
Appeal Decision

Site visit made on 30 November 2020

by Jonathan Price BA(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 December 2020

Appeal Ref: APP/X1545/W/20/3255400

Oakwood Manor, Station Road, Cold Norton, Essex CM3 6HX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Steve Jacob against the decision of Maldon District Council.
 - The application Ref FUL/MAL/19/01270, dated 29 November 2019, was refused by notice dated 2 March 2020.
 - The development proposed is siting for 2 No. mobile homes for elderly relative and full-time carer.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The mobile homes are in place but appear to be sited further towards the rear of the property than shown in the submitted drawings, which indicate they are spaced an even distance between front and rear boundaries. My decision is based on the plans, but this discrepancy has no bearing on the conclusions reached, which would have applied equally had these shown the actual siting.

Main Issues

3. These are (i) whether the proposal would be appropriate, with regard to local and national policies for the location of housing and over character and appearance, and (ii) its effect on the Essex Coast European designated nature conservation sites

Reasons

- (i) *Whether appropriate, with regard to local and national policies and to character and appearance*
4. Oakwood Manor is a large detached dwelling, set in expansive grounds and located towards the edge of the built-up village. The surrounding development here is rather low density, with houses spaciouly arranged, giving the area the character and appearance of countryside. The mobile homes are sited adjacent to each other and hard up against the thick hedge running along one side of the garden of the host dwelling.
5. The mobile homes evidently each have two-bedrooms, both with sufficient internal space for occupation as two independent dwellings. They share the access and parking provided at Oakwood Manor, although their physical

distance from the main dwelling, and their fenced enclosure, provides a sense of separation.

6. The two new dwellings, in the form of mobile homes, require to be assessed against the policies governing the location of new residential development in the adopted local development plan¹ (LDP). Situated outside the defined settlement boundary, the mobile homes are contrary to LDP policies S1, S2 and S8. These policies conform with the National Planning Policy Framework in supporting sustainable development by focusing housing into settlements, where there are available services, and resisting dwellings elsewhere, to protect the undeveloped character of the countryside.
7. In addition to that found from a conflict with a plan-led approach to housing delivery, there is further harm arising from the poor-quality design and prefabricated appearance of the mobile homes. Along with their rather atypical siting, these units are out-of-keeping and detract from the character and appearance of this area. This conflicts with LDP Policy D1, which seeks good design that responds positively to its context.
8. One of the mobile homes is to provide suitable housing for an elderly relative, with the second to accommodate a carer. The principle of ancillary accommodation to the main dwelling might be acceptable. However, a pair of two-bedroom mobile homes exceeds the requirements for meeting specialist needs housing as set out in the Council's Supplementary Planning Document². This requires such accommodation to be in the form of a subordinate and functionally linked annex, designed to be subsumed back into the main dwelling when no longer required as self-contained accommodation. As such, the proposal conflicts with DP policies D1 and H4.

(ii) The effect on the Essex Coast European designated nature conservation sites

9. Although required to house an elderly relative and a full-time carer, the proposal nevertheless introduces two further dwellings. Along with wider residential growth in this area, these add to recreational pressure likely to have a significant effect on the interest features of the European designated nature conservation sites along the nearby Essex coast. The proposal lacks a means to secure the financial contributions to offset these effects sought by the emerging Essex Coast Recreational disturbance Avoidance and Mitigation Strategy. As I am unable therefore to rule out a likely significant effect on the Essex coast European sites, the proposal conflicts with DP policies S1 and I1.

Balance and Conclusion

10. There are benefits in the proposal providing accommodation for a dependent relative near to the family home. However, this requirement might equally have been met in a way that satisfied development plan policy and avoided the harm identified. Therefore, having had regard to all other matters raised, I conclude that the appeal be dismissed.

Jonathan Price

Inspector

¹ Maldon District Approved Local Development Plan 2014 – 2029

² Maldon District Specialist Needs Housing Supplementary Planning Document (SPD) September 2018