



Appeal Decision

Site visit made on 20 January 2026

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 February 2026

Appeal Ref: APP/X1545/W/25/3365410

The Dairy, Reddings Farm, Reddings Lane, Tillingham, Essex CM0 7NX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by SB Agri Contracting against the decision of Maldon District Council.
 - The application Ref is 24/00886/FUL.
 - The development proposed is described as 'Continued use of The Dairy as holiday accommodation with retention of related alterations'.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use of The Dairy from seasonal workers accommodation to commercial leisure accommodation/holiday home (sui generis) and related alterations at The Dairy, Reddings Farm, Reddings Lane, Tillingham, Essex CM0 7NX, in accordance with the terms of the application, Ref: 24/00886/FUL and subject to the conditions set out in the attached schedule.

Preliminary Matters

2. The proposal has been considered on the basis of the submitted drawings, which appear accurate. They do not show the railings erected to the north or the ramp to the south, but they are outside the appeal site and do not form part of the proposal. Listed Building Consent was granted for several unauthorised works to the building, such as alterations to the windows and to remediate repointing works that used concrete cement. The appeal building was previously granted a change of use from agriculture to seasonal workers accommodation. The building started to be used for commercial leisure accommodation without planning permission at some point in 2021. The development has therefore commenced.

Main Issues

3. The main issues in this appeal are:
 - Whether the proposed development would be in a suitable location, with reference to the spatial strategy in the development plan and the accessibility of services and facilities;
 - Whether the appeal scheme makes adequate provision for vehicle and cycle parking and provides safe pedestrian access; and
 - The effect of the proposed development on the living conditions of the occupants of Old Reddings East and Old Reddings West, with reference to noise and disturbance.

Reasons

Spatial Strategy

4. Policy S8 of the Maldon District Approved Local Development Plan 2014-2029 (LDP) states that new development outside of defined settlement boundaries will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and it would be one of the types of development listed. There is a negative corollary that development is not supported by Policy S8 if it would be at odds with these two criteria. The proposal would not harm the intrinsic character and beauty of the countryside because the facilitating works would be minimal and confined to an existing building and hardstanding.
5. Criteria (e) of Policy S8 permits the re-use of a redundant or disused building that would lead to the enhancement to the immediate setting. Although there is scope to enhance the immediate setting, such as improving the appearance of the parking area, the scheme does not propose this and therefore does not garner support from this criterion. Instead, the appellant suggests the proposal falls under Criteria (f), which permits tourism proposals that are in accordance with LDP Policy E5.
6. Policy E5 supports new tourism accommodation where it is demonstrated there is an identified need for the provision proposed. It is unclear what is expected of an appellant when seeking to demonstrate an 'identified need'. There is no requirement for a quantitative analysis. In the absence of any definition, an 'identified need' in the context of Policy E5 can be an open textured term and include many factors. Ultimately, whether there is an identified need will be a question of judgment based on the specific circumstances of the case.
7. In a general context, the appellant has evidenced that the demand for 'staycations' in the UK has increased significantly since the pandemic and this has boosted the tourism economy. At a local level, tourism is acknowledged in the LDP as being important to the district's economy and growth in this sector has been identified as an opportunity in the Heart of Essex: Economic Futures Study. A particular draw for tourists visiting the district is The Saltmarsh Coast, which is linked to around 46% of visits. The appeal site is well placed to support this, being in a tranquil rural setting close to the coastal area around St Peter's Chapel. I understand that yachting is also an attraction and, in this respect, the proposed accommodation is close to the marinas at Bradwell and Burnham on Crouch. As such, the indicators are that there is a demand for holiday accommodation in the area.
8. An analysis provided by the appellant suggests there are only four other premises offering holiday accommodation in the area. These have some limitations as they require weeklong stays or summer long renting. They also offer 1-2 bedrooms and are therefore unsuitable for larger parties. The appellant has only considered one platform and therefore the sample seems be artificially small.
9. The Council has not directed me to any other examples of larger holiday homes in the area. However, an interested party has undertaken analysis of local holiday accommodation. This lists holiday parks and small to medium sized holiday cottages and cabins. The analysis seems to inadvertently support the appellant's proposition that there are few larger properties. The interested party has referred to Eldred House in Tillingham, which is a large holiday home capable of accommodating 16 people. But this appears to be a grand property, which is unlike the simple accommodation provided at The Diary.

