

MALDON DISTRICT COUNCIL

Princes Road, Maldon, Essex CM9 5DL

Telephone: 01621 854477

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION REFERENCE

24/00932/FUL

PROPOSAL

Demolition of existing building and erection of 8 residential units

LOCATION

Land Rear Of 85 - 87 High Street Maldon Essex
(UPRN - 010094636342)

NAME OF APPLICANT:

Patten Homes

NAME AND ADDRESS OF AGENT:

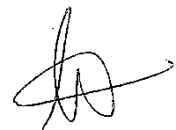
Mr Ian Coward - Collins & Coward
22 Post Office Road
Broomfield
Chelmsford
CM1 7AD

DECISION DATE 21 May 2025

In pursuance of the powers exercised by them as Local Planning Authority this Council having considered your application to carry out the above development in accordance with the submitted drawing(s) referenced 3437:LOC Rev A, 001 Rev D, 3437:012, 3437:013, 3437:010, 3437:011, do hereby give notice of their decision to:

REFUSE PERMISSION

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



MATTHEW WINSLOW BSc. (Hons.) MSc. MRTPI
ASSISTANT DIRECTOR: PLANNING AND IMPLEMENTATION - SERVICE DELIVERY

IMPORTANT: PLEASE REFER TO THE NOTES ATTACHED TO THIS DOCUMENT

REASON FOR REFUSAL

1. The proposed development, due to its scale, layout and density, results in a cramped and contrived form of development which would lead to a poor standard of development to the detriment of the character and appearance of the surrounding area. Furthermore, the development fails to provide adequate private amenity space to the detriment of prospective residents. This is contrary to policies D1 and H4 of the Maldon District Local Development Plan, the Maldon District Design Guide SPD and Government guidance as contained within the National Planning Policy Framework.
2. In the absence of a pavement or pathway connecting the site to the nearest public highway on Butt Lane, the development would potentially result in conflict between pedestrians and vehicles, resulting in poor connectivity for prospective residents. By virtue of the combined gated access for the commercial servicing yard and residential development the proposals fail to provide for an appropriate ingress/egress for residents and visitors. The gated entrance in this setting would prejudice the amenity of residents and the safety of pedestrians and other users of the highway, as well as compromise the passage of utility and emergency vehicles. This is contrary to Policies D1, H4 and T2 of the Maldon Local Development Plan and Government guidance in the National Planning Policy Framework.
3. The proposed development, by reason of the combined on-site residential and retail car parking provision and servicing area without clear separation and delineation, would be detrimental to residential amenity and the convenience of users. As such the proposal is contrary to Policies D1, H4 and T2 of the approved Maldon District Local Development Plan, the Vehicle Parking Standards SPD of the local planning authority and Government guidance as contained within the National Planning Policy Framework.
4. The proposed development, due to its scale and its cramped and contrived nature, would lead to unacceptable levels of overlooking, loss of privacy, overbearing and sense of enclosure for the nearest residential dwelling at No.91 Butt Lane, contrary to policies D1 and H4 of the Maldon District Local Development Plan and Government guidance as contained within the National Planning Policy Framework.
5. In the absence of a completed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, securing a necessary financial contribution towards Essex Coast Recreational disturbance Avoidance and Mitigation Strategy or an appropriate mitigation strategy to overcome the impacts of the development on the European designated nature conservation sites, the development would have an adverse impact on those European designated nature conservation sites. The development is, therefore, contrary to Policies N1, N2, D1, D2 and I1 of the approved Maldon District Local Development Plan and the NPPF.

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POSITIVE AND PROACTIVE STATEMENT

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant/Agent the opportunity to consider whether there is a way forward to seek a revision to the proposal.

NOTES:

Your Right of Appeal

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

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

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

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

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

Purchase Notice

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