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HEAD OF PAID SERVICE

Richard Holmes

26 June 2019

Dear Councillor

You are summoned to attend the meeting of the;

DISTRICT PLANNING COMMITTEE

on **THURSDAY 4 JULY 2019** at **7.30 pm**.

in the Council Chamber. Maldon District Council Offices, Princes Road, Maldon.

A copy of the agenda is attached.

Yours faithfully

A handwritten signature in black ink, appearing to read 'R.A. Holmes', with a long horizontal flourish extending to the right.

Head of Paid Service

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AGENDA
DISTRICT PLANNING COMMITTEE
THURSDAY 4 JULY 2019

1. **Chairman's Notices (please see below)**

2. **Apologies for Absence**

3. **Disclosure of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, other Pecuniary Interest or Non-Pecuniary Interests relating to items of business on the agenda having regard to paragraphs 6 – 8 of the Code of Conduct for Members.

(Members are reminded that they are also required to disclose any such interest as soon as they become aware should the need arise through the meeting.)

4. **RES/MAL/19/00411 - Land South of Wycke Hill and Limebrook Way, Maldon, Essex** (Pages 5 - 48)

To consider the report of the Director of Strategy, Performance and Governance (copy enclosed, Members' Update to be circulated)*.

NOTICES

Sound Recording of Meeting

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**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**To
DISTRICT PLANNING COMMITTEE
4 JULY 2019**

Application Number	RES/MAL/19/00411
Location	Land South Of Wycke Hill And Limebrook Way, Maldon, Essex
Proposal	Approval of reserved matters (layout, scale, appearance and landscaping) for Phase 2 of the Eastern Parcel of the wider Land South of Wycke Hill and Limebrook Way site (LPA Application Ref. FUL/MAL/18/00071), comprising the construction of 406 residential dwellings (Use Class C3) and associated work
Applicant	Taylor Wimpey (East London)
Agent	Ms Catherine Williams – Savills
Target Decision Date	15.07.2019
Case Officer	Kathryn Mathews
Parish	MALDON WEST WOODHAM MORTIMER with HAZELEIGH
Reason for Referral to the Committee / Council	At the discretion of the Director of Strategy, Performance and Governance

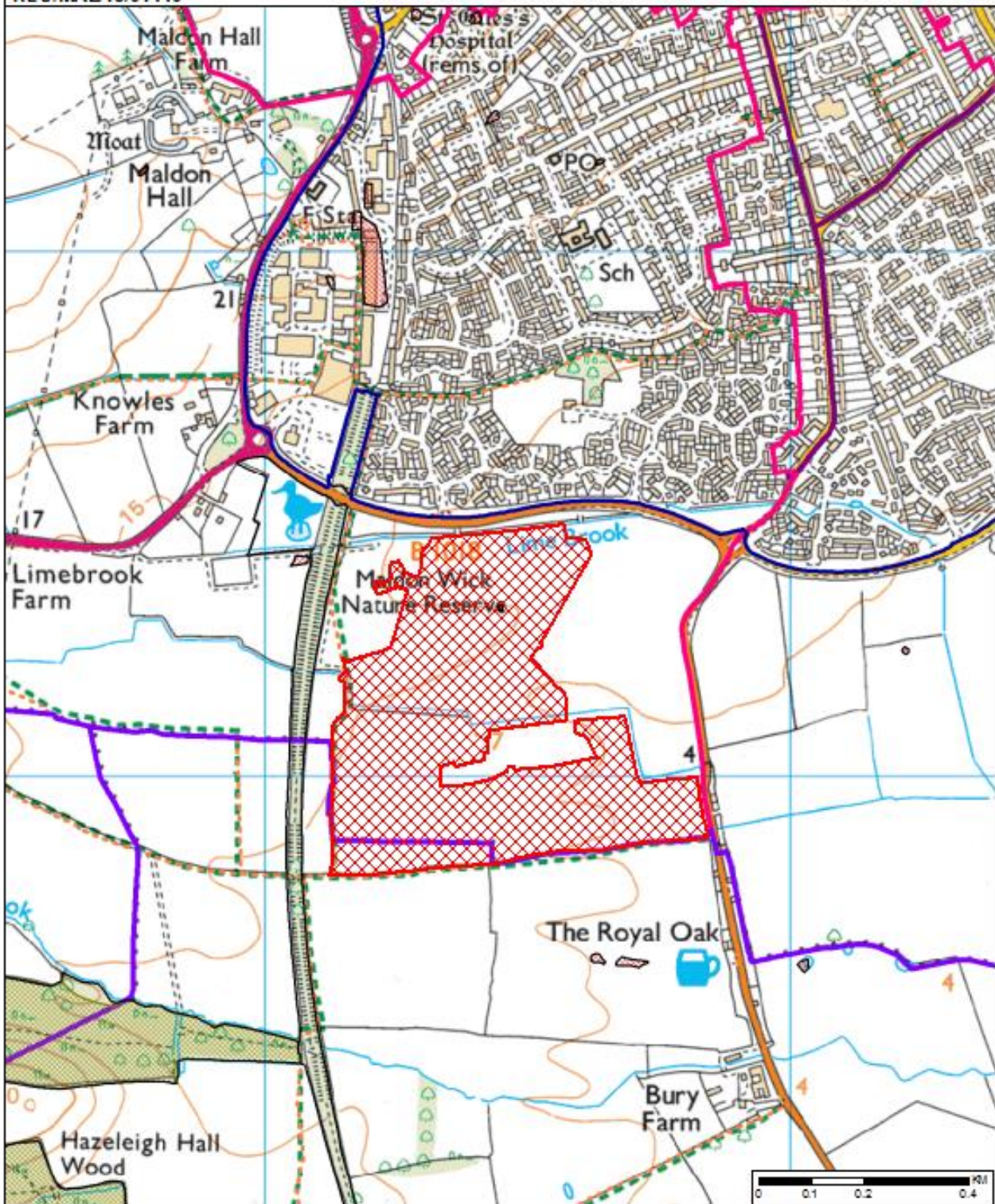
1. RECOMMENDATION

APPROVE subject to the conditions (as detailed in Section 17 of this report).

2. SITE MAP

Please see overleaf.