10. Accordingly, the evidence before me suggests there is a gap in the market. On this basis, it is unlikely the appeal scheme is taking business from other similar holiday homes in the area. The appellant has not considered holiday accommodation in Burnham-on-Crouch in their analysis, but this is understandable as it is a more built-up area. Holiday accommodation there is unlikely to provide the same offer to tourists as the rural situation of the appeal site.
11. In a 14-month period the holiday home was occupied for 142 days (33%) with most stays being for 2 nights. Representations suggest it has often been used for short family gatherings. The occupancy level is not high, but I have seen no substantive analysis to suggest it is untypical for this type of accommodation. It may be that the market for larger holiday homes, especially a more budget friendly option such as the appeal scheme, is naturally smaller holiday homes, typically with 1–4-bedrooms. Indeed, a larger holiday home may generate similar revenue off a comparatively smaller number of bookings as they often charge more.
12. Moreover, it is relevant to consider need in more general terms. The appeal building is listed and therefore requires a use to safeguard it into the future. It is unlikely to be suitable as a dwelling given its configuration, lack of amenity space and proximity to a commercial premises. There is no substantive evidence before me that it could viably function as any other commercial use, and it is no longer required as accommodation for farm workers. I therefore share the view of the appellant that holiday accommodation is its optimum viable use. This is a factor that adds weight to there being an identified need for the appeal scheme.
13. Furthermore, representations have been received from the operators of the public house in Tillingham that suggest the appeal scheme supports their business. Indeed, large groups are likely to eat out in local pubs, especially as the communal accommodation within the holiday home is quite limited. This is tangible evidence that there is a need for holiday accommodation to supports the local rural economy.
14. Taken in the round, I am satisfied that there is sufficient evidence before me to demonstrate there is an identified need for the proposed holiday accommodation. Factors of note being general trends, the contribution of tourism to Maldon, the proximity to the coast and marina, the type and size of accommodation offered, the need to find a use for this listed building and the evidence of support provided to the local rural economy. This combination of factors is different to those in an appeal decision (APP/X1545/W/22/3301172) referred to by the Council. In that case, the evidence supplied was generic and the proposal did not find a use for a listed building. As such, there is no inconsistency.
15. In conclusion, I am satisfied there is an identified need for the appeal scheme in this location. As such, there is no conflict with Policy E5 and by extension Policy S8 of the LDP. The appeal site is therefore an appropriate location for the appeal scheme with reference to the spatial strategy in the LDP.

The accessibility of services and facilities

16. The appeal site is in the countryside away from the nearest settlement of Tillingham and is isolated. It is therefore reasonable to assume that most visitors would arrive by car. They would then use their vehicle(s) to visit local attractions including the coast and marinas. That said, the trips to local attractions in the peninsula would be short drives away and some members of the party could arrive by catching the train to Southminster and being picked up from there by party members (or use a

taxi). There may also be some element of car sharing, which is a form of sustainable transport listed in the National Planning Policy Framework.

17. Furthermore, it would be possible to walk into Tillingham along Reddings Lane and Stowe Lane. The distance to the centre of the village is about a mile, and therefore not excessive for someone on holiday who wishes to experience the rural setting. Indeed, the walk is pleasant and level. It is also safe, even without street lighting and pavements, because it is a quiet rural lane with low levels of traffic and good forward visibility. Pedestrians can also step off the road onto the grass verge. As such, many occupants are likely to walk into the village throughout the year to visit the public houses, playing field and shop. They may even catch a bus from there if they were so inclined. There is also a network of rural lanes that could facilitate cycling if the occupants were to bring bikes. As such, there are options to use sustainable transport despite the isolated location.
18. Moreover, when considering this matter, it is important to note that the appeal scheme is for the change of use of an existing building rather than the erection of a new one. To this end, the environmental benefits of reusing a building, especially a listed building, need to be balanced against the limited extent of sustainable transport. It is also worth bearing in mind that the appeal building has an extant planning permission to be used as accommodation for rural workers, which resulted in some travel by motorised transport. The National Planning Policy Framework also explains that opportunities to maximise sustainable transport in rural areas will vary from urban areas, and that account should be taken of the type of development proposed, which in this case is a rural conversion.
19. In conclusion, I am satisfied, when taking a balanced and pragmatic approach to the provision of rural tourism accommodation, that the appeal scheme is reasonably well located to services, facilities and visitor destinations to prioritise some travel by sustainable transport. As such, a conflict with Policies S1, S8 and E5 of the LDP, which seek to promote sustainable transport, would not occur.

