crime) comments that there should be a balanced approach to design, which attempts to reconcile the visual quality of a development with a need for crime prevention. In preparing development schemes, safety and crime reduction/prevention features from the “Secured by Design” approach should be taken into account and incorporated where appropriate. All developments should incorporate a landscape design that does not impede opportunities for natural surveillance. The layout of the development should ensure that all rear boundaries are secure, footpaths and cycle routes are lit and overlooked and car-parking areas are relatively small and offer opportunities to be overseen. The Transport Act 2000 makes provision for “Home Zones” in England and Wales. A Home Zone can turn streets into a valued public space and at the same time reduce the incidence of crime. Should the Highway Authority pursue this legislation, the District Council will support the introduction of these zones where it is considered appropriate. Excessively long paths between buildings, especially where the path cannot be viewed along its length from either end, should be avoided.

POLICY BE4 Designing a Safe Environment

Development will be expected to incorporate:

- (a) **A landscape design that does not impede opportunities for natural surveillance;**
- (b) **Footpaths, accesses and cycle routes which are lit and overlooked;**
- (c) **Car parks, play areas and public open space which offer natural surveillance;**
- (d) **Private spaces which are designed to incorporate defensible boundaries.**

Parking and Servicing

6.25 The District Council accepts that whatever parking standards are adopted, there will be a need to provide for a limited amount of vehicle parking in the vicinity of buildings

occupied by people. It is acknowledged that areas occupied by parked vehicles are not visually conducive to an attractive environment and can dominate to the detriment of an area. It is important to minimise the visual impact of car parking areas, both when they are free of vehicles and when they are occupied. To ensure that the visual impact is reduced, the parking areas should be small and located between or behind buildings. Where this is not possible, the emphasis should be placed on creating visual interest in the parking area by using a variety of hard and soft landscaping.

POLICY BE5 Parking Areas

Parking and service areas on developments will be expected to incorporate:

- (a) Provision for safe and convenient access to the buildings they serve;**
- (b) Areas that are well screened by buildings;**
- (c) Surfacing and other landscape features designed to reduce the visual impact of the area when vacant.**

SPECIFIC DESIGN ISSUES

Design of Residential Buildings and Extensions

- 6.26 There are three key policy elements to determining whether an extension to a dwelling is satisfactory in planning terms:
- a) Rural settlement policy;
 - b) Individual design of the building; and
 - c) The effect of the proposal on the occupiers of neighbouring properties.
- 6.27 These points are dealt with under policies BE1 and BE6.
- 6.28 The impact an extension can have on the amenities of the occupiers of the neighbouring properties is determined by the proximity of the extension to the adjacent building. The higher the density of buildings, the more difficult it becomes to extend a property without having some adverse impact on the amenities of the adjoining property occupiers. It is the policy of the District Council to restrict house extensions on new high-density housing developments by removing the automatic right to extend a property under the Town and Country Planning (General Permitted Development) Order 1995 (GPDO)(see Policy H7).
- 6.29 In established residential areas occupiers, have the right to extend their property within defined limits without the need to obtain planning permission. Extending some of these properties to provide additional accommodation beyond that permitted by the GPDO may well not be possible without unduly affecting the amenities of the neighbouring occupiers. Elsewhere, the size and position of the extension may be limited by the need to protect the amenities of the occupiers of the adjacent properties.
- 6.30 Amenities can be affected by:
- a) Overlooking;
 - b) Overshadowing;

- c) Overpowering;
 - d) Change in the character of the area; or
 - e) A combination of the above
- 6.31 The effect on amenity in respect of (b) and (c) can be affected by the building's orientation in relation to the sun. The effect of overlooking can be overcome by the use of planning conditions requiring screening to be undertaken, although the screening itself should not be detrimental to the neighbouring occupiers.
- 6.32 Proposals for side extensions in areas where the character of the area is largely determined by the spaces between the properties need to ensure that either an individual extension or a succession of similar extensions does not compromise the open nature of the area.
- 6.33 The District Council will produce guidance giving guidance on the acceptable size of extensions and the relationship of the plot size of the property to adjacent properties.
- 6.34 To determine applications for this type of development in a consistent manner, the policy has to ensure that the proposal complies with the other policies in the Plan. It is also necessary to address the amenity problems that may be created.

Extensions to Dwellings in the Countryside

- 6.35 Policy BE6 deals with minimising the effect an extension can have on the amenities of the occupier of a neighbouring property. In the countryside, whilst this may be of concern in some instances, of greater priority is the necessity to ensure that the extended property relates well to its surroundings. This is dealt with under BE1.
- 6.36 It is expected that planning applications for extensions to dwellings in the countryside will show full details of the proposed extension, including all elevations, floor plans and siting. Where the dwelling is vacant and in poor condition, evidence is required to show that the building could be renovated to a habitable condition without the need to obtain planning permission for any alterations or additions.

POLICY BE6 Extensions to Dwellings

Extensions to residential property will only be permitted if all of the following criteria are met:

- (a) The development would not result in either the building appearing to be cramped or the proposal being detrimental to the general character and appearance of the locality;**
- (b) The size or location of the extension would not result in it being detrimental to the amenities of the occupiers of neighbouring property by reason of overlooking, overpowering or undue reduction of light to the main windows of the adjacent property;**
- (c) Parking space, sufficient to meet the current parking standards, is available within the curtilage of the extended dwelling and can be provided in a manner that is not visually obtrusive.**

Shop Fronts

- 6.37 The majority of retail outlets in the district are located in the centres of the towns and villages. However, due to the historic nature of Maldon District, most of the urban centres are also Conservation Areas with a high amenity value, in which the Council has a statutory duty to consider whether development would preserve or enhance the character of the area. Whereas all development in conservation areas is dealt with in Policy BE13, the functional requirement of the retail outlet means that the ground floor of the building has a different style and character to the floors above. The internal layout of the shop, together with the need to provide the maximum window display area, may result in there being conflicts between commercial and aesthetic interests. A balance has to be struck which allows the retail unit to trade successfully and yet maintain the architectural integrity of the building and area.
- 6.38 The design of the shop front and the materials used in its construction should take account of:
- The character of the building;
 - The character of the area in which the building is situated;
 - The character and appearance of the street scene;
 - The products to be retailed from the store; and
 - The existing & proposed use of and access to upper floors, whether independent from or part of the retail activity.
- 6.39 Shop fronts must be designed to reflect the scale and character of the remaining parts of the building. Provision will need to be made in the design to incorporate a fascia capable of satisfactorily accommodating the shop/business name.

POLICY BE7 Design of Shop Fronts

New and replacement shop fronts will be permitted provided that:

- (a) Proposals are constructed in materials sympathetic to the character of the building and the area in which it is situated;**
- (b) The proportions and subdivisions of the proposed shop front reflect the character and proportions of the remaining parts of the building, adjacent shops and properties and the general street scene; and**
- (c) Independent access is provided or maintained to upper floors where these are in separate use.**

Lighting

- 6.40 External lighting has become recognised as a serious environmental pollutant, if not controlled and given serious consideration at the planning stage. External lighting of residential gardens and properties is not within the control of the Planning Authority. In some situations, lighting is not necessary and in others, the type of lighting is not appropriate for the purpose. Although lighting is obviously environmentally damaging at night, the structures supporting the lights can be equally damaging in daylight. In urban areas, unsympathetic lighting of public and private car parks, service yards etc., can be extremely disturbing to occupiers of neighbouring properties and a danger to highway users.

- 6.41 Where properties are located in rural areas, unsympathetic use of lighting to either highlight a commercial building, public building or church, or to provide illumination to external areas can seriously detract from the visual amenities of large areas of the countryside. In urban areas and villages where street lighting exists, subtle, low-brilliance lighting of prominent civic buildings to highlight architectural features may be permitted. The lighting of highways is determined by national standards and cannot be varied by planning conditions.
- 6.42 The increase in the provision of all-weather sports areas creating the possibility of longer hours of use has led to pressure to light these areas. As they are generally located within rural areas or on the periphery of urban areas, light pollution can be damaging to a wide area. In these and similar situations, the Authority will require the submission of a light contour map with the planning application.

POLICY BE8 Lighting

Applications for development requiring external lighting shall include details of lighting schemes demonstrating that:

- a) The lighting scheme proposed is the minimum required to undertake the lighting task;**
- b) Light spillage is minimised, including into the night sky;**
- c) In edge-of-town or village locations, or in rural areas, landscaping measures will screen the lighting installation from view from surrounding countryside areas;**
- d) There will be no dazzling or distraction of drivers using nearby highways. The lighting scheme proposed will not cause a hazard to navigation on the Rivers Blackwater and Crouch and the Chelmer and Blackwater Navigation;**
- e) The proposed lighting scheme will not be detrimental to either the visual or general amenities of the area nor to nature conservation interests following the incorporation of the mitigation measures referred to in (c) above.**

Advertisements

- 6.43 Advertisements are displayed on buildings as part of shop fronts, on business premises and on freestanding hoardings. They are also displayed temporarily to advertise events or sales. In commercial areas, they are an intrinsic part of the character; they can enhance or detract from the character of the area. Freestanding advertisements remote from the site they are advertising are likely to be detrimental to the area. Temporary advertisements can be particularly damaging because they create clutter and can be hazardous to disabled people and siting is not related to any permanent physical feature.
- 6.44 The legislation controlling the display of advertisements strikes a balance between the need of commerce to advertise and the need to protect the visual amenity of the area. Within this framework, provision is made to be able to curtail the size of

advertisements in an Area of Special Control. Such an area has been established covering the rural areas of the District.

- 6.45 All advertising is expected to respect basic design criteria, ensuring that:
- a) The size of the advertisement does not dominate the elevation on which it is to be displayed;
 - b) The proportions of the advertisement relate well to the proportions of the elevation on which it is to be displayed;
 - c) The size of the lettering and composition of the advertisement is satisfactory;
 - d) Where applied lettering is used, the profile of the lettering has a profile and depth;
 - e) It avoids clutter and repetition.
- 6.46 The materials in the construction of the advertisement relate to:
- a) The building on which the advertisement is situated;
 - b) The location of the building;
 - c) The design of the permitted shop front; and
- The colours used in the advertisement are sympathetic to the building and area's character.
- 6.47 The illumination of signs brings another dimension to the design of advertisements. Internally illuminated individual letters are considered to introduce an alien element to the District and would only be permitted in the most exceptional circumstances. Box signs, which are internally illuminated, will only be permitted where the lettering is the only area lit. Indirectly lit advertisements are considered the most appropriate, although the method of illumination should avoid the use of equipment which is visually obtrusive during the daylight hours.

POLICY BE9 Advertisements on Buildings

Consent will only be given for the display of advertisements that respect the interests of public safety and amenity, subject to the following criteria:

- (a) Advertisements will only be permitted if they are well designed and located so as not to detract from the area in which they are situated;**
 - (b) Proliferation of signs advertising a single site or enterprise will not be permitted;**
 - (c) Signs and advertisements should relate to the scale and character of the building on which they are located;**
 - (d) Consent for signs to be illuminated will be considered in relation to the visual impact and functional need. Such advertisements will not be permitted in residential areas.**
- 6.48 Free-standing advertisements not attached to a building will only be permitted if the District Council is satisfied that this does not harm the appearance of the area. Where the advertisement is being displayed on the forecourt of the building, it is considered that the advertisement should relate well to and not dominate the building which it is advertising. Advertisements displayed remote from the site being

advertised will only be permitted in the most exceptional circumstances and only if the site relates well to either an existing building or landscape feature. In all situations, the structure on which the advertisement is located must be designed to reflect the size of the sign being displayed.

POLICY BE10 Display of Advertisements Remote from the Site being Advertised

The display of advertisements on sites that are remote from the location of the business being advertised will not be permitted unless the District Council is satisfied that:

- (a) The need overrides any detriment to amenity; and**
- (b) The siting and design of the sign adequately reduce any harm to the amenity of the area.**

6.49 Most of the retail areas of the District are situated in Conservation Areas. Therefore, ensuring that advertising is well designed takes a high priority in those areas. Greater emphasis will be placed on the need to use traditional materials and design in Conservation Areas, although in some instances this may be relaxed if the building allows a different design approach. The display of advertisements on listed buildings is subject to listed building control. The character of the listed building determines that any advertisement displayed on it should use traditional materials and design.

POLICY BE11 Advertisements within Conservation Areas and Affecting Listed Buildings

In addition to the criteria set out in policies BE9 and BE10, the following criteria will apply in Conservation Areas and in respect of the display of advertisements on or adjacent to listed buildings:

- (a) Consent will only be given to signs using materials appropriate to the building, location of the building and use of the building. Where applied lettering or symbols are used, the lettering or symbols shall have a three-dimensional quality;**
- (b) Internally illuminated signs will not be permitted.**

Conservation Areas

6.50 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on Local Planning Authorities to designate as Conservation Areas those areas of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance. It also places a duty on the Authority to review their Areas periodically to consider whether further designations are called for. In assessing the area suitable for designation, account has to be taken of the following:

- a) The historic layout of property boundaries and thoroughfares;
- b) The quality of the architecture,
- c) The spaces formed by the position of individual and grouped buildings,

- d) Views into and out of the area,
 - e) Street furniture, advertising and shop fronts, etc.
- 6.51 The designation of an area gives the Authority additional controls over the felling of trees and the demolition of buildings. Within Conservation Areas, it is particularly important that any buildings that may have to be demolished as part of a development are replaced by those of good quality design that enhance the area. It is also important that proposals for demolition do not result in vacant land that is not re-developed in a timely manner. Conservation area designation also enables the making of Article 4 Directions. These withdraw permitted development rights for specified types of development, which materially affect the external appearance of dwellings, such as front doors and windows, roofs and frontages.
- 6.52 Section 71 of the Act places a duty on authorities to formulate and publish proposals for the preservation and enhancement of Conservation Areas. To formulate policies for individual Conservation Areas, it is necessary to identify what it is about its character and appearance that should be preserved or enhanced.
- 6.53 The Conservation Areas in the Maldon District are listed in Appendix 4. The Maldon and Burnham-on-Crouch Conservation Areas form the core of the larger settlements and consequently embrace areas with a greater number of buildings being used as shops and commercial premises.
- 6.54 The Conservation Area in Maldon has been the subject of a Conservation Area Partnership Scheme. This has enabled the Authority to target buildings at risk, shop fronts and incompatible windows and doors in residential properties with offers of grants to secure environmental improvements. The scheme has part-funded the re-paving and widening of footpaths in the Town Centre, as well as other townscape improvements. In tandem with the grant aid of replacement windows, the Authority has made a Direction withdrawing permitted development rights allowing the replacement of windows and doors in certain streets.
- 6.55 Within the Maldon and Burnham-on-Crouch Conservation Areas, there are a number of commercial premises with first and possibly second floor accommodation. Ensuring that the building is fully occupied helps to maintain the building in good condition and therefore benefits the Conservation Area. The premises over the ground floor in commercial use could be used for a variety of purposes. In assessing the appropriateness of the use, the major considerations are the need to ensure that the building is kept in good repair and the effect the use will have on the external appearance of the building.

POLICY BE12 Control of Demolition in Conservation Areas

Development involving the demolition of an unlisted building or structure in a Conservation Area will only be permitted if all of the following criteria are met:

- (a) The building or structure to be demolished makes no material contribution to the character or appearance of the area;**
- (b) Detailed proposals for the re-use of the site including replacement building or structure have been approved**

- (c) Before any approval under criterion (b) is granted, the Council will seek a planning obligation in relation to the phasing of demolition and re-building.**

- 6.56 Within a Conservation Area, the Local Planning Authority has a statutory duty to ensure that development preserves or enhances the character or appearance of the area. If shop fronts are being proposed, it will be necessary to secure a design that reflects both the design of the upper floors and the character of the area in which it is situated. Planning legislation acknowledges this need for greater control by reducing the size by which a dwelling can be extended without planning permission and introducing the ability to withdraw certain permitted development rights in Conservation Areas. As the Conservation Areas are very much part of the fabric of the District, it is the intention to ensure that these areas are enhanced by adopting an approach that ensures all development is of a high standard of design, using appropriate materials for the location. To achieve this, the Council will require the submission of fully detailed supporting information for proposals that affect Conservation Areas.
- 6.57 In Conservation Areas, the balance should be in favour of protecting the aesthetic interests. It will be necessary to secure a shop front design that reflects both the design of the upper floors and the character of the area in which it is situated

POLICY BE13 Development in Conservation Areas

Development including extensions to existing buildings in Conservation Areas will only be permitted if all of the following criteria are met:

- (a) The design is of a high standard incorporating scale, form, materials and detailing that respect the characteristics of buildings in the area.**
- (b) Open spaces important to the character or historic value of the area are protected.**
- (c) Important views within, into and out of the area are protected.**
- (d) Trees and other landscape features contributing to the character or appearance of the area are protected.**

Listed Buildings

- 6.58 All buildings built before 1700 (which survive in anything like original condition) and most between 1700 and 1840 are listed as being buildings of Special Architectural or Historic Interest. After 1840 only buildings of definite quality and character are included, as are the important works of the principal architects. Buildings that are less than 30 years old are normally only listed if they are of outstanding quality and are under threat.
- 6.59 There is a general presumption in favour of preserving these buildings unless a convincing case can be made for alteration or demolition. There is a statutory requirement on Local Planning Authorities to “have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

- 6.60 Before consent is issued for the demolition of a listed building, the Secretary of State would have to be given the opportunity to intervene. The issue of a consent for the demolition of a grade 1 or 2* building would be exceptional. The remaining listed buildings would only be granted consent for demolition following consideration of the condition of the building and the cost of repairing it, the adequacy of the efforts to retain the building in use and the merits of alternative proposals for the site.

POLICY BE14 Demolition of Listed Buildings

Development involving the total or partial demolition of a listed building, including any features of special architectural or historic interest which contribute to its reasons for being listed, will not be permitted. Consent may exceptionally be granted where satisfactory evidence has been submitted demonstrating that:

- (a) The property can no longer be used for the current purpose; and**
- (b) The property is incapable of being used for any alternative use;**
- (c) In the case of partial demolition, the proposed works will not damage the appearance, historical significance or architectural integrity of the building.**

- 6.61 Listed buildings represent a non-renewable finite historic resource that forms part of the heritage of the District and the nation. The loss of an historic building, or any feature that provides it with its special interest, is final. This is an overriding concern in the management of the historic building stock. There is a general presumption in favour of the preservation of listed buildings. Conservation aims can best be supported through viable re-use, conversion or continued use of a listed building, and this can necessitate alterations, adaptations and extensions. Such changes can form part of the continuing evolution of a listed building, where different historical phases are evident and become part of the building's 'story.' However if a listed building is subjected to successive alterations, which may seem individually of little importance, these can have a destructive cumulative effect on the building's special interest. Listed building controls ensure careful management of these changes.

POLICY BE15 Change of Use Affecting Listed Buildings

The change of use of all or part of a listed building will only be permitted if the District Council is satisfied that the new use can be accommodated without causing harm to its special architectural or historic interest, including its setting.

POLICY BE16 Extensions, Alterations to and Additional Buildings in the Curtilage of Listed Buildings

Extensions, alterations to and additional buildings within the curtilage of a listed building will only be permitted if the District Council is satisfied that the proposal would not harm the building, its setting and any features that contribute to its special architectural or historic interest.

Archaeology

- 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

satellite and are usually mounted outdoors. Terrestrial broadcasting generally depends on making use of rooftop aerials.

- 6.71 PPG 8 entitled "Telecommunications" requires that Local Planning Authorities take a positive approach to telecommunication development, taking account of both environmental protection policies and the constraints placed on the operator.
- 6.72 Apart from some operations, including the installation of a terrestrial aerial on a domestic dwelling or changes of use, most telecommunications development constitutes development requiring planning permission. Part 24 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (GPDO 1995) permits certain developments, provided the apparatus is provided by a licensed telecommunication code system operator and the operator follows certain prior notification procedures. The policy concerning the circumstances under which prior notification will be required is dealt with under the section dealing with prior notification procedures.
- 6.73 Developments, which require planning permission predominantly relate to new masts over 15m in height and masts erected on buildings if the mast and building are over certain stated heights. In addition, antenna and radio equipment housing, if they exceed certain dimensions, require planning permission. Features of the design to be considered include the dimensions, overall shape and whether the construction is solid or forms an open framework. PPG8 Telecommunications makes reference to the following matters as issues to be taken into account when determining applications for the installation of telecommunications apparatus.
- (a) The type of mast;
 - (b) Whether it is located in a designated area or near a scheduled ancient monument;
 - (c) Its height;
 - (d) Any necessary ancillary development;
 - (e) The scope for landscaping and screening;
 - (f) Technical requirements such as line of sight;
 - (g) Related network proposals;
 - (h) Opportunity for mast sharing;
 - (i) The height of the site in relation to surrounding land;
 - (j) The existence of topographical features and natural vegetation;
 - (k) The effect on the skyline or horizon;
 - (l) The site when observed from any side, including from outside the authority's own area;
 - (m) The site in relation to areas designated for their scenic or conservation value;
 - (n) The site in relation to existing masts, structures or buildings, including buildings of a historical or traditional character;
 - (o) The site in relation to residential property; and
 - (p) Any other relevant considerations.
- 6.74 The Government is committed to the protection of both urban areas and the countryside, especially areas covered by national designations. This District is characterised by its sparsely populated rural quality, many areas are covered by the Special Landscape Area designation and most of the two river estuaries are designated Sites of Special Scientific Interest. Much of the area is flat and low-lying and has few suitable buildings on which to site telecommunications equipment. This results in there being few opportunities to install the communication equipment without the need to erect a mast exceeding 15 metres in height. Insensitively sited or poorly designed masts can have a detrimental impact on the visual quality of the

area. It is therefore of great importance to consider the design of the mast, its location and any peripheral landscaping required to soften its impact on the countryside.

- 6.75 A high proportion of the rural area of this District is within the Coastal Zone or Special Landscape Areas. As the use of the mobile phone increases, the pressure to expand the network also increases. This leads to pressure from operators to site masts in relatively remote areas and areas of constraint such as SSSIs or Special Landscape Areas. The Local Planning Authority will seek to keep the number of masts sited in these areas to a minimum and, where there is no alternative, reduce the visual intrusion as far as possible. Land adjacent to designated SSSIs may also be important to migratory avian wildlife that flies in and out of the sites. Development of telecommunication equipment adjacent to designated sites may have an effect on protected species and the Council will consult with English Nature on such proposals.
- 6.76 The Report of the Independent Expert Group on Mobile Phones (IEGMP) set up by the Government to research the possible health effects of the use of mobile phones has now been considered by the Government. Its response was to agree that base stations should meet the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines for public exposure as expressed in the EU Council Recommendation of the 12th July 1999 on the limitation of exposure of the general public to electromagnetic fields. These guidelines state that clear exclusion zones should be in place round all base stations and parents and schools should be reassured that the base stations near schools operate within the guidelines. All new mobile phone base stations are expected to meet ICNIRP guidelines and provided applications are accompanied by a certificate to that effect, it is the government's view that the planning system has no need to further consider the health implications of any proposal.

Telecommunication Development – Prior Approval Procedure

- 6.77 Prior approval is required for the following types of telecommunications development:
- a) The installation of a mast under 15 metres in height;
 - b) The construction, installation, alteration or replacement of:
 - i a mast installed on a building or structure subject to various height constraints,
 - ii a public call box,
 - iii radio equipment housing with a volume in excess of 2.5 cubic metres,
 - iv development ancillary to radio equipment housing (e.g. fences, access roads);
 - c) any Part 24 development (unless carried out in an emergency) on article 1(5) land (Conservation Areas) or on land which is or is within a Site of Special Scientific Interest.
- 6.78 The construction of masts, albeit under 15 metres in height, and their replacement can have a similar impact on the amenities of the District because of its rural and open character. In order to adopt a consistent approach it is considered necessary to require telecommunication operators to submit applications for prior approval.
- 6.79 Applicants will be required to demonstrate that all opportunities for sharing of sites and masts have been considered together with the reason for rejection taking account of technical considerations

POLICY BE19 Telecommunication Development

Development requiring planning permission or “prior approval” involving the installation or erection of telecommunication equipment will be permitted if all of the following criteria are met:

- (a) the siting of the mast/communication equipment and its design minimises the impact of its appearance in the street scene and the countryside;
- (b) where necessary a landscaping scheme has been submitted and approved by the District Council;
- (c) there is no opportunity for sharing of masts or sites taking account of limitations imposed by technical constraints

Satellite Dishes

- 6.80 The Town and Country Planning (General Permitted Development) Order 1995 permits the installation of a satellite antenna within the curtilage of residential dwellings provided the antenna is below 90 cm in width when measured in any direction. Further restrictions prevent the installation of dishes on chimneys if they are over 45 cm in diameter and the installation of dishes which are higher than the roof or chimney on which they are installed.
- 6.81 Permitted development rights are subject to conditions which require:
- a) The satellite dish to be installed to minimise its effect on the external appearance of the building;
 - b) the antenna to be removed when it is no longer needed to receive transmission.
- 6.82 Where a satellite dish is installed and
- i does not comply with condition (a) above; and
 - ii is considered to be extraordinarily detrimental to the visual amenities of the area,
- the District Council will serve a breach of condition notice to remedy the detriment to amenity.
- 6.83 Within Conservation Areas, the legislation requires that planning permission be obtained for the installation of dishes if they are installed on a chimney, on a building over 15m in height or on a wall or roof slope which fronts a highway.
- 6.84 Listed Building Consent is required for the installation of a dish on a listed building. The District Council will ensure that the installation of a satellite dish does not impair either the character or appearance of the building concerned.

POLICY BE20 The Installation of Satellite Dishes in Conservation Areas and on Listed Buildings

1. **Planning permission for the installation of a satellite dish on a building located within a Conservation Area will only be permitted if it can be shown that:**
 - (a) **There is not a less obtrusive location available;**

- (b) The dish is coloured to reduce the visual impact in relation to the building on which it is situated.**
- 2. Before granting listed building consent for the installation of a satellite dish, the District Council will need to be satisfied that:**
 - (a) the satellite dish cannot be installed in a position remote from the listed building;**
 - (b) the location of the dish on the building does not impair either the appearance or character of the building.**

RETAIL AND TOWN CENTRES

INTRODUCTION

- 7.1 Retailing employs an estimated 1500 people in the District. It is the most important commercial sector in terms of employment. The main shopping centres are the principal town centre of Maldon, the smaller town centre of Burnham-on-Crouch and the district centre of Heybridge. Local Shopping Centres are located within the urban areas and the larger villages. The majority of villages in the District still have a village shop. Village shops, post offices and pubs play a vital role in the economic and social life of villages, helping to maintain sustainable rural communities and the quality of life of rural residents.
- 7.2 The town and district centres act as village centres for the urban areas they serve, as well as having a wider strategic role within the District. All three have strengths in the food and restaurant sectors and weaknesses in clothing and household goods and are vulnerable to out-of-centre retail development. The social, visual and economic links between the retail, leisure and tourism sectors could be built upon, especially the link from Maldon town centre to the Hythe and Promenade Park.
- 7.3 The Local Plan aims to consolidate the District's retail offer and recognises that widening, diversifying and improving the role of the main shopping centres as important hubs for the local economy is fundamental.

OBJECTIVES

- 7.4 Chapter 1 has set out the overarching strategy for the Local Plan. In this context, the following objectives for town centres and retailing have been adopted:

Strategic Objective

- Sv To retain and protect the existing retail base in urban and rural areas.

Retail and Town Centres Objectives

- SHi To protect the existing retail facilities in Maldon District.
- SHii To improve and enhance the shopping facilities for all in Maldon District.
- SHiii To control retail development outside identified shopping locations.

RETAIL STRATEGY

National Policy

- 7.5 The Government's objectives in Planning Policy Statement 6 (Planning for Town Centres) (2005) are:
- a) planning for the growth and development of existing centres; and;
 - b) promoting and enhancing existing centres, by focusing development in such centres and encouraging a wide range of services in a good environment, accessible to all;
- 7.6 The Guidance also advises that comparison shopping should continue to be the mainstay of retailing in most sizeable town centres. It states that, after considering the need for new development, Local Planning Authorities should adopt the sequential approach to selecting sites for new retail development.

