



MALDON DISTRICT
COUNCIL

MEMBERS' UPDATE

DIRECTOR OF STRATEGY AND
RESOURCES
Paul Dodson

22 January 2024

Dear Councillor

DISTRICT PLANNING COMMITTEE - TUESDAY 23 JANUARY 2024

Please find enclosed the Members' Update for the above meeting, detailing any further information received in relation to the following items of business since the agenda was printed.

5. **23/00807/FULM - Land South West of the Warren, Hackmans Lane, Purleigh**(Pages 3 - 4)
8. **23/00500/FULM - Land Bounded By Maldon Road And Creeksea Lane, Burnham-on-Crouch, Essex**(Pages 5 - 6)

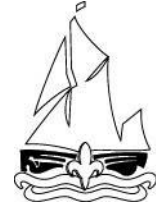
Yours faithfully

Director of Strategy and Resources



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CIRCULATED PRIOR
TO THE MEETING



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
**DISTRICT PLANNING COMMITTEE
23 JANUARY 2024**

MEMBERS' UPDATE

AGENDA ITEM NO. 5

Application Number	23/00807/FULM
Location	Land South West of the Warren, Hackmans Lane, Purleigh
Proposal	Solar Farm together with sub-station, ancillary buildings, structures, landscaping, emergency lighting and access.
Applicant	Anglo Renewables Limited
Agent	James Hollyman – Harris Lamb Limited
Target Decision Date	02.02.2024
Case Officer	Devan Hearnah
Parish	PURLIEGH
Reason for Referral to the Committee / Council	Proposal is a 'development of strategic interest' as defined under the Scheme of Delegation

3 SUMMARY

Relevant Background Information (p15-16)

3.1.17 In this instance, the largest part of the application site falls within the administrative area of MDC. However, in the absence of alternative administrative or statutory arrangements, planning applications should be determined by the LPA. Where a development crosses two administrative areas, this could result in two different decisions being made on what is essentially one application, differing conditions being imposed on the same development or multiple Section 106's being entered into. This approach is **contrary to in accordance with** Government guidance which seeks collaborative working between LPA's. Paragraph 24 of the National Planning Policy Framework (NPPF) states that LPA's have a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries. The Government clearly advocates joint working between Local Authorities and Maldon District Council (MDC) and CCC have adopted this approach on plan making and strategic matters to date. On this basis, CCC sought agreement with MDC to devolve its planning powers to the latter in a letter dated 30 June 2023, so that MDC can determine the application in its entirety. This approach is in accordance with section 101(1) of the Local Government Act 1972.

3.1.18 The element of the proposed development within CCC administrative area would only relate to the existing road access to the site. Therefore, as the majority of the development lies within the Maldon District, it is appropriate for CCC to devolve their

Development Management powers to MDC in relation to determining this planning application. MDC has consulted both **Essex Chelmsford** County Council (**Essex Chelmsford County Council (ECCC)**) and the relevant Town Council (South Woodham Ferrers Town Council) and will consider the application against MDC's Planning policies as well as CCC's.

5 MAIN CONSIDERATIONS

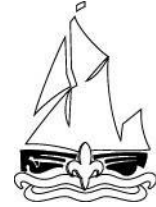
5.11 Pre-commencement conditions (p33)

- 5.11.1 Pre-commencement conditions are recommended in order to make the development acceptable in planning terms. The Developer has agreed to the imposition of these pre-commencement conditions in a letter dated 16 January 2024.

8 PROPOSED CONDITIONS (P39)

5. **Following the first operation/commission of the site**, if **the** use of the hereby approved development should cease for the purposes of energy generation for a concurrent period exceeding six months or more, all the equipment and structures hereby approved shall be removed from the land and the site reinstated to its former condition. In any case, the Panels, associated structures, and infrastructure shall be removed at the latest by the 31 December 2068. Prior to the removal of any panels and equipment a scheme (to include timescales) for the reinstatement of the site to agricultural land alongside any retained ecological habitat areas shall be submitted to and approved in writing by the LPA. The site shall be reinstated in accordance with the approved details.
REASON: In the interest of the character and appearance of the site, surrounding countryside and nearby heritage assets in accordance with Policies S1, D1, D3 and D4 of the MDLDP and guidance contained within the NPPF.
- 18 The applicant or any successor in title must maintain yearly logs of maintenance, which should be carried out in accordance with any approved Maintenance Plan **agreed under condition 17**. These must be available for inspection upon a request by the LPA.
REASON: in the interests of surface water flood risk in accordance with Policy D5 of the MDLDP.

CIRCULATED PRIOR
TO THE MEETING



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23 JANUARY 2024**

MEMBERS' UPDATE

AGENDA ITEM NO. 8

Application Number	23/00500/FULM
Location	Land Bounded By Maldon Road And Creeksea Lane, Burnham-on-Crouch, Essex
Proposal	Erection of 37No. dwellings (including affordable housing) together with public open space, landscaping and associated works and infrastructure, including vehicular accesses, pedestrian links and drainage infrastructure.
Applicant	Barratt Developments Ltd
Agent	Libby Hindle - Barratt Developments Ltd
Target Decision Date	30.01.2024
Case Officer	Fiona Bradley
Parish	BURNHAM-ON-CROUCH NORTH
Reason for Referral to the Committee / Council	Strategic site within the strategic submitted Local Development Plan

7 CONSULTATIONS AND REPRESENTATIONS RECEIVED (PAGES 133-141)

7.4 Representations received from Interested Parties (summarised)

7.4.1 **2** further letters were received **objecting** to the application and the further reasons for objection are summarised as set out in the table below:

Comment	Officer Response
Increased concerns about flooding issues particularly due to flooding experienced in the first week of January 2024. Concern raised about a blockage in the pipes within the site.	The Lead Local Flood Authority (LLFA) has raised no objection to the application subject to conditions. One of the conditions requires that the existing pipes within the extent to the site are cleared of any blockage and restored to fully working condition. This condition, and others recommended by the LLFA, are included in the recommendation in the Committee Report.
The proposal includes access onto a country lane which would seriously	The application is supported by speed surveys, visibility splay assessment and

Comment	Officer Response
affect the local environment. There is no infrastructure to elevate the issue without series consequences to local residents who would be seriously affected by the same	a Transport Assessment. The County Council, in its roles as Highway Authority, has raised no objection to the application subject to conditions which are included in the recommendation in the Committee Report.