The adequacy of parking and the safety of pedestrians

20. The Council has confirmed in its submissions that its Vehicle Parking Standards Supplementary Planning Document does not provide guidance on holiday lets. Nevertheless, the Council have suggested that one vehicle parking space per bedroom should be provided, and I consider this reasonable given the location and way the accommodation is set out. Indeed, with eight double bedrooms and a communal shower/bathroom it has echoes of a hostel. Eight off road parking spaces are therefore required.
21. There is an area of parking to the north of the appeal building included within the red line boundary of the appeal site and therefore subject to the proposed change of use. This area was used by the former residents of the appeal building to park their vehicles when the appeal building was in use as seasonal workers accommodation. The appellant suggests this parcel of land can accommodate 14 parked cars, which seems reasonable. A bank of 14 cars parked on the side of a rural lane would appear unsightly, but this is a long-standing situation and the Council have not objected to the proposal on this basis. There is a gate at the northern end of the parking area but there is nothing to suggest this must be kept clear, especially as the yard is accessed from another entrance to the south.

22. Consequently, there is room to accommodate eight parking spaces within the red line of the appeal site with vehicles parked clear of the carriageway of Reddings Lane. Evidence has not been provided to suggest the existing arrangement has resulted in any accidents, which is unsurprising given the quiet rural nature of the lane and the good visibility in both directions. A condition can be imposed to ensure car parking spaces are demarcated and kept free for the parking of vehicles associated with the use of the appeal building.
23. It has been suggested that the parking area includes land that is part of the highway and thus outside the control of the appellant. This has not been demonstrated conclusively either way. The Local Highway Authority are aware of the application and have not indicated their intention to take action to prevent parking within the red line of the appeal site and nor have they objected to the proposal either. The parking condition can be worded to ensure the building is not occupied unless the parking area is available for occupants.
24. I understand that the parking area may be used by employees of the appellant's business. Given the analysis above, there would be perhaps 6 spaces available for employees and any visitors to the business. The Council has not provided any analysis to suggest this level of parking is below its standards. Furthermore, parking would be available for the business when the holiday let is not occupied. Despite all this, if there is insufficient space to accommodate both employees and guests, then the latter would take precedent on account of the condition I intend to impose. This could displace employee parking if the demand is greater than six spaces. However, there is room to incorporate staff parking elsewhere within the yard so there should be no need to park in the lane. On this basis, there would be no harm to public amenity, highway safety or the passage of emergency vehicles.
25. It is highly unlikely that the occupants of the holiday home will arrive by bicycle and therefore it is unnecessary to secure cycle parking. The pedestrian entrance into the holiday accommodation is segregated from the yard by a solid fence. There is also a barrier at the entrance to the yard and good visibility. Consequently, occupants of the holiday let would not be put at an unreasonable risk when traversing the short distance between the car park and the accommodation.
26. In conclusion, the appeal scheme makes adequate provision for vehicle and cycle parking and provides safe pedestrian access. It follows that there is no conflict with Policies D1 and T2 of the LDP, which seek to secure adequate parking and access. Nor is there a conflict with Paragraphs 135 and 139 of the National Planning Policy Framework (the 'Framework').

The effect on living conditions

27. Old Reddings East and Old Reddings West are a pair of semi-detached dwellings located to the south of the appeal site. They are separated from the proposed holiday home by a driveway serving a commercial unit. The principal outdoor amenity space serving the properties is to the south, away from the holiday home. The gardens are well vegetated and thus enclosed and private. Part of the curtilage of Old Reddings West is directly to the south of the holiday let, although this does not appear to be intensively used given the size. An outbuilding and garage partially screen the property from the appeal site, although I understand permission has been granted to demolish the former.