Countywide Strategy

- 7.7 This strategy acknowledges that there are five sub-regional centres in the County at Basildon, Chelmsford, Colchester, Harlow and Southend. These centres are intended to provide large areas of the County with its specialist shopping needs as well as a wide range of retail outlets.
- 7.8 Maldon is named as a principal shopping centre. These centres are intended to provide the surrounding area with a conveniently located centre accommodating retail outlets selling a good range of convenience and comparison goods. The remaining retail centres of the District are categorised as shown in Table 4.

District Strategy

- 7.9 The District is sparsely populated, with a high percentage of the population living in a proportionately small area of the District, focused on the towns of Maldon and Burnham-on-Crouch. The District is located east of the main transport links running through the County; therefore few people pass through the District *en route* to other destinations. From many of the District's settlements, the sub-regional centres of Chelmsford, Colchester and Basildon are as accessible as Maldon.

Table 4 The Shopping Centre Hierarchy for Maldon District

TYPE OF RETAIL FACILITY	LOCATION
Principal Town Centre	Maldon - High Street, parts of Market Hill and Fambridge Road
Smaller Town Centre	Burnham on Crouch – High Street and part of Station Road
District Shopping Centre	Heybridge - Bentalls Centre, The Street & adjacent shops in Hall Road
Local Shopping Centres	Burnham-on-Crouch – Fiveways, Station Road
	Heybridge - Wood Road
	Maldon - Cross Road/Wantz Road
	Maldon – Dryden Close
	Maldon - Washington Road
Village Centres	Latchingdon - The Street
	Mayland - Imperial Avenue
	Southminster - High Street
	Tollesbury - High Street & East Street
	Wickham Bishops - The Street
Village Shops	Althorne
	Bradwell-on-Sea
	Bradwell Waterside
	Cold Norton
	Goldhanger
	Great Totham
	Purleigh
	St. Lawrence
	Tillingham
	Tolleshunt D’Arcy
	Woodham Walter
Farm Shops	Althorne
	Burnham-on-Crouch
	Goldhanger
	Heybridge
	Great Totham
Woodham Walter	

Source: Maldon District Council Planning Services, following PPS 6 definitions.

- 7.10 The highest priority within the Structure Plan strategy is to protect the existing shopping facilities, not only in the towns of Maldon and Burnham-on-Crouch but also in the small villages scattered throughout the District. The deterioration of these facilities in a District which has little public transport would result in many of the small settlements becoming unsustainable and the town centres not fulfilling the role prescribed in the Structure Plan.
- 7.11 It is acknowledged that the shopping facilities in the District, and especially in Maldon, do not provide a full range of retail outlets selling comparison non-food goods and that there is need for some further non-food retail development that fits the scale and circumstances of the District. The Essex and Southend-on-Sea Replacement Structure Plan sets out the retail hierarchy for development in the

County. It identifies that Maldon is a Principal Town Centre which provides a good range of comparison goods shopping. It also sets out a sequential approach to locating retail development.

- 7.12 Structure Plan policies TCR 1, 2, 3, & 4 apply to new retail development to determine the scale of proposed new development in line with any identified need for that type of provision.
- 7.13 Shopping for convenience goods in Maldon is undertaken at two large supermarkets located on the outskirts of the town and two smaller supermarkets in Heybridge and Maldon town centre. There is also a supermarket in Burnham-on-Crouch. The planning consents relating to both the larger supermarkets situated in Maldon restrict the range of goods that can be sold. These conditions have been imposed to protect the viability of Maldon town centre. Recent shopping surveys conclude that the present provision of convenience retailing in the District is adequate.

TOWN AND DISTRICT CENTRES

Town Centre Core Retail Areas

- 7.14 It is important to maintain the primary retail function of the town centres and district centre if they are to retain their importance in providing a centre for the surrounding community and District as a whole. The District's three main shopping centres - Maldon and Burnham-on-Crouch town centres and Heybridge district centre – are defined on the Proposals Map. This will enable the protection and enhancement of their retail function. Within the defined town / district centres, the priority ground floor use will be retail.
- 7.15 Retail outlets dominate the street frontages of the areas designated as Core Retail Areas. As part of the overall strategy, it is important to support and retain these uses. Within these frontages are a number of other uses including restaurants and offices. In order to strengthen the retail character of the area, the District Council will not permit any change of use of these premises unless it results in the premises being converted to a shop.

POLICY SH1 Core Retail Areas

Within the Core Retail Areas of Maldon and Burnham-on-Crouch town centres and Heybridge district centre, ground floor retail units will be protected from changes to other uses with the exception of Class D1(a) uses relating to the provision of medical and health services. Within these areas, only changes of use that result in A1 retail uses or D1 (a) uses will be permitted.

Development Outside Core Retail Areas

- 7.16 Outside the Core Retail Areas, changes of use of ground floor premises to town centre uses other than retail may be permitted. Changes of use to residential will be resisted, as these detract from the essentially commercial nature of the shopping centres.

POLICY SH2 Protection of the Retail Function of Town and District Centres

1. **Within the town and district centres, outside Core Retail Areas, changes of use from retail within the ground floor frontages, with the exception of Class D1(a) uses relating to the provision of medical and health services, will only be permitted if all of the following criteria are met:**
 - a) **They safeguard and promote the overall retail attractiveness, economic viability and vitality of the shopping centre;**
 - b) **They do not detract from the dominant retail appearance of the street frontage;**
 - c) **They are capable of attracting high numbers of visits from the general public;**
 - d) **Where appropriate, positive measures to enhance or restore the character of the building concerned and its retail appearance will be sought.**
2. **Changes of use from retail to residential uses within the ground floor frontages of the identified shopping centres will not be permitted.**

Maldon Market

- 7.18 Maldon has a twice-weekly market (Thursday and Saturday) on the public car park adjacent to the Rivendell (formerly Oakwood) Centre on White Horse Lane. The Market is an important feature of the retail offer and character of the town centre. Therefore the market site is safeguarded in this Plan to ensure that it is not lost to development.

POLICY SH3 Maldon Market

The market site on White Horse Lane, shown on the Maldon town centre Proposals Map, is reserved for that purpose.

Town and District Centre Development Sites

- 7.19 The adaptation and modernisation of shopping facilities to meet new retail demands is an important element in maintaining the viability of town centres. However, there is limited scope for development in Maldon or Burnham-on-Crouch town centres because of their historic nature, access requirements, the limited opportunities to expand public car parking and their capacity to absorb additional traffic generation. Therefore few development sites have been allocated in the Plan.
- 7.20 Within the town and district centres, as shown on the Proposals Maps, small and medium scale shopping, office and other related town centre uses will be encouraged. The redevelopment sites have been identified to incorporate a specific use within the development proposal. The proposed uses are considered to be those

required for the area in question and those which cannot be provided on other sites. The change of use of buildings to retail uses will be encouraged within both town centres and along The Street in Heybridge.

- 7.21 Those sites that are capable of being re-developed within Maldon, Heybridge and Burnham-on-Crouch are shown on the Proposals Map. These sites are being promoted to extend the shopping provision in the District and their development in Maldon and Burnham for these purposes will be encouraged.

In respect of these sites:

- 7.22 SH4/1, Quest Motors, High Street/Butt Lane, Maldon: Proposals for residential and retail development of this site have been received by the Council. It is unlikely that part of the site will be available for public car parking.
- 7.23 SH4/2, Transco Site, Victoria Road, Maldon: This site may be viable for a small housing development filling the existing gap between established housing in Victoria Road. The site abuts the High Street East town centre car park and the District Council will seek to extend this car park on to part of the site.
- 7.24 SH4/3, Orth's Garage, White Horse Lane, Maldon: The site lies adjacent to the White Horse Lane car park and the Council has agreed measures to seek the acquisition of this site.
- 7.25 SH4/5, Former Houlding's Garage Site, Heybridge: This site is currently fully occupied by a range of commercial uses. It will be suitable for expansion of the adjacent District Centre if the site is made available for development.

POLICY SH4 Town and District Centre Development Proposals

- 1. The sites shown in the table below and defined on the Proposals Map will be reserved for town centre related development. Planning permission will only be permitted if the proposals include provision for the uses/development as indicated.**
- 2. Schemes for the re-development of these sites will be required to meet all of the following criteria:**
 - (a) They will not give rise to unacceptable problems of access, road safety or traffic congestion;**
 - (b) They will provide car parking and servicing facilities in accordance with the relevant standards, together with facilities for non-car users;**
 - (c) They will promote high standards of design, be of an appropriate scale and not cause unreasonable loss of amenity to adjoining land uses;**
 - (d) They will not materially prejudice the provision of other major land uses, particularly the supply of land for employment, housing and community uses such as open space.**

Table 5 Town and District Centre Redevelopment Sites

Site Reference	Inset No.	Location	Parish	Size (ha)	Preferred Uses	Constraints* and Development Requirements
SH4/1	14A	Quest Motors, High Street/ Butt Lane	Maldon	0.49	Mixed use of Housing and Retail	<ul style="list-style-type: none"> • High quality design to respect character of the Conservation Area • Retail development to be provided on the High Street frontage • Affordable housing required • Decontamination of site if necessary
SH4/2	14A	Transco Site, Victoria Road	Maldon	0.15	Housing Public Car Parking	<ul style="list-style-type: none"> • Design to respect character of Conservation Area and adjoining buildings • Decontamination of site if necessary
SH4/3	14A	Orth's Garage, White Horse Lane	Maldon	0.21	Public Car Parking Mixed use including Retail	<ul style="list-style-type: none"> • Decontamination of site if necessary
SH4/4	14B	Former Houlding's garage site, corner of Colchester Road and Stock Chase	Heybridge	0.48	Public Car Parking Retail Community Health Facilities	<ul style="list-style-type: none"> • Affordable housing may be required if residential scheme proposed • Consideration of flood risk
TOTAL				1.18		

* This is not an exhaustive list of constraints; other policies in the Local Plan also apply to these sites.

Town Centre Car Parking

7.26 The background to public car parking policy is set out in the Transport chapter. Maldon is the largest retail and service centre in the District and relies on access by car from the rural areas, both for businesses and customers. Adequate and appropriately priced public car parking is therefore an important component of the town centre's function.

7.27 The car parks in Maldon town centre are operating at capacity on most weekdays and on Saturdays. They therefore impose a restraint on the capacity of the Town

Centre to increase its overall turnover. There are limited opportunities for re-development within the Town Centre, but where these areas have been identified it is the intention of the District Council to require that part of those sites be made available for additional public car parking.

- 7.28 Provision has been made for a small park and ride car park as part of a scheme to extend the Tesco store at Maldon. This scheme will also provide improved pedestrian and cycle routes to the town centre. These improvements, together with improved transport links, will increase the ability of the town centre to receive more shoppers.
- 7.29 Future provision of public car parking within the town centre will be made through inclusion of small extensions to existing car parks where these adjoin identified development sites. The transport chapter sets out a strategy for public car parking for Maldon town centre that includes management of the existing space, on-street parking, out-of-centre provision and new sites in the town centre.

Local Shopping Centres

- 7.30 Local Shopping Centres are located close to or in residential areas and have been purpose built to serve a local community. The role of these centres has been under pressure in recent years with the advent of more centralised and focused shopping habits.
- 7.31 To retain this role, the District Council will protect these centres from changes that undermine the viability or function of the centre as a shopping facility. Of equal importance, because these centres tend to be located in or close to a residential area, is to prevent uses being introduced that are individually or collectively detrimental to the neighbouring area.

POLICY SH5 Local Shopping Centres in Urban Areas

- 1. The change of use of shop units in Local Shopping Centres in urban areas, as defined in Table 4, to residential use will not be permitted. Changes of use to other uses may be permitted if the District Council is satisfied that:**
 - (a) The change of use does not undermine either the viability or function of the centre as a Local Shopping Centre;**
 - (b) The change of use either individually or collectively is not detrimental to the general amenities of the area or occupiers of neighbouring residential properties.**

RURAL SHOPPING

- 7.32 Inhabitants of the rural settlements rely heavily on services being provided within the confines of the village settlements to provide day-to-day requirements. These services frequently relate to convenience food shopping, pharmacy services and community facilities in the form of public houses, post offices and petrol filling stations/garages. Disabled and elderly people and those without access to private transport would find life difficult without their existence. The retention of these facilities ensures that the countryside retains a socially and economically balanced community.

- 7.33 The strategy of the Plan is to restrict the growth of retailing outside the development boundaries, unless it is associated with agriculture, to prevent the closure of rural services. Within development boundaries, the policy will be to examine thoroughly any proposal which results in the loss of a shop or local service as well as determining whether the premises can be occupied by a replacement village business. Included within this assessment will be whether the increased value of the property for residential purposes has brought about the closure, rather than lack of viability.
- 7.34 This will help ensure that the social and economic life of the community remains focused where possible on the village. In parallel with this strategy, extensions to retail premises in scale with the community it is serving will be permitted.
- 7.35 However, it is appropriate that the scale of new development is kept to a level which is compatible with the size and character of the village and surrounding rural area and that it does not conflict with the retail strategy outlined earlier in this chapter. The vitality and viability of both the village and other retail centres should not be adversely affected by new retail development

POLICY SH6 Village Shops and Services

Planning Permission will not be granted for development which would result in the loss of a village shop or service unless:-

- (a) The existing business has been marketed by estate agents operating in the locality for at least 3 months immediately prior to the application at a realistic price that reflects the existing business use;**
- (b) The existing business use is not and cannot be made viable;**
- (c) There is no alternative business use for the premises.**

Where change of use is allowed, the shop front will be preserved to retain the character of the street scene.

Farm Shops

- 7.36 There has been a trend in recent years towards the direct sales of produce from agricultural or horticultural holdings. The sale of produce from an agricultural or horticultural holding does not need planning permission. The income generated by this business is becoming increasingly important to the farming community and has for a long time been a recognised form of farm diversification.
- 7.37 However, farm shops that sell goods which are not produced on the farm do require planning permission. These shops are effectively grocery stores in remote rural locations. They can cause visual intrusion and have an adverse impact on nearby village shops. In such circumstances, development would be contrary to the strategic objectives of the Plan.

POLICY SH7 Farm Shops

The introduction of a retail use on a farm will only be permitted if:-

- a) **The scale and scope of the retailing proposal will not harm the viability of retail facilities in any nearby town or village;**
- b) **The scale and nature of the proposed retail accommodation including any possible new construction is compatible with that of existing buildings in the farm;**
- c) **The proposal does not harm the rural character of the landscape and the amenities of the locality.**

RETAIL USES IN EMPLOYMENT AREAS

- 7.38 Although the wish is to concentrate retailing in the town centres, there are items that are so heavy and bulky that they require direct loading into the customer's vehicle. Uses of this nature, involving goods which are retailed or sold wholesale, have to be located in out-of-town locations and generally in employment areas. There are also uses where the goods, such as cars, caravans and boats, require extensive external display areas and these also are more appropriately located in employment areas.

RECREATION AND LEISURE

INTRODUCTION

- 8.1 The aim of the Plan is to provide sport and recreation facilities for everyone, regardless of ability or gender, in sufficient quantity and in the right locations. Without this widespread foundation, accessibility particularly for those with disabilities is limited and would curtail the District Council's objective of improving performance and promoting excellence in chosen activities. The Community Safety Strategy promotes accessibility to sport and leisure facilities as part of the response to crime and disorder issues. Provision of facilities, particularly for youth participation in sport, provides an outlet for the isolation that can be common in rural areas. Enabling people to participate in their chosen leisure activity also assists the implementation of the Health Improvement Programme, which has identified access to facilities as a priority issue.
- 8.2 Local guidance for planning policies is also provided by other District Council strategies. The Maldon District Leisure Strategy (1997-2001) sets out the Council's broad objectives in respect of future provision and management of a wide range of leisure, recreation and tourism facilities. A "Playing Pitch Strategy" for the provision of playing pitches has been adopted. In preparing this Strategy, a survey of Parish Councils was carried out and the information gathered has been used to identify local open space priorities.
- 8.3 Local Plan allocations and policies represent the first stage of implementation of the strategies, by safeguarding land for particular activities and providing the planning framework to enable specific recreation and leisure development to take place. Allocations of land for public open space are only made where there is a real prospect of implementation within the Plan period. This will require measures to be taken by public authorities to purchase land. The Council will expect new housing development to make public open space provision where appropriate.
- 8.4 The Plan has to balance the demands for new land and buildings against the need to identify sustainable locations, protection of the countryside and promotion of environmental quality in urban areas. Policy seeks to improve recreation facilities across the District, but focuses on key settlements where most facilities will be planned to meet the identified requirements in the rural areas. This chapter sets out planning policies for the recreation and leisure requirements of the District's residents and tourist attractions and accommodation.

OBJECTIVES

Strategic Objective

Svi To improve access to and provision of sport and leisure facilities and enhance tourism for all.

Recreation Objectives

RECi To identify deficiencies in the provision of playing pitches and

	children’s play space and seek to provide the appropriate level of facilities, particularly in priority areas.
RECii	To seek to provide facilities for formal recreation (other than pitch-based sports), accessible to the majority of the population in the District by the establishment and safeguarding of facilities in key settlements.
RECiii	To provide for a range of informal recreation space throughout the District.
RECiv	To protect all existing and proposed “open space” sites from adverse development.
RECV	To provide additional and safeguard existing indoor dry sports facilities in the District.
RECvi	To provide guidance for the establishment of new indoor leisure and entertainment facilities.
RECvii	To maintain and enhance opportunities for recreation in the countryside for walkers, cyclists and horse riders.
RECviii	To encourage appropriate recreation development of an open nature in the countryside, if it is sustainable and situated in appropriate locations.
RECix	To safeguard opportunities for the development of quiet water sports and water-based activities and the use of estuarine and inland water bodies and waterways for informal recreation.

THE STRATEGY FOR PUBLIC OPEN SPACE PROVISION

- 8.5 Previous Local Plans have sought to add to the stock of public open space, giving priority to areas of deficiency. These have been defined using the National Playing Fields Association “6 acre standard.” Reductions in deficiencies have been made by the implementation of allocations in the Maldon District Local Plan First Review at Heybridge, Mayland, North Fambridge and Southminster, which were linked to the provision of new housing.
- 8.6 Allocations for public open space in previous Local Plans have not attempted to define a particular use for the allocated land and neither have they sought to ensure that the land allocated is suitable for a particular purpose.
- 8.7 This Plan considers the current position both in respect of existing provision and unimplemented allocations by assessing need in relation to informal and formal open space. Providing a range of different types of space can satisfy open space requirements. The size, location and frequency of provision of a particular type of open space are determined by standards designed to ensure that they satisfy a particular need.

- 8.8 Policies have been developed by first defining the role of each particular type of open space, next describing the type of provision required and finally adopting a policy which seeks to achieve implementation.

Formal Open Space

Playing Pitches

Definition

- 8.9 Publicly available playing fields specifically for the playing of pitch sports including rugby, football, hockey and cricket.

Provision

- 8.10 This type of provision has to be located to ensure that it benefits the maximum number of users. The use of formal pitches for team games is almost entirely related to the existence of a club in that location. The "Playing Pitch Strategy" adopted by the District Council in 2001 identifies a shortfall in pitches for football in the urban areas of Burnham-on-Crouch and Maldon. In addition, provision needs to satisfy the needs of the rural population and especially those settlements which have very small populations.
- 8.11 Adopting a two-tier standard, designating key settlements and calculating requirements on an area basis enable a strategy to be adopted which satisfies the deficiencies established in the "Playing Pitch Strategy" but also makes provision in the rural areas of the District. The key settlements are Maldon and Heybridge, Burnham-on-Crouch, Latchingdon, Mayland, Southminster and Tollesbury.
- 8.12 The standard applied in this District and stated in Table 6 is a modification of the "NPFA (National Playing Fields Association) 6 Acre Standard". The standard is designed to ensure that in settlements having a population in excess of 1000, provision is made for at least 0.8ha of formal public open space, which is sufficient to accommodate a full size football pitch. The reduced standard in the smaller settlements is balanced by increasing the standard in the key settlements to 2.0ha, allowing provision to be made which reflects the findings of the Council's "Playing Pitch Strategy."
- 8.13 The results of applying the modified standard using the 1991 Census information are shown in Appendix 5. Applying the higher standard in the circumstances specified in Table 6 ensures that the areas under greatest pressure for formal playing pitches are catered for and those villages that have no provision are given special attention. Appendix 5 illustrates that need is being addressed in the locations most under pressure and the use of the lower standard in other areas reflects the lack of demand identified in the Council's "Playing Pitch Strategy."
- 8.14 This methodology permits formal playing provision to be made in accordance with a standard which recognises the settlement pattern of the District and yet ensures that the population of the District as a whole has sufficient playing field provision. Based on the average of the NPFA standard (1.7ha per 1000 population), there is a requirement for 90ha of land to be allocated. Adopting the standards in Table 6, the land required amounts to 88.7ha. The addition of the area of allocations in the Plan (15 ha) to the existing provision (72.0ha) when implemented will achieve a playing area of 87ha.

8.15 The shortfall of 1.7ha masks shortfalls in formal playing pitch provision identified in the Council's "Playing Pitch Strategy" in Burnham-on-Crouch and Maldon. The implementation of the allocations during the Plan period will ensure that the area provided for formal playing pitches broadly accords with the NPFA standard, albeit not in the most beneficial locations.

Table 6 Area Standards for Playing Pitch Provision

<ul style="list-style-type: none"> • 2.0 hectares of playing pitches per 1000 population in the key settlements of Burnham-on-Crouch, Latchingdon, Mayland, Southminster, Tollesbury and Maldon/Heybridge. • 0.8 hectares of playing pitches per 1000 population in all other parishes in the District. (Where a parish has no playing pitch and relies on a key settlement for all of its needs, the standard is increased to 2.0 ha/’000).
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Policy

8.16 Based on the standards in Table 6 and the results of the survey carried during the preparation of the District Councils' "Playing Pitch Strategy", the deficiencies and allocations shown have been identified in Table 7.

Table 7 Football Pitch Deficiencies

Area	Pitch deficiency (Playing Pitch Strategy: minus =deficiency)	Area deficiency (ha) (local standard see table 6)	New area provision (ha)
NORTH	+1	7.4	1.5
SOUTH	-1	-	2.1
EAST*	-12	14	3.4
CENTRAL	-12	13	8.0
TOTAL	-25	31.5	15.0

*see paragraph 8.18

8.17 Where appropriate, the RLP carries forward a number of unimplemented allocations from the First Review and makes additional allocations. Although there is a sufficiency of pitches in the north area based on the survey, the First Review allocation of 1.5 ha. at Little Totham, associated with housing allocation H4/2, is carried over from the previous Plan. In the south area, provision is made for 2.1 ha. at Latchingdon.

8.18 In the east area, provision is made for 1.8 ha at Southminster and 1.6 ha at St. Lawrence. The large deficiency in the east area results from the situation at Burnham-on-Crouch, which currently has no public playing pitches, although there are private pitches at the Millfields, Dengie Sports Centre and Burnham Ramblers football ground. The Council is supporting a bid by St Peter's School to provide an all-weather pitch with independently accessed changing facilities. The provision of these will enable shared use of the school playing fields. This will dramatically improve the availability of public playing fields. In the central area, there is a large deficiency in Maldon and Heybridge. This will be reduced by the allocation of 7.9 ha in Maldon. Separately, the Council is preparing a Strategy for provision of play

facilities for children. The funding methodology and delivery mechanisms outlined in that document will be applicable to provision of formal recreation facilities in Maldon and Heybridge.

- 8.19 Where the standard does not generate an area sufficient to accommodate a pitch, the need can be addressed through policy REC2.

POLICY REC1 Allocation of Land for Formal Public Open Space

The following sites defined on the Proposals Map are allocated for formal open space:-

FORMAL PUBLIC OPEN SPACE FOR PITCHES				
Parish	Inset	Site number	Location	Area (ha)
Latchingdon	11	REC1/1	*Rear of the Neptune Café	2.1
Little Totham	13	REC1/2	*East of The Street	1.5
St. Lawrence	19	REC1/3	*West of Main Road	1.6
Southminster	20	REC1/4	*South of St Leonard's School	1.8
Maldon	14	REC1/5	*Primrose Meadow, Mundon Road	3.1
		REC1/6	East of Mundon Road	4.9
Total				15.0

*Indicates possible children's play space location

With the exception of the provision of supporting facilities for sports and community activity, planning permission will not be granted for the use of these areas for any purpose other than open space.

- 8.20 Policy REC1 is designed to rectify the shortfalls identified in the "Playing Pitch Strategy." The provision of formal open space beyond this minimum provision is to be encouraged, provided the site is "fit for purpose", is in scale with its location, and is situated close to local communities. Proposals for further public formal open space should comply with REC2.

POLICY REC2 Provision of Public Playing Pitches

New proposals for public playing pitches in addition to those allocated in policy REC1 will be required to meet all of the following criteria:

- (a) The site should be level, free-draining and of sufficient size to accommodate the proposed pitches;**
- (b) It should be located where there is convenient access for the local communities;**

- (c) **The proposed pitches are for public use;**
- (d) **Vehicular access to the site from the highway can be accommodated without creating a highway hazard;**
- (e) **It should not result in adverse impact on residential amenity or the character of the countryside;**
- (f) **The Local Planning Authority is satisfied that provision has been for the area's long term retention and maintenance.**

Children's Play Space

Definition

- 8.21 Open space provided specifically to accommodate children's play equipment for a range of age groups. It may or may not be associated with "kick about areas" or other open play space.

Provision

- 8.22 The District Council adopted a strategy for children's play space for the period 1997 - 2001 as part of the Leisure Strategy. This refers to and adopts the National Playing Field Association "Six Acre" Standard. This translates into providing play facilities at a maximum proximity of 5 minutes walking or about 400m. The document is under review and will be integrated into the Cultural Strategy, identifying priorities. Guidance on priorities is currently provided by the survey of Parish Councils and demographic data.
- 8.23 Children's play areas are often provided in all-purpose recreation grounds. They require a small area of land and can provide facilities for a range of ages. All children should have the opportunity to have access to outdoor play areas, which suggests that some provision should be available in every parish.
- 8.24 Whilst there is a need for children's play space in both rural and urban areas, the relationship of these areas to adjacent development in urban areas results in there being a requirement to consider different location criteria. With the exception of the larger settlements i.e. Maldon, Heybridge, Burnham-on-Crouch and Southminster, children's play space can be generally located on or adjacent to existing or proposed areas of formal or informal open space.
- 8.25 In the urban areas, because housing densities are comparatively high, children's play spaces need to be located more frequently and therefore isolated from major areas of informal or formal space. The design of play spaces located in urban locations will have to be more focused to cater for particular age groups to ensure that their use is not detrimental to the surrounding residential properties.
- 8.26 In the rural areas, several parishes currently have no play space provision. Priority is given to areas where there is a higher proportion of children under 16 and there is no provision. On this basis, the parishes of Stow Maries and Woodham Walter are in priority need and most others are considered to need improved provision. In villages where there is no open space provision, a higher standard has been used in order to make provision for not only an area for play equipment to be installed, but also an area for informal ball games.

- 8.27 Responsibility for providing these facilities in villages, where there is no significant development likely to generate the provision of further play spaces, is with the Parish Councils. Where public open space exists in the rural areas, the District Council will encourage Parish Councils to make best use of that open space to provide children's play space.
- 8.28 Children's play space in urban areas can only be provided by enhancement of existing or provision of new space within housing developments, or through commuted sums where it is neither appropriate nor practical for the developer to provide the space on site. In these areas, the policy will require that formal children's play spaces be provided for specific age groups.

Policy

- 8.29 In rural areas, an assessment of deficiency of children's play space is set out in Appendix 6. This deficiency has been calculated using the formula set out in Table 8. Possible locations for children's play space to satisfy this deficiency in certain parishes are shown in Tables 11 and 13. Some villages already have the capacity within existing or allocated areas of public open space to accommodate the children's play space deficiencies; these are shown in Appendix 6.

Table 8 Area Standards for Children's Play Space

<ul style="list-style-type: none"> • 0.3 hectares (0.75 acres) of children's play space per 1000 population where there is existing public open space. • Where there is no existing public open space, the standard will be 0.5 hectares (1.2 acres) per 1000 population.

