

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

Response from: Tolleshunt D'Arcy Parish Council

Planning Application Reference: Application No: 24/00299/FUL PP-12930515

Location: Land Adjacent 86 Tollesbury Road Tolleshunt D'Arcy

*Our views on the above application are:* Please tick the appropriate box

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

\*

or

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

\*

**Resolved:** Unanimously agreed to recommend refusal of this application due to the following:

MDC Approved Local Development Plan 2014-2029

- Sustainability and Housing (Policy S1) - Tolleshunt D'Arcy has few services and facilities, limited access to public transport, and very limited or no employment opportunities.
- Policy T1, 7.1: "National Planning Policy requires the consideration of the transport system to be balanced in favour of sustainable transport modes"
- Policy S1: When considering development proposals..... minimise the need to travel
- Policy T2: The proposed access would lead to future highway conflicts and would be detrimental to highway safety.
- The housing mix does not meet the need in the district for 1 and 2-bedroom homes.
- MDC can demonstrate a five-year housing land supply without the need to develop this site.

Other matters:

- The site lies within a conservation area and is protected woodland (TPO 2/90). There are several protected trees within the site.
- The sewerage infrastructure in Tollesbury Road is not capable of accommodating the additional effluent flows. Drainage problems in this area are already an issue.
- The site contains significantly more wildlife than the application suggests.
- As stated by the planning inspector at the last failed appeal "The appeal site includes a small immature wood known locally as Campions Wood. It is located centrally within the village rather than on its edge. The wood is surrounded by development has no physical connection with the open countryside and has no public access. However, it is more than a green void in the village because its wooded appearance positively contributes towards the rural character of the CA. It is therefore justifiably identified as an Important Green Space in the Tolleshunt." D'Arcy Conservation Area Review and Appraisal 2004 (CAA)
- Two recent similar applications in Tolleshunt D'Arcy failed at appeal where the Inspectors said "...it would be unrealistic to expect future occupiers in this rural area not to be dependent to a large extent on private car use...the proposal does not amount to sustainable development..." and "... I have doubts whether the bus would be a viable option for journeys to work... or to avoid dependency on the private car..." Ref. APP/X1545/W/16/3156877 and 15/3065798
- Heritage/historical value – It is an integral part of the village and conservation area.

- Other similar sites in the Parish that have been granted planning permission, have resulted in serious on-street parking issues. The Parish Council is concerned that should this application be granted, this will further compound the issue.
- To provide the length of road through the proposed development would be costly and there is concern that the development of five houses would not be financially viable for the applicant which could result in any development not being completed should that application be granted.
- The Parish Council requests that a proportion of the S106 monies be used to the benefit of the village to alleviate the negative impact of the development including a significant contribution towards the building of the new Village Hall and/or village car park.
- As concluded by the planning inspector at the last failed appeal "The proposed development would be contrary to the development plan and there are no other considerations, including the National Planning Policy Framework, which outweigh this finding. Accordingly, for the reasons given, the appeal has failed."

or

3i. We have no comment

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

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

Signed:



Date: 03/05/2024

Version May 2016