Land South of Wycke Hill and Limebrook Way, Maldon
RES/MAL/18/01440



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	Council (Extraordinary)
	Date:	01/02/2019
	MSA Number:	100018588
www.maldon.gov.uk		

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The current application site forms part of the wider area identified as Strategic Site S2(a) in the Maldon District Approved Local Development Plan (LDP) which gained outline planning permission (reference OUT/MAL/14/01103) in December 2016, following the completion of a Section 106 Agreement, for ‘development of land for up to 1,000 dwellings, an employment area of 3.4 hectares (Ha) (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and Sustainable Drainage System (SuDs) features, vehicle accesses onto the existing highway network and associated infrastructure’. The outline planning permission included details of means of access to the site; details of layout, scale, appearance and landscaping were reserved for future determination. The approved means of access to the site consists of two vehicular accesses off Spital Road / A414 on the western side, an access (roundabout) off Limebrook Way / A414 and two accesses off Fambridge Road (B1010) to the eastern side. A new bus route through the site was approved as part of the outline planning permission.
- 3.1.2 The site the subject of the abovementioned outline planning permission was subsequently separated into Eastern and Western Parcels. The original outline planning permission was subsequently varied most recently by permission reference FUL/MAL/18/00071 which was approved on 13 April 2018.
- 3.1.3 An application for approval of reserved matters of Phase 1 of the eastern parcel (for 200 dwellings) was granted in 2018 (reference RES/MAL/18/00531) which forms most of the eastern boundary of the current application site and where development is underway. Details of the infrastructure (drainage, highways, site levels and associated works) for the whole of the Eastern Parcel have also already been approved (reference FUL/MAL/18/00494).
- 3.1.4 The Eastern and Western Parcels are separated by a disused railway known as Maldon Wick Nature Reserve (which includes a Local Wildlife Site) which runs in a north-south direction. A Public Right Of Way (PROW) follows the western boundary of the site (part of which is subject to an application for diversion, reference PROW/MAL/18/00831). A watercourse, known as the Lime Brook, runs east-west through the centre and northern part of the site. A high voltage overhead line crosses the western part of the site. The site is generally flat, rising gently to the north to the A414 with the highest point being approximately 12.5m Above Ordnance Datum (AOD) in the north-western corner of the site to 4.5m AOD in the south-eastern corner.
- 3.1.5 The applicants have previously engaged in a formal pre-application submission which included a meeting attended by Members on 15 November 2018.

- 3.1.6 Permission was refused for reserved matters application reference RES/MAL/18/01440 for the same description of development for the following reason:
1. *A number of the dwellinghouses proposed would be provided with private amenity space which would be below the minimum areas set out in the Essex Design Guide. This would result in unacceptable living conditions for the occupiers of these properties, contrary to the NPPF and Policy D1 of the Maldon District Approved Local Development Plan.*
- 3.1.7 The applicant has submitted an appeal against this refusal with a start date of 14 May 2019 which is to be determined through the written representation procedure.
- 3.1.8 The current application seeks approval for reserved matters (layout, scale, appearance and landscaping) for Phase 2 of the Eastern Parcel, which covers an area of 27.7ha and would consist of 406 residential dwellings. There is a piece of land located roughly centrally within the Eastern Parcel which has been excluded from the current reserved matters application and which was the subject of a full planning application for 33 dwellings (reference FUL/MAL/18/001439), planning permission for which was refused on 12 March 2019.
- 3.1.9 The dwellings the subject of this reserved matters application would consist of a mix of two, three, four- and five-bedroom houses and one and two bedroom flats / apartments, arranged along a hierarchy of internal roads. The proposals include 888 car parking spaces, comprising 748 allocated spaces, 37 unallocated spaces and 103 visitor spaces. A further four visitor spaces will be provided within the Phase 1 development. Cycle storage would be at a rate of one per dwelling. The landscape strategy for the development incorporates tree lined streets and landscaped greenways. Vehicular access to Phase 2 would be partly from the approved highway network for Phase 1 and partly from a new roundabout to be constructed along Limebrook Way towards the north-western corner of Phase 2, details of which have already been approved (references FUL/MAL/18/00071 and FUL/MAL/18/00494).
- 3.1.10 Phase 2 includes predominantly 2-storey buildings with the occasional 2.5-storey and 3-storey buildings. External materials would consist of a mixture of red brick, red multi-brick or buff brick, white or black boarding or an ivory / off-white render, red or brown pan or plain tiles, or reconstituted slates tiles.
- 3.1.11 Rear gardens will be enclosed by 1.8m high close-boarded fencing or, in public positions, brick walls.
- 3.1.12 The development proposed has been amended in an attempt to overcome this reason for refusal through an adjustment of the location of rear garden boundaries and the substitution of 1no. two-bedroom dwelling for 1no. previously proposed three-bedroom dwelling (Plot 334). In addition, whilst not a reason why the previous development was refused, the design of the elderly persons block plots 201-218 and the blocks of apartments plots 325-333 and 362-371, have been amended to include pitched rather than flat roofs.
- 3.1.13 The current application is accompanied by a suite of supporting documents as follows: Planning Statement, Design and Access Statement, Energy Statement, Air Quality Assessment, Arboricultural Method Statement, Construction Environmental

Management Plan (as required by condition 81 of the outline planning permission, prior to each phase commencing), Phase 2 Ecological Surveys and Assessment, Ecological Conservation Management Plan, Noise Assessment, Flood Risk Assessment, Proposed Drainage Strategy Z517-02 and Highways Note Z517-03.

3.1.14 The proposed market residential mix is as follows:

Dwelling Size	Number and Percentage
1 Bed Flat	15 (4.9%)
2 Bed Flat	31 (10.1%)
2 Bed House	57 (18.6%)
3 Bed House	104 (33.8%)
4 Bed House	89 (29.0%)
5 Bed House	11 (3.6%)
Total	307 (100%)

3.1.15 99 (24%) of the proposed dwellings would be affordable housing:

Dwelling size	Number
1 bed flat	16
2 bed flat	3
2 bed house	42
3 bed house	2
1 bed elderly flat	9
1 bed elderly bungalow	9
2 bed elderly flat	9
2 bed elderly bungalow	9
Total	99

3.1.16 The affordable housing would be spread around the site in small clusters.

3.1.17 The proposal also includes sports pitches and associated facilities in the south east corner which include four grass sports pitches, a single storey sports pavilion and car parking. Children's Play Areas are also included as follows: Neighbourhood Equipped Area for Play (NEAP) in the south-eastern corner, next to the proposed sports pitches and sports pavilion, which includes a Multi-Use Games Area (MUGA); a Local Equipped Area for Play (LEAP) in the northwest corner at the end of the greenway near to the future local centre and school. The landscape proposals also include other formal and informal areas of play.