- 8.30 Opportunities to provide and improve children's play space in Maldon, Burnham-on-Crouch, Heybridge, Southminster and Mayland will be sought. However, scope to provide children's play spaces on new housing developments within urban areas is extremely limited, because future housing sites are likely to be windfall sites and therefore small in area. It is inappropriate to provide for play space in association with sheltered housing for the elderly or in the case of single room flats. Where proposals are located on sites of sufficient size to generate a need for this type of provision, it will be necessary to comply with policy REC3. Guidance will be prepared to assist in the implementation of this policy and particularly to explain the Council's approach to ensuring the long-term maintenance of any site.

POLICY REC3 Children's Play Space Associated with New Housing Developments and Elsewhere in the District

- 1) **Planning permission for new housing will only be granted:**
 - (a) **If a play space is provided in accordance with the adopted standards of the District Council; or**
 - (b) **Where all or part of the proposed development lies within 400m of the centre of existing play space and enhancement of that play space is carried out in**

accordance with the needs generated by the proposed new development; or

- (c) With a combination of (a) and (b); or
 - (d) Where the above cannot be fulfilled, when a commuted sum is paid to the District Council for the provision or enhancement of children's play space of the same value or level as provision of the facilities.
- 2) Planning permission for new housing will only be granted if children's play space areas:
- (a) Are secure and located where there is good visibility, on a pedestrian network accessible by local residents to allow supervision and surveillance;
 - (b) Are equipped according to the standards of the District Council;
 - (c) Do not result in adverse impact on residential amenity or character of the countryside;
 - (d) Are for public use in perpetuity;
 - (e) Have pedestrian access in existence or this will be provided via a footpath giving safe access to the site.

Development proposals that do not meet the above standards will not be granted planning permission.

Other Formal Open Space

Definition

8.31 These areas are designated for particular recreation or sport activities which are not provided on playing pitches, such as tennis, netball and basketball.

Provision

8.32 These spaces are usually intensively used and are floodlit. As these spaces rely on intensive use, it is unrealistic to aim to provide space in every village. The District Council will draw up a Sports Development Strategy identifying objectives for future Local Plan Policy. In the meantime, proposals of this nature will be determined having regard to policy BE11.

Informal Open Space

Definition

8.33 These areas of open space are intended to serve the adjacent community and to be areas where informal activity can take place, including walking, picnicking and general informal games.

Provision

8.34 The District is rural in character with easy access to the coast and countryside for informal recreation. Large areas of informal open space exist at the Promenade

Park, Maldon and the Burnham-on-Crouch Country Park. As well as providing an amenity for the neighbouring communities, these areas are considered to provide an amenity for persons visiting the District.

- 8.35 In addition to these areas, allocations have been made in Heybridge and Southminster for smaller informal open spaces. These areas are intended to serve the needs of the population living in the immediate area. The creation of further areas of informal open space will be encouraged.

Policy

- 8.36 Provision has been made for the creation of informal public open space by retaining the allocations contained in the Maldon District Plan First Review at Southminster and Heybridge as set out in Table 9. The District Council will encourage the implementation of further areas of informal open space, provided they are of a size that allows the site to function as an informal open space but does not encourage car-borne visitors to the facility.

- 8.37 An area of land to the north of the Longfield in Maldon, formerly allocated as public open space, has not been implemented. The site is isolated from the main open space and has been used on a temporary basis for private car parking. The site has been reallocated in this Plan for civic and community purposes (Policy PU4).

- 8.38 Allotments are regarded as informal open spaces and their maintenance and implementation is the responsibility of Parish Councils. In the last Plan period, one allotment area has been developed at South Maldon (Brickhouse Farm). A site is reserved at Heybridge (east of Wood Lane). Existing allotment sites are protected under Policy REC7.

POLICY REC4 Allocation of Land for Informal Open Space

The following sites shown on the Proposals Map for new informal open space shall be reserved for that purpose:

Table 9 New informal public open space allocations

INFORMAL PUBLIC OPEN SPACE				
Parish	Inset	Site number	Location	Area (ha)
Heybridge	14	REC4/1	Adjoining Elms Farm Park	4.9
		REC4/2	Allotments East of Wood Lane	0.7
Southminster	20	REC4/3	*North of Devonshire Road	1.3
Total				6.9

*Indicates possible children’s play space location

- 8.39 In addition to those areas specifically allocated for informal open space, the District Council is keen to promote the provision of informal open space adjacent to existing communities. The purpose of these spaces is to provide green areas for the enjoyment of that community and they should not be of a size that attracts users from beyond!the community they are intended to serve or compete with the Parks in Maldon and Burnham-on-Crouch.

- 8.40 In order that such space is provided for the community in perpetuity, the Council will negotiate for S106 planning obligations to cover access and long-term maintenance arrangements.

POLICY REC5 Provision of Informal Open Space

New proposals for informal open space in addition to that shown on the Proposals Map will be permitted, provided they meet all of the following criteria:

- (a) The location should afford safe, easy pedestrian access from the defined settlement it serves;**
- (b) It should not result in adverse impact on residential amenity or the character of the countryside;**
- (c) The proposal should provide a local facility in scale with the community it serves;**
- (d) Existing natural features shall be retained and enhanced, with the implementation of a landscaping scheme designed to enhance the nature conservation value of the site.**

Amenity Areas

Definition

- 8.41 These areas are located within the towns and villages and are intended to provide areas where significant landscaping can be introduced to soften the urban environment and improve visual amenity.

Provision

- 8.42 Generally, these areas are created through the design process of a particular development proposal. They may be combined with the provision of a play space for children or even an informal open space.

Policy

- 8.43 The Council will seek to encourage the implementation of amenity areas within and adjacent to areas of built development. It is the intention that amenity areas will be managed in perpetuity as amenity areas, either through a Section 106 obligation or as the responsibility of the occupiers of neighbouring properties.

POLICY REC6 Provision of Amenity Areas

The District Council will seek to ensure that all new developments will include the provision of amenity areas of a size that enable the introduction of landscape features of a scale to have a significant beneficial impact on the development.

PROTECTION OF PUBLIC OPEN SPACE

- 8.44 It is essential that the existing stock of open space be protected against loss. The limited ability of the Plan to bring forward new sites linked to development underlines the need for this approach.

Protection of School Recreation Facilities

- 8.45 School playing fields in the District make an important contribution to local pitch provision and to the character of the urban areas. There have been national concerns over recent years about the loss of school playing fields to development. The Government has introduced new regulations to control this. The intention is to ensure that where a playing field is no longer required by the school, but is needed for the community, its use is retained. Sport England is consulted on these proposals. The Council is preparing an audit of open space across the district. This will list the valuable open spaces that benefit the community, as well as identifying any open space that may no longer be required by the community. Until this audit is prepared and adopted, developers will need to satisfy the Council that proposals that affect open space do not compromise the objectives of the Plan.
- 8.46 New allocations for public open space will be protected by policies REC1 and REC5. Existing space will be protected under policy REC7.

POLICY REC7 Protection of Existing Public and Private Open Space

Planning permission will not be granted for development on informal open spaces, including allotments and amenity areas, recreation areas, formal recreation areas, children's play space, playing pitches and school playing fields for any use other than open recreation, leisure uses or sport unless an equivalent convenient space for the same purpose is provided.

POLICY REC8 Open Spaces in Towns and Villages

The townscape and amenity value of major natural features and important areas of public and private open space in towns and villages shall be safeguarded. Planning applications for development of such sites that will result in detriment to these features will be refused.

Shared Use of School Recreation Facilities

- 8.47 Maximising the use of existing facilities is a sustainable approach to increasing provision. Most school facilities are used only for limited periods outside school hours. Opportunities for wider community use should be explored. It may be necessary to establish independent ancillary facilities, such as changing rooms and car parking, in order to ensure the use is suitable for both the school and the community.

INDOOR RECREATION FACILITIES FOR SPORT

Swimming

- 8.48 Sport England recommends a minimum provision of seven square metres of swimming pool space per 1000 population. Maldon District has provided a swimming pool of 374 sq.m. south of the Promenade Park, Maldon, which meets the District's requirements.

Indoor Dry Sports

- 8.49 Most indoor dry sports require the provision of a sports hall which is able to accommodate a wide range of activities such as badminton, volleyball, basketball, and five-a-side football. Sport England, provides standards for the requirements of sports facilities in relation to population levels. A minimum of one sports hall of 32m x 17m x 7m per 25,000 - 30,000 population is recommended, in addition to one squash court per 5,000 population and one indoor bowls rink per 15,000 population. Based on these standards, the Maldon District should have two sports halls, ten squash courts and three bowling rinks.
- 8.50 There are no public squash courts in the District, although 16 exist at private clubs in Maldon and Burnham-on-Crouch. There is a bowls centre in Latchingdon, which meets the District requirement, and some parishes offer short mat and carpet bowls in the village halls.
- 8.51 In the District, in 2001, one sports hall is provided in Burnham-on-Crouch that caters for the population in the east of the District. New dryside sports facilities have been completed at the Blackwater Leisure Centre, Park Drive, Maldon. These facilities satisfy the Sport England requirement for two sports halls in the District.
- 8.52 Within other settlements, village halls can provide important indoor sports facilities, supplementing the strategic District provision. However, these should be small in scale so as not to create unsustainable facilities.
- 8.53 In consideration of the wishes of the community as expressed in the Community Plan, it is important that the amenities offered to the town and surrounding area at the Blackwater Leisure Centre, Park Drive Health Club and the Madison Heights indoor bowling/leisure centre are retained. Policy REC9 reserves or safeguards these sites for these general purposes and encourages further provision of facilities in the area shown in the Proposals Map.

POLICY REC9 Indoor Sports, Leisure and Recreation Facilities

Planning permission will not be granted for development which would result in the loss, or reduction of the capacity of, the facilities shown on the Proposals Map.

Maldon Leisure Quarter

- 8.54 There has, in recent years, been significant development of sports and leisure facilities at south-east Maldon on land to the east of Park Drive. This includes the Park Drive Health Club, Blackwater Leisure Centre (originally built to provide swimming facilities, but now includes dryside sports facilities) and 'Madison Heights', offering ten-pin bowling and snooker/pool facilities. In addition, Maldon Town Football Club has its new ground and function suite further to the south.
- 8.55 Consultation during the preparation of the Community Plan for Maldon District has revealed the clear desire of residents for enhanced leisure and entertainment facilities in Maldon, particularly a cinema. The lack of hotel facilities was also highlighted.
- 8.56 There is the opportunity to accommodate leisure and tourist facilities on land at south-east Maldon through an amendment to the development boundary, to reflect the recent changes in this part of the town. Further additional development would consolidate its role as a leisure area or 'quarter' offering sporting, leisure and community uses to residents and visitors and would be particularly welcome. Given the peripheral location of the area in relation to the town, it will be important to demonstrate that the proposal complies with the assessment tests in PPS6. It will also be necessary to improve accessibility by a choice of means of transport. Bus routes and the South Maldon cycleway already serve the area. This District Council will seek the enhancement of transport facilities in this area with both developers and public transport providers.

RECREATION IN THE COUNTRYSIDE

- 8.57 The opportunity for recreation in the countryside is an important contribution to quality of life in the District. The Blackwater and Crouch Estuaries are the District's greatest recreational assets and consequently there is pressure for development in the Coastal Zone to meet recreational demands. The Plan aims to ensure that the use of the Coastal Zone does not adversely affect its character and that competing demands on the resource are reconciled. Policies on this matter are in the Coast and Countryside chapter.

Public Rights of Way

- 8.58 The Essex County Council is responsible for maintaining the definitive map of public rights of way in Essex and for the creation, maintenance, signposting, preservation and repair of public rights of way in the District. Additionally, Maldon District Council has the power to create and divert paths under the Highways Act 1980 and the Town and Country Planning Act 1990. Where any proposal for development affects a public right of way, it may be necessary for it to be diverted to a route no less attractive, safe or convenient for public use.

Walking

- 8.59 This continues to be one of the most popular recreational activities in the countryside and there is an extensive network of public footpaths throughout the District. Where it is desirable, the District Council will encourage the creation of suitable additional footpaths through co-operation between landowners, Local Authorities and users when considering appropriate planning applications. Public use of footpaths is enhanced by the provision of suitably located car parking, toilets and information. Improvement of existing facilities and new provision will be encouraged in suitable locations.

POLICY REC10 Public Rights of Way

Planning permission will not be granted for development that affects a public right of way unless the proposals either provide for the maintenance of or divert the affected part of the right of way.

Recreational Cycling

- 8.60 It is an objective of the District Transportation Strategy to increase the number and length of journeys made by bicycle. The extensive character, topography and diversity of the rural area is well suited to leisure cycling, but national surveys show that there is resistance to bicycle use for other journeys over 5 km. In the larger settlements, encouragement to cycle can be assisted by the provision of cycle routes and dedicated cycle routes and these can serve all-purpose journeys. Cycle routes are discussed in more detail in the Transport chapter.
- 8.61 The National Cycle Network (promoted by Sustrans) in Essex will link Harwich and Harlow and passes through Heybridge and Maldon, where it utilises the cycle route network and the Blackwater Rail Trail (the former Maldon to Witham Railway). The "Two Rivers Way," a waymarked leisure route linking Burnham-on-Crouch and Bradwell, was opened in 2000. The District Council is working with Essex County Council and other partners to achieve the completion of the Blackwater Rail Trail. To achieve this, it is essential that the route and line of this proposed linear country park is protected from development that might hamper or prevent its implementation.
- 8.62 The District Council will encourage recreational cycling in the District, working with Sustrans, Essex County Council and user groups to promote suitable waymarked routes along appropriate rural roads, public bridleways and public byways. It is recognised that off-road facilities in the District could be improved to meet the demands or needs of users. Therefore, support will be given to projects aimed at improving access to the countryside for walkers, cyclists and horseriders, including rural traffic calming and the creation of public bridleways.

POLICY REC11 The Blackwater Rail Trail

The Blackwater Rail Trail will be reserved as an informal open space and bridleway/cycle route. Support will be given to the improvement and enhancement of the Blackwater Rail Trail Linear Country Park. Planning permission will not be granted for proposals for development in the vicinity of the Blackwater Rail Trail that have a detrimental effect upon the peaceful enjoyment, rural character, or appearance of the Trail it, and where possible the Council will seek to secure facilities which will complement and extend the trail for the benefit of walkers, cyclists and horseriders.

Horse Riding

- 8.63 Horse riding is a popular recreational pursuit in the District. Although the total bridleway provision in the District is 15 miles, there is heavy reliance on the use of roads for recreational riding. There continues to be a demand for further provision of bridleways, particularly to provide an opportunity to establish circular routes of reasonable length. The District Council will seek to protect and enhance the bridleway network throughout the District. It will work with the Essex County Council and local users to encourage further provision of bridleways where appropriate. The District Council will work with the County Council and user groups to encourage the creation of new public bridleways within the District. Support will be given to the

identification and investigation of rural traffic management issues, especially where the safety and enjoyment of the highway and public rights of way network is of concern for non-motorised users, i.e. pedestrians, cyclists and horseriders.

- 8.64 There are seven riding establishments (stables that hire out horses or ponies for riding or tuition) licensed by the District Council under the Riding Establishments Act. New establishments will not be allowed where they require a new dwelling in the countryside. The reuse and redevelopment of existing rural buildings could provide stable accommodation. Adequate safe routes should exist in the area for the level of activity proposed. New developments will be encouraged to locate where there is good access to the bridleway network, or to roads carrying low levels of vehicular traffic.

POLICY REC12 Riding Establishments

- 1. Proposals for new riding establishments will only be permitted if all of the following criteria are met:**
 - (a) The proposal is located within development boundaries or, if in the countryside, reuses an existing rural building;**
 - (b) There are no adverse effects on road safety as a result of the horseriding establishment;**
 - (c) There is adequate land available for grazing in accordance with the British Horse Society recommended standards;**
 - (d) The development does not detract from the character and general appearance of the countryside.**
- 2. New dwellings associated with these facilities will not be permitted.**

Recreation and Tourist Attractions in the Countryside

- 8.65 The District Council aims to attract tourists who enjoy the tranquillity of the countryside and coast. New intensively used tourist attractions are inappropriate in these locations and are directed by Policy S1 to within development boundaries. The upgrading of existing attractions' facilities may be acceptable subject to their location.

POLICY REC13 Small-scale Proposals for Recreation and Tourist Developments in the Countryside

Within the countryside, small-scale proposals and the upgrading of existing tourist attractions and facilities may be permitted, subject to all of the following criteria:

- (a) There is no adverse impact on Sites of Special Scientific Interest, Special Landscape Areas, nature conservation resources and the Coastal Zone;**
- (b) Adequate access is available and the adjoining roads are capable of taking the increased traffic volumes generated;**

(c) The buildings are of a scale, form and colour appropriate to the character of the locality.

Golf Courses

8.66 The level of participation in golf continues to be high. The Maldon District has a substantial number of courses, located at Creeksea, Cold Norton, Great Totham, Langford, Tolleshunt Knights, Great Braxted and Woodham Walter. At Woodham Mortimer and Latchingdon, there are golf driving ranges. At Tolleshunt Knights there are several courses forming part of the Five Lakes leisure complex.

8.67 PPG 17 states that:

“Golf courses can open up the countryside for recreation, but they can also have significant impact. They should be located and designed to ensure harmony with the surrounding countryside and to conserve the natural environment. Each proposal should contain full details of the site and the impact of the development proposed, including the effect on public rights of way.”

8.68 The PPG goes on to advise that special care should be taken when considering proposals within designated sites, such as Sites of Special Scientific Interest. Further guidance on planning considerations is set out in “The Essex Golf Report” (Essex Planning Officers Association, 1992).

8.69 The demand for golf facilities is extending far beyond the basic provision of golf course and clubhouse facilities. It is important that, in rural areas, built development is restricted to that which is essential to serve the golf course proposed. Unrelated residential or holiday accommodation, hotels or major leisure and recreational developments are not appropriate. There are limited locations where such a development is acceptable and all built structures associated with golf courses will be considered against the countryside policies in this Plan. There are currently three unimplemented planning permissions for golf courses in the District, indicating that demand for new courses has been satisfied.

Golf Driving Ranges

8.70 Golf driving ranges are often provided in association with golf courses. They need covered bays, flood lighting and high fencing. Consequently they can have greater visual impact on their surroundings, more closely resembling an urban location than other golfing facilities. A driving range can be free-standing, in which case it would require further buildings including a pay desk, toilets, refreshments and possibly a shop. Careful siting and design of buildings is necessary to minimise their impact on the open countryside or residential areas where they are close to built up areas. Proposals for such facilities will be considered against countryside policies as well as the policies below.

8.71 The Council will require that the layout of the course, the siting and size of its buildings, car parking and a landscape scheme are submitted as part of the planning application and not treated as a reserved matter for later approval. Opportunities to extend and enhance the existing network will be taken and consideration of the creation of new public footpaths and bridleways within and in close proximity to the golf course will be encouraged and pursued in determining proposals.

POLICY REC14 Golf Courses, Extensions and Facilities

Proposals for golf courses and extensions to golf courses and associated facilities will not be permitted within a Site of Special Scientific Interest if they adversely affect the identified special interests of the site.

Outside these areas, within the Coastal Zone or Special Landscape Area, new buildings will not be permitted except where it can be demonstrated that the special landscape character of these areas will not be adversely affected, or where landscape improvements can be achieved by the removal of development that harms that character. In all cases, proposals should also comply with all of the following criteria:

- (a) The location and siting of proposals must not be prominent in the landscape and should accord with the character of the area. Any buildings and features alien to the landscape (such as bunkers and artificial mounding) should be designed to minimise their visual impact;
- (b) Any built structures must be essential to the use of the land for golf activities and will normally be restricted to a clubhouse (changing facilities, toilets, office, and refreshments). They must be of a scale, form and colour appropriate to the character of the area;
- (c) Adequate site access must be available and the adjoining roads must be capable of taking the increased traffic volumes generated;
- (d) Important habitats must be retained.

POLICY REC15 Golf Driving Ranges

Proposals for golf driving ranges will not be permitted if the site is within a Site of Special Scientific Interest, the Coastal Zone or a Special Landscape Area if they adversely affect the identified special interests and character of these areas. Proposals will be permitted if they comply with all of the following criteria:

- (a) They are located next to a development boundary, or the development is in conjunction with an existing golf club located near to existing buildings, or the site is within former mineral workings where the floor level has not been restored to the original ground level;
- (b) The location and siting of proposals must not be prominent in the landscape and should accord with the character of the area; any buildings and features alien to the landscape should be designed to minimise their visual impact;
- (c) Adequate site access must be available and the adjoining roads must be capable of taking the increased traffic volumes generated;

- (d) **There shall be no loss of rural or residential amenity or harm to nature conservation interests from artificial lighting.**

Other Recreational Pursuits

Motor Sport

- 8.72 Uncontrolled motor sports can create problems such as noise pollution and erosion. For these sports to be acceptable, they need to be undertaken safely and legally and this will require the planning of a site fit for the purpose. A suitable site would need to be away from residential areas, not in or adjacent to designated nature conservation sites or on good quality agricultural land. Considering these requirements, it is unlikely that a suitable site for motor sport could be identified in the District.

War Games

- 8.73 War Games are a woodland-based recreational activity. The Town and Country Planning General Permitted Development Order (1995) allows for temporary uses, including war games, to be undertaken for a maximum of 28 days in any one calendar year. Further use requires planning permission. Use of woodland for the purpose of war games may damage the vegetation and should be avoided at certain times of year to prevent disturbance to breeding habitats. Horses can take fright when ridden through or past an area in which war games are taking place. The effects of disturbance to equestrians and other users of adjacent or nearby public rights of way will be taken into account in determining proposals. Most woodlands in the District would be significantly damaged if they were used for this purpose. War games are an unacceptable use within designated nature conservation sites. Early discussion by interested parties with the District Council and English Nature is advisable.

Temporary or Permanent Use of Land or Water

- 8.74 Temporary use of land without the need to apply for planning permission for motor car and motor cycle racing is restricted to 14 days for any calendar year. Other uses are restricted to 28 days. There is provision within the legislation to withdraw these permitted development rights.
- 8.75 The Council will seek Article 4 Direction orders to prevent the use of land or water for sports and activities with potential nuisance value, if such uses are having a damaging affect on the environment of the District. These include war games, clay pigeon shooting, motorcycle scrambling and noisy water sports. The Council has the power to implement this provision where the activity is found to be causing demonstrable harm to residential amenity or to the environment or where there is a degree of permanency relating to the use of land. Within SSSIs, planning permission is required for the temporary use of land for any of the above activities.
- 8.76 The permanent use of land or water for such activities would require planning permission. It would be likely to involve the erection of structures for toilets, changing facilities, reception/refreshment facilities and possibly highway improvements. These buildings may be prominent in the landscape and their existence will attract more frequent use, thereby increasing the undesirable impact on the location.

POLICY REC16 Permanent Uses of Land or Water for Sport

Planning permission for the permanent use of land or water for sports such as motor car or motorcycle racing, clay pigeon shooting, war games and noisy water-sports will only be permitted if all of the following criteria are met:

- (a) The number of spectators and frequency of events would not harm the rural character of the area;
- (b) The number of buildings and their impact on the landscape would not be obtrusive;
- (c) The noise and disturbance created by the activity would not harm the occupiers of dwellings located in the vicinity or those seeking the tranquillity of the countryside;
- (d) The activity would not damage a designated wildlife site or protected species;
- (e) There is close proximity to the principal road network.

Water Recreation Facilities

8.77 Proposals for additional moorings or for recreation development which will increase the use of the estuaries will be considered against the overall waterside capacity and the ability to accommodate the additional use proposed. Waterside capacity will be judged against the following criteria:

- The physical capacity of the water area to accept additional moorings;
- Consideration of safety for moored boats and the continued passage of other river traffic;
- The appearance of the moorings in the locality;
- The likely disturbance to existing wildlife populations;
- The availability of existing established access points;
- The availability of, or need for, land-based access and services.

POLICY REC17 Water Recreation Facilities

Proposals for the establishment of new water recreation facilities and the renewal or extension of existing facilities, such as moorings, berths, dinghy parks, ramps, land based services etc, will not be permitted unless all of the following criteria are met:

- (a) Evidence is provided that no disturbance to wildlife or their habitats will be caused by the proposal;
- (b) Evidence is provided that there will be no cumulative impacts on the Essex Estuaries European Marine Site;

- (c) **There is physical capacity on the water to accommodate the proposed level of use, having regard to the existing use of the river in that area;**
- (d) **The proposal does not lead to problems of safety for other river traffic or existing moorings;**
- (e) **The proposal is of a scale, design and nature that safeguards the character of the locality within which the proposal is situated;**
- (f) **There are appropriate services on land for sewage treatment, car parking etc.**

Inland Water Recreation

- 8.78 Although the opportunities for water recreation are extensive throughout the Crouch and Blackwater Estuaries, the volume of recreational use of these resources makes it increasingly necessary to look inland for additional facilities. There are no large reservoirs or comparable inland waters in the District, although there are a number of exhausted sand and gravel workings. These wet pits can have potential for specialised sports such as wind surfing, sub-aqua, rowing and canoe racing. However, any development that may affect nature conservation interests or intrude on the peaceful enjoyment of the countryside must also comply with relevant policies in Chapter 3.
- 8.79 The Sports Council considers that areas of water totalling less than four hectares are more suitable for angling than any other sport. Anglers throughout the District use many smaller pits and lakes. In addition, sailing takes place at Heybridge Basin. The after-uses of gravel workings for suitable recreational purposes are encouraged, subject to the consideration of wildlife interests.
- 8.80 The Chelmer and Blackwater Navigation is a Conservation Area jointly designated with Chelmsford Borough Council. The Chelmer Valley is a haven of tranquillity. There is increasing use of the canal for leisure boating, but this needs to be carefully controlled. Other leisure uses, such as recreational walking, cycling on towpaths and angling, can be mutually exclusive and access to the canal creates pressure points, particularly from car parks at Beeleigh Falls and Hoe Mills.

POLICY REC18 After-use of Gravel Workings

Proposals for the after-use of gravel workings for quiet recreational purposes will only be permitted if all of the following criteria are satisfied:

- (a) **No built structures, other than those directly related to providing for those using the facility i.e. toilets, changing rooms etc, will be permitted;**
- (b) **Satisfactory access and parking provision must be achieved for the proposed use;**
- (c) **There will be no adverse impact on residential amenity or the tranquillity of the countryside.**

TOURIST ACCOMMODATION

8.81 The District has many resources that attract a large number of visitors. In terms of the facilities used and the activities undertaken, there is a large overlap between recreation and tourism. The overall value of tourism to Maldon District in 2003/04 was an estimated £94.6 million, supporting over 1000 jobs in a wide variety of services throughout the District.

Hotel and Guesthouse Accommodation

8.82 Hotel accommodation is largely limited to Maldon and Burnham-on-Crouch. There has been some development of hotel accommodation in the countryside, for example, the Five Lakes Hotel Golf and Country Club. Guesthouse and bed and breakfast accommodation is provided in many parts of the District.

8.83 Consultants working on the impact of the closure of Bradwell Power Station identified tourism as an area where the local economy could be reinforced. The provision of more 'quality' accommodation within the rural parts of the District would assist this. Such development will normally be encouraged within development boundaries. In addition, some demand could be met with farmhouse accommodation, which could provide facilities to add to the visitor's enjoyment of our rural heritage and countryside. Policies linked to farm diversification are set out in the Coast and Countryside chapter.

8.84 Planning Policy Guidance Note (PPG) 21 (Tourism) states:

"In some locations outside the Green Belt, a well-conceived hotel development, or the extension or adaptation of existing buildings for hotel use, can bring benefits to the area and may be acceptable. But there is no special reason to apply less demanding policies to new hotel developments than to other types of development in the open countryside." (Annex A paragraph 8)

8.85 Outside development boundaries, proposals for the conversion of large country houses and extension of existing establishments will normally be permitted. Proposals for new hotels in the countryside will be exceptional and considered in relation to the proposal's scale and appearance, impact on the countryside and environmental and other designations and demonstrable need for the development in the location proposed. In recognition of the high quality environment of the District, the Council will seek even higher design standards for new hotels than would normally be expected under policy BE1 and proposals must demonstrate particular attention to design and demonstrate how the concept of the building blends in with or enhances the location.

