

## MEMBERS' UPDATE

DIRECTOR OF STRATEGY,  
PERFORMANCE AND  
GOVERNANCE'S OFFICE  
DIRECTOR OF STRATEGY, PERFORMANCE  
AND GOVERNANCE  
Paul Dodson

08 July 2020

Dear Councillor

### DISTRICT PLANNING COMMITTEE - THURSDAY 9 JULY 2020

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. **15/01327/OUT - Land North and West of Knowles Farm, Wycke Hill, Maldon, Essex** (Pages 3 - 6)
6. **20/00157/FUL - Land East of Bradwell Power Station, Downhall Beach, Bradwell-on-Sea** (Pages 7 - 10)

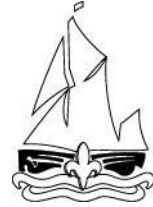
Yours faithfully



Director of Strategy, Performance and Governance

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**CIRCULATED  
BEFORE THE  
MEETING**



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

to  
**DISTRICT PLANNING COMMITTEE  
9 JULY 2020**

**MEMBERS' UPDATE**

**AGENDA ITEM NO. 5**

<b>Application Number</b>	<b>15/01327/OUT</b>
<b>Location</b>	Land North And West Of Knowles Farm, Wycke Hill, Maldon, Essex
<b>Proposal</b>	C3 residential development (up to 320 new homes) of mixed form, size and tenure, small scale B1 employment development (up to 2,000sqm), C2 / D1 community uses, a new relief road to the north of A414, strategic landscaping, pedestrian and cycle linkages, estate roads, open space, drainage and sewerage (including SUDS) and other associated development. - All matters reserved except for access.
<b>Applicant</b>	Mr Nick Mann - Dartmouth Park Estates Ltd.
<b>Agent</b>	Nathaniel Lichfield and Partners
<b>Target Decision Date</b>	31.08.2020
<b>Case Officer</b>	Kathryn Mathews
<b>Parish</b>	<b>MALDON WEST</b>
<b>Reason for Referral to the Committee / Council</b>	Local Development Plan (LDP) site allocation Site S2(b)

**7     PROPOSED CONDITIONS, INCLUDING HEADS OF TERMS OF ANY SECTION 106 AGREEMENT**

**Strategic Phasing Plan**

There is a formatting error in Condition 8 recommended. Condition 8 should read as follows:

- 8     Prior to the submission of the first of the reserved matters application(s) for the site, a Strategic Phasing Plan, which accords with the triggers in the S106 accompanying this application dated [to be inserted] for the provision of infrastructure and which covers the entire site, shall be submitted to and approved in writing by the Local Planning Authority. The Strategic Phasing Plan shall include the proposed sequence of provision of the following elements:

- a) The South Maldon Relief Road (SMRR), roundabout to the west on the A414 and signalized junction to the north east on the A414 as identified on drawing number PS07015-014.2-Rev I 'Parameter Plan 2 - Access and Movement' to include trigger points in the development and phasing of delivery;
- b) Internal roads/routes, footpath and cycleway provisions and crossing within and where linked to the site as identified on drawing number PS07015-014.2-Rev I 'Parameter Plan 2 - Access and Movement';
- c) All residential development;
- d) Employment land, where applicable for the relevant phase;
- e) Community Use Land, where applicable for the relevant phase;
- f) The green infrastructure, landscaping, informal open space and open space areas;
- g) Structural landscaping/planting provisions;
- h) Strategic foul and surface water features, including SuDS; and
- i) Environmental mitigation measures;

The approved Strategic Phasing Plan shall then inform the reserved matters application(s) and the development shall be implemented in accordance with the approved the Strategic Phasing Plan, unless a revised phasing plan is otherwise agreed in writing by the Local Planning Authority.

REASON: To clarify how the site is to be phased to assist with the determination of subsequent reserved matters applications and in order to ensure that major infrastructure provision and environmental mitigation is provided in time to cater for the needs and impacts arising out of the development. In accordance with policies I1, S2, S3, S4, D1, D2, D5, E1, E2, E3, E6, H1, H2, N1, N3, T1, T2 and I1 of the Maldon District Approved Local Development Plan, the adopted South Maldon Garden Suburb Strategic Masterplan Framework SPD, and the NPPF and PPG.

### **Ecology:**

To accord with the conclusions of the Habitat Regulation Assessment carried-out (which has been sent to Natural England for approval), the wording of condition 42 requires amendment to include the following, additional requirement for the Ecological Conservation Management Plan required:

- j) Circular dog walking routes of 2.7 km within the site and/or with links to surrounding public rights of way (PRoW), dedicated 'dogs-off-lead' areas, signage/information leaflets to householders to promote these areas for recreation, and dog waste bins.

### **INFORMATIVES**

One of the informatives recommended requires amendment as only a spur off the 'Linden Homes' roundabout towards the application site has been constructed and not the full length included in one of the submitted highways drawings. Informative 6 should read as follows:

- 6 In respect of Planning Conditions 5 & 9, the Roundabout shown on 'Drawing No CIV-13756-SA-95-0036' and the Infrastructure Provision Drawing No. CIV-13756-SA-95-0061' have been constructed by others, subsequent to Maldon Council's resolution to approve this application on 23 March 2017 and prior to issuing this Outline Planning Permission (except for the extent of the length of the Site Access road to the north-west of the roundabout shown on the Drawing No CIV-13756-SA-95-0036).