3.1.18 There are a number of conditions attached to the outline planning permission (reference FUL/MAL/18/00071) which the current reserved matters application would need to comply with:

- Condition 6 requires the reserved matters to be carried out substantially in accordance with the Design and Access Statement and in accordance with the principles of the Design Parameter Plans relating to Land Use, Building Height, Residential Density, Green Infrastructure and Movement and Access.

- Condition 8 requires the reserved matters applications to accord with the Design Codes which take full account of the Maldon Garden Suburb Strategic Masterplan Framework – refer to section 7 below.
- Condition 19 requires any reserved matters application detailing the layout of the development to include details of the bus stop infrastructure – these details have already been approved as part of application reference FUL/MAL/18/00494.
- Condition 23 requires any reserved matters application detailing the layout of the development to include a scheme to show the provision of a network of off carriageway pedestrian and cycle routes linking all areas within the development – these details have been submitted as part of the current application.
- Condition 26 sets out the private market housing mix – the proposed mix has been submitted.
- Condition 27 requires any reserved matters application detailing the layout of the development to include a layout plan showing the distribution of market and affordable housing, including a schedule of dwelling size (by number of bedrooms) – these details have been submitted.
- Condition 44 requires the submission of details of soft and hard landscaping with any reserved matters application – a Parcel-wide Landscape Strategy Plan and Parcel-wide Landscape Strategy Plan Report was submitted as part of the Phase 1 reserved matters application. The applicant advises that the landscape drawings now submitted follow the overall strategic approach as set out in these documents, as well as the general Design Codes for the South Maldon Garden Suburb (SMGS).
- Condition 49 requires submission of details of design and layout of the playing fields, the pavilion building, play space provision and equipment, the means of access and car parking area(s) proposed in the Fambridge Fields Character Area –these details have been submitted.
- Condition 56 requires samples or details of external materials to be submitted prior to or concurrently with reserved matters application – a material palette for the development has been submitted except for the sports pavilion but samples of external materials are required by condition 4 recommended below.
- Condition 57 requires submission of siting, height, design and materials of the treatment of all boundaries with any reserved matters application – these details have been submitted.
- Condition 58 requires the submission of existing and proposed site levels, including finished floor levels, with any reserved matters application – these details have been submitted.
- Condition 59 requires any reserved matters application to be designed to accord with Essex Design Guide (1997 version) for minimum building to building distances, minimum building to boundary distances and for minimum private amenity space standards for all types of dwellings – see Section 10 below.
- Condition 60 requires details of hydraulic flood modelling taking into account climate change to be submitted with any reserved matters application –

hydraulic modelling is included in the Flood Risk Assessment (FRA) submitted.

- Condition 62 requires an up-to-date FRA to be submitted with any reserved matters application – a Flood Risk Assessment has been submitted.
- Conditions 63 and 64 – surface water and foul drainage - surface water and foul drainage details were approved as part of FUL/MAL/18/00494.
- Condition 65 requires vehicle parking details with any reserved matters application to accord with adopted vehicle parking standards (including the provision of 5% for visitors), the Design Codes and the Design and Access Statement – refer to Section 9 below.
- Condition 66 requires details of cycle parking with any reserved matters application to accord with adopted parking standards and the Design Codes – refer to Section 9 below.
- Condition 70 requires any reserved matters application to be accompanied by an Ecological Conservation Management Plan Statement which demonstrates how it accords with the aims and objectives of the approved Ecological Conservation Management Plan. The mitigation measures currently proposed include replacement of low ecological hedgerows with high biodiversity hedgerows; retention, enhancement and monitoring of the brooks at the boundary of the site to benefit water voles; removal of vegetation outside the bird nesting season; bat sensitive lighting; wildflower meadows; integrated bat and bird boxes and bat lofts; hedgehog highways through connecting gardens; and precautionary measures for badgers. Reptile translocation has already taken place. See Section 12 below.
- Condition 71 requires the layout of any reserved matters application to take into account measures aimed at mitigating or offsetting the impacts on local air quality. An Air Quality Assessment has been submitted – predicted airborne concentrations of Nitrogen Oxide (NOx) would exceed the air quality objectives but it is argued that there is no statutory requirement for compliance in urban areas. Measures are included to encourage use of walking, cycling and public transport – see Section 14 below.
- Condition 72 requires any reserved matters application to include a noise assessment detailing the noise environment across the site, in relation to BS8233:2014, and mitigation measures where relevant. A Noise Assessment has been submitted which concludes that an acceptable noise environment across the site can be achieved, but it recommends that trickle vents are provided to houses fronting Limebrook Way as noise levels are predicted to exceed recommended maximums with windows open. This matter is covered in Section 10 of the report.
- Condition 78 requires that any reserved matters application for layout includes details of a lighting strategy. A lighting strategy has been submitted (Appendix B of the Highways Note).
- Condition 80 requires that any reserved matters application includes a renewable energy statement which demonstrates that the total predicted carbon emissions will be reduced through the implementation of on-site renewable energy sources. An Energy Statement has been submitted proposing energy efficient building fabric and insulation; double glazed windows, good air tightness, high-efficiency heating systems and Mechanical Extract Ventilation; and low energy lighting. These measures are predicted to result in an overall

reduction of carbon by 3.18% across the site compared to compliance with Building Regulations. Electric car charging points will be option for house purchasers.

- Condition 82 requires any reserved matters application to include details of temporary and permanent recycling facilities in accordance with the Design Codes and Design and Access Statement. A 'Proposed Refuse Strategy' has been submitted.