POLICY REC19 Hotel and Guesthouse Accommodation

1. Outside development boundaries, proposals for the conversion and extension of large country houses by the provision of ancillary facilities which would enable the building to function as an hotel will be permitted if all of the following criteria are met:

(a) There should be no significant loss of residential or rural amenity;

- (b) **The building's appearance should not alter in such a way as to detract from the rural character of the area;**
 - (c) **The proposed use is not detrimental to the character or appearance of the surrounding area or the group value of adjoining buildings.**
2. **Proposals for the construction of new, well conceived hotel development outside development boundaries will be permitted if all of the following criteria are met:**
- (a) **A need for the development has been demonstrated;**
 - (b) **The scale and appearance of the development will not have an adverse impact on the character of the landscape;**
 - (c) **There will be no adverse impact on Sites of Special Scientific Interest or designated wildlife sites;**
 - (d) **The site is accessible by a choice of types of transport.**

Static and Touring Caravan Sites, Chalet Sites and Camping Sites

- 8.86 There are sixteen static caravan sites located in the District. All of them were permitted at least 30 years ago and the layout of many has not changed during the intervening period. Some of the sites have facilities for touring caravans and the occupation of most is limited to specific periods of the year. All of the sites are situated within the Coastal Zone. Facilities for touring caravans are supplemented by a number of sites "certificated" by the Caravan Club and other organisations.
- 8.87 As the tourist industry is an important source of income and employment in the District, it is important to retain the existing sites in their current use and not allow them to be developed for other purposes, including housing. However, in preventing alternative uses for the existing sites, it is the District Council's wish to encourage environmental improvements to these sites. In order to assist in making these environmental improvements, the District Council is prepared to allow extensions to the existing sites, subject to satisfying certain criteria as well making environmental improvements to the existing site.
- 8.88 Development of new sites for either static caravans, seasonally occupied or residentially occupied, or touring caravans outside development boundaries would be contrary to Policies S1 and S2, which seek to direct development to within the defined settlement boundaries. This Plan seeks to maintain the high environmental quality of the coast and countryside, in particular its remote, isolated and open nature. For these reasons, it is essential that the extension of existing sites and the creation of new facilities are strictly controlled, taking into account the Plan's development strategy and its policies on the coast and countryside. Opportunities should be taken to use previously developed land and to reuse rural buildings to achieve this where necessary. Also, it will be important for there to be an identified need for the expansion or creation of new facilities. Applicants will be expected to provide evidence of such need and, as part of this, the views of the East of England Tourist Board should be sought.

POLICY REC20 Static and Touring Caravan Sites, Chalet Sites and Camping Sites

Planning permission will only be granted for new static and touring caravan sites, chalet sites and camping sites or extensions to existing facilities where all of the following criteria are satisfied:

- (a) A need for the additional tourist accommodation can be demonstrated;
- (b) The proposal involves the use of previously-developed land and existing rural buildings or replaces existing agricultural buildings;
- (c) Landscaping and site layout of the development complement and enhance views into and across the site;

The period during which occupancy for holiday purposes may be permitted will be considered against the likely disturbance to fragile habitats, especially those that form part of a Site of Special Scientific Interest. Where the District Council is minded to grant planning permission, the following restrictions shall apply:

- (i) Agreement shall be obtained regarding the closure of accesses to the river during sensitive periods of the year;
- (ii) Occupancy shall be restricted to the period from 1 March to 30 November and it shall be restricted to holiday purposes only. Further restrictions on the period of occupancy may be required if justified by the likely effects on fragile habitats.

POLICY REC21 Redevelopment of Tourist Accommodation

The change of use or redevelopment of hotels, holiday parks, chalets, camping and caravan sites for non-tourism related uses will not be permitted where this would have a materially detrimental effect on the long-term tourism potential of the District.

Leisure Plots

- 8.89 The use of land for leisure plots is considered to conflict with the strategic objectives of the Local Plan, particularly Objective Sii, which seeks to protect and enhance the coast and countryside, recognising their value to the character, ecology and economy of the District. Thus policy S2 and other coast and countryside policies generally militate against such development. Proposals for the development of leisure plots will be considered against these and other policies in the Plan aimed at creating sustainable patterns of development and protecting the countryside and landscape.
- 8.90 Leisure plots have been used for many years for recreational purposes. Individuals often make use of the land for siting a caravan, going on a picnic, other recreational pursuits or simply as a means to obtain access to the countryside. The use of leisure

plots became established throughout Essex at a time when access to the countryside for recreation was limited. In recent years, however, public access to the coast and countryside has improved significantly. Facilities such as the Promenade Park, Maldon and the Country Park at Burnham-on-Crouch have catered for such demands.

- 8.91 There has been a considerable amount of unauthorised leisure plot development, particularly around the River Blackwater. The predominant use of these sites has been for the stationing of holiday caravans and the multi-ownership and permanent use has led to great difficulties in controlling uses and the enforcement of planning and public health licences.
- 8.92 The Smugglers Club ground at Althorne has the additional control of an Article 4 Direction to afford protection to the undeveloped centre of the area.

TRANSPORT

INTRODUCTION

Transportation Responsibilities

- 9.1 Essex County Council is the authority primarily responsible for transport matters throughout the District and as such makes all the significant decisions on new transport investment, including highway maintenance and support for bus services. Most decisions on transport services and investment are largely outside its control. However, influence is exerted through a Local Service Agreement with the County Council and partnership arrangements with other service providers, linking planning and community policy to transport considerations.

Access to Opportunity - The District Transportation Strategy

- 9.2 In August 2000 the District Council adopted a Transportation Strategy for the District as Supplementary Planning Guidance. The Strategy follows the context for sustainable development established by the Structure Plan and reflected in the Essex Local Transport Plan (LTP). It has the following aim:

“To encourage the provision and integration of all modes of transport to assist in traffic reduction, sustainable economic development and environmental improvement and to serve the social well-being and health of the population whilst acknowledging the District’s extensive rural character, scattered population and outstanding environmental qualities.”

- 9.3 The Essex LTP was adopted by the Essex County Council in 2000 and received funding for the period 2001-2004. There was an interim settlement for 2000. The second generation LTP was published for consultation by the County Council in 2005.
- 9.4 In drawing up the District Transportation Strategy, the District Council included the following adopted transport policies:
- The Maldon Town Centre Improvement Scheme adopted in 1999;
 - A Masterplan for Cycle Routes in Maldon and Heybridge, adopted in 1995;
 - The “locally determined programme” of minor highway schemes;
 - The Dengie Village Link rural bus service.

OBJECTIVES

- 9.5 Government transport policy aims to reduce reliance on the motor car through the planning system. Plans should promote locations for new development, served by a range of transport alternatives which should be positively promoted. The Local Plan recognises that alternatives to the car should be promoted and encouraged. It also recognises that road transport is the main means of supporting economic activity and social inclusion in the District and should be enhanced and improved. In particular, transport links out of the District to the County Trunk Roads and mainline railways should be improved.

Strategic Objective

Siv To promote sustainability in provisions for public and private transport.

Transport Objectives

Ti To secure a safe and sustainable transport system in the District.

Tii To maintain and enhance the transport system for the benefit of economic activity, inclusive access and accessibility, concentrating new investment where this provides for a range of transport options.

Tiii To seek the improvement of access outside the District and in particular links to the A12 and A130 and enhancement of the Southminster Branch Line.

Tiv To enhance the existing and encourage new provision of facilities for alternative means of transport.

9.6 It is recognised that there is a range of transport activities that will contribute to the achievement of the objectives. Detail is provided in the adopted Transportation Strategy. The Local Plan focuses on the following topics:

- Transport infrastructure improvements including traffic management;
- Public transport;
- Walking and cycling;
- Rivers and waterways.

TRANSPORT INFRASTRUCTURE

Road and Rail Links

9.7 The Maldon District is largely dependent on highway and rail links across its boundaries to maintain the local economy and the leisure and recreational needs of its residents and visitors. The Structure Plan and Local Plan will reduce this dependence by providing for more local jobs. However, it has been recognised that out-commuting, particularly by road, will continue to have an important economic role throughout the Plan period.

9.8 The principal links out of the District are the A414 via Danbury, the B1019 via Hatfield Peverel, the B1010 via South Woodham Ferrers, the B1018 via Witham and the B1022 via Tiptree. Improvements, including those for road safety, have been concentrated on these routes. The District Transportation Strategy has also identified as a priority for long-term planning improved access, west to the A12 Trunk Road and A130 route to South Essex. This draws on the past difficulties of attracting inward investment from industry, despite allocations of employment land. This has partly resulted from the perception that the District is remote and poorly provided with adequate road links.

- 9.9 The options for future access improvement must also take account of the views of the adjoining Districts of Chelmsford, Colchester and Braintree. The County Council has carried out a "Maldon Access Study "as part of the LTP. Any future land use requirements resulting from this study will be included in a review of this Plan.
- 9.10 The District Council has for many years supported safety improvements to the A12. The alignment of a new link road between Hatfield Peverel and Witham has been approved by the Highways Agency and will be completed within the plan period, improving access to the A12.
- 9.11 Two transport studies are of particular relevance and importance to the District. The A12/A120 Route Management Strategy was managed by the Highways Agency and was completed in July 2001. It is aimed at making the best use of these existing trunk roads and forms the basis for prioritising investment, featuring a three-year detailed plan and ten-year long term plan. The Highways Agency intends to update the study periodically. The London to Ipswich Multi-Modal Study (LOIS) has been completed by a consortium of consultants for GO-East. LOIS has examined how to meet the transport needs of a wide study area based around the A12 trunk road and Great Eastern main railway line, from the A12/M25 motorway junction at Brentwood north-east to Ipswich. The District of Maldon falls within the southern zone of the study area. The District Council is supportive of many of the transport development options in the Study, which include improving access between the District and the A12 trunk road and national rail network. Essex County Council is also undertaking a study of access arrangements within, to and from the District and has been encouraged by the Secretary of State to bring forward some of the measures identified in the LOIS study.

Public Transport

- 9.12 In the rural area, there is dependence on the car, but public transport is essential for those who have no access to private transport. The District Transportation Strategy sets out a range of actions to enhance public transport. The integration of buses with new development is important if improvements are to be delivered. Where appropriate, funding for new public transport infrastructure will be sought from developers, who will be required to prepare Green Travel Plans for large new developments.
- 9.13 The Southminster Branch Line has an important role in the District economy. It has influenced planning in the south of the District, resulting in the concentration of development at Southminster and Burnham-on-Crouch. The closure of Bradwell Power Station is likely to result in increased freight paths (movements) initially, as a result of the decommissioning process. The Local Plan recognises the value of the line to the local economy, providing access to work in other parts of Essex. In this respect, improvement of rail infrastructure outside the District, which would increase the level of service offered by the line, should be supported. Enhancement at stations of bus and cycle facilities will also be supported.

The Safe Management of Traffic

- 9.14 In town, district and village centres, the creation of pedestrian-friendly areas is important in maintaining their viability. The quality of the environment of town centres is an essential component of a complementary land use approach to commercial and

community development. This aims to balance the attraction of edge-of-town retailing to car users with a different town centre shopping experience in a safe and attractive historic environment. Improving accessibility between the edge-of-town stores and the town centre has been shown to benefit the town.

- 9.15 The “Maldon Town Centre Improvement Scheme”, a strategy for an environmental enhancement and traffic management scheme for Maldon town centre, has been adopted by the County and District Councils. This is a long-term plan requiring substantial public and private investment and is being implemented on a rolling programme. The scheme includes the provision of three gateways into the town centre and a 20mph zone. Footway widening, improved bus stops and service lay-bys provide for managed access. The scheme is of benefit to all town centre businesses and users. Funding is required to progress design and implementation. More detail about the scheme, due to be completed in 2006, is available from the District Council.
- 9.16 In other settlements, the strategy for traffic management targets safety and environmental improvement. In most settlements, speed reducing gateway schemes will provide awareness of speed limits and many have already been installed.
- 9.17 There is general agreement that appropriate speed reduction in rural areas is necessary and has environmental and safety benefits. Heavy goods vehicle routing and management needs to be part of a strategy to support economic development in the rural area whilst protecting the environment. This is the responsibility of the County Council. In towns and villages, traffic management should allow access but improve the environment for pedestrians.

Transport and New Development

- 9.18 The location of new development will be expected to contribute to sustainable transport objectives and promote walking, cycling and public transport as the preferable form of transport. Developments likely to generate large amounts of traffic, such as major employment sites, will need to be located within the defined settlements of Maldon and Heybridge, as they provide the most sustainable location, and the application would have to be accompanied by a Travel Assessment if it is considered to be necessary. Development in rural areas will also be expected to take place in larger villages, with defined settlement boundaries and access to public transport.

POLICY T1 Sustainable Transport and Location of New Development

Priority will be given for new development within defined development boundaries that:

- (a) Is on sites well related to principal county roads;**
- (b) Offers an alternative choice of transport modes;**
- (c) Encourages travel by walking, cycling, public transport and motorcycles instead of private motor vehicles;**
- (d) Promotes social inclusion and accessibility;**

- (e) **Promotes safety and security; and**
- (f) **Would not have a significant impact on local amenity.**

Provision for Transport in New Development.

- 9.19 The District Council has adopted the Essex Design Guide for Residential and Mixed Use Areas. This sets out standards for the layout of highways in new housing development, including alternative modes of transport. New development will be expected to comply with this guidance. All forms of development will be expected to comply with policy T2.
- 9.20 Government targets seek to reduce the impact of travel as expressed in PPG13. Accordingly, in the case of larger development, a transport assessment will be required to accompany planning applications. A travel assessment will be required on developments greater than 1000m² for retail and leisure uses and for sites greater than 2500m² for uses falling within categories B1 and C2 of the Use Classes Order and educational land uses. In addition, proposals for stadia will have to provide a travel assessment if the development consists of 1500 or more seats. A travel assessment may be required on other types and sizes of developments if it is considered necessary by the Council. In the same way, the Council will expect proposals of this scale to include travel plans
- 9.21 To achieve sustainable transport patterns, it is important that developments are accessible by a range of transport modes. This will help to give people a real choice in how to get to and from their place of work, shopping, leisure, health and other facilities. For developments with significant travel implications, PPG13 advises that a 'Travel Assessment' of its transport implications be carried out. To address these implications, a 'Travel Plan' (sometimes referred to as a 'Green Travel' or 'Green Transport Plan') should also be devised and implemented, once the development becomes operational. The Travel Assessment should investigate the accessibility of the new development by different transport modes and work up measures to improve access by public transport, walking and cycling, with the aim of mitigating the potentially harmful effects of traffic generation. The Travel Plan may include a range of features such as safe and attractive pedestrian and cycle access, secure on-site cycle storage, cyclist changing facilities and access by public transport.

POLICY T2 Transport Infrastructure in New Developments

1. **The layout of new developments will where appropriate provide for:**
 - (a) **Safe access to and from the highway including adequate visibility and junction capacity;**
 - (b) **Off site improvements to the highway;**
 - (c) **Facilities giving priority to public transport, pedestrians and cycling;**
 - (d) **Road layouts which are appropriate to the location and provide a safe and pleasant environment;**
 - (e) **Improvements to rail infrastructure;**

- (f) **Links to the adjacent or nearby foot/cycle path network and the road system;**
 - (g) **Promotion of social inclusion and accessibility**
2. **Larger scale development that requires a travel assessment must include and implement a Green Travel Plan.**

Development of Rail Freight Facilities on the Southminster Branch Line

9.22 There is little freight movement on the Southminster Branch Line (limited to power station flask transport). Potential exists for increased business on the line with freight interchange possible at Southminster, where employment areas are close to the railhead. The freight yard should be safeguarded and better use made of freight facilities. However, the environmental impact of increased use of rail, possibly at night, needs to be considered in any expansion of use.

POLICY T3 Rail Freight Facilities

Within the area shown on the Proposals Map, planning permission will be granted for development associated with the handling of freight, provided that freight movements at night are kept to a reasonable level and do not unreasonably affect the amenity of neighbouring uses;

Development will not be permitted which would reduce the present freight handling capacity unless:

- (a) **Evidence is provided which demonstrates a clear lack of need; and**
- (b) **The proposal would not be detrimental to the continued operational use of existing employment sites in the area.**

Cycling

- 9.23 The District Council has adopted a cycle route network for Maldon/Heybridge. This expands on the provisions of the Maldon District Local Plan First Review proposals for Maldon and Heybridge. Part has been implemented by a combination of public and private investment. The completion of the network will provide an alternative to the private car for local journeys.
- 9.24 The implementation of routes will involve a range of action, including new cycle route provision, traffic management on existing highways, legal action to convert footpaths to bridleways and cycle tracks and signing. Most of the new cycle routes linked to development in previous plans have been implemented and therefore the remaining routes will need to make the best use of the existing highway infrastructure. Routes shown on the Proposals Map will be refined through public consultation at the implementation stage.
- 9.25 The National Cycle Network is proposed to link Colchester to Maldon, Chelmsford and Harlow. Part of this route is on the Blackwater Rail Trail, planned as a cycle route link to Witham. Sustrans is developing this network, which will utilise part of the planned provision in Maldon and Heybridge. The National Cycle Network needs to be completed and extended into the rural areas. A policy safeguarding the Rail Trail is included in the Recreation and Leisure chapter.

- 9.26 Large new development will be expected to make new cycle route provision on site and provide links to join with off-site routes. Secure and safe public parking and changing facilities are required at public transport interchanges and major commercial and leisure developments and in town centres. The principle of cycle parking provision has been accepted by the District Council in its response to proposed new parking standards for Essex, which are to be adopted as Supplementary Planning Guidance.
- 9.27 The Council seeks to promote and safeguard the proposed cycle routes as shown in the Plan as a means of encouraging and promoting sustainable transport. Development will need to take into account the proposed routes

POLICY T4 Cycle Routes

Planning permission will not be granted for development which would prejudice the implementation of the proposed cycle routes shown on the Proposals Map or the continuity of existing cycle routes.

POLICY T5 Cycle Parking Provision in New Developments

Unless it is shown that a development proposal is unlikely to generate significant cycle use, granting of permission will require the following provision:

- (a) Safe and convenient cycle access; and**
- (b) Secure and sheltered cycle parking facilities in accordance with the adopted standards of the District Council; and**
- (c) Links with existing or proposed cycle routes.**

Walking

- 9.28 Greater emphasis needs to be placed on enhancing safe walking in rural and urban areas. Improved footways can be included as part of enhancement programmes. Footway improvements in Maldon High Street and Burnham-on-Crouch High Street have been started as part of a rolling programme. The needs of people whose mobility is impaired will be taken into account in the design and implementation of footway enhancement schemes. Policy on facilities for the mobility impaired is in the Built Environment chapter.
- 9.29 In the rural areas, there is a more limited possibility of switching from car to walking and cycling. The provision of footways and cycle routes could make a difference in some areas, but safety issues are paramount. Measures could include the management of traffic to create 'quiet lanes' for pedestrians, cyclists and horseriders and the creation of safer routes to schools. Policies on the recreational use of footpaths, cycle routes and bridleways are in the Recreation and Leisure chapter.

POLICY T6 Improvement to Pedestrian Facilities

In considering applications for development, the Council will require, where appropriate, improvement to footways on and adjacent to the site

where new development takes place in areas where there is inadequate frontage provision.

Public Car Parking

- 9.30 Public car parks are provided in the settlements of Burnham-on-Crouch, Maldon, Heybridge and Southminster. Only Maldon has a charging policy. Whilst public car parking is adequate in the other settlements, there are concerns that future demand for space will outstrip supply in Maldon.
- 9.31 Maldon is the largest retail and service centre in the District and activity in the town centre underpins the local economy. The town has the function of a market centre for a large rural area. Rural public transport is limited, despite recent improvements on the Dengie Peninsula. There is therefore a reliance on the private car for journeys to the town.
- 9.32 The provision of well located, affordable public car parking has been recognised as an important part of Maldon's offer to residents and visitors in successive Local Plans by the allocation of additional land for surface car parks. The provision of additional space was integrated with redevelopment opportunities in the Maldon District Local Plan First Review. Sites were allocated on land west of the Friary, north of Tenterfield Road and south of Victoria Road. These sites have been implemented and the total provision in the town centre is now 507 spaces.
- 9.33 The reservation of land for additional public car parking has been one action seeking to expand provision. Other measures include better layout and management of car parks, shared use of private car parks and park and ride linked to out-of-centre sites.
- 9.34 The Local Plan aims to manage parking demand to assist the use of alternatives to the private car for local journeys. This implies reducing future provision of car parking. However, this has to be balanced against the need to enhance the vitality and viability of Maldon town centre. Public car parking policy therefore needs to be integrated with the overall planning strategy for the town centre, recognising its future role.
- 9.35 The planning strategy is set out in detail in the Retail and Town Centre chapter. In summary, the town centre is constrained by the following factors:
- a) The geography of the town, which tightly defines the High Street between residential areas and the River Chelmer;
 - b) The town's topography and its hilltop location with steep slopes to the north;
 - c) The concentration of historic buildings;
 - d) The street patterns, resulting in vehicular access constraints and limited potential for rear servicing.
- 9.36 These factors require that expansion of uses that generate additional flows of traffic should be constrained. The provision of additional public car parking space in the town centre in the Plan period will therefore be limited and alternative ways of providing for parking needs are required.
- 9.37 Provision of additional town centre car parking will require public funding, unless it forms part of the redevelopment of a large site, the subject of a planning obligation. The Council will actively encourage further retail development in the town centre as a means to provide such funding. The amount of planning gain that can be required

from a redevelopment site depends upon its proposed use and size of site. There are higher costs of development in the town centre to meet design requirements in the Conservation Area; other planning priorities require affordable housing on new housing sites. These requirements will limit potential for requiring additional public car parking.

New Public Car Park Development

- 9.38 Some limited expansion could take place on sites adjoining the existing car parks. Orth's garage adjoins the White Horse Car Park. Quest Motors' site on the High Street and the Transco site on Victoria Road adjoin High Street East Car Park. The District Council will negotiate for expansion of public car parking on these sites.
- 9.39 The limitations on the town centre to provide public car parking mean that other opportunities should be sought for provision. These may include shared use of new private car parking and public provision linked to out-of-centre development.

POLICY T7 Shared Car Parking in New Development

The District Council will negotiate for the provision of publicly available car parking at edge-of-centre and edge-of-town development sites linked to public transport, cycling and walking facilities. The developers of major new developments will be expected to provide a flexible car parking arrangement to allow public use linked to public transport and cycle routes in their Green Travel Plans.

Development-related Car Park Provision

- 9.40 The nationally advocated policies of restraint on the use of private cars have resulted in Government policy to limit the number of car parking spaces associated with new development. Whilst this approach can be justified in urban areas where there is access to good public transport, it is considered both impractical and undesirable to provide new development in rural areas, including settlements within those areas, without making reasonable provision for car parking. New Parking Standards have been prepared by the Essex Planning Officers' Association. These acknowledge that Essex is a diverse area and that policies of restraint may not be appropriate in the rural areas, where there is no realistic alternative to the private car for providing for the day-to-day travel requirements of the population. This is reflected in the proposed residential standard that allows more spaces to be provided in rural areas.
- 9.41 Maldon is a predominantly rural District in which nearly half the population live outside the larger towns and have poor access to public transport. Previously, the Council required a minimum standard of parking to reflect this. However, government advice states that minimum standards should not be set. Local Authorities may, however, use their discretion when setting required parking levels, particularly for small-scale developments to take into account local circumstances. Car parking for residential development will be determined in accordance with the Council's adopted maximum standards, with lower provision in built up areas that are well served by public transport. The level of parking will reflect the local circumstances of the area within which the development occurs. In the historic and older parts of the district, where there is opportunity to attract investment and where it is not possible to accommodate off-highway car parking directly associated with development, the Council will accept lower parking standards or seek to promote parking that can be shared by all visitors to the area. A minimum standard of car parking provision for disabled parking will be required on or as close to the site as practicable, in order to promote inclusive access and accessibility.

POLICY T8 Vehicle Parking Standards.

New development, redevelopment or a change of use will only be permitted if they make provision for off-street parking on or near the site in accordance with the District's adopted vehicle parking standards. The application of these standards may be varied if this:

- (a) Would allow development which would preserve or enhance the character or appearance of a conservation area;**
- (b) Would assist the re-use of a building of architectural or historic interest;**
- (c) Would assist in town or district centre regeneration;**
- (d) Would assist the use of an upper floor in a town centre; or**
- (e) Is where development occurs in rural areas.**

Rivers and Waterways

- 9.42 The main facilities available for water-borne transport are the Chelmer and Blackwater Navigation and Maldon Port. Heybridge Basin, the Sea Lock and the Navigation are not used for commercial transport and only recreational uses are envisaged in the future. Nevertheless, this contributes to the economy of the District through tourism.
- 9.43 The value of the rivers and port for the sustainable movement of bulk goods is recognised. Maldon Port caters for some commercial shipping. Within the river itself, the maintenance of a navigable channel is an important consideration for the future of the port. The Maldon Harbour Improvement Commissioners can levy dues from shipping to support maintenance of the river. The District Council has provided lit buoys for part of the channel. Future investment needs to maintain buoys and a navigable channel.

PUBLIC UTILITIES

INTRODUCTION

- 10.1 The provision, planning and protection of public services are crucial to the success of the Local Plan. Provision applies not only to making sure that the new allocations can be adequately serviced, but also to ensuring that inadequacies in the existing services are rectified. Planning can ensure that these services are delivered at the appropriate time and allow development to proceed as and when needed.
- 10.2 Consideration has to be given to phasing utilities infrastructure, in order that it can be provided without imposing on any of the environmental constraints that form an integral part of the Plan.
- 10.3 In order to ensure that the existing services can operate without undue constraints being placed on their operational capabilities, the Plan has to ensure that new proposals can be developed without placing new constraints on the existing services.
- 10.4 The agencies which provide public services can be grouped as follows:
- County Council - responsible for education, social services, libraries, highways and waste disposal;
 - District Council - waste collection and street cleansing;
 - Fire and Rescue Service;
 - Health Authority;
 - Utilities – water supply, sewage disposal, gas, electricity, telecommunications.

OBJECTIVES

Strategic Objective

- Sviii To co-ordinate public utility provision with new development.

Public Utilities Objectives

- PUi To ensure that the public utilities have the capacity to accommodate any planned expansion of development.
- PUii To make provision in the Plan by reserving land for development by public utilities where improvements are required.

COUNTY COUNCIL SERVICES

Education

- 10.5 Essex County Council (ECC) provides full-time education facilities together with Foundation Schools. Secondary school facilities are provided at Maldon (Plume) and Burnham-on-Crouch (St Peter's). Primary school facilities are located at Bradwell-on-Sea, Burnham-on-Crouch, Cold Norton, Great Totham, Heybridge, Latchingdon,

Mayland, Maldon, Purleigh, Southminster, Tillingham, Tollesbury, Tolleshunt D'Arcy and Woodham Walter.

- 10.6 School pupil roles, forecasts and capacities are published in the Essex School Organisation Plan 2000-2005. This plan is updated every year. It enables the Education Authority to continually review the need for temporary classrooms where there are declining roles. Conversely, new housing developments are being monitored to ensure that appropriate classroom facilities are in place so that the schools do not become overcrowded.
- 10.7 There are no planned extensions to schools or new schools in the Maldon District Council area up to and including the 2002/03 financial year. Essex County Council, as Local Education Authority, anticipates possible shortfalls in primary school places in Maldon, Heybridge, Southminster, Burnham-on-Crouch and Mayland to 2006 on the basis of new housing growth proposed in this Plan. These shortfalls may be met by the replacement of temporary accommodation with permanent facilities at some schools, by constructing extensions to schools or by a combination of both. The County Council does not foresee a need to provide additional secondary school places in the District, with accommodation at The Plume School, Maldon and St. Peter's High School, Burnham-on Crouch considered as adequate to meet the demands arising from new housing.
- 10.8 To assist in meeting the need for additional educational facilities arising from new housing, it is reasonable that developers should be expected to make a contribution towards them. This could be through the provision of land, buildings or finance. The level of contribution will depend on both the scale and type of housing proposed and the extent of existing school facilities in the locality of the site, though the opportunities for achieving contributions are expected to be low in the Local Plan period. Contributions can only reasonably be expected as a result of housing likely to accommodate families. In each case, the Local Planning Authority will be guided by advice from the Local Education Authority on the specific need for contributions and the most appropriate form these should take. Essex County Council, as the Local Education Authority, publishes "Developer Contribution Guidelines" from which further advice can be obtained.