28. The proposed holiday let has very little outside amenity space. What space there is encompasses a small courtyard which does not seem to receive much light. Furthermore, during my visit noise from what appeared to be extraction equipment at the neighbouring commercial unit was very audible. The submissions suggest that visitors sometimes use the appellant's fields to play games and have barbeques, but this does not form part of the application before me. As such, there is the potential for visitors to mingle outside the property if they find the amenity space provided to be unsuitable. Indeed, I understand that there have been instances of visitors congregating by the fire door on the southern end of the building or on the small parcel of grass to its immediate west.
29. The appeal scheme does not propose either of these areas for use as amenity space. I can understand why as it would be injurious to the amenities of neighbours due to noise, disturbance and a loss of privacy if groups of residents were to congregate there regularly, especially if playing music or having a barbeque. This is despite the disposition of the buildings described above.
30. However, the land around the appeal building is included within the appeal site. Consequently, a condition could be imposed to prohibit the area to the west of the building being used as an amenity space. The appellant would be on hand to supervise this, and it could be included in the house rules. The area could even be planted up to prevent its use. Similarly, a scheme could be put in place to ensure the fire door is only used in an emergency. The door could have internal signage and an alarm to ensure residents do not use it for routine access. With these measures in place, activity would be kept away from the neighbouring properties and largely within the building. As such, harmful noise and disturbance would not occur if the property is used reasonably.
31. It has been suggested that visitors pulling into the driveway between the appeal building and Old Reddings West causes noise and disturbance. However, the provision of parking to the north would negate this from happening regularly, especially if details of the parking area is carefully detailed in the information sent to visitors in advance of their stay. The occasional inadvertent vehicle movement would not cross the threshold of harm. It is also relevant that the Environmental Health Officer at the Council has raised no objections.
32. In conclusion, the appeal scheme would not harm the living conditions of the occupants of neighbouring properties and therefore a conflict with Policies D1 and H4 of the LDP, which seek to safeguard living conditions, would not occur.

Other Matters

33. The agricultural use of the appeal building has already been lost and the physical works required to facilitate the appeal scheme already have listed building consent. As such the remaining evidential, aesthetic and historic value and significance of the building as a surviving agricultural structure would be conserved. In arriving at this view, I have had special regard to the desirability of preserving the listed building and its setting, as required by s66(1) of the Listed Buildings and Conservation Areas Act 1990. Given the nature of the appeal site as previously developed land the Council is understandably not seeking biodiversity net gain and has not raised concerns regarding the effect on biodiversity. An undesirable precedent would not be set by my decision as I have found it to be acceptable on its own merits subject to the conditions I intend to impose.

Conditions

34. Despite my request, the Council has not provided a list of suggested planning conditions. As the development has already started there is no need to impose a commencement condition. In the interests of precision, it is necessary to impose a drawings condition. The remedial works to the listed building are secured through the listed building consent. The Council has not suggested there is a need to duplicate these. In the interests of highway safety and public amenity it is necessary to secure eight parking spaces. To safeguard the living conditions of neighbours it is necessary to control use of the fire door and prevent use of the area to the west of the appeal building as an amenity space. To ensure pedestrian safety it is necessary to secure the retention of the existing railings erected to the north of the entrance into the building.

Conclusion

35. The appeal scheme would adhere to the development plan and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal has succeeded.

Graham Chamberlain
INSPECTOR

Schedule of Planning Conditions

- 1) The development hereby approved shall be carried out in accordance with the following approved plans:

Existing Promap site plan at a scale of 1:1250 detailing the appeal site and the existing car parking area.

Site Plan 899/03B

Floor plan and north elevation 899/06C

Elevations 899/07D

- 2) The door in the southern elevation of the holiday home hereby approved shall be retained closed at all times other than in an emergency. The holiday home hereby approved shall not be occupied until signage, an alarm and house rules are in place to secure this.
- 3) The area of land within the site directly to the west of the holiday home and east of Reddings Lane shall not be used as an outdoor amenity space/garden by the occupants of the holiday home at any time.
- 4) The holiday home hereby approved shall not be occupied until eight parking spaces have been laid out and demarcated in the parking area to the north of the holiday home. The holiday home hereby approved shall thereafter not be occupied unless eight parking spaces are exclusively available to the occupants of the holiday home for the duration of their stay.
- 5) The holiday home hereby approved shall not be occupied if the railings/fencing to the north of the appeal site segregating the pedestrian access into the property from the commercial yard is not in place.

End of schedule