3.1.19 The Section 106 (S106) Agreement associated with the outline planning permission (reference OUT/MAL/14/01103) secured the following:

- Highway and public transport obligations;
- Affordable Housing (30% - not less than 70% affordable rented units and not more than 30% intermediate affordable housing units);
- Education (provision of land for and a financial contribution to Essex County Council);
- Healthcare financial contribution;
- Provision of an allotment site;
- Financial contribution for youth facilities;
- A local management organization to manage and administer the green infrastructure provided;
- Children's play areas.

3.1.19.1 The Deed of Variation completed in February 2018 (which facilitated the splitting of the site into two parcels - Eastern and Western) did not vary any of the above requirements.

3.2 Conclusion

3.2.1 The principle of the residential development of the site has been accepted as the site forms part of a larger area of land which benefits from outline planning permission for residential development (most recently granted under reference FUL/MAL/18/00071), as part of which means of access to the site was approved. The provision of the dwellings proposed would make a positive and significant contribution to meeting the housing needs of the District, including affordable housing.

3.2.2 Having assessed the details submitted in relation to the layout, scale, appearance and landscaping of Phase 2, in the context of the Strategic Masterplan Framework, the Design Codes and the outline planning permission which relate to the application site, it is considered that the development proposed would be acceptable in terms of its character and appearance and the quality of life for the occupiers of the proposed dwellings. It is also considered that the development would be acceptable in terms of highways / access / parking, flood risk and nature conservation. Appropriate links with the existing urban area of Maldon and the educational, recreational and community facilities to be provided within the Garden Suburb, would be provided. The details of the recreational facilities proposed would be satisfactory.

3.2.3 Based on the above, it is recommended that the application is approved.

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework 2019 including paragraphs:

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 10-12 Presumption in favour of sustainable development
- 38 Decision-making
- 47-50 Determining applications
- 59-79 Delivering a sufficient supply of homes
- 91- 101 Promoting healthy and safe communities
- 102-111 Promoting sustainable transport
- 117-118 Making effective use of land
- 124-132 Achieving well-designed places
- 148-169 Meeting the challenge of climate change, flooding and coastal change
- 170-183 Conserving and enhancing the natural environment

4.2 Maldon District Local Development Plan 2014 – 2029 approved by the Secretary of State:

- Policy S1 - Sustainable Development
- Policy S2 – Strategic Growth
- Policy S3 – Place Shaping
- Policy S4 – Maldon and Heybridge Strategic Growth
- Policy S8 - Settlement Boundaries and the Countryside
- Policy E1 - Employment
- Policy D1 - Design Quality and Built Environment
- Policy D2 - Climate Change & Environmental Impact of New Development
- Policy D4 - Renewable and Low Carbon Energy Generation
- Policy D5 - Flood Risk and Coastal Management
- Policy H1 – Affordable Housing
- Policy H4 – Effective Use of Land
- Policy N1 - Green Infrastructure Network
- Policy N2 - Natural Environment, Geodiversity and Biodiversity
- Policy N3 - Open Space, Sports and Leisure
- Policy T1 - Sustainable Transport
- Policy T2 - Accessibility
- Policy I1 – Infrastructure and Services

4.3 **Relevant Planning Guidance / Documents:**

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Car Parking Standards
- Essex Design Guide
- Maldon District Design Guide (December 2017)
- South Maldon Garden Suburb Strategic Masterplan Framework Supplementary Planning Document (SPD) (March 2018)
- South Maldon Suburb Strategic Design Code (March 2016)

5. **MAIN CONSIDERATIONS**

- 5.1 The main issues which require consideration as part of the determination of this application are: the principle of the development and the housing mix, the impact of the development on the character and appearance of the area, any impact on the amenity of the occupiers of existing residential properties, the quality of life for the occupiers of the proposed dwellings, highways / access / parking, flood risk, nature conservation, and the acceptability of the details of the sports and recreational facilities proposed (sports pitches, sports pavilion, MUGA, NEAP, LEAP). It is also necessary to consider whether or not the amendments to the scheme have overcome the reason why the last reserved matters application (reference RES/MAL/18/01440).

6. **PRINCIPLE OF DEVELOPMENT AND HOUSING MIX**

- 6.1 Policy S1 refers to the NPPF's presumption in favour of sustainable development and makes specific reference to the local economy, housing growth, effective use of land, prioritising development on previously developed land, design, the environment, sustainable communities, the effects of climate change, avoiding flood risk area, the historic environment, local infrastructure and services, character and appearance, and minimising need to travel.
- 6.2 The principle of the development proposed for this site has been accepted as the site is part of a site allocated for residential development in the LDP and forms part of a larger area of land which benefits from outline planning permission (most recently granted under reference FUL/MAL/18/00071), as part of which means of access to the site were approved. The provision of the dwellings proposed would make a positive and significant contribution to meeting the housing needs of the District, including affordable housing.
- 6.3 In terms of the housing mix proposed, the overall market housing mix for Phases 1 and 2 is as follows:

Dwelling Size	Phase 1	Phase 2	Overall %
1 bed flat	0 (0%)	15 (4.9%)	3.5%
2 bed flat	0 (0%)	31 (10.1%)	7.3%
2 bed house	24 (20.5%)	57 (18.6%)	19.1%
3 bed house	55 (47.0%)	104 (33.8%)	37.5%

Dwelling Size	Phase 1	Phase 2	Overall %
4 bed house	31 (26.5%)	89 (29.0%)	28.3%
5 bed house	7 (6.0%)	11 (3.6%)	4.2%
Total	117 (100%)	307 (100%)	100%

6.3.1 The proportion of smaller units proposed for Phase 2 would, therefore, be 33.6% for Phase 2 and 29.9% when Phases 1 and 2 are combined.

6.4 Condition 26 of the outline planning permission (reference FUL/MAL/18/00071) requires the private market housing mix to be as follows:

Beds	Type	Percentage	Percentages Phases 1 and 2
1	Flats	Minimum 3.4%	3.5%
2	Houses, bungalows, flats	Maximum 26.6%	26.4%
3	Houses	No less than 35%	37.5%
4+	Houses	No more than 35%	32.5%

6.5 The proposed proportion of smaller units as part of the current application for Phase 2 (only 33.6%) would be significantly less than the 60% required to comply with the Strategic Housing Market Assessment (SHMA). However, no objection is raised to the proposed market housing mix as it complies with the requirements of the outline planning permission which was granted when the Council was unable to demonstrate a five-year housing land supply and before the adoption of the LDP. The principle of this level of smaller dwellings has been accepted at outline application stage and it is not something that can be revisited through this reserved matters application.