POLICY PU1 Provision of Education Facilities

- 1. Proposals for new housing and mixed use development will be required to contribute towards the provision of education facilities, through the provision of land and/or finance. The scale and type of contribution required will be judged according to:**
 - (a) The scale of new housing development proposed;**
 - (b) The needs of existing educational facilities that serve the site.**
- 2. Contributions will not be expected from developments of one-bedroom dwellings and elderly persons' housing.**

Social Services

- 10.9 Essex Social Services provide services for children and families, for vulnerable older people and disabled people. They also provide services for people with mental health difficulties and drug and alcohol problems. The Children's Act 1989 and the Crime and Disorder Act 1998 detail the Service's responsibilities with regard to children and families.
- 10.10 The National Health Service and Community Care Act 1990 introduced "community care" and gave more emphasis to supporting people in the community. This has resulted in the need to provide accommodation in residential areas to enable people with mental and physical health problems to live safe and fulfilling lives within the community.
- 10.11 Apart from being pro-active, Essex Social Services also has a regulatory function of registering not only the services operated by the organisation but also those run by the independent sector. The Service registers and regularly inspects care homes for children, adults and older people, as well as day-care facilities for children under eight.

Highways

- 10.12 This is dealt with in the Transport chapter.

Library Service

- 10.13 The Library Service continues to operate libraries at Maldon (open 51 hours per week), Burnham-on-Crouch (open 22 hours per week), Southminster (open 22 hours per week) and Wickham Bishops (open 10 hours per week). Hours of opening at Maldon Library have been increased since 1999 to include Sunday afternoons. The mobile library service operates on a weekly basis in all of the remaining parishes except Asheldham and Little Braxted. The new library at Maldon is complete and has been a very successful development.

Refuse Disposal

- 10.14 The planning and management of disposal and treatment of wastes are principally the responsibility of Essex County Council, the Waste Disposal Authority (WDA). The Essex Waste Local Plan provides a planning framework for future waste management sites. The licensing of waste disposal facilities is a matter for the Environment Agency and collection of refuse is organised by the District Councils.
- 10.15 Waste requiring final disposal is currently land-filled at Stanway, Colchester. This site has a finite life, probably until 2012. Because of lead times, new waste management facilities must be planned for now in a joint service or contract strategy produced by Waste Disposal Authority and the Waste Collection Authorities.

MALDON DISTRICT COUNCIL

Waste Collection and Recycling

- 10.16 Maldon District Council is a Waste Collection Authority (WCA) and has responsibility for collecting municipal solid waste for reprocessing, treatment, or final disposal. Despite distinct differences in responsibilities both WCA and WDA must ensure that all services are integrated and link together to ensure that any future regulatory requirements, such as the EU Landfill Directive, are met.
- 10.17 Since 1977, Maldon District Council has contracted out the refuse collection service to the private sector. Over time, this service has developed and now a significant proportion of waste collected is recycled or reprocessed. The Government has recently set statutory recycling and recovery targets for both Waste Collection and Disposal Authorities. In order to meet the targets, an increased percentage of waste will need to be reprocessed or treated (i.e. recycled or composted).
- 10.18 To help achieve the targets set out in The Landfill Directive (1999/31/EC), the Council has signed up to the Essex Waste Management Strategy and refuse collection service includes, in many areas, direct kerbside collection of waste paper, glass, cardboard, cans and garden waste from domestic property. New developments can also play a role in securing greater recycling of waste, if collection facilities are planned as part of the overall layout and design, and the Council will require that provision is made. This will give occupiers of the site, be it in residential, commercial or other use-enhanced opportunities, to recycle their waste. The scale of recycling facilities should match the scale of the development. New household development must have significant space for segregating waste at source with separate collection bins. Larger development that involves public access, such as supermarkets, should include "bring" facilities. Offices and factories must similarly include space to facilitate separating recyclable materials such as waste paper or swarf. This will be the subject of further clarification in the new design guidance to be published shortly. The Council will publish further advice as part of a forthcoming review of design issues.

POLICY PU2 Recycling Facilities in New Developments

New developments must include space for separate recycling provision to encourage and facilitate the recycling of waste appropriate to the size of the development and the likely output of waste.

Street Cleansing

- 10.19 As a principal litter authority, Maldon District Council has a statutory responsibility to keep the district clean and free from litter. To achieve this, the District Council employs a contractor to carry out street cleansing functions on relevant land (e.g. highways and car parks) in the District.
- 10.20 Gully clearance and emptying is the responsibility of the Highways section of Essex County Council.

HEALTH

- 10.21 Maldon District lies within the area covered by Maldon & South Chelmsford Primary Care Trust (PCT). The majority of acute hospital services are provided to residents either at Broomfield (Chelmsford) or Basildon Hospitals.
- 10.22 The Primary Care Trust is working with other stakeholders to ensure that services which do not require the level of clinical support offered by acute hospitals are located as near to residents as possible.
- 10.23 The range of outpatient facilities provided at St Peter's Hospital and local clinics will continue to be provided. Inpatient beds will remain part of St Peter's Community Hospital, providing a comprehensive rehabilitation service for older people.
- 10.24 The inpatient, outpatient and community services provided at St Peter's will continue to be developed. The PCT is committed to ensuring that modern health care services are provided to local residents. The PCT is working with other stakeholders to explore options for the future provision of health care facilities in the Maldon area, including the possibility of a new purpose-built hospital to replace St. Peter's. Options for the location of such a new facility are being developed by the PCT in consultation with the District Council and other stakeholders. The PCT will look to develop further primary care facilities in areas of growing need, such as Heybridge.
- 10.25 In Heybridge, the growth of population has resulted in an ongoing ~~the~~ need to provide a health centre facility catering for the needs of the village. As a result of this, the District Council will continue to search for a suitable site for such a facility and includes community health facilities as one of the preferred uses for the former Houlding's garage site in policy SH5. There are also particular problems in the delivery of health care facilities in Maldon and Southminster, which may be solved by additional premises.
- 10.26 Finding suitable sustainable locations within the development boundaries mentioned is extremely difficult, and an area in which the Local Plan cannot be of direct assistance. It is nonetheless of the highest priority and in policy terms would override any other protectionist policy, apart from specifically allocated land, for the urban areas included in the plan.

POLICY PU3 Protection of Health Care Facilities

Planning permission will not be granted for the change of use of buildings or land currently in use for the provision of health services unless the application is accompanied by evidence demonstrating that the proposal will not cause harm to the provision of health care within the District.

POLICY PU4 New Health Care Facilities

- 1. Proposals for new health care facilities located within the development boundaries of any settlement will only be permitted provided all of the following criteria are met:**
 - (a) The building does not cause undue overlooking or loss of light to adjoining buildings;**

- (b) **The site can accommodate the car parking required by the car parking standards applicable at the time of the application;**
- (c) **The highway specification allows access to the site without creating undue traffic hazards.**

FIRE AND RESCUE SERVICE

10.27 Maldon is situated within East Division of the Essex County Fire and Rescue Service. The level of Fire Service coverage is determined by the Home Office which allocates maximum turnout times to various categories of risk. Generally two fire appliances will attend all fires except minor ones. All the Stations within the Maldon District are “retained”. The whole District has good coverage and falls within the statutory requirements of the Home Office. A day crewing fire station has been constructed at South Woodham Ferrers and will provide additional coverage of the Dengie Hundred area if required. A new fire station has been developed on part of this site. The allocation is retained at the request of the Fire and Rescue Service.

POLICY PU5 Maldon Fire Station

The site allocated for a fire station at Wycke Hill, Maldon on the proposals map shall be reserved for that purpose.

UTILITIES

Electricity

10.28 As the Replacement Local Plan does not propose a major increase in developed land in the District it is envisaged that changes will be limited to the following:

- Improving the supply,
- Alterations to the routing of the overhead supply to reflect changes in farming practices and land ownership, and
- Servicing of new employment allocations.

10.29 The closure of Bradwell Nuclear Power Station will result in the 132Kv line, which runs from the Station westwards, being redundant. If there are no plans for to replace the Power Station with an alternative type of power station in the foreseeable future, pressure will be placed on the supply company to remove the line.

Renewable Energy

10.30 Renewable energy is the term used to cover those energy flows that occur naturally and repeatedly in the environment – energy from the sun, the wind, rivers and oceans, and the fall of water. The heat from within the earth itself, geothermal energy, is usually regarded as renewable, although locally it cannot always sustain continuous extraction. Plant material is an important source of renewable energy. Combustible or digestible industrial, agricultural and domestic waste materials are also regarded as renewable sources of energy.

10.31 PPS22 entitled “Renewable Energy” outlines Government policy on renewable energy which is to stimulate the exploitation of renewable energy sources wherever they have prospects of being economically attractive and environmentally acceptable. The Government has set a target of achieving 10% of the UK electricity requirements being met from renewable by 2010. A report to the East of England

Sustainable Development Round Table recommended a target of 9% for Essex as part of a regional target of 14%. The District Council will encourage proposals for renewable energy schemes and the integration of renewable energy generation into new developments where appropriate. Developers are also encouraged to enter into dialogue with the District Council to identify sites for renewable energy development.

Maldon, as a coastal district, has a greater potential to exploit the wind than any other source of renewable energy. Support for the Government's commitment to reduce greenhouse gas emissions has to be tempered by the importance of the coastline in this District in visual and nature conservation terms. Assessment of the visual impact of a proposal must take account of the likely numbers of people who may be affected as well as the scale of the proposal both in terms of individual components and overall impact and its relation to the surrounding landscape. Renewable technologies may generate small increases in noise levels, therefore, renewable energy development should be located and designed in such a way to minimise increases in ambient noise levels. In terms of ecology and conservation, it is necessary to identify whether the impact of development would harm the integrity of the identified feature.

POLICY PU6 Renewable Energy

Proposals for the development of renewable energy facilities will be permitted provided they would not:

- (a) have a significant visual impact on the appearance of the surrounding area, the countryside or local landscape; and**
- (b)(i) generate an unacceptable level of noise or traffic; or**
 - (ii) have an adverse impact upon areas of ecological, architectural, landscape, historical or conservation importance; or**
 - (iii) have a detrimental impact upon adjoining properties and landholdings**

Gas Supply

10.32 Mains gas supply is available to approximately half the population of the District. Large areas of the Dengie Hundred and north of the River Blackwater do not have mains supplies.

10.33 The extension of the gas infrastructure into this area is now a competitive market and a full list of Public Gas Transporters is available from OFGEM (Gas and Electricity Regulator). Transco has no plans to extend its infrastructure into this area.

Water Supply

10.34 Water supplies for the Maldon District are derived both from the Chelmer and Blackwater Rivers at Langford and from the Stour River at Stratford St Mary and Brantham. Essex and Suffolk Water have a long term plan ensuring that growth in demand for water throughout Essex can be met well into the future. The infrastructure supplying the Dengie area has recently been reinforced to cope with peak summer demands. The Company does not foresee any difficulties in providing water supplies to any of the future developments envisaged in the RLP.

Sewage Treatment and Surface Water Disposal

- 10.35 Satisfactory provision must always be made for the proper disposal of sewage and effluent and surface water from all new developments. Anglian Water Services Ltd is the statutory undertaker. The Environment Agency, Maldon District Council and a number of other organisations have responsibilities relating to land drainage.
- 10.36 The 1990 Water Act gives the power to a water/sewage undertaker to require developers to pay a charge per property to reflect the demands made on infrastructure capacity by new domestic developments e.g. the responsibility for upgrading treatment works remains in financial terms with the statutory undertaker. As such any proposed development may have to be the subject of a phasing agreement between the developer, statutory undertaker and District Council. In order to establish the necessary requirements early consultation would be useful.
- 10.37 Developers will need to liaise closely with both Anglian Water and the Environment Agency to ensure the adoption of appropriate methods of sewage treatment and surface water disposal. The Environment Agency is keen to promote the use of Sustainable Drainage Systems (SUDs) for the disposal of surface water. The use of this system can reduce the pollution and flooding potential of surface water run-off, and can provide for aquifer recharge.
- 10.38 Land drainage is the responsibility of the Environment Agency whilst Anglian Water is responsible for the surface water sewerage system. Adequate arrangements will need to be made for the drainage of surface water in all developments. This may necessitate improvements to off-site-watercourses or mains in some instances, or require some form of attenuation. All new developments shall be provided with a separate surface water system discharging to either a natural watercourse or existing surface water infrastructure. Where redevelopment of existing sites occurs every opportunity should be taken to ensure surface water flows do not discharge to the foul sewerage system in order to safeguard the environment and reduce adverse impact on facilities. Anglian Water will resist any drainage proposal that envisages surface water being discharged to the foul sewerage system.
- 10.39 Attention should be given to PPG23 and the recommendations contained therein. For environmental reasons Anglian Water do not wish to see development within 400m of any Sewerage Treatment Works and should be consulted at the earliest opportunity to discuss the impact of any such development on treatment and operational processes. Development within 400m will be subject to specific conditions to reflect its proximity to the Works.
- 10.40 Certain parts of Maldon District are not on mains sewerage. These areas include Woodham Mortimer, Hazeleigh, Cock Clarks and Totham Plains. Unless major expansion was suggested the cost of a new works or a requisition scheme could be prohibitive. Proposals which rely on, non-mains sewerage systems, particularly those incorporating septic tanks, will need to be accompanied by proposals for their continued maintenance. Applications that include methods of sewage disposal other than connection to the public foul sewer will require justification in accordance with Circular 3/99 which will need to show that the proposals would not lead to significant environmental, amenity or public health problems in the area.

Telecommunications

10.41 During the last 20 years the telecommunication industry has undergone major changes, which are likely to continue into the future. The government opened the public telecommunication market to wider competition by granting licences to operators under the Telecommunications Act 1984. This has resulted in not only more choice for the consumer, but also an obligation on the planning system not to unreasonably obstruct the growth of the industry. Legislation has been introduced giving licensed operators (code system operators) special development rights under the Town and Country Planning (General Permitted Development) Order 1995. Policies relating to the administration of this legislation are contained in the Built Environment chapter. Cable communications would be welcomed, provided the installation of the system is not detrimental to visual amenity, roadside trees, protected verges G1 and G2 (Appendix 7) that are protected by policy CC2, or the footpath/highway network in the District.

Bradwell Power Station

Existing Consultation Arrangements

10.42 The existing consultation arrangements for development proposals are described at paragraph 2.32 in the Constraints chapter. (This paragraph was originally paragraph 3.80)

Decommissioning

10.43 Bradwell Power Station shut down in March 2002. The station will be decommissioned, a process by which the station is taken permanently out of service and is closed down in a careful and controlled way. The strategy proposed by British Nuclear Fuels is known as "Safestore". This involves four phases:

1. Defuelling

All the nuclear fuel from the site will be removed and taken to Sellafield over two to three years, removing 99.9% of radioactivity from the site.

2. Works Phase

Clearance and landscaping of the site over 10 years.

3. "Safestore" Period

This is a passive period of monitoring, care and maintenance of the site for about 85 years. Intermediate level waste from the site will be stored on site until a national repository becomes available.

4. Site Clearance

Dismantling of remaining buildings.

10.44 The decommissioning of the Station is being considered under the Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999 S.I. No.2892. This requires an Environmental Assessment to be prepared and consent obtained from the Health and Safety Inspectorate of the Nuclear Installations Inspectorate. The District Council is a consultee in this process.

10.45 The District Council will be concerned to safeguard the rural and residential amenities of the District in its response to the Environmental Assessment and any development required as part of the decommissioning process, for example new storage facilities for existing waste on the site. This matter will also invoke waste

disposal planning control, which is a function of Essex County Council through the Waste Local Plan. The District Council is also mindful to ensure that demolition materials and other residues from the site are transported on adequate roads and by rail and water.

- 10.46 The redevelopment of the site is not a consideration for this Plan, given the length of the decommissioning process. Maldon District Council will consider reviewing the policies relating to the Bradwell Power Station site if decommissioning is completed during this Plan period and if the economic development of the District requires it. However, the Power Station site and land outside its confines lie within the Coastal Zone and therefore are subject to strict restraint policies applying to the coast and countryside.

APPENDICES

APPENDIX 1 HIERARCHY OF NATURE CONSERVATION DESIGNATIONS

Table 10 Hierarchy of Nature Conservation Designations

Importance	Site Designation and Explanation
Sites of International Importance	<p>Ramsar Sites Listed under the Convention on Wetlands of International Importance</p>
	<p>Special Protection Areas (SPAs) Classified under the EC Directive on the Conservation of Wild Birds</p>
	<p>Special Areas of Conservation (SACs) Designated under the EC Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (the Habitats Directive)</p>
Sites of National Importance	<p>National Nature Reserves (NNRs) Declared under Section 19 National Parks and Access to the Countryside Act 1949 or Section 35 Wildlife and Countryside Act 1981</p>
	<p>Sites of Special Scientific Interest Notified under Section 28 Wildlife and Countryside Act 1981 (<u>as amended by the Countryside and Rights of Way Act 2000</u>)</p>
Sites of Regional or Local Importance	<p>Local Nature Reserves (LNRs) Designated by Local Authorities under Section 21 National Parks and Access to the Countryside Act 1949</p>
	<p>Non-statutory Nature Reserves Established and managed by a variety of public and private bodies, eg EWT, RSPB</p>
	<p>Wildlife Sites (SINC / CWS / WS) These are sites of local or county significance. These are usually adopted by Local Authorities for planning purposes.</p>
	<p>Regionally Important Geological / Geomorphological Sites (RIGS) These are sites of local or county significance. These are usually adopted by Local Authorities for planning purposes.</p>

APPENDIX 2 SITES OF SPECIAL SCIENTIFIC INTEREST

Table 11 Sites of Special Scientific Interest

Location	Date of Notification	Principle Features of Designation	Map
Blackwater Estuary (incorporating Tollesbury Wick Marshes SSSI and Old Hall Marshes SSSI)	1955/1957/ 1971/ 1974/ 1990/ 1991 Re-notified 12 Jan 1993	Important estuarine ecosystem; grazing marsh habitat of international ornithological importance especially for Brent Geese, Grey Plover and Ring Plover; of international geomorphological importance. National Nature Reserve in part. Special Protection Area for wild birds (classified 12 May 1995), a Ramsar Site (listed 12 May 1995). Component part of the Mid-Essex Coast SPA and, the Essex Estuaries candidate SAC.	P 3 7 14 14A 15 19 23
Crouch and Roach Estuaries (incorporates River Crouch Marshes SSSI with extensions and deletions)	1955/1966 Re-notified 11 April 1996	Saltmarsh, grazing marsh and intertidal mud habitats of significant ornithological and flora value. SPA and Ramsar site (29 June 1998). Component part of the Mid-Essex Coast SPA and, the Essex Estuaries candidate SAC.	P 5 5A 17
Dengie	1955/1966/1971/ 1975. Re-notified 1986	Outstanding assemblage of rare coastal flora. Important estuarine ecosystem including tidal mudflat and saltmarsh. Largest continuous mudflat in Essex. Of geomorphological interest. Of international ornithological importance, especially for over-wintering Brent Geese (2% of world population) and Knot. Gull roost of c.30,000 off Sales Point. National Nature Reserve. SPA and Ramsar site (1994). Component part of the Mid-Essex Coast SPA and, the Essex Estuaries candidate SAC.	P

Map reference: P = the main Proposals Map, numbers = the inset map number

APPENDIX 3 SCHEDULED ANCIENT MONUMENT SITES

Table 12 Scheduled Ancient Monument Sites

Inset Map Reference	Ancient Monument	Location
Proposals Map	Camp at Asheldham	Asheldham
“ “	Roman fort and Saxon monastery	Bradwell-on-Sea
“ “	Saxon coastal fish weir, Sales Point	Bradwell-on-Sea
“ “	Coastal fish weir near Pewet Island	Bradwell-on-Sea
14	Mound east of Basin Road	Heybridge Basin
10	Pumping Station Essex Water Co	Langford
14	St Giles Hospital	Maldon
18	Moated mound south of Purleigh Hall	Purleigh
20	Crop mark site south-west of Old Moor	Southminster
20	Earthworks in Pandole wood	Southminster
Proposals Map	Decoy pond, Marsh House Farm	Tillingham
“ “	Coastal fish weir, The Nass	Tollesbury
“ “	Decoy pond, Old Hall Marshes	Tollesbury
“ “	Square decoy pond, Old Hall Marshes	Tollesbury
“ “	Gore decoy, Lauriston Farm	Tolleshunt D’Arcy
“ “	Beckingham Hall gatehouse and enclosure wall including turrets	Tolleshunt Major
“ “	Round barrow south-west of Beckingham Hall	Tolleshunt Major
“ “	Timber trestle railway viaduct	Wickham Bishops
“ “	Crop marks east of Hoe Mill Barns	Woodham Walter

APPENDIX 4 CONSERVATION AREAS

Table 13 Conservation Areas

Location	Inset map	Date designated
Bradwell-on-Sea	2	15.07.1969
Burnham-on-Crouch	5	15.07.1969
Chelmer and Blackwater Navigation	14	20.11.1991
Goldhanger	7	23.12.1975
Heybridge Basin	14	21.01.1975
Langford	10	21.01.1985
Maldon No.1 } Maldon No.2 } Maldon Maldon No.3 }	14 14A	26.10.1995 (extended and re-designated as Maldon)
Purleigh	18	23.12.1975
Southminster	20	26.02.1976
Tillingham	22	15.07.1969
Tollesbury	23	13.01.1970 (extended 05.12.1977)
Tolleshunt D'Arcy	24	15.07.1969 (extended 23.07.1981)

APPENDIX 5 PUBLIC FOOTBALL PITCH PROVISION

Table 14 Public Football Pitch Provision Requirements and Allocations

Parish	Pop. 1991	Provision Based on Club Survey in PPS	Requirement Based on Local Standard (ha)	Existing Provision (ha)	Location of Shortfall (ha)	Allocation in Replacement Plan (ha)	Allocation Pitch Equivalent 0.8ha = 1 pitch
NORTH							
Goldhanger (2)	569		0.5	2.1	-		
Gt. Braxted (1)	308		0.6	0	0.6		
Gt. Totham (2)	2717		2.2	3.0	-		
Tollesbury KS (1)	2610		5.2	4.8	0.4		
Tolleshunt D'Arcy (2)	1066		0.9	1.7	-		
Tolleshunt Knights (2)	803		0.6	4.1	-		
Tolleshunt Major (2)	789		0.6	1.7	-		
Ulting (1)	138		0.3	0	0.3		
Wickham Bishops (2)	1893		1.5	2.0	-		
Langford (2)	201		0.2	1.5	-		
Little Braxted (1)	158		0.4	0	0.4		
Little Totham (1)	230		0.5	0	0.5	1.5	1
		+1	13.5	20.9		1.5	1
SOUTH							
Althorne (2)	1099		0.9	4.7	-		
Cold Norton (2)	1075		0.9	2.0	-		
Hazeleigh (1)	159		0.3	0	0.3		
Latchingdon KS (1)	1174		2.2	1.8	0.4	2.1	2
Mayland KS (1)	3375		6.8	7.8	-		
Mundon (1)	323		0.6	0	0.6		
N. Fambridge (1)	672		1.3	0	1.3		
Purleigh (2)	1220		1.0	2.3	-		
Stow Maries (1)	218		0.4	0	0.4		
Woodham Mortimer (2)	485		0.4	0.4	-		
Woodham Walter (1)	655		1.3	0	1.3		
		-1	16.1	19.0		2.1	2
EAST							
Asheldham (1)	168		0.3	0	0.3		
Bradwell (2)	835		0.7	2.1	-		
Burnham-on-Crouch KS (1)	7067		14.1	0	14.1		
Dengie (1)	117		0.2	0	0.2		
St. Lawrence (1)	672		1.3	0	1.3	1.6	2
Southminster KS (1)	3375		6.8	3.9	2.9	1.8	2
Steeple (2)	464		0.4	1.6	-		
Tillingham (2)	886		0.7	2.9	-		
		-12	24.5	10.5		3.4	4
CENTRAL							
Maldon and Heybridge KS (1)	17324		34.6	21.6	13	8.0	9
		-12	34.6	21.6		8.0	9
DISTRICT TOTALS	52845	-24	88.7	72.0	16.7	15.0	16

KS = Key settlement. **PPS** = Playing Pitch Strategy

(1) Standard applied = 2.0 ha per 1000 population

(2) Standard applied = 0.8 ha per 1000 population

Total provision (existing provision plus allocations) = 87ha

APPENDIX 6 CHILDREN'S PLAY SPACE

Table 15 Children's Play Space Provision, Requirements and Deficiency

Parish	Pop. 2001	Requirement Based on Standard (ha) 2001 1994	Existing Provision (ha)	Deficiency (ha)	Priority
Althorne σ	1104	0.3	0.2	0.1	
Asheldham ω	154	0.1	0.0	0.1	
Bradwell σ	877	0.3	0.1	0.2	
Burnham-on-Crouch	7759	2.3	0.5	1.8	
Cold Norton σ	1103	0.3	0.1	0.2	
Dengie ω	135	0.1	0.0	0.1	
Goldhanger σ	647	0.2	0.1	0.1	
Great Braxted	323	0.1	0.2	-0.1	
Great Totham σ	2768	0.8	0.2	0.6	
Hazeleigh ω	100	0.1	0.0	0.1	
Heybridge	7627	2.3	0.1	2.2	
Langford σ	156	0.0	0.0	0.0	
Latchingdon	1232	0.4	0.1	0.3	
Little Braxted ω	128	0.1	0.0	0.1	
Little Totham	372	0.1	0.1	0.0	
Maldon	14034	4.2	5.5	-1.3	
Mayland σ	3728	1.1	0.2	0.9	
Mundon ω	356	0.2	0.0	0.2	
North Fambridge ω	752	0.4	0.0	0.4	
Purleigh σ	1147	0.3	0.1	0.2	
St. Lawrence ω	927	0.5	0.0	0.5	
Southminster	4021	1.2	0.1	1.1	
Steeple	450	0.1	0.1	0.0	
Stow Maries ω	199	0.1	0.0	0.1	•
Tillingham σ	1015	0.3	0.1	0.2	
Tollesbury	2680	0.8	0.1	0.7	
Tolleshunt D'Arcy σ	973	0.3	0.1	0.2	
Tolleshunt Knights σ	1028	0.3	0.1	0.2	
Tolleshunt Major	631	0.2	0.3	-0.1	
Ulting ω	134	0.1	0.0	0.1	
Wickham Bishops	1773	0.5	0.1	0.4	
Woodham Mortimer	502	0.2	0.0	0.2	
Woodham Walter ω	583	0.3	0.0	0.3	•
District Total	59418	18.5	8.5	10.0	•

ω Villages without public open space

σ Villages where the children's play space requirement could be accommodated in existing or allocated areas of public open space.

Standards:

Where there is no existing public open space = 0.5 ha/'000 population

Where there is existing public open space = 0.3 ha/'000 population

APPENDIX 7 WILDLIFE AND GEOLOGICAL SITES

EWT	Essex Wildlife Trust	C	Coastal
NNR	National Nature Reserve	G	Grassland
cSAC	Candidate Special Area of Conservation	GE	Geological site (all are SSSIs)
SPA	Special Protection Area	FW	Freshwater
SSSI	Site of Special Scientific Interest	M	Mosaic (mix of habitats)
		W	Woodland

IMPORTANT: The majority of these sites are privately owned. Inclusion of a site in the Plan does not imply that there is public access to it.

ALTHORNE

C1 Crouch and Roach Estuaries SPA, Ramsar Site, part of Essex Estuaries cSAC (intertidal only), SSSI (1735.58ha) TQ 920970

The areas of saltmarsh and grazing marsh and intertidal mudflats, which comprise the SSSI, are botanically and ornithologically of great importance, supporting a range of nationally scarce coastal plants, internationally important numbers of overwintering wildfowl and waders and several rare and/or vulnerable invertebrate species.

The characteristic plants typical of the saltmarshes are Sea Aster (*Aster tripolium*), Glasswort (*Salicornia* spp.), Annual Sea-blite (*Suaeda maritima*), Cord Grass (*Spartina* sp.), Sea-purslane (*Halimione portulacoides*), Sea Wormwood (*Artemisia maritima*), Saltmarsh-grasses (*Puccinellia* spp.), Sea-lavender (*Limonium vulgare*), Sea Arrow-grass (*Triglochin maritima*) and Thrift (*Armeria maritima*).