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**CIRCULATED  
BEFORE THE  
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## **REPORT of DIRECTOR OF SERVICE DELIVERY**

**to  
DISTRICT PLANNING COMMITTEE  
9 JULY 2020**

### **MEMBERS' UPDATE**

#### **AGENDA ITEM NO. 6**

<b>Application Number</b>	<b>20/00157/FUL</b>
<b>Location</b>	Land East of Bradwell Power Station, Downhall Beach, Bradwell-on-Sea
<b>Proposal</b>	Application to carry out ground investigations, load test and associated works in connection with a proposed new Nuclear Power Station at Bradwell-on-Sea, together with the creation of two site compound areas and associated parking areas.
<b>Applicant</b>	Bradwell Power Generation Company Limited
<b>Agent</b>	N/A
<b>Target Decision Date</b>	EOT: 17/07/2020
<b>Case Officer</b>	Devan Hearnah
<b>Parish</b>	<b>BRADWELL-ON-SEA</b>
<b>Reason for Referral to the Committee / Council</b>	Not Delegated to Officers Major Application

### **5. MAIN CONSIDERATIONS**

#### **5.3 Heritage and Archaeology**

Amended as follows:

- 5.3.4 Notwithstanding the above, given that the ~~ground~~ **load test** investigation compound is a temporary feature it is considered that a condition requiring the removal of the compound within five years and returning the site to its condition prior to the work would reverse the visual harm on the hangers and their setting. As the works are estimated within the Heritage Report to approximately three years, it is considered that five years is a reasonable amount of time. Therefore, subject to this condition it is not considered that the harm to the non-designated heritage assets would amount to a reason for refusal.

## 8. CONSULTATIONS AND REPRESENTATIONS RECEIVED

### 8.2 Statutory Consultees and Other Organisations (*summarised*)

Name of Statutory Consultee/ Other Organisation	Comment	Officer Response
Essex Wildlife Trust	Endorse the comments made by RSPB in their letter dated 15 <sup>th</sup> June 2020 in respect of the additional information provided. Position is of objection, based on insufficient information to enable MDC to rule out adverse impacts on SPA designated sites.	Given that Natural England have not objected, it is considered that the revised information submitted is acceptable. Please refer to section 5.4 of the Committee Report.

### 8.4 Representations received from Interested Parties

8.4.2 **Seven** additional letters of objection have been received, equalling a total of **144** objection letters. The points raised do not raise any new material planning considerations but for clarity the reasons for objection have been summarised below:

Objection Comment	Officer Response
Alterations to the landscape forever	Addressed at section 5.2 of the Committee Report. The site is to be returned to its current condition once the works are complete.
Noise, light and traffic disturbance	Addressed at sections 5.5 and 5.7 of the Committee Report
Reduction in tourism	There is no evidence to suggest that the development would result in a reduction in tourism. The works would increase jobs in the area and would likely have a positive impact on the local economy.
Heritage impacts	Addressed at section 5.3 of the Committee Report
Ecological Impacts and harm to the European Designated sites – objections from Natural England and RSBP	Addressed at sections 5.4 and 5.5 of the Committee Report. It should be noted that Natural England have removed their objection.
Contamination risks	Contamination is addressed at section 5.5 of the Committee Report.
There is no need for nuclear energy	This is not a consideration for this application as it only relates to ground works.
Flood Risk	Addressed at section 5.8 of the Committee Report.

<b>Objection Comment</b>	<b>Officer Response</b>
Undemocratic consultation	This refers to the separate consultation being ran by BRB in relation to the proposed power station and does not have a bearing on this application. This application was fully consulted on in accordance with the relevant legislation.
Potential to uncover WW2 graves	Heritage and Archaeology are addressed under section 5.3 of the Committee Report and appropriate conditions are proposed to deal with this matter.
<p>The groundworks planning application forms a critical part of a National Infrastructure Project not supported by National Policy (due to two reactors being proposed, opposed to one) therefore, it's outside of the planning system.</p> <p>The Nuclear Power National Policy Statement (NPS) does not support two reactors at Bradwell and all supporting documentation to justify the Governments case to include Bradwell is based on one reactor. Impacts for two have not been considered. The NPS states that Bradwell will not be revisited and reassessed for two reactors. As the works do not relate to the NPS planning should not be given.</p>	<p>These matters largely relate to the wider consultation being undertaken by BRB in relation to proposal for a new nuclear power station, rather than the ground works. However, the works proposed as part of this application are to inform the development consent order (DCO) process, and the impacts of a two-reactor station would need to be assessed as part of that DCO process. Therefore, these works are required to inform that process.</p>
MDC should not issue a decision until the Minister responds to the legality of the consultation process.	It would appear that this relates to the legality of the separate consultation process that is currently being undertake by BRB in relation to the wider development of a nuclear power station and not this application.

**9. PROPOSED CONDITIONS, INCLUDING HEADS OF TERMS OF ANY SECTION 106 AGREEMENT**

**PROPOSED CONDITIONS**

- 5      Within five years of the date of the planning permission, if permission has not been granted for a new nuclear power station on the site, the approved ~~ground investigation~~ **load test investigation** compound shall be removed, and the ground levelled to return it to its condition and appearance prior to the work. REASON: In the interest of nearby heritage assets in accordance with Policy D3 of the LDP.

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