6.6 99 (24%) of the proposed dwellings would be affordable housing which would maintain an overall 30% contribution across Phases 1 and 2:

Dwelling size	Phase 2	Phase 1	Total
1 bed flat	16	41	57 (31.3%)
2 bed flat	3	12	15 (8.2%)
2 bed house	42	16	58 (31.8%)
3 bed house	2	14	16 (8.7%)
1 bed elderly flat	9	0	9 (4.9%)
1 bed elderly bungalow	9	0	9 (4.9%)
2 bed elderly flat	9	0	9 (4.9%)
2 bed elderly bungalow	9	0	9 (4.9%)
Total	99	83	182 (100%)

- 6.7 The Section 106 Agreement requires the following affordable housing provision:

Unit type	Proportion of total affordable housing units	Proportion proposed, Phases 1 and 2 – 182 total
1 bed flats	32% +/- 2.5%	31.3%
2 bed flats	8% +/- 0.5%	8.2%
2 bed houses	32% +/- 2.5%	31.8%
3 bed houses	8% +/- 0.5%	8.7%
1 bed elderly flats	5%	4.9%
1 bed elderly bungalows	5%	4.9%
2 bed elderly flats	5%	4.9%
2 bed elderly bungalows	5%	4.9%

- 6.8 The affordable housing mix, except for a negligible (one unit) overprovision of three bed houses, complies with the requirements of the Section 106 Agreement. The Housing Officer has confirmed that they have no objection to the affordable housing mix proposed.
- 6.9 Based on the above, it is considered that the principle of the development and the housing mix proposed is acceptable.

7. **DESIGN AND IMPACT ON THE CHARACTER OF THE AREA**

- 7.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high quality built environment for all types of development.
- 7.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The NPPF states that:
- “The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.*
- “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents”.*
- 7.3 The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution in terms of:
- Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;

- Height, size, scale, form, massing and proportion;
 - Landscape setting, townscape setting and skylines;
 - Layout, orientation, and density;
 - Historic environment particularly in relation to designated and non-designated heritage assets;
 - Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
 - Energy and resource efficiency.
- 7.4 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the Maldon District Design Guide (2017).
- 7.5 In addition, policy H4 requires all development to be design-led and to seek to optimise the use of land having regard, among others, to the location and the setting of the site, and the existing character and density of the surrounding area.
- 7.6 The Council envisaged that the South Maldon and North Heybridge Garden Suburbs would be high quality, vibrant and distinctive neighbourhoods that would complement and enrich the character of the Maldon district and protect and enhance the environmental qualities of the area. The garden suburbs are to contain local centres with a mixture of both community and business uses and served by public transport and connections to town centres by accessible and safe walking and cycle routes. They were to have large open spaces and ample landscaping for healthy lifestyles and well-being.
- 7.7 The development is subject to a Strategic Masterplan Framework and Design Codes. The South Maldon Strategic Masterplan Framework has been adopted by the Council as Supplementary Planning Guidance. There are Design Codes for Built Edges, Green Spaces, Green Edges and Primary Streets. A number of parameter plans were also approved as part of the outline planning: ‘Design Parameter Plan – Land Use’, ‘Building Height’, ‘-Residential Density’, ‘Green Infrastructure’ and ‘Movement and Access’. The Design Codes are a set of illustrated design requirements leading from the Masterplan Framework for the strategically important infrastructure that is central in defining the garden suburb character.
- 7.8 There are four broad concept areas defined in the site wide Design Code, three of which are included within the Phase 2 area (Garden Suburb East Character Area – west of Fambridge Road, Garden Suburb North Character Area – south of Limebrook Way and Green Cushion Character Area – adjacent open countryside on southern boundary). The three individual character areas established in Phase 2 are Primary Streets (tree-lined avenues with a formal arrangement and appearance), Shared Surface Streets (blocked paved with no footpaths, with a verdant setting for the houses) and Private Drives (more informal). The proposal has been designed to include a softer edge along the southern boundary which adjoins the rural land beyond. The proposal includes setting back of houses from corner plots with corner-turning designs and feature buildings. The detail of the Primary Street Design Code regarding street tree spacing has had to take account of lighting requirements of Essex County Council (ECC) Highway Adoption Team. This has to be conceded in favour of highway safety and the types of street lights that ECC Highways will adopt.

- 7.9 In terms of density, the 'Residential Density Parameter Plan', approved as part of the outline planning permission, includes an area of high density in the north of this Phase 2 area (35-40dph), an area of medium density in the centre (30-35dph) and an area of low density in the south (20-30dph). The proposed densities have been proposed as 37.35dph for the high-density area, 25.26dph for the medium density area and 24.38dph for the low density area. The medium density area is below that set out in the 'Parameter Plan' (30-35dph) but is acceptable taking into account the location of the site within a Garden Suburb. It is noted that none of the densities proposed exceed the maximum densities allowed within the 'Residential Density Parameter Plan'.
- 7.10 The details of the layout, scale, appearance and landscaping which have been submitted have been developed as part of a pre-application process.
- 7.11 The residential development is divided into a series of blocks separated by a hierarchy of internal roads. The proposed dwellings would be positioned to overlook the roads and greenways so providing natural surveillance. The dwellings proposed along the site's Limebrook Way frontage would be set back from the highway a minimum distance of around 50m and be on slightly lower ground with intervening landscaping which would soften the visual impact of the development. The majority of the eastern boundary of the site would abut the Phase 1 referred to above. The proposed football pitches would be located adjacent to the section of eastern boundary which abuts Farnbridge Road. The former railway line embankment would screen views of the development from the west and the development proposed along the southern boundary of the site would consist of football pitches and public open space with the residential element, which would be low density, single storey bungalows, set behind a landscaped buffer over 35m in width. There would be a variety of house types (including bungalows) and an appropriate palette of materials.
- 7.12 With respect to the apartment blocks proposed, these would be positioned at gateway locations and would be street facing, turn a corner or have open space as a backdrop or setting. The gateway into the garden suburb from Limebrook Way is intended to have a shared character between the local centre and the first residential blocks to provide both a statement entrance and 'Local Centre' character. The three storey residential blocks would relate to the scale and mass of educational, business and community buildings on other side of the Primary Street. Moving eastwards, the appearance changes with lower scale, mass and traditional appearance as it meets the Greenway and Phase 1 approved development that corresponds with the change in Character Area. Where taller and bulkier buildings i.e. flatted blocks are located they face greenways or have landscape buffers as a backdrop or setting and will not, in Officers' opinion, overwhelm their locations. 4no. three storey flatted blocks would be located at gateway locations adjacent the local centre (F1 Affordable over 55s / elderly people 2-bed flats) or at the confluence of greenways and primary streets (Types F3 Affordable, F4 and F5). They are all within Garden Suburb North Character Area that allows for the higher densities and taller buildings.
- 7.13 None of the apartment blocks currently proposed would have flat roofs as the three, flat roofed, contemporarily designed blocks previously proposed as part of application reference RES/MAL/18/01440 are now proposed with pitched roofs. No objection was raised to the previously proposed flat roofs and the addition of pitched roofs would result in these blocks being larger, more bulky buildings without the opportunity to discreetly incorporate photovoltaic panels on the roofs. However, it is