The grazing marsh is characterised by grasses such as Creeping Bent-grass (*Agrostis stolonifera*), Ryegrass (*Lolium perenne*), Red Fescue (*Festuca rubra*) and Meadow Barley (*Hordeum secalinum*).

Ge2 The Cliff Geological SSSI (4 ha) TQ 922976

Exposed geological formation, valuable for study of avian evolution and type locality for several fish species.

ASHELDHAM

M11 Asheldham Pits EWT Reserve (14.3 ha) TL 971015

Much of the old gravel workings has been taken over by dense Willow (*Salix* sp.) and Hawthorn (*Crataegus monogyna*) scrub. Grassy areas support an interesting flora, including Grass Vetchling (*Lathyrus nissolia*) and Bird's-foot Trefoil (*Lotus corniculatus*). The lake is used by Great Crested Grebe and in winter the lake is home to a variety of wildfowl, including Tufted Duck, Goldeneye and Snipe.

BRADWELL

M12 Bradwell Brook - Curry Farm (2.0 ha) TL 996057

Curry Farm comprises an area of unimproved grassland which contains herbs such as Lady's Bedstraw (*Galium verum*), Wild Carrot (*Daucus carota*) and Meadow Vetchling (*Lathyrus pratensis*), and a plantation of mainly Cricket-bat Willow (*Salix alba* ssp. *coerulea*) over a sward of Reed Canary-grass (*Phalaris arundinacea*). This site is especially notable for its breeding and migrant moths.

C2 Blackwater Estuary SPA, Ramsar Site, part of Essex Estuaries cSAC (intertidal only), part NNR, SSSI (822.1 ha) TL 940070

The Blackwater Estuary is one of the largest estuarine complexes in East Anglia. Its varied coastal habitats include the largest area of saltmarsh in Essex, mud flats, shingle and shell banks and offshore islands. The surrounding terrestrial habitats – sea wall, ancient grazing marsh, ditch systems and semi-improved grassland - add to the Estuary's conservation interest. 22 species of nationally scarce plants are present. The invertebrate fauna include at least 16 Red Data Book species.

The estuarine muds provide for a great range of sea and shore birds, supporting over 40,000 waterfowl in winter, including internationally important numbers of Brent Geese, Grey Plover, Dunlin and Black-tailed Godwit.

C3 Dengie, SPA, Ramsar Site, part of Essex Estuaries cSAC (intertidal only), part NNR, SSSI, EWT Reserve (17.9 ha) TM 045030

This site comprises saltmarsh, the largest continuous expanse of its type in Essex, foreshore, beach and seawall habitats that support an outstanding assemblage of rare coastal plants, including 11 nationally scarce species. The mudflats support all three species of Eelgrass (*Zostera* spp.), whilst among the typical saltmarsh plants Lax-flowered Sea-lavender (*Limonium humile*) and Shrubby Sea-blite (*Suaeda vera*) are of note. The invertebrate fauna includes Red Data Book species.

The Dengie supports over 25,000 waterfowl in winter, including internationally important numbers of Dark-bellied Brent Geese, Grey Plover and Knot.

This SINC includes the Bradwell Shell Bank and Saltings EWT reserve, which has important Twite and Corn Bunting populations.

G17 Sandbeach Meadows SSSI (30.0 ha) TM 021050 and TM 022057

These grasslands are virtually all that remains of the once extensive grazing marshes which formed the hinterland of the Dengie coastline. The meadows are dominated by Meadow Foxtail (*Alopecurus pratensis*), Cock's-foot (*Dactylis glomerata*), Ryegrass (*Lolium perenne*), Timothy (*Phleum pratense*) and Rough Meadow-grass (*Poa trivialis*) along with many herbs, which include Grass Vetchling (*Lathyrus nissolia*) and Spotted Medick (*Medicago arabica*). The meadows support nationally important numbers of overwintering Dark-bellied Brent Geese.

G18 Marsh House Seawall (3500.0 m) TRI 030053 to TM 027027 and TM 032060 to TM 033069

These old seawalls, now superseded and no longer on the coast, have a good flora of characteristic species, including Slender Bird's-foot Trefoil (*Lotus tenuis*).

G15 Bradwell Cemetery (0.7 ha) TM 007069

Managed under the auspices of the Essex Churchyards Conservation Group, parts of this cemetery are being left uncut in order to benefit wildlife. The grass sward displays a typical array of plants including Selfheal (*Prunella vulgaris*) and Agrimony (*Agrimonia eupatoria*) but present, also, is Lesser Calamint (*Calamintha nepeta*), a species with a limited distribution both in Essex and nationally.

BURNHAM-ON-CROUCH

C1 Crouch and Roach Estuaries SPA, Ramsar Site, Part of Essex Estuaries cSAC (intertidal only), SSSI (1735.58ha) TQ 920970 (see Althorne)

C3 Dengie, SPA, Ramsar Site, part of Essex Estuaries cSAC (intertidal only), part NNR, SSSI, EWT Reserve (17.9 ha) TM 045030 (see Bradwell).

GE2 The Cliff GEOLOGICAL SSSI (4 HA) TQ 922976 (SEE ALTHORNE).

DENGIE

- C3 Dengie**, SPA, Ramsar Site, part of Essex Estuaries cSAC, (intertidal only), part NNR, SSSI, EWT Reserve (17.9 ha) TM 045030 (see Bradwell)
- G16 Bridgwick Marshes** (12.8 ha) TR 014995

These relict coastal marshes have a characteristic flora of Meadow Barley (*Hordeum secalinum*), Common Reed (*Phragmites australis*), Parsley Water-dropwort (*Oenanthe lachenalii*) and Sea Club-rush (*Scirpus maritimus*).

GOLDHANGER

- C2 Blackwater**, SPA, Ramsar Site, part of Essex Estuaries cSAC, (intertidal only) part NNR, (822.1 ha) TL 940070 (see Bradwell)

GREAT BRAXTED

- W31 West Hall Wood Complex** (17.6 ha) TL 855139

West Hall Wood

Large areas of West Hall Wood have been replanted with blocks of Scots Pine (*Pinus sylvestris*) with the remaining broadleaved trees confined to ride edges and the perimeter of the wood. These margins are dominated by Hornbeam (*Carpinus betulus*), whilst Pedunculate Oak (*Quercus robur*), Turkey Oak (*Quercus cerris*), Silver Birch (*Betula pendula*) and Sweet Chestnut (*Castanea sativa*) are also present together with other shrubs. Bramble (*Rubus fruticosus*) occurs in abundance, but the ground flora is generally limited due to the shading of the coniferous stands, thus making replacement with native broadleaved species a high conservation management priority.

Criers Wood

Criers Wood comprises Pedunculate Oak standards and Hornbeam coppice with Bracken (*Pteridium aquilinum*) and Bramble forming the dominant ground cover. Other species include Wood Sage (*Teucrium scorodonia*) and Lesser Stitchwort (*Stellaria graminea*).

- W35 Kelvedon Hall Wood** (12.5 ha) TL 860169

This ancient wood has been extensively replanted with conifers such as Lawson Cypress (*Chamaecyparis lawsoniana*), Norway Spruce (*Picea abies*) and Scots Pine (*Pinus sylvestris*). Native tree species present are Hornbeam (*Carpinus betulus*), Pedunculate Oak (*Quercus robur*) and Silver Birch (*Betula pendula*). A relatively poor ground flora is dominated by Bramble (*Rubus fruticosus*) and Bluebell (*Hyacinthoides non-scripta*). Replacement of conifers by native broadleaved species would greatly benefit the flora and increase the wildlife value of this site.

- W39 Pundicts Wood** (2.0 ha) TL 866152

Pundicts Hill Wood adjoins the south of Tiptree Wood. Pedunculate Oak (*Quercus robur*) and Hornbeam (*Carpinus betulus*) dominate the dense canopy, which results in a moderate ground flora, with typical species including Bracken (*Pteridium aquilinum*), Dog's Mercury (*Mercurialis perennis*) and Ground Ivy (*Glechoma hederacea*)

- W40 Tiptree Wood** (12.9 ha) TL 867156

Pedunculate Oak (*Quercus robur*), Hornbeam (*Carpinus betulus*), Ash (*Fraxinus excelsior*), Sweet Chestnut (*Castanea sativa*) and Turkey Oak (*Quercus Cerris*) along with Corsican Pine (*Pinus nigra* ssp. *maritima*) form the main canopy cover of the two portions of this wood. Accompanying abundant Bramble (*Rubus fruticosus*) in the ground flora are Bluebell (*Hyacinthoides non-scripta*) and Dog's Mercury (*Mercurialis perennis*).

W42 Howbridges Wood (2.5 ha) TL 872157

The western half of this wood has been grubbed out, with the remaining area consisting of Pedunculate Oak (*Quercus robur*), Hornbeam (*Carpinus betulus*), Field Maple (*Acer campestre*) and Scots Pine (*Pinus sylvestris*). Bramble (*Rubus fruticosus*) dominates the ground flora, but also present are Greater Bird's-foot Trefoil (*Lotus uliginosus*) and Foxglove (*Digitalis purpurea*).

W43 New Wood (2.0 ha) TL 873164

New Wood straddles the boundary of Maldon District and Colchester Borough, with the greater proportion lying in the latter. The Maldon section consists of Pedunculate Oak (*Quercus robur*) standards and Hornbeam (*Carpinus betulus*) coppice. The presence of Midland Hawthorn (*Crataegus laevigata*) is of note. The ground flora has Bramble (*Rubus fruticosus*) and Bluebell (*Hyacinthoides non-scripta*) in abundance.

M6 Mason's Plantation (2.9 ha) TL 851160

This site comprises a plantation of Poplar (*Populus* sp.) and Willow (*Salix* sp.) surrounding a sedge-marsh dominated by Greater Pond-sedge (*Carex riparia*), Reedmace (*Typha latifolia*), Meadowsweet (*Filipendula ulmaria*) and Bittersweet (*Solanum dulcamara*).

FW1 Braxted Park Lakes (9.3 ha) TL 852155

This site incorporates Braxted Park lakes and associated parkland. The main ornamental lake has a well-developed marginal vegetation including Reedmace (*Typha latifolia*), Greater Pond-sedge (*Carex riparia*) and Yellow Iris (*Iris pseudacorus*). The parkland comprises mown grassland under a scattered tree canopy that includes native and introduced species.

GREAT TOTHAM

Ge4 Lofts Farm Pit Geological SSSI (4.54 ha) TL 864091

The deposits are geologically important evidence of the quaternary evolution of the Thames River System.

W30 Middle Wood (4.2 ha) TL 854101

No information is currently available for this ancient wood.

W32 Heybridge Wood (12.1 ha) TL 856090

Whilst the southern half of this wood has mainly been replanted with conifers, the northern part retains a predominantly broadleaved composition. The canopy here comprises Pedunculate Oak (*Quercus robur*) with Hornbeam (*Carpinus betulus*) beneath. The scrubby undergrowth includes Bluebell (*Hyacinthoides non-scripta*) in the ground layer.

W33 Bog Grove (2.4 ha) TL 859111

Bog Grove comprises Pedunculate Oak (*Quercus robur*), Ash (*Fraxinus excelsior*), Hornbeam (*Carpinus betulus*), Hazel (*Corylus avellana*), Sycamore (*Acer pseudoplatanus*) and Wild Cherry (*Prunus avium*) in a mixed canopy. The ground flora includes Horsetail (*Equisetum* sp.), Pendulous Sedge (*Carex pendula*), Yellow Pimpernel (*Lysimachia nemorum*), Scaly Male Fern (*Dryopteris pseudomas*), Bluebell (*Hyacinthoides non-scripta*) and Bugle (*Ajuga reptans*).

W34 Stowling Wood (20.0 ha) TL 859139

Stowling Wood comprises Pedunculate Oak (*Quercus robur*) standards with Hornbeam (*Carpinus betulus*) coppice shading a Bramble (*Rubus fruticosus*)-dominant ground cover. Storm damage has affected the northern and western edges. Little other information is currently available.

W36 Mountains Grove (11.0 ha) TL 861127

The majority of Mountains Grove is of Pedunculate Oak (*Quercus robur*) and Ash (*Fraxinus excelsior*) composition with occasional Hornbeam (*Carpinus betulus*). Bracken (*Pteridium aquilinum*) and Bramble (*Rubus fruticosus*) dominate the ground cover.

W37 South Wood (31.2 ha) TL 862104

South Wood consists mainly of Hornbeam (*Carpinus betulus*) coppice, Sweet Chestnut (*Castanea sativa*) with planted Larch (*Larix decidua*) and Scots Pine (*Pinus sylvestris*). Other tree species include Silver Birch (*Betula pendula*), Ash (*Fraxinus excelsior*), Sycamore (*Acer pseudoplatanus*) and Field Maple (*Acer campestre*). The ground flora comprises mainly Bramble (*Rubus fruticosus*) and Nettle (*Urtica dioica*). Other species of ground flora found throughout the wood include Honeysuckle (*Lonicera periclymenum*) and Enchanter's Nightshade (*Circaea lutetiana*).

W38 Spickets Wood (1.2 ha) TL 863117

This ancient wood contains Hornbeam (*Carpinus betulus*) with Pedunculate Oak (*Quercus robur*) and Ash (*Fraxinus excelsior*) standards and some Sweet Chestnut (*Castanea sativa*) coppice. The typical ground flora consists of Bramble (*Rubus fruticosus*), Ivy (*Hedera helix*) and occasional Bluebell (*Hyacinthoides non-scripta*).

W28 Captains Wood (17.4 ha) TL 853108

Replanting with Scots Pine (*Pinus sylvestris*) has occurred throughout much of this ancient wood. Remnant broadleaved species include Pedunculate Oak (*Quercus robur*), Small-leaved Lime (*Tilia cordata*), Silver Birch (*Betula pendula*) and Hornbeam (*Carpinus betulus*). A relatively species-poor ground flora, though including abundant Bluebell (*Hyacinthoides non-scripta*), would be greatly benefited by the removal of conifers in favour of native broadleaved species.

M8 Chigborough Lakes EWT Reserve (18.6 ha) TL 877086

Chigborough Lakes form a complex habitat consisting of numerous lakes, ponds, boggy areas, willow swamp, scrub and rough grassland. This site provides for a diverse flora including Common Spotted Orchid (*Dactylorhiza fuschii*), Southern Marsh Orchid (*Dactylorhiza praetermissa*), Grass Vetchling (*Lathyrus nissolia*), Blue Fleabane (*Erigeron acer*) and Sneezewort (*Achillea ptarmica*). A fine aquatic flora is developing, with both Greater Pond-sedge (*Carex riparia*) and Marsh Horsetail (*Equisetum palustre*) covering large areas.

Breeding birds include Great Crested Grebe, Dabchick, Tufted Duck, Coot, Sedge and Reed Warblers and Whitethroat. In winter, the lakes attract a number of other duck species, Gadwall and Pochard being the most numerous. Other visitors at this season are Water-rail, Snipe, Hen-harrier and Long-eared Owl.

HAZELEIGH

W16 Hazeleigh Hall Wood (32.9 ha) TL 834042

This ancient coppice of Hornbeam (*Carpinus betulus*) and Hazel (*Corylus avellana*) with Pedunculate Oak (*Quercus robur*) standards also includes Wild Service Tree (*Sorbus torminalis*) in the sub-canopy, over a ground flora typified by Bluebell (*Hyacinthoides non-scripta*) and Wood Millet (*Milium effusum*).

G8 Bury Farm Field (4.5 ha) TL 845037

This field is a floristically rich site of particular note for the large population of Green-winged Orchid (*Orchis morio*), a scarce Essex plant which has undergone a serious decline due to loss of habitat. Other species include Sweet Vernal Grass (*Anthoxanthum odoratum*), Common Sedge (*Carex nigra*) and Crested Dog's-tail (*Cynosurus cristatus*).

M3 Maldon Wick EWT Reserve (7.7 ha) TL 842057

This reserve consists of one and a half miles of abandoned railway line, now a mosaic of grassland and scrub of particular value for its butterfly populations, with 28 recorded species including Purple Hairstreak and White-letter Hairstreak. Plants of interest include Sweet Violet (*Viola odorata*), Primrose (*Primula vulgaris*) and Moschatel (*Adoxa moschatellina*).

HEYBRIDGE

C2 Blackwater Estuary, SPA, Ramsar Site, part of Essex Estuaries cSAC, (intertidal only) part NNR (822.1 ha) TL 940070 (see Bradwell)

FW2 Heybridge Hall Lake (48.5 ha) TL 865070

The lake is situated south of the Chelmer and Blackwater Navigation canal. Partly enclosed by seawalls, it forms an extensive open water habitat of particular value to resting coastal birds, being a quiet water haven adjacent to the Blackwater Estuary. There are a few patches of Common Reed (*Phragmites australis*) and Reedmace (*Typha latifolia*).

M5 North Maldon Disused Railway (2.0 ha) TL 849080

This site comprises the disused Maldon to Witham railway embankment and the pond within the junction triangle. The marginal vegetation around the pond is sedge- and reed-dominated. Lesser Reedmace (*Typha anagustifolia*) and Greater Pond-sedge (*Carex riparia*) are present. The adjoining section of railway embankment is bounded by tree and shrub vegetation, especially Pedunculate Oak (*Quercus robur*) and Hawthorn (*Crataegus monogyna*). The ground flora includes Lesser Calamint (*Calamintha nepeta*), Field Scabious (*Knautia arvensis*) and Lady's Bedstraw (*Galium verum*).

M7 Heybridge Creek (2.3 ha) TL 857077

This creek, now cut off by a seawall and no longer tidal, supports a large bed of Common Reed (*Phragmites australis*) with, also, Sea Club-rush (*Scirpus maritimus*) and Reedmace (*Typha latifolia*). Interest includes Sweet Violet (*Viola odorata*), Primrose (*Primula vulgaris*) and Moschatel (*Adoxa moschatellina*).

LANGFORD

G6 Chelmer/Blackwater Meadows (4.8 ha) TY 838087

Langford Cut consists of a varied grass and herb mix, which includes Ryegrass (*Lolium perenne*), Creeping Bent-grass (*Agrostis stolonifera*), Common Bent-grass (*Agrostis capillaris*), Meadow Foxtail (*Alopecurus pratensis*) and Yorkshire Fog (*Holcus lanatus*) with Lady's Bedstraw (*Galium verum*), Bird's-foot Trefoil (*Lotus corniculatus*) and Meadowsweet (*Filipendula ulmaria*). This site represents an important component of a Chelmer Navigation wildlife corridor.

W24 Eastland Wood (24.5 ha) TL 844107

Eastland Wood is a mixture of planted Poplar (*Populus* sp.) and Douglas Fir (*Pseudotsuga menziesii*) with native coppice Hornbeam (*Carpinus betulus*) and Pedunculate Oak (*Quercus robur*) standards. The ground flora includes Primrose (*Primula vulgaris*), Meadowsweet (*Filipendula ulmaria*) and Yellow Pimpernel (*Lysimachia nemorum*).

W25 Maypole Wood (8.6 ha) TL 847107

Maypole Wood has been largely planted with conifers interspersed with Birch (*Betula* sp.). Nettle (*Urtica dioica*) and Bluebell (*Hyacinthoides non-scripta*) are the most common plants in this ancient wood. The ground flora and wildlife in general would be greatly benefited by a replacement of conifers by native broadleaved species.

LATCHINGDON

C1 Crouch and Roach Estuaries SPA, Ramsar Site, part of Essex Estuaries cSAC (intertidal only), SSSI (1735.58ha) TQ 920970 (see Althome)

G11 Stamfords Farm (54.5 ha) TQ 885980

This site comprises old grassland and hedges with coastal marsh, which is of great wildlife interest.

LITTLE BRAXTED

W27 Shut Heath Wood EWT Reserve (20 ha) TL 852133

Reserve comprises 9ha of ancient woodland and 11ha of arable land. Pedunculate Oak (*Quercus robur*) forms the main canopy cover with occasional Silver Birch (*Betula pendula*) and Rowan (*Sorbus aucuparia*), with Hawthorn (*Crataegus monogyna*), Hazel (*Corylus avellana*) and Elder (*Sambucus nigra*) forming the shrub layer canopy. Bramble (*Rubus fruticosus*) and Bracken (*Pteridium aquilinum*) form the main ground cover along with Bluebell (*Hyacinthoides non-scripta*).

LITTLE TOTHAM

M8 Chigborough Lakes EWT Reserve (18.6 ha) TL 877086

Chigborough Lakes form a complex habitat consisting of rough grassland. This site provides for a diverse flora including common Spotted Orchid (*Dactylorhiza fuchsii*), Southern Marsh Orchid (*Dactylorhiza praetermissa*), Grass Vetchling (*Lathyrus nissolia*), Blue Fleabane (*Erigeron acer*) and Sneezewort (*Achillea ptarmica*). A fine aquatic flora is developing, with both Greater Pond-sedge (*Carex riparia*) and Marsh Horsetail (*Equisetum palustre*) covering large areas.

Breeding birds include Great Crested Grebe, Dabchick, Tufted Duck, Coot, Sedge and Reed Warblers and Whitethroat. In winter the lakes attract a number of other duck species, Gadwall and Pochard being the most numerous. Other visitors at this season are Water-rail, Snipe, Hen-harrier and Long-eared Owl.

MALDON

C2 Blackwater Estuary, SPA, Ramsar Site, part of Essex Estuaries cSAC, (intertidal only) part NNR, SSSI (822.1 ha) TL 940070 (see Bradwell)

M3 Maldon Wick EWT Reserve (7.7 ha) TL 842057 (see Hazeleigh)

M4 Beeleigh Abbey (2.8 ha) TL 842077

This site comprises intertidal beds of Common Reed (*Phragmites australis*), grassland at the tidal limit, dry grassland with hedges and a small pond. The marshy pond supports Marsh Foxtail (*Alopecurus geniculatus*), Fine-leaved Water-dropwort (*Oenanthe aquatica*), Water Dock (*Rumex hydrolapathum*) and Bog Stitchwort (*Stellaria alsine*). The more freely draining turf is dominated by Crested Dog's-tail (*Cynosurus cristatus*) with Sweet Vernal Grass (*Anthoxanthum odoratum*) and typical grassland herbs.

G6 Chelmer/Blackwater Meadows (4.8 ha) TY 838087 (see Langford)

G10 Viaduct Meadow (2.5 ha) TL 847076

As a riverside flood-meadow which is still regularly inundated, this site represents a scarce and ever-declining habitat which is of importance for feeding and resting birds. The sward has a diverse range of grasses, such as Marsh Foxtail (*Alopecurus geniculatus*), Meadow Foxtail (*A. pratensis*), Sweet Vernal Grass (*Anthoxanthum odoratum*), Tufted Hair-grass (*Deschampsia cespitosa*), Meadow Barley (*Hordeum secalinum*), Rough Meadow-grass (*Poa trivialis*) and Yorkshire Fog (*Holcus lanatus*).

G21 Maldon Wycke Meadow EWT reserve TQ 841055 (2.5ha)

This site is adjacent to Maldon Wick EWT reserve (M3). The meadow's vegetation has appeared naturally since arable cultivation was abandoned. Grass vetchling, common centaury and common fleabane have been recorded. Trees have started to colonise, including silver birch, ash, oaks and willow. The northern bund has been planted with additional shrubs and the pond contains some introduced native plants. The pond attracts a number of dragonflies including emperor, ruddy darter, four-spotted chaser and black-tailed skimmer. Brown argus butterflies and green woodpeckers have also been recorded.

Ge1 Maldon Cutting Geological SSSI (0.1 ha) TL 842068

This former railway cutting provides a rare stratigraphical site in the Pleistocene sequence of Essex. Type site for Maldon Till.

MAYLAND

M9 Nipsells Chase Scrub (9.7 ha) TL 909027

This abandoned orchard now comprises very dense Hawthorn (*Crataegus monogyna*) and Blackthorn (*Prunus spinosa*) scrub, grassland and a central pond with a Fine-leaved Water-dropwort (*Oenanthe aquatica*). Such a large expanse of scrub, with linear grassland strips, represents an excellent habitat for birds, providing good cover for resident breeding species and an autumnal food supply prior to migration or over-wintering.

C2 Blackwater Estuary SPA, Ramsar Site, part of Essex Estuaries cSAC, (intertidal only) part NNR, SSSI (822.1 ha) TL 940070 (see Bradwell)

MUNDON

W41 Mundon Furze (11.9 ha) TL 869023

This wood is of Oak-Ash composition with Pedunculate Oak (*Quercus robur*) dominating the northern half. Bramble (*Rubus fruticosus*) covers most of the ground layer, with small wet areas supporting Pendulous Sedge (*Carex pendula*) and Soft Rush (*Juncus effusus*). Several houses are being constructed in the southern part of this ancient wood.

C2 Blackwater Estuary, SPA, Ramsar Site, part of Essex Estuaries cSAC, (intertidal only) part NNR, SSSI (822.1 ha) TL 940070 (see Bradwell)

NORTH FAMBRIDGE

C1 Crouch and Roach Estuaries SPA, Ramsar Site, part of Essex Estuaries cSAC, (intertidal only) SSSI (1735.58ha) TQ 920970 (see Althorne)

G9 Brookmead Grove Meadow (0.8 ha) TQ 846988

This site is floristically rich with grass species including Sweet Vernal Grass (*Anthoxanthum odoratum*), Crested Dog's-tail (*Cynosurus cristatus*) and Yorkshire Fog (*Holcus lanatus*). Grass Vetchling (*Lathyrus nissolia*) and Betony (*Stachys officinalis*) are of interest among the herbs.

G19 Blue House Farm EWT reserve (see also C1) TQ 856971

G19 represents grassland and arable areas of the EWT reserve that lie outside River Crouch Marshes SSSI (Wildlife Site C1). These areas are included in the list of Wildlife Sites as they form part of a larger nature reserve. Blue House Farm is a 240 ha working farm of coastal grazing marsh, pasture and arable land.

W29 North Fambridge Hall Wood EWT reserve (3.2 ha) TQ 854986

Pedunculate Oak (*Quercus robur*) is dominant in this ancient wood, with some Ash (*Fraxinus excelsior*) and English Elm (*Ulmus procera*), peripheral Field Maple (*Acer campestre*) and Spindle (*Euonymus europaeus*). Amongst the ground flora are Foxglove (*Digitalis purpurea*) and Stinking Iris (*Iris foetidissima*). There is a large rookery and nesting Herons regularly use the wood.

W26 Hall Wood, West (6.2 ha) TQ 852987

The eastern section of this wood is an Essex Wildlife Trust reserve (W29). The remainder of this ancient wood, described here, comprises Pedunculate Oak (*Quercus robur*) and Ash (*Fraxinus excelsior*) standards over a ground flora dominated by Bramble (*Rubus fruticosus*) scrub.

PURLEIGH

G7 Farther Howe Green (2.5 ha) TL 842012

This common land village green is moderately species-rich floristically, with Pepper Saxifrage (*Silaum silaus*) and Lady's Bedstraw (*Galium verum*) being of interest. Ancient turf of this type is a rare habitat in Essex.

W5 Squeaking-gate Wood (7.8 ha) TL 806016

This is an ancient Hornbeam (*Carpinus betulus*) coppice wood with Pedunculate Oak (*Quercus robur*) standards. Little other information is currently available.

W6 Great Wood, Purleigh (7.8 ha) TL 812016

This ancient wood has been partially grubbed, leaving only a boundary of tree standards. The remaining area of wood is predominantly Hornbeam (*Carpinus betulus*) coppice with Pedunculate Oak (*Quercus robur*) and Ash (*Fraxinus excelsior*) standards. The ground flora, largely over-topped by Bramble (*Rubus fruticosus*), includes Bluebell (*Hyacinthoides non-scripta*) and Wood Millet (*Milium effusum*).

W11 Kent Wood (15.6 ha) TL 824030

This is a variable wood with dense, scrubby areas and more open vegetation under Hornbeam (*Carpinus betulus*) coppice with Pedunculate Oak (*Quercus robur*) standards. The ground flora includes Wood Millet (*Milium effusum*) and Wood Melick (*Melica uniflora*), both ancient woodland grasses.

W19 Howe Wood (2.0ha) TL 837012

Coppice Hornbeam (*Carpinus betulus*) and Pedunculate Oak (*Quercus robur*) standards dominate the canopy of Howe Wood, over a relatively sparse ground flora with Bluebell (*Hyacinthoides non-scripta*) and Wood Millet (*Milium effusum*) amongst Bramble (*Rubus fruticosus*).

W8 Cank Wood (3.4 ha) TL 814009

This ancient wood of Hornbeam (*Carpinus betulus*), Pedunculate Oak (*Quercus robur*), Ash (*Fraxinus excelsior*) and Silver Birch (*Betula pendula*) has a ground flora typical of the Hornbeam coppice woods of the area, being generally sparse and dominated by Bramble (*Rubus fruticosus*).

W9 Charity Lane (Strawberry Hall Lane) (800m) TL 815012

This wooded green lane comprises mixed hedges of mainly Pedunculate Oak (*Quercus robur*), Hawthorn (*Crataegus monogyna*) and English Elm (*Ulmus procera*). The varied ground flora is of a woodland type with Bluebell (*Hyacinthoides non-scripta*) and Wood Millet (*Milium effusum*) being typical species. This lane provides a valuable woodland wildlife corridor between Cank Wood (W8) and Great Wood (W6).

C1 Crouch and Roach Estuaries SPA, Ramsar Site, part of Essex Estuaries cSAC, (Intertidal only) SSSI (1735.58ha) TQ 920970 (see Althorne)

W3 Hyde Woods (30.3 ha) TL 804040

Hyde Wood is an ancient Hornbeam (*Carpinus betulus*) and Sessile Oak (*Quercus petraea*) coppice-with-standards wood with some Sweet Chestnut (*Castanea saliva*). The ground flora includes Bluebell (*Hyacinthoides non-scripta*) and Climbing Corydalis (*Corydalis claviculata*).

W51 Rookery Grove (2.2ha) TL 840025

This small woodland is not listed on English Nature's Ancient Woodland inventory, but contains a number of indicator species that would suggest that it is likely to be of ancient origin. There is also strong evidence that it has been recorded on maps over the last 400 years. There is a mix of Hornbeam (*Carpinus betulus*) coppice together with Pedunculate Oak (*Quercus robur*) and Ash (*Fraxinus excelsior*) standards. The ancient origin is further confirmed by the presence of Wild Service Tree (*Sorbus torminalis*), while the ground flora includes Bluebell (*Hyacinthoides non-scripta*).

SAINT LAWRENCE

C2 Blackwater Estuary, SPA, Ramsar Site, part of Essex Estuaries cSAC, (intertidal only) part NNR, SSSI (822.1 ha) TL 940070 (see Bradwell)

SOUTHMINSTER

C3 Dengie, SPA, Ramsar Site, part of Essex Estuaries cSAC, (intertidal only) part NNR, SSSI, EWT Reserve (17.9 ha) TM 045030 (see Bradwell)

M10 Goldsands Road Pits and Lakes (11.9 ha) TQ 962988

Former sand and gravel extraction has created a complex and varied habitat. Surrounding the various water bodies, areas of scrub have developed, whilst marginal vegetation such as Reedmace (*Typha* spp.) and Common Reed (*Phragmites australis*) provide cover for waterfowl. This site includes a geological SSSI (Ge3).

G16 Bridgwick Marshes (12.8 ha) TR 014995

These relict coastal marshes have a characteristic flora of Meadow Barley (*Hordeum secalinum*), Common Reed (*Phragmites australis*), Parsley Water-dropwort (*Oenanthe lachenalii*) and Sea Club-rush (*Scirpus maritimus*).

Ge3 Goldsands Road Pit Geological SSSI (1.3ha) TQ 960990

This site provides a valuable section in the "East Essex Gravels," providing the earliest proof for the presence of the Thames in the area.

STEEPLE

G14 Sun and Anchor Meadow (2.8 ha) TL 936031

This herb-rich meadow includes Sweet Vernal Grass (*Anthoxanthum odoratum*), Crested Dog's-tail (*Cynosurus cristatus*) and Grass Vetchling (*Lathyrus nissolia*) and represents one of the few relatively unimproved grasslands on the Dengie.

C2 Blackwater Estuary, SPA, Ramsar Site, part of Essex Estuaries cSAC, (intertidal only) part NNR, SSSI (822.1 ha) TL 940070 (see Bradwell)

STOW MARIES

M2 Stow Maries Halt EWT Reserve (2.4 ha) TQ 835991

The site includes the former Stow Maries Halt on the disused Maldon to Woodham Ferrers railway line and the adjoining meadow. The embankment consists mainly of Hawthorn (*Crataegus monogyna*) and Blackthorn (*Prunus spinosa*) scrub with occasional Privet (*Ligustrum vulgare*). The ground flora includes Sweet Violet (*Viola odorata*) and Cypress Spurge (*Euphorbia cyparissias*), whilst four species of fern - Wall Rue (*Asplenium ruta-muraria*), Maidenhair Spleenwort (*Asplenium trichomanes*), Black Spleenwort (*Asplenium adiantum-nigrum*) and Hart's-tongue (*Phyllitis scolopendrium*) - grow in the mortar of the bridge. This reserve's interest is enhanced by the presence of Glow-worms.

W22 Pantile Wood (3.6 ha) TQ 839992

Most of this wood has been replanted with Poplars (*Populus* sp.) with a few interspersed Pedunculate Oak (*Quercus robur*) and Ash (*Fraxinus excelsior*). Little other information is available.

W10 Hawes Wood (9.17 ha) TQ 818995

Pedunculate Oak (*Quercus robur*) and Hornbeam (*Carpinus betulus*) form the canopy of Hawes Wood, whilst the understorey includes Hawthorn (*Crataegus monogyna*), Blackthorn (*Prunus spinosa*) with much Bracken (*Pteridium aquifolinum*) and abundant Nettle (*Urtica dioica*) in the ground flora. This wood is also protected by Tree Preservation Order 10/58.

G3 Hawes Wood Meadow (5.2 ha) TQ 823994

This hillside site consists of two adjoining meadows comprising grassland and scattered scrub. Grasses present include Crested Dog's-tail (*Cynosurus cristatus*) and Meadow Barley (*Hordeum secalinum*), whilst herbs of interest include Grass Vetchling (*Lathyrus nissolia*) and Dyer's Greenweed (*Genista tinctoria*).

C1 Crouch and Roach Estuaries SPA, Ramsar Site, part of Essex Estuaries cSAC, (intertidal only) SSSI (1735.58ha) TQ 920970 (see Althorne)

W13 Canney Wood (4.6 ha) TQ 828998

Canney Wood is mainly Hornbeam (*Carpinus betulus*) coppice with Pedunculate Oak (*Quercus robur*) and Ash (*Fraxinus excelsior*) standards. The ground flora beneath the Hawthorn (*Crataegus* spp.) understorey is generally sparse, but does include Bluebell (*Hyacinthoides non-scripta*), Wood Millet (*Milium effusum*) and Three-venined Sandwort (*Moehringia trinervia*). A small cleared area is now dominated by ruderal species, mainly Rosebay Willowherb (*Chamaenerion angustifolium*).

TILLINGHAM

G17 Sandbeach Meadows SSSI (30.0ha) TL 021050 and TM 022057 (see Bradwell)

G18 Marsh House Seawall (3500.0 metres) TM 030053 to TM 027027 and TM 032060 to TM 033069 (see Bradwell)

FW3 Reddings Lake (6.2 ha) TL 985035

An old sand and gravel extraction site near Tillingham has been flooded to create a large lake approximately 0.5 km long. Marginal vegetation consists mainly of Common Reed (*Phragmites australis*), Reedmace (*Typha* sp.) and Greater Willowherb (*Epilobium hirsutum*). The surrounding vegetation comprises scattered patches of Willow (*Salix* sp.) and Gorse (*Ulex europaeus*). As one of few open water sites on the Dengie, this lake provides a valuable habitat for birds.

C3 Dengie, SPA, Ramsar Site, part of Essex Estuaries cSAC, (intertidal only) part NNR, SSSI, EWT Reserve (17.9 ha) TM 045030 (see Bradwell)

M13 Marshhouse Decoy Pond (4.8 ha) TM 019042

This site, lying towards the end of the Dengie peninsula, is one of the few remaining decoy ponds in Essex. Additionally, this pond, being surrounded by a small plantation, provides the only area of wooded habitat in amongst the predominantly arable landscape of the Bradwell and Tillingham marshes and as such is of importance as a wildlife haven for birds and invertebrates.

TOLLESBURY

C2 Blackwater Estuary, SPA, Ramsar Site, part of Essex Estuaries cSAC, part NNR, SSSI (822.1 ha) TL 940070 (see Bradwell)

TOLLESHUNT D'ARCY

C2 Blackwater Estuary, SPA, Ramsar Site, part of Essex Estuaries cSAC, (intertidal only) part NNR, SSSI (822.1 ha) TL 940070 (see Bradwell)

W44 High Hall Wood (3.1 ha) TL 906136

Hornbeam (*Carpinus betulus*) coppice is accompanied by Pedunculate Oak (*Quercus robur*) and, uncommonly for this region, Sessile Oak (*Quercus petraea*). English Elm (*Ulmus procera*) and Field Maple (*Acer campestre*) also occur along with planted coniferous species.

W45 Scotts Grove (2.4 ha) TL 908128

The composition of this wood is primarily Pedunculate Oak (*Quercus robur*) and Ash (*Fraxinus excelsior*), with an understorey of Blackthorn (*Prunus spinosa*), Hawthorn (*Crataegus monogyna*) and occasional Elder (*Sambucus nigra*). Amongst a Bramble (*Rubus fruticosus*) - dominated ground cover, Marsh Cudweed (*Gnaphalium uliginosum*) is of interest.

G20 Tollesbury Wick EWT reserve (see also C2) TL 970100

G20 represents two small grassland areas of the EWT nature reserve that lie outside Wildlife Site C2. These areas are included in the list of Wildlife Sites, as they form part of a larger nature reserve. Tollesbury Wick nature reserve is an example of a freshwater grazing marsh. It total, it comprises 240 ha of rough pasture, borrowdykes, sea walls, wet flushes, pools and saltmarsh.

TOLLESHUNT KNIGHTS

W48 Green Lane, Paternoster Heath (600.0 metres) TL 915156

This lane is bounded by generally tall hedges with a wide variety of species, such as Field Maple (*Acer campestre*), Blackthorn (*Prunus spinosa*), Midland Hawthorn (*Crataegus laevigata*), Wild Service Tree (*Sorbus torminalis*), Hornbeam (*Carpinus betulus*) and Sessile Oak (*Quercus robur*). The ground flora includes Butcher's Broom (*Ruscus aculeatus*), Meadowsweet (*Filipendula ulmaria*), Primrose (*Primula vulgaris*), Bluebell (*Hyacinthoides non-scripta*) and Marsh Thistle (*Cirsium palustre*).

W49 Wigborough Springs (3.4 ha) TL 924146

Wigborough Springs comprises two separate blocks of woodland. The western section is broadleaved wood consisting of Sessile Oak (*Quercus petraea*), Elm (*Ulmus sp.*), Field Maple (*Acer campestre*) and Ash (*Fraxinus excelsior*). Frequent Bluebell (*Hyacinthoides non-scripta*) with Primrose (*Primula vulgaris*) and Butcher's Broom (*Ruscus aculeatus*) occur in the ground layer.

The eastern section comprises both Pedunculate Oak (*Quercus robur*) and Sessile Oak, Ash, Yew (*Taxus baccata*), Hazel (*Corylus avellana*), Field Maple, Horse Chestnut (*Aesculus hippocastanum*) and Scots Pine (*Pinus sylvestris*). Bramble (*Rubus fruticosus*), Nettle (*Urtica dioica*) and Bracken (*Pteridium aquilinum*) are all abundant in the ground vegetation, which also includes Dog's Mercury (*Mercurialis perennis*).

W50 Long Wood (6.3 ha) TL 925155

Only a small part of this large wood lies within Maldon District. Young and old Hornbeam (*Carpinus betulus*) coppice is interspersed with Pedunculate Oak (*Quercus robur*) standards. The ground flora includes Honeysuckle (*Lonicera periclymenum*) and Wood Sage (*Teucrium scorodonia*) amongst other species typical of generally freely-draining acid soils.

W47 Oaklands Park Wood (5.7 ha) TL 915154

The site is dominated by Pedunculate Oak (*Quercus robur*), but also includes Hornbeam (*Carpinus betulus*) and Wild Service Tree (*Sorbus torminalis*). The ground flora includes Butcher's Broom (*Ruscus aculeatus*), Enchanter's Nightshade (*Circaea lutetiana*) and Honeysuckle (*Lonicera periclymenum*).

G12 Oaklands Park Meadow (5.7 ha) TL 915155

This meadow has a varied mix of grasses, including Sweet Vernal Grass (*Anthoxanthum odoratum*), Yellow Oat-grass (*Trisetum flavescens*) and Yorkshire Fog (*Holcus lanatus*). Amongst the herbs present are Grass Vetchling (*Lathyrus nissolia*) and Common Centaury (*Centaurium erythraea*).

G13 Oxley Meadow EWT Reserve (4.8 ha) TL 918149

This reserve consists of two hay meadows, the larger being surrounded by wide luxuriant hedgerows with a number of mature trees. Green-winged Orchid (*Orchis morio*) and Adder's-tongue Fern (*Ophioglossum vulgatum*) occur in large numbers, scattered across both meadows. The hedgerows provide nesting sites for a variety of birds.

TOLLESHUNT MAJOR

C2 Blackwater Estuary SPA, Ramsar Site, part of Essex Estuaries cSAC, (intertidal only) part NNR, SSSI (822.1 ha) TL 940070 (see Bradwell)

W46 Great Wood, Tolleshunt Major (1.9 ha) TL 909118

Great Wood is a small copse of Hornbeam (*Carpinus betulus*) coppice with Pedunculate Oak (*Quercus robur*), Ash (*Fraxinus excelsior*), Sweet Chestnut (*Castanea sativa*) and Hazel (*Corylus avellana*) present on the periphery. The very dense canopy precludes the growth of much ground flora, however Common Cow-wheat (*Melampyrum pratense*) is of particular note. A resumption of coppicing would stimulate the ground flora growth.

ULTING

W2 Wick/Fairwinds Woods (9.4 .ha) TL 800098

This area of woodland contains a wide variety of tree species, including Pedunculate Oak (*Quercus robur*), Hornbeam (*Carpinus betulus*) coppice, Ash (*Fraxinus excelsior*), Silver Birch (*Betula pendula*) and Sycamore (*Acer pseudoplatanus*). Willows (*Salix* spp.) and Birch dominate around several ponds, whilst Alder (*Alnus glutinosa*) occupies the wetter areas. The ground flora includes Bluebell (*Hyacinthoides non-scripta*) and climbing Corydalis (*Corydalis claviculata*).

WICKHAM BISHOPS

W17 Likelywood (8.4 ha) TL 836112

Hornbeam (*Carpinus betulus*) coppice and Pedunculate Oak (*Quercus robur*) standards characterise this wood, amongst which replanting with conifers has occurred. The ground vegetation is richest under the broadleaved canopy and includes a carpet of Bluebell (*Hyacinthoides non-scripta*) with Red Campion (*Silene dioica*).

W18 Grove Wood (1.9 ha) TL 836128

Grove Wood comprises Pedunculate Oak (*Quercus robur*) standards, some Hornbeam (*Carpinus betulus*) as old coppice and young Hazel (*Corylus avellana*). The ground flora is sparse, though Bluebell (*Hyacinthoides non-scripta*) and Dog's Mercury (*Mercurialis perennis*) are abundant.

W20 Mope Wood (5.7 ha) TL 837127

Mope Wood comprises a streamside Alder (*Alnus glutinosa*) carr with Pendulous Sedge (*Carex pendula*) and Bluebell (*Hyacinthoides non-scripta*), flanked by Pedunculate Oak (*Quercus robur*) and Hornbeam (*Carpinus betulus*) on drier ground. The ground flora here includes Wood Melick (*Melica uniflora*), Dog's Mercury (*Mercurialis perennis*) and Butcher's Broom (*Ruscus aculeatus*). Much of the centre of this wood has become the grounds of a large modern house.

W21 Mope Wood North (2.0 ha) TL 838129

This recent wood is dominated by maturing Pedunculate Oak (*Quercus robur*) standards over a ground flora typified by Honeysuckle (*Lonicera periclymenum*) and Bramble (*Rubus fruticosus*), forming a natural extension to the ancient Mope Wood to the south.

W15 Sparkey Wood (18.1 ha) TL 831125

Sparkey Wood contains Hornbeam (*Carpinus betulus*) coppice and Pedunculate Oak (*Quercus robur*) standards with Beech (*Fagus sylvatica*) and Holly (*Ilex aquifolium*) in places. Bluebell (*Hyacinthoides non-scripta*), Wood Anemone (*Anemone nemorosa*) and Primrose (*Primula vulgaris*) occur amongst the ground flora.

G5 River Blackwater Plantation Grasslands (26.0 ha) TL 826123

This SINC comprises grassland and plantations along the River Blackwater, forming an important riverine wildlife corridor along the Maldon/Braintree boundary. The grasslands are remnant plantations of Cricket-bat Willows (*Salix alba* ssp. *coerulea*) of which only a scattered canopy remains. Beneath the willows the sward includes Rough Meadow-grass (*Poa trivialis*), Cock's-foot (*Dactylis glomerata*) and Timothy (*Phleum pratense*).

W23 Chantry Wood (42.9 ha) TL 842129

Chantry Wood comprises stands of coniferous and broadleaved trees. Beech (*Fagus sylvatica*) and Sweet Chestnut (*Castanea saliva*) have been planted, whilst other species present include Silver Birch (*Betula pendula*), Hornbeam (*Carpinus betulus*), Pedunculate Oak (*Quercus robur*) and Wild Cherry (*Prunus avium*). The ground flora throughout the wood is rather sparse and includes only occasional Bluebell (*Hyacinthoides non-scripta*), Dog's Mercury (*Mercurialis perennis*) and Wood Sage (*Teucrium scorodonia*).

G4 Wickham Place Meadows (2.6ha) TL 825117

Wickham Place Meadows lie either side of the former Maldon to Witham railway line. These cattle-grazed meadows have a varied flora, including Lady's Smock (*Cardamine pratensis*), Greater Bird's-foot Trefoil (*Lotus uliginosus*) and Scullcap (*Scutellaria galericulata*).

WOODHAM MORTIMER

W4 Thrift Wood (26.0 ha) TL 805055

Situated to the east of the Danbury ridge, Thrift Wood consists of coppiced Sweet Chestnut (*Castanea saliva*) and Hornbeam (*Carpinus betulus*) with Pedunculate Oak (*Quercus robur*) standards on the margins. The ground flora includes Bluebell (*Hyacinthoides non-scripta*), Climbing Corydalis (*Corydalis claviculata*) and Wood Sorrel (*Oxalis acetosella*).

W12 Parsonage Wood (8.8 ha) TL 824047

Parsonage Wood comprises Hornbeam (*Carpinus betulus*) coppice with Pedunculate Oak (*Quercus robur*) standards. The ground flora of this ancient wood is flourishing in a number of open areas with typical species including Bluebell (*Hyacinthoides non-scripta*), Wood Melick (*Melica uniflora*), Wood Millet (*Milium effusum*) and Enchanter's Nightshade (*Circaea lutetiana*).

G1 Gay Bowers/Woodham Mortimer Special Roadside Verge (500m) TL 804045 to TL 808047

The flora of this road verge includes Lesser Calamint (*Calamintha nepeta*).

WOODHAM WALTER

W1 Woodham Walter Common SSSI (33.3 ha) TL 791068

The area includes ancient Pedunculate Oak/Hornbeam woodland, Sessile Oak woodland on former heathland and stream valleys. This range of habitats supports a diverse flora and fauna, including a number of uncommon species.

Woodham Walter Common, forming a substantial part of the woodland in the Danbury area, comprises predominantly Hornbeam (*Carpinus betulus*) and Pedunculate Oak (*Quercus robur*) standards. Other woody species include Ash (*Fraxinus excelsior*), Midland Hawthorn (*Crataegus laevigata*) and Alder Buckthorn (*Frangula ainus*). A diverse ground flora includes Greater Butterfly Orchid (*Platanthera chlorantha*), Broadleaved Helleborine (*Epipactis helleborine*), Smooth-stalked Sedge (*Carex laevigata*), Lily-of-the-valley (*Convallaria majalis*) and Wood Spurge (*Euphorbia amygdaloides*).

W14 Bog Wood (1.0 ha) TL 829068

This small, possibly ancient wood is dominated by Hornbeam (*Carpinus betulus*) coppice. Opposite-leaved Golden-saxifrage (*Chrysosplenium oppositifolium*) is of note amongst the ground flora.

W7 The Wilderness (3.9 ha) TL 812073

The Wilderness consists of Pedunculate Oak (*Quercus robur*), Beech (*Fagus sylvatica*), Hornbeam (*Carpinus betulus*), Sweet Chestnut (*Castanea saliva*) and Horse Chestnut (*Aesculus hippocastanum*). Bluebell (*Hyacinthoides non-scripta*) and Foxglove (*Digitalis purpurea*) occur in the ground layer. Whitehouse Pit to the north has a very diverse flora and complex habitat structure, which adds to the wildlife appeal of the site.

M1 Manor Road Complex (9.2 ha) TL 816080

This composite site of wood and grassland provides a variety of habitats for wildlife. The woodland lies on a once disturbed area and surrounds a lake, with species present including Pedunculate Oak (*Quercus robur*), Alder (*Alnus glutinosa*), Ash (*Fraxinus excelsior*) and Sycamore (*Acer pseudoplatanus*). To the south of the wood is an area of grassland and ponds with a wet flush west of the main pond. Species of interest include Lady's Bedstraw (*Galium verum*), Harebell (*Campanula rotundifolia*) and Tormentil (*Potentilla erecta*).

G2 Maldon Special Roadside Verge (1500.0 metres) TL 813061 to TL 826064

Lesser Calamint (*Calamintha nepeta*) is present along this road verge.

APPENDIX 8 TABLE 1 OF PPG 25 DEVELOPMENT AND FLOOD RISK

Table 1: Planning Response to Sequential Characterisation of Flood Risk

Flood Zone (see Note a)	Appropriate Planning Response
<p>1. Little or no risk Annual probability of flooding: River, tidal & coastal <0.1%</p>	<p>No constraints due to river, tidal or coastal flooding.</p>
<p>2. Low to medium risk Annual probability of flooding: River 0.1-1.0% Tidal & coastal 0.1-0.5%</p>	<p>Suitable for most development.</p> <p>For this and higher-risk zones, flood risk assessment appropriate to the scale and nature of the development and the risk should be provided with applications or at time of local plan allocation. Flood-resistant construction and suitable warning/evacuation procedures may be required depending on the flood risk assessment.</p> <p>Subject to operational requirements in terms of response times, these and the higher-risk zones below are generally not suitable for essential civil infrastructure, such as hospitals, fire stations, emergency depots etc. Where such infrastructure has to be, or is already, located in these areas, access must be guaranteed and they must be capable of remaining operational in times of emergency due to extreme flooding.</p>
<p>3. High risk (see note b) Annual probability of flooding, with defences where they exist: River 1.0% or greater Tidal & coastal 0.5% or greater</p>	<p>a. Developed areas These areas may be suitable for residential, commercial and industrial development provided the appropriate minimum standard of flood defence (including suitable warning and evacuation procedures) can be maintained for the lifetime of the development (see paragraph 31 below), with preference being given to those areas already defended to that standard. In allocating or permitting sites for development, Authorities should seek to avoid areas that will be needed, or have significant potential, for coastal managed realignment or washland creation as part of the overall flood defence strategy for coastal cells and river catchments.</p> <p>b. Undeveloped & sparsely developed areas These areas are generally not suitable for residential, commercial and industrial development unless a particular location is essential, e.g. for navigation and water-based recreation uses, agriculture and essential transport and utilities infrastructure, and an alternative lower-risk location is not available. General-purpose housing or other development comprising residential or institutional accommodation should not normally be permitted. Residential uses should be limited to job-related accommodation (e.g. caretakers and operational staff).</p>

	<p>Caravan and camping sites should generally not be located in these areas. Where, exceptionally, development is permitted, it should be provided with the appropriate minimum standard of flood defence and should not impede flood flows or result in a net loss of flood-plain storage.</p> <p>c. Functional flood plains</p> <p>These areas may be suitable for some recreation, sport, amenity and conservation uses (provided adequate warning and evacuation procedures are in place). Built development should be wholly exceptional and limited to essential transport and utilities infrastructure that has to be there. Such infrastructure should be designed and constructed so as to remain operational even at times of flood, to result in no net loss of flood-plain storage, not to impede water flows and not to increase flood risk elsewhere. There should be a presumption against the provision of camping and caravan sites.</p>
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Notes:

- (a)** All risks relate to the time at which a land allocation decision is made or an application submitted. The Environment Agency will publish maps of these flood zones. Flood zones should be identified from Agency flood data ignoring the presence of flood defences. Local Planning Authorities should, with the Agency, identify those areas currently protected by defences and the standard of protection provided by those defences.
- (b)** Development should not be permitted where existing sea or river defences, properly maintained, would not provide an acceptable standard of safety over the lifetime of the development, as such land would be extremely vulnerable should a flood defence embankment or sea wall be breached, in particular because of the speed of flooding in such circumstances (see paragraph 69 below).

APPENDIX 9

LIST OF POLICIES IN THE REPLACEMENT LOCAL PLAN

POLICY S1 Development Boundaries and New Development
POLICY S2 Development Outside Development Boundaries
POLICY CON1 Development in Areas at Risk from Flooding
POLICY CON2 Sustainable Drainage Systems
POLICY CON3 Coastal Defence
POLICY CON4 Development on Unstable Land
POLICY CON5 Pollution Prevention
POLICY CON6 Contaminated Land
POLICY CON7 Development Affecting Airports
POLICY CC1 Development Affecting an Internationally Designated Nature Conservation Site
POLICY CC2 Development Affecting a Nationally Designated Nature Conservation Site
POLICY CC3 Development Affecting Locally Designated Nature Conservation Sites
POLICY CC4 Local Nature Reserves
POLICY CC5 Protection of Wildlife at Risk on Development Sites
POLICY CC6 Landscape Protection
POLICY CC7 Special Landscape Areas
POLICY CC8 Formation of Amenity Lakes
POLICY CC9 Maldon Riverside Area
POLICY CC10 Historic Landscape Features
POLICY CC11 The Coastal Zone
POLICY CC12 Maldon Waterside Area
POLICY CC13 Protection of the Best and Most Versatile Agricultural Land
POLICY CC14 Agricultural Workers' Dwellings
POLICY CC15 Temporary Accommodation for Agricultural Workers
POLICY CC16 Agricultural Occupancy Conditions
POLICY CC17 Intensive Livestock Units
POLICY CC18 Development Ancillary to Agriculture
POLICY CC19 Rural Diversification
POLICY CC20 Re-use of Listed Buildings in Rural Areas Currently or Formerly in Agricultural Use
POLICY CC21 Re-use of Rural Buildings for Residential Purposes
POLICY CC22 Replacement Dwellings
POLICY CC23 Garden Extensions in the Countryside
POLICY H1 Location of New Housing
POLICY H2 Infilling Housing in the Countryside
POLICY H3 Housing Provision
POLICY H4 Land Allocated for Residential Development
POLICY H5 Windfall Sites for Housing
POLICY H6 Housing Density
POLICY H7 Extensions to High Density Dwellings
POLICY H8 Conversion of Dwellings and Other Buildings to Flats
POLICY H9 Affordable Housing
POLICY H10 Rural Exceptions Sites
POLICY H11 Special Family Needs
POLICY H12 Residential Care Establishments and Nursing Homes
POLICY H13 Houseboats
POLICY H14 Mobile Homes

POLICY H15 Replacement of Mobile Homes with Permanent Dwellings
POLICY H16 Gypsy Sites - Public or Private Residential Caravan Sites
POLICY H17 Short-term Stopping Places for Gypsies
POLICY H18 Gypsy Sites - Transit Sites
POLICY E1 Protection of Existing Allocated Employment Sites
POLICY E2 Allocation of Proposed Employment Sites
POLICY E3 Mixed Use Development - Timber Yard, Heybridge Basin
POLICY E4 Mixed Use Development - Sadds Wharf
POLICY E5 Frontage to the River Chelmer
POLICY E6 Protection of Existing Employment Uses
POLICY E7 Development Extension or Intensification of Employment Premises within Development Boundaries
POLICY E8 Working from Home
POLICY E9 Use of Buildings within Residential Curtilage for Business Purposes
POLICY BE1 Design of New Development and Landscaping
POLICY BE2 Inclusive Access and Accessibility
POLICY BE3 Public and Private Amenity Spaces
POLICY BE4 Designing a Safe Environment
POLICY BE5 Parking Areas
POLICY BE6 Extensions to Dwellings
POLICY BE7 Design of Shop Fronts
POLICY BE8 Lighting
POLICY BE9 Advertisements on Buildings
POLICY BE10 Display of Advertisements Remote from the Site being Advertised
POLICY BE11 Advertisements within Conservation Areas and Affecting Listed Buildings
POLICY BE12 Control of Demolition in Conservation Areas
POLICY BE13 Development in Conservation Areas
POLICY BE14 Demolition of Listed Buildings
POLICY BE15 Change of Use Affecting Listed Buildings
POLICY BE16 Extensions Alterations to and Additional Buildings in the Curtilage of Listed Buildings
POLICY BE17 Preservation of Sites of Nationally Important Archaeological Remains and their Settings
POLICY BE18 Control of Development at a Site of Local Archaeological Value
POLICY BE19 Telecommunication Development
POLICY BE20 The Installation of Satellite Dishes in Conservation Areas and on Listed Buildings
POLICY SH1 Core Retail Areas
POLICY SH2 Protection of the Retail Function of Town and District Centres
POLICY SH3 Maldon Market
POLICY SH4 Town and District Centre Development Proposals
POLICY SH5 Local Shopping Centres in Urban Areas
POLICY SH6 Village Shops and Services
POLICY SH7 Farm Shops
POLICY REC1 Allocation of Land for Formal Public Open Space
POLICY REC2 Provision of Public Playing Pitches
POLICY REC3 Children's Play Space Associated with New Housing Developments and Elsewhere in the District
POLICY REC4 Allocation of Land for Informal Open Space
POLICY REC5 Provision of Informal Open Space
POLICY REC6 Provision of Amenity Areas
POLICY REC7 Protection of Existing Public and Private Open Space
POLICY REC8 Open Spaces in Towns and Villages
POLICY REC9 Indoor Sports, Leisure and Recreation Facilities

POLICY REC10 Public Rights of Way
POLICY REC11 The Blackwater Rail Trail
POLICY REC12 Riding Establishments
POLICY REC13 Small-scale Proposals for Recreation and Tourist Developments in the Countryside
POLICY REC14 Golf Courses, Extensions and Facilities
POLICY REC15 Golf Driving Ranges
POLICY REC16 Permanent Uses of Land or Water for Sport
POLICY REC17 Water Recreation Facilities
POLICY REC18 After-use of Gravel Workings
POLICY REC19 Hotel and Guest House Accommodation
POLICY REC20 Static and Touring Caravan Sites, Chalet Sites and Camping Sites
POLICY REC21 Redevelopment of Tourist Accommodation
POLICY T1 Sustainable Transport and Location of New Development
POLICY T2 Transport Infrastructure in New Developments
POLICY T3 Rail Freight Facilities
POLICY T4 Cycle Routes
POLICY T5 Cycle Parking Provision in New Developments
POLICY T6 Improvement to Pedestrian Facilities
POLICY T7 Shared Car Parking in New Development
POLICY T8 Vehicle Parking Standards.
POLICY PU1 Provision of Education Facilities
POLICY PU2 Recycling Facilities in New Developments
POLICY PU3 Protection of Health Care Facilities
POLICY PU4 New Health Care Facilities
POLICY PU5 Maldon Fire Station
POLICY PU6 Renewable Energy

GLOSSARY

1:200 year flood event	<p>A level of flooding that could be expected to happen once every 200 years. However, this level of flood may not occur within a 200-year period, or it could occur more than once within that period.</p> <p>The higher the ratio, e.g. 1:500 years, the less frequently the flood event is likely to occur, but it will be more severe when it does occur.</p>
A1	Use class as defined in the Use Classes Order. Shops, post offices, travel agents, hairdressers, funeral directors, dry cleaners.
A2	Use class as defined in the Use Classes Order. Banks, building societies, betting offices, and other financial and professional services.
A3	Use class as defined in the Use Classes Order. Restaurants & Cafes – Use for the sale of food for consumption on the premises. Excludes Internet Cafes (Now A1)
A4	Use class as defined in the use Classes Order. Drinking Establishments – Use as a public house, Wine bar or other drinking establishment.
A5	Use class as defined in the Use Classes Order. Hot Food Takeaway – Use for the sale of hot food for consumption of the premises.
Accessibility	The ability of all potential users, regardless of age, disability, gender, religion or financial circumstances, to reach their destination by a choice of means of transport or to approach, enter and use buildings, or parts of buildings.
Agricultural / farm diversification	An alternative use of land or buildings involving an enterprise which remains within the farming unit and is integrally related to the farming unit and is in the ownership of the farmer and is managed from the existing farm accommodation.
Agricultural occupancy conditions	Where the occupation of the dwelling is limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants. (PPS7)
Agricultural worker	A person solely or mainly working, or last working, in the locality in agriculture or in forestry. (PPS7)
Allocation	Land assigned for a particular purpose in the Local Plan, e.g. for housing, industry etc.
Amenity areas	Open spaces within built up areas, particularly residential estates, providing the opportunity for general recreational use.
Ancient woodland	Woodlands that have been in continuous existence since before 1600, particularly important for nature conservation.
Ancillary to	Subsidiary to, secondary to.
Area of Special Control of Advertisements	The Local Planning Authority can designate an area, which is vulnerable to the visual effects of outdoor advertisements, e.g. the countryside, Conservation Areas, as an Area of Special Control, where outdoor advertisements are limited.
Article 4 Direction	Direction made by the Local Planning Authority to restrict “permitted development” in a particular area.
Articulated building	A building where the changes in height and dimensions are clearly distinguished.

B1	Business use class as defined in the Use Classes Order. B1 includes offices (not financial or professional service offices), research and development of products or processes, light industry (any industrial process that can be carried out in a residential area without detriment to the amenity of that area).
B2	Business use class as defined in the Use Classes Order. General industrial processes.
B8	Business use class as defined in the Use Classes Order. Warehousing, storage or distribution.
Best and Most Versatile (BMV) Agricultural Land	DEFRA's agricultural land classification system identifies the highest quality agricultural land.
Biodiversity	The total variety of life, including both species and habitats.
Biodiversity Action Plan (BAP)	BAPs provide an action plan for the conservation of biodiversity. BAPs can be at the national, county or local level. The Essex BAP contains action plans for 25 species and 10 habitats. The Maldon District BAP has action plans for 6 species of particular local importance.
Blackwater Estuary Management Plan	A joint plan (1996) between Maldon District Council, Colchester Borough Council and English Nature, for the management of the Blackwater Estuary.
Blackwater Rail Trail	This linear Country Park follows the line of the disused railway from Maldon to Witham. It will eventually form part of the national cycle route through the District.
Bradwell Power Station	Magnox Nuclear Power Station at Bradwell. Operated by BNFL.
Bring facilities/banks	Recycling collection points usually found at public places such as car parks and supermarkets.
British Horse Society	The BHS is the UK's largest equestrian charity. It is committed to improving the welfare of horses and ponies and promoting the interests of its membership of horse riders and owners.
Brownfield land	Land that has been developed previously.
Children's play space	Open space provided specifically to accommodate children's play equipment for a range of age groups, available for public use at any time.
Coastal realignment	See 'managed retreat'.
Coastal Zone	An area of planning restraint identified around the District's coast, which protects the coast from unnecessary development.
Comparison retail	Non-food retail. Where customers compare prices and goods in different shops before purchasing, eg Woolworth's, Dorothy Perkins.
Conservation Area	Areas of special architectural or historic interest, the character of which it is desirable to preserve or enhance. Designated by Local Authorities.
Convenience retail	Food stores e.g. Co-op, Tesco, and Safeway.
Core Retail Area	The primary shopping areas of the District. Policy protects the retail function of these areas, identified on the Proposal Maps.

Countryside Agency	Government agency with responsibility for rural matters. Formerly the Countryside Commission.
CPRE	Council for the Protection of Rural England. National charity campaigning on rural issues.
CPREssex	Essex branch of CPRE.
Culverting	The piping of natural water courses.
Curtilage	The area of land adjacent to and associated with a dwelling house or building.
Defensible boundary	A boundary style or surface treatment that deters people from entering that area, eg a hedge between a house and the pavement.
DEFRA	Department for Environment, Food and Rural Affairs. Formerly Ministry of Agriculture, Fisheries and Food (MAFF).
Dengie Peninsula	Southern part of the District, bounded by the Rivers Blackwater and Crouch.
Development	The carrying out of building, engineering, mining or other operations in, on, over or under land, including demolition, or the making of any material change in the use of any buildings or other land.
Development boundary/ envelope	Shown on a Local Plan map, it is a line around a town or village enclosing the built area and any planned extensions to that settlement. Development beyond the development boundary is restricted.
District (Shopping) Centre	Groups of shops usually containing at least one food supermarket and non-retail services e.g. banks, building societies and restaurants. Heybridge is a District Centre.
District Transportation Strategy	“Access to Opportunity” (2000) sets out the problems and opportunities for transport in the District, establishes objectives and sets out a package of transport measures for the period 2001-2006. It is the local element of the Essex Local Transport Plan.
DTLR	Department for Transport, Local Government and Regions - the central Government department with responsibility for Planning, now replaced by the Office of the Deputy Prime Minister. Formerly DETR, Department of the Environment, Transport and the Regions.
Edge-of-centre	For shopping purposes, a location within easy walking distance (i.e. 200-300m) of the primary shopping area. Used in relation to retail development.
Elevations	The external face of a building or structure.
English Heritage	Government agency responsible for the built heritage of England.
English Nature	Governmental agency with responsibility for nature conservation.
Environment Agency	Government agency with responsibility for environmental protection and improvement; its main functions cover pollution prevention and control, water resources, flood defence, conservation, fisheries, navigation and recreation.
Environmental (Impact) Assessment	Identification and analysis of the impacts a development will have on the environment. Required for major development proposals.
Environmentally	National designation to protect and enhance an area where traditional farming

Sensitive Area (ESA)	methods have helped to create a distinctive landscape, wildlife habitats or historic features.
Essex County Council (ECC)	The Local Authority for Essex with joint responsibility for producing the Structure Plan, Waste Local Plan and Minerals Local Plan. It is also the Highways Authority for the county.
Essex Estuaries European Marine Site (EEEMS)	The marine components of the Essex SPAs and SACs form the Essex Estuaries European Marine Site (EEEMS).
Essex Heritage Conservation Record	Essex County Council-maintained record of the locations of Scheduled Ancient Monuments, previous archaeological finds, known archaeological sites and listed buildings in Essex.
Essex Local Transport Plan (LTP)	LTPs have a central role in co-ordinating and improving local transport provision. The LTP covers the whole of Essex and includes measures for planning integrated transport for five years and is the basis for putting forward a bid to Central Government for capital works.
Essex Wildlife Trust (EWT)	Nature conservation charity for the county of Essex.
Fenestration	The arrangement and design of windows in a building.
First Deposit	Initial version of a draft Local Plan. Is subject to a 6-week public consultation period.
First Review	The Local Plan was originally adopted in 1987. The Plan was reviewed in 1990. Called the First Review, the revised Plan was adopted in 1996 and covered the period 1991 – 2001.
Flood envelope maps	Maps produced by the Environment Agency to show the extent of areas at risk from tidal and fluvial flooding. Also known as Section 105 maps. These maps are a material consideration in the determination of planning applications.
Flood Management Strategy Plans	Environment Agency Plans that look at an estuary as a whole and identify the most appropriate and sustainable means of providing flood management within that estuary.
Fluvial flooding	Freshwater/river flooding.
Full planning application	A planning application containing the full details of a proposed development.
Functional and financial test	Tests used to assess the need for agricultural workers' dwellings. The functional test is used to establish whether it is essential to have (a) worker(s) living on the farm. The financial test assesses whether the farm is economically viable and provides evidence for the size of dwelling that the farm can sustain.
Functional Flood Plains	Unobstructed or active areas of flood plain where water regularly flows in time of flood. Functional Flood Plains act as "safety-valves," storing water that might otherwise flood other areas. It is important that their capacity is not reduced.
Garden extensions	Enlargement of a garden in the countryside, where the new garden area is on land that was not previously a garden, e.g. farm land.
GO-East	Government Office for the East of England: Government regional office.
GPDO	Town and Country Planning (General Permitted Development) Order 1995.

Green tourism	Responsible travel to natural areas, which improves the welfare of local people. This includes both the travel to and accommodation at natural or wild areas, for the purpose of viewing and appreciating wildlife, and the management of such travel to ensure that it supports conservation and benefits local communities.
Greenfield sites High tech uses	Land that has not been developed. These include offices, research and development, electronics, precision engineering, pharmaceuticals and biochemistry.
Home Zones	Home Zones strike a balance between traffic and everyone else who uses the street, the pedestrians, cyclists, business people and residents. Home Zones work by physically altering streets and roads in an area, forcing motorists to drive with greater care and at lower speeds. Home Zones often have a 10 mph speed limit.
Housing provision	The number of new dwellings which must be provided for within the time period of or specified by the Structure Plan.
Indicative Flood Plain Maps	Maps produced annually by the Environment Agency to show the extent of areas at risk from tidal and fluvial flooding. They do not show flood defences. These maps are a material consideration in the determination of planning applications.
Infilling	Development that takes place between existing uses and buildings within the existing built-up area.
Informal recreation space	Areas of open space for a non-specific recreational function, e.g. Promenade Park, Burnham-on-Crouch Country Park.
<i>In situ</i>	In its original position.
Intensification	The process of raising housing densities in urban areas through redevelopment, infill development, conversions or change of an existing land use.
Joint Structure Plan Authorities (JSPAs)	Essex County Council and Southend-on-Sea Borough Council are the JSPAs for Essex, with responsibility for producing the Structure Plan.
Landscape buffer (strip)	An area of landscaping, often raised, between two different land uses to reduce the impact of one on the other, to differentiate between the two or to improve the environmental quality of the area.
Landscape capacity	The ability of a landscape type to absorb development.
Landscape Character Assessment (LCA)	A survey of the landscape to identify the development capacity of different types of landscape and appropriate maintenance and enhancement measures. Will supersede SLAs.
Leisure Plots	Small parcels of land owned by individuals, used for recreation and as a means to obtain access to the countryside.
Light contour map	Map showing light intensity generated by the light source.
Listed building	A building officially recognised as having special historical or architectural interest and therefore protected from demolition or alteration.
Living over the shop (LOTS)	Where disused or underused upper floors above shops are converted to flats, whilst leaving the ground floor for retail use.
Local (Shopping) Centre	Small grouping or parade of shops, usually comprising a newsagent, grocery store, post office etc.

Local Nature Reserves (LNRs)	Habitats of local significance, designated as LNRs by Local Authorities.
Local Plan	Development Plan for a District or Borough area, containing detailed planning policies, proposals and maps; guides most day-to-day planning decisions.
Local Plan Inquiry	A formal public hearing, where a Planning Inspector considers the objections to the draft Local Plan. May result in changes or modifications to the Plan.
Local Planning Authority	The local authority responsible for planning matters in its area. Essex County Council and Maldon District Council are both Local Planning Authorities.
LOIS	LOIS is a study of travel and transport issues between London and Ipswich. It will result in the development of a recommended strategy to improve travel in the area in the short-term and to meet needs over the next thirty years.
Maldon Conservation Area Partnership Scheme	From 1998-2001 a partnership between Maldon District Council, English Heritage and Essex County Council, providing grant aid for improvement works within the Conservation Area, e.g. restoration of listed buildings, enhancement of shop fronts, alleyway improvements.
Maldon District Economic Development Strategy	Explains the activities that the District Council intends to undertake in 2001/2 for the development and promotion of employment and the provision of advice/support to the local business community.
Maldon District Playing Pitch Strategy	Consists of a summary of grass sport pitch provision in Maldon District and methods of tackling the identified shortfalls in provision.
Maldon Riverside Area	An area on the edge of Maldon, identified on the Proposals Map, that is protected from development for its importance to the setting of the town.
Maldon Town Centre Improvement Scheme	An agreed strategy (adopted 1999) for the improvement of traffic management and the environment of Maldon town centre, including improved pavements, pedestrian crossing points, traffic management and traffic calming.
Maldon Waterside Uses Area	An area of land on the south bank of the Blackwater, identified on the Local Plan map for river/water-related business and leisure uses.
Managed retreat/coastal realignment	Moving the existing defence line landward in a controlled manner. Sea defences are deliberately breached, to allow the sea to flood the land behind the sea wall, creating saltmarsh, which is a form of natural flood defence. Also referred to as soft engineering methods of flood defence.
Material planning consideration	Any consideration that relates to the use and development of land is capable of being a material planning consideration. These include PPG, SPG, or other considerations that outweigh the planning objections to a proposal. Material planning considerations do not have the same weight as an adopted Local Plan.
Minerals Local Plan	Contains policies that provide for the supply of minerals. Produced by the County Planning Authorities.
Mixed use	A site that has more than one use on it, e.g. retail, residential, business, leisure etc. LOTS is a form of mixed-use development.
National Cycle Network	The National Cycle Network is a Millennium Commission project supported by £43.5m of National Lottery funds. It is a national network of cycle routes, which

will provide 10,000 miles of continuous traffic-free cycle routes and traffic-calmed and minor roads, running right through urban centres and reaching all parts of the UK. The route from Harwich links Colchester, Maldon, Chelmsford and Harlow.

National Nature Reserve (NNR)	Designated for the national or international importance of their flora and fauna, geological or physiological features. NNRs are primarily used for nature conservation.
National Playing Fields Association (NPFA)	National organisation with specific responsibility for acquiring, protecting and improving playing fields, playgrounds and play space.
Natural surveillance	Areas which are overlooked from public or private areas.
NPFA "6 acre standard"	The NPFA minimum standard for outdoor playing space is 6 acres/2.43ha per 1000 population.
Other formal recreation space	Areas for particular recreation or sport activities, which are not provided on playing pitches, e.g. tennis, netball, basketball.
Out-commuting	Persons who reside in the District but travel outside its boundaries to their place of work.
Outline planning application	Planning application that contains few details beyond the general proposed use of the land. Used to establish the principle of development on a site. Details of the proposal are submitted later as "reserved matters" which must be approved by the Local Planning Authority before development can take place.
Out-of-centre	A location that is clearly separate from a town centre, but not necessarily outside the urban area. Used in relation to retail development.
Out-of-town	An out-of-centre development on a greenfield site, or on land not clearly within the current urban boundary. Used in relation to retail development.
Permitted development	Development that does not require planning permission, e.g. small domestic extensions.
Planning conditions	Conditions placed upon planning permission to ensure that the development is acceptable. These can include design details, a time limit for commencing the development, limits on the use of the land or building etc.
Planning enforcement	Local Planning Authorities have powers to exercise effective and appropriate enforcement action to ensure that planning permissions and Local Plan policies are being adhered to and to stop unauthorised development.
Planning gain	Community benefit that is directly related to a particular development that results from the development and is paid for by the developer, for example, public open space, social housing, roads, etc. Usually set out in a Section 106 agreement.
Planning Inquiry	A formal appeal hearing into any planning decision a Local Planning Authority makes in respect of any planning-related application made to them, e.g. when a planning application is refused planning permission.
Planning Policy Guidance Notes (PPG)	Government guidance on planning policy issues. There are 25 PPGs on different planning topics.
Planning Policy Statement (PPS)	Government guidance on planning policy issues. They will eventually replace PPG's. Currently nine PPS's have been produced.

Playing pitches	Playing fields specifically for the playing of pitch sports, e.g. football, cricket, rugby, hockey.
Precautionary approach	Taking action now to avoid possible environmental damage, when the scientific evidence is inconclusive but the potential damage could be great.
Prior Notification (PN)	In some cases, the permitted development rights for agricultural development cannot be exercised unless the developer has applied (prior notification) to the Local Planning Authority for a determination as to whether their prior approval is required.
Protected Lane	Ancient lanes identified by Essex County Council, protected for their historical and wildlife value.
Public domain	Areas to which the public have unrestricted access.
Public Rights Of Way Definitive Map	Definitive maps are the legal record of the public's rights of way and are maintained by Essex County Council.
Ramsar site	A statutory designation identifying Wetlands of International Importance. Internationally important nature conservation site for wetland birds.
Red Data Book	Contains factual information on the rarest and most threatened animals and plants. Produced at international, national and more recently at county level, they help to define species most in need of protection.
Regional Planning Guidance (RPG)	Contains strategic planning policies and a key diagram for the whole of the region. RPG9 covers Essex.
Regional Spatial Strategy	Contains strategic planning policies for the East of England region. Currently at a draft stage.
Register of Historic Parks and Gardens	English Heritage compiles the Register of Historic Parks and Gardens, which identifies those parks and gardens of national importance.
Renewable energy	Sources of natural energy that never run out: wind, water, solar, geothermal and biofuels (wood & other crops). Most commonly associated with solar panels, wind turbines and hydroelectric power stations.
Replacement dwelling	A dwelling built to replace an existing dwelling in the countryside.
Replacement Structure Plan (RSP)	Contains strategic policies and key diagram for the whole county. The Essex and Southend-on-Sea Replacement Structure Plan, adopted in April 2001, is produced by the JSPAs. It is a 15-year land use planning strategy (1996-2011) and forms part of the statutory Development Plan within Essex.
Reserved matters	The details of a proposed development, which relate to an outline planning permission already granted. The Local Planning Authority must approve the reserved matters before development can take place.
Retail Park	Out-of-centre or out-of-town retail development consisting of a number of retail warehouses.
Retained fire station	A fire station that is not manned. The firemen are part-time and are called into the station from their other occupations when there is a fire.
Revised Deposit	A revised version of a draft Local Plan, which may include amendments suggested by objectors to the First Deposit version. It is subject to a 6-week

public consultation period.

Riding establishments	Stables that hire out horses or ponies for riding or tuition.
Riparian	Situated on the bank of a river; relating to the legal rights of the owner of land on a riverbank, such as fishing or irrigation.
Rural diversification	Process by which economic activities are undertaken additional to the traditional uses of agricultural land or farm buildings, ensuring the future of rural economies.
Scheduled Ancient Monument	An ancient structure, above or below ground, of national importance and included on the Secretary of State's Schedule described in Part 1 of the Ancient Monuments and Archaeological Areas Act 1979.
Section 105 maps	Maps produced by the Environment Agency to show the extent of areas at risk from tidal and fluvial flooding. These maps are a material consideration in the determination of planning applications.
Section 106 agreement	An agreement entered into between a landowner and the Local Planning Authority, whereby the landowner undertakes to do specific actions in relation to the development to which the Section 106 agreement relates. This could cover, for example, providing public open space or agreeing the detailed use of the land. Also called a 'planning obligation'. The obligation must be necessary to make the proposal acceptable in land-use planning terms.
Secured by Design	Secured by Design is the UK Police flagship initiative supporting the principles of designing out crime. It is an initiative to encourage the building industry to adopt crime prevention measures to assist in reducing the opportunity for crime and the fear of crime, creating a safer and more secure environment.
Sequential test	A key element of PPS6. The sequential test is a hierarchy of preferred locations for development. Originally applied to retail development – whereby the town centre is the preferred location for retail and other town centre uses - it now also applies to other forms of development, including leisure, housing and employment.
Settlement policy	The policy for residential development in the Local Plan. It restricts housing development to within existing built-up areas except for specific types of residential development, e.g. agricultural workers' dwellings.
Shop fascia	The flat surface above a shop window; usually has the shop name on it.
Site of Special Scientific Interest (SSSI)	Designated for the national importance of their biological, geological or physiographical features. SSSIs represent a cross-section of Britain's natural features.
Special Area of Conservation (SAC)	European designation intended to protect the habitats of threatened species of wildlife. Where a SAC has yet to be designated, it is referred to as a candidate SAC (cSAC) and is protected to the same level as a designated site.
Special Landscape Area (SLA)	County and District level designations for locally important landscapes.
Special Protection Area (SPA)	European designation for an area of international importance for wild birds.
Sport England	Sport England is the brand name for the English Sports Council, which is the distributor of Lottery funds to sport and is responsible for developing and maintaining the infrastructure of sport in England.

<i>sui generis</i>	Unique, of its own kind. Used in planning to describe a land use that cannot be categorised into the Use Classes Order.
Supplementary Planning Guidance (SPG)	Additional, more detailed guidance for the implementation of Local Plan policies. SPG can also be documents produced by other organisations, e.g. The Essex Design Guide. SPG does not have the weight of an adopted Local Plan, but is a material consideration in determining planning applications.
Sustainable development	Development that meets the needs of the present without compromising the ability of future generations to meet their own needs. The Strategy for Sustainable Development in the UK (1999) is based on four broad objectives: <ul style="list-style-type: none"> • Maintenance of high and stable levels of economic growth and employment • Social progress which recognises the needs of everyone • Effective protection of the environment • Prudent use of natural resources
Sustainable construction techniques	Environmentally friendly methods of construction. These include designing “green” or eco-friendly buildings, using locally sourced, non-toxic materials, reusing or recycling materials, employing local builders, managing the construction site to minimise construction waste, installing high-efficiency appliances and landscaping the finished development.
Sustrans	Sustrans (sustainable transport) is a charity working on practical projects to encourage people to walk and cycle more. Sustrans's flagship project is the National Cycle Network.
Telecommunication development	The erection or installation of telecommunication equipment, including mobile phone masts, radio, television and satellite broadcasting equipment, cable connections, satellite receiving dishes and roof top aerials. Not all telecommunication development requires planning permission.
Tidal flooding	Flooding from the sea.
Town centre	A city or town centre which provides a broad range of facilities and services, which fulfils a function as a focus for both the community and for public transport. Maldon and Burnham-on-Crouch have town centres.
Town centre uses	Uses of land & buildings appropriate to a town centre location, e.g. retail & service uses, employment, leisure, entertainment, restaurants, culture, public car parking.
Town/District Centre Health Check	A method by which the retail “health” of a town centre is assessed. Looks at retailer representation, proportion of vacant street property, state of the town centre environment, rate and pattern of change, etc.
Transpiration	Loss of water through plant leaves.
Travel Assessment	Travel assessments are used to assess the transport implications of (usually) large developments. It investigates the accessibility of the new development by different forms of transport and proposes measures to improve access by public transport, walking and cycling, with the aim of reducing the effects of traffic generated by the development.
Travel Plan / Green Transport Plan	A package of practical measures to encourage staff and visitors to choose alternatives to single-occupancy car-use, and to reduce the need to travel by car. A plan is tailored to a particular site and includes a range of measures that will make a positive impact, e.g. setting up a car-sharing scheme; providing cycle facilities; negotiating improved bus services etc. The idea is to make travel alternatives more feasible and more attractive to employees.

Tree Preservation Order (TPO)	A protective order placed on an individual tree or group of trees (including woodlands) to protect them from felling or damaging pruning work.
Unimplemented	Local Plan allocation or planning permission that has not been developed.
Urban Capacity Study	A survey to identify sources of housing land within existing built-up areas.
Urbanisation	To make a rural area more industrialised and urban.
Use Classes Order	Different uses of land or buildings are categorised within “use classes” in the Town and Country Planning (Use Classes) Order 1987, as amended. The use classes A and B are described elsewhere in this glossary.
Utilities	Water supplies, sewage disposal, gas, electricity, telecommunications etc.
Vitality and viability of town centres	The phrase relates to the economic health of town centres as defined in PPG6.
Waste Local Plan	Development plan containing detailed land use policies and proposals for deciding planning applications associated with the deposit, treatment, storage, processing and disposal of refuse or waste materials. Produced by the County Planning Authorities.
Water minimisation/conservation	A range of ways to reduce water consumption, for example, water meters, installation of showers instead of baths, low flow taps, dual flush toilets, grey-water systems, water butts etc.
Wildlife Sites (WS)	County-level nature conservation designation. Formerly called Sites of Importance for Nature Conservation (SINCs).