not considered that the addition of these pitched roofs, in the context of the development as a whole, would cause material harm to the character and appearance of the area and an alternative, preferable design approach is not a sustainable reason for refusal. The Urban Design Officer concurs with this view and has advised that the pitched roofed apartment blocks now proposed are not objectionable.

- 7.14 The rural edge on southern boundary is made up of the lowest density and single storey height bungalows. As the street scene curves to the north east to meet the Primary Street away from the rural edge, the storey heights rise to two storey which is acceptable.
- 7.15 The dwellings would consist of a mixture of buildings between one and 2.5 storeys in height, and a mixture of around 17 different house-types across the site, all with pitched roofs and using traditional external materials. The proposed dwellings would not be of uniform style and design but would contain similar architectural features and visual clues. It is considered that the proposal would result in a development that would, overall, have a consistent approach that would result in a visually compatible form of development. It is considered that the character and appearance of the dwellings proposed would be appropriate for this Garden Suburb site.
- 7.16 Affordable housing is spread evenly in clusters across the site in three of the six residential blocks and in each of the Character Areas. The affordable housing layout is considered to be a good design approach and responds to the type of affordable housing needed in the appropriate locations for density and building heights. The approach also satisfies the Maldon District Design Guide requirement (C16) that affordable housing should be indistinguishable from private market housing in terms of location and appearance *‘to encourage social inclusion and community cohesion’*.
- 7.17 The Urban Design Officer has advised that the application has responded effectively to the garden suburb principles set out in the adopted SMGS Strategic Masterplan Framework (SMF) SPD, the endorsed Strategic Design Codes, the design guidance set out in the Maldon District Design Guide (MDDG) SPD and the design section in the Design Codes, subject to:
- a small spur being added to the footpath on Drawing CSA/3000/163 Sports Field Layout and Drawing CSA/3000/170-175 Phase 2 – POS Landscape Proposals Sheet 6 of 6 up to the Phase 2 red line boundary;
 - materials palette for over 55s flatted block (F1) being provided on Drawing 1301.P0.413 Rev A Materials Plan;
 - material detail of balconies for each flatted block to be added to above Materials Plan;
 - amendment to the Hard Landscaping Proposals Sheets 1-13 (CSA3000 149-161) to allow Plots 599 and 574 to have brick walls (instead of close boarded fencing) adjacent the Primary Street.
- 7.17.1 These issues have since been satisfactorily addressed.

- 7.18 The Arboricultural Method Statement submitted, which covers the whole of the Eastern Parcel, concludes:
- two individual trees (T36 and T55), one hedgerow (H57) and sections of hedgerows H28, H34 and H54 will require removal in order to facilitate highway access and accommodate the construction of two culverts.
 - Root Protection Areas (RPAs) of T9, T11, T15, T19, T24 will be impacted by the proposed footpaths and access roads, and as such specialist methods of design such as 'Cellweb 100' and porous material allowing access to water and air to the soil will be required.
 - Root Protection Areas of T51 and T52 are shown as being possibly impacted by the proposed works and may need specialist construction methods implemented.
 - Fixed herras fencing will be required as a protective barrier fencing throughout the duration of the works.
- 7.19 The Tree Consultant has advised that it will be imperative that the arboricultural supervision and liaison is implemented as per the report but that the choice of urban planting is considered acceptable and ties in with enhancing biodiversity and ecological mitigation.
- 7.20 Having assessed the details submitted in relation to the layout, scale, appearance and landscaping of Phase 2, in the context of the Strategic Masterplan Framework, the Design Codes and the approved Parameter Plans which relate to the application site, it is considered that the development proposed would be acceptable in terms of its character and appearance, and appropriate links with the existing urban area of Maldon and the educational, recreational and community facilities to be provided within the Garden Suburb would be provided. There is a variety in materials palette, architectural features and articulation / brick detailing to each unit type and within each Character Area. The hard landscape materials palette is complimentary to the elevation materials palette and the means of enclosure is appropriate. Whilst no objection is raised to the external materials for the buildings proposed, it is considered necessary to require submission of a sample of the materials for approval.

8. IMPACT ON RESIDENTIAL AMENITY

- 8.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the Maldon District Design Guide (2017).
- 8.2 The development proposed would be located at a sufficient distance away from existing residential properties to avoid any adverse impact with respect to privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. A Construction Management Plan is required by condition 81 of the outline planning permission and forms part of current application reference DET/MAL/19/05020.

9. ACCESS, PARKING AND HIGHWAY SAFETY

- 9.1 Policy T2 aims to create and maintain an accessible environment, requiring development proposal, inter alia, to include sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.
- 9.2 The Council's adopted Vehicle Parking Standards SPD contains the parking standards which are expressed as minimum standards. The level of parking provision for cars and cycles proposed complies with the adopted standards.
- 9.3 Essex County Council has advised that they have no comments to make on this proposal. Means of access to the site was approved as part of the existing outline planning permission (reference FUL/MAL/18/00071). Within the site, there would be a hierarchy of roadways along with provision of interconnecting public footpaths and cycleway, the locations of which were set out as part of the outline planning permission. The layout has taken account of Design Parameter Plans approved at outline stage and the location of residential land parcels within the highway and green infrastructure networks. The Phase 2 layout works with the approved Phase 1 layout in terms of connectivity and movement for all modes of transport. The access arrangements for pedestrian and cycle movement is functional and practical for the residential parcels and would provide access to play areas and direct routes to services and facilities off road.
- 9.4 A pedestrian / cycle link will be taken up to the south-eastern most red line boundary on the Phase 2 site so that a link south and outside of the Phase 2 red line boundary could be made from third party land. This will enable the residential properties within Hazeleigh and Mundon villages to reach the sports facilities via the existing PROW into the Garden Suburb.
- 9.5 The proposal would provide adequate pedestrian and cycleway links with the Western Parcel to facilitate access to the facilities to be provided within the Eastern Parcel (local centre, school, allotments, sports facilities etc.) by the Western Parcel residents.
- 9.6 Based on the above, it is considered that the proposal is acceptable with respect to highway safety / access / parking issues.

10. QUALITY OF LIFE FOR THE OCCUPIERS OF THE PROPOSED DWELLINGS

- 10.1 Policy D1 of the approved LDP requires all development to provide sufficient and usable private and public amenity spaces, green infrastructure and public open spaces. In addition, the adopted Maldon Design Guide SPD advises a suitable garden size for each type of dwellinghouse, namely 100m² of private amenity space for dwellings with three or more bedrooms, 50m² for smaller dwellings and 25m² for flats.

- 10.2 The previous application seeking approval for reserved matters (reference RES/MAL/18/01440) was refused as a number of the dwellings proposed would not have been provided with sufficient private amenity space to comply with the standards referred to above. Specifically, the dwellings where this minimum standard would not have been met would have been 2 no. two bed dwellings (40 and 41sq.m.), 13 three-bedroom dwellings (57, 72, 74, 77, 79, 81, 82, 84, 85, 86, 91, 94, 95sq.m.) and 4 no. four bed dwellings (77, 86, 88, 94sq.m.). The development the subject of the current application has been amended through the re-alignment of some of the rear garden boundaries proposed and the substitution of two previously proposed three bedroom units with two bedroom units. As a result, all of the private amenity spaces proposed comply with the recommended minimum sizes. Therefore, the quality of life for the occupiers of the proposed dwellings would be satisfactory and the previous reason for refusal has been overcome.
- 10.3 There would be a total of five blocks of flats within the development (a total of 53 flats), at least half of which would be provided with useable balcony space of at least 5sq.m and all of the flats proposed would be smaller, one or two bedroom, units. There would be an element of communal amenity space for each block but reliance is made on the public open spaces proposed to provide amenity space for the occupiers of the other half of the flats proposed. On balance, the proposal would provide a level of on-site amenity space, both public and private, that would meet the needs of the flat occupiers of the development.
- 10.4 Direct 'back-to-back' distances would generally be at least 25m as recommended in the Essex Design Guide.
- 10.5 The Noise Assessment submitted demonstrates that with closed windows the BS8233 internal noise levels will be met in all properties. However, opening windows for ventilation purposes will increase noise levels. Therefore, alternative means of ventilation for all habitable rooms that front onto Limebrook Way is recommended. This will result in the plots 201 - 218, 223 - 225, 233 - 136, 252, 240 - 242 and 253 - 259 requiring trickle vents and plots 225, 236, 233, 252, 242 and 259 (with gardens parallel to Limebrook Way) requiring boundary treatment in the form of closely boarded fencing [1.8m close-boarded fencing or brick walls are proposed in these locations]. The Environmental Health Officer advised that further evidence That the external day time noise levels to gardens would be below 55dB which has since been provided. They also raised concerns that the properties which would front Limebrook Way would not be provided with noise levels within recommended limits, when windows were open and that trickle vents are proposed as a means of ventilation. However, the proximity of the residential development proposed to Limebrook Way was established as part of the outline planning permission, there would be a distance of around 50m between Limebrook Way and the closest dwelling which would also be at a slightly lower ground level than Limebrook Way and be screened by vegetation. Furthermore, no such issue appears to have been raised as part of the consideration of the neighbouring Phase 1. On this basis, no objection is raised to the development based on traffic noise from Limebrook Way.

11. FLOOD RISK AND DRAINAGE

- 11.1 Policy D5 of the Local Development Plan sets out the Council's approach to minimising flood risk. Policy S1 requires that new development is either located away from high risk flood areas or is safe and flood resilient when it is not possible to avoid such areas.
- 11.2 A Flood Risk Assessment has been submitted to satisfy requirements of conditions 60 (hydraulic flood modelling) and 62 (up to date flood risk assessment taking into account climate change and to demonstrate that the layout has taken into account flood risk, including flood resilient measures and has taken into account surface water run-off entering the site from surrounding land) of the outline planning permission. The FRA covers the whole of the Eastern parcel and not just the land the subject of this reserved matters application.
- 11.3 The FRA advises that the majority of the site is within Flood Zone 1 but the southern portion of the site is within flood zone 3 as a result of a fluvial flood outline from Woodham Mortimer Brook and the south eastern corner of the site is within tidal flood zone 3. No development is intended within any areas of fluvial or tidal flood risk. The mitigation recommended is as follows:
- All Finished Floor Levels (FFL) set 150mm above adjacent ground levels;
 - Football pitches (water compatible) proposed within the corner of the site at risk of tidal flooding;
 - For properties adjacent to tidal flood risk area, elevating FFL of living and sleeping accommodation by 300mm above the anticipated 1 in 200 year plus climate change breach (and overtopping) level (5.00m AOD);
 - In areas adjacent to the fluvial flood risk, FFL should be set as a minimum 300mm above the 1 in 100 year plus 35% climate change flood level;
 - In areas adjacent to surface water flood risk FFL should be set 300mm above adjacent ground levels.
- 11.4 With respect to the risk of flooding from surface water, reservoirs, sewer and/or groundwater, the FRA advises that the risk of flooding from these sources would be low.
- 11.5 The Environment Agency has advised that the site lies within fluvial and tidal Flood Zone 3a defined as having a high probability of flooding. Residential dwellings (Use Class C3) and associated works is classified as a 'more vulnerable' development, as defined in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance. Therefore, to comply with national policy the application is required to pass the Sequential and Exception Tests and be supported by a site-specific FRA. The Agency recommends that, if the application passes these Tests and will be safe for its lifetime, a condition is imposed requiring that the development is carried-out in accordance with the FRA, including the mitigation measures recommended (finished ground floor levels of units that are within the tidal area (units 192, 193, 195, 196 and 197) are set no lower than 5.3m AOD). However, these units referred to form part of Phase 1 and not the current application.

- 11.6 The Environment Agency has also advised that the key points to note from the submitted FRA, are:
- The site lies within the flood extent for a 1% (1 in 100) fluvial and 0.5% (1 in 200) tidal annual probability event, including an allowance for climate change.
 - The site does benefit from the presence of defences.
 - Fluvial modelling has been submitted with the FRA and confirms that all development in the fluvial areas will have floor levels above the 1:100 plus a 35% allowance for climate change event.
 - Finished ground floor levels of units 192, 193, 195, 196 and 197 have been proposed at 5.3m AOD. This is set at the 0.5% (1 in 200) annual probability flood level including climate change and therefore dry of flooding in this event.
 - The FRA has confirmed that there will be safe refuge for units 192, 193, 195, 196 and 197 above the 0.1% (1 in 1000) annual probability flood level of 5.8m AOD.
 - This proposal does have a safe means of access in the event of flooding from all new buildings to an area wholly outside the floodplain up to a 1% (1 in 100) and 0.5% (1 in 200) annual probability including climate change flood event.
 - A Flood Evacuation Plan has been proposed.
 - Flood resilience / resistance measures have not been proposed.
- 11.7 In response to the Environment Agency's comments, the applicant has advised that, on the matter of the Flood Zones, the Environment Agency refer to their planning flood maps which do not take account of existing tidal flood defences and the applicant's approved fluvial and tidal flood mapping work which show no fluvial flooding on site and some minor tidal flooding at the entrance to the development.
- 11.8 The application site forms part of a wider site allocated for residential purposes within the LDP and outline planning permission for residential development has already been granted (most recently under reference FUL/MAL/18/00071). Therefore, it is not necessary for the development to pass either the Sequential Test or the Exceptions Test.
- 11.9 Based on the contents of the FRA submitted and the advice of the Environment Agency it is considered that the development would be safe for its lifetime, subject to the imposition of conditions (as recommended by the Environment Agency but without reference to units 192, 193, 195, 196 and 197 which formed part of Phase 1). The development would, therefore, be acceptable from a flood risk perspective.
- 11.10 Details of foul and surface water drainage were approved as part of planning permission reference FUL/MAL/18/00494 which covers the whole of the Eastern Parcel and are dealt with by conditions 63 (surface water drainage) and 64 (foul drainage) of the outline planning permission. The approved Proposed Drainage Strategy advises that surface water run-off would be dealt with through a network of swales and attenuation basins and ponds to convey and store run-off from the development prior to discharging to Lime Brook and Lime Brook South Arm. Foul waste would be pumped to the foul sewer in Fambridge Road. The Strategy

concludes that the development will not increase flood risk to others and waste water flows generated can be accommodated within the Anglian Water network.

- 11.11 Based on the Proposed Drainage Strategy and the advice of ECC SUDS team, it is considered that the proposed surface water and foul drainage would be acceptable, subject to the imposition of a condition requiring additional information regarding the future management of the surface water drainage system, as required by ECC SUDS team.

12. NATURE CONSERVATION

- 12.1 Policy S1 includes a requirement to conserve and enhance the natural environment, by providing protection and increasing local biodiversity and geodiversity, and effective management of the District's green infrastructure network.
- 12.2 Policy S8 states that the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty.
- 12.3 Policy D1 requires that, amongst other things, all development must respect and enhance the character and local context and make a positive contribution in terms of the natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value (criterion f).
- 12.4 Policy N1 states that open spaces and areas of significant biodiversity or historic interest will be protected. There will be a presumption against any development which may lead to the loss, degradation, fragmentation and/or isolation of existing or proposed green infrastructure.
- 12.5 Policy N2 states that, any development which could have an adverse impact on sites with designated features, priority habitats and/or protected or priority species, either individually or cumulatively, will require an assessment as required by the relevant legislation or national planning guidance. Where any potential adverse effects to the conservation value or biodiversity value of designated sites are identified, the proposal will not normally be permitted.
- 12.6 The Phase 2 Ecological Surveys and Assessment submitted with the application conclude that, overall, the development would have either a neutral or minor positive impact on nature conservation having assessed impacts on the following receptors: Special Area of Conservation (SAC), Special Protection Area (SPA), Ramsar Site, National Nature Reserve (NNR), Sites of Special Scientific Interest (SSSI), Local Wildlife Sites (LWS), Priority Habitats, badgers, bats, birds, reptiles, mammals and water voles.
- 12.7 The Ecological Conservation Management Plan submitted with the application concludes that Limebrook Park East is dominated by arable farmland with some hedgerows, standard trees and two arms of Lime Brook. The arable fields and hedgerows are generally of low ecological value. The brooks are considered to be of higher ecological value. The proposed development scheme for Phase 2 of Limebrook Park East will retain and enhance the brooks and will mitigate for the partial loss of the hedgerows on site by planting sections of hedgerows throughout the

public open space, consisting native woody species to increase biodiversity on site and to benefit wildlife. The development would incorporate bird and bat boxes and hedgehog holes in fences.

12.8 The Environment Agency has provided the following advice, in relation to ecology:

- The Water Framework Directive (WFD) has not been mentioned but they do not anticipate the proposed road crossings over Lime Brook and Lime Brook South Arm (three road crossings in total in Phase 2) to require a WFD assessment.
- The development would include a variety of new and improved habitats both natural and man-made (including native species hedges, hedgehog highways, bat boxes) which will help counter the loss of species-poor hedgerow (approx. 200m) and the loss of arable land.
- They are satisfied that impacts on protected species and designated sites have been considered and where relevant, surveys carried out with mitigating actions identified.
- They are pleased that there would be a suitable buffer around Lime Brook and Lime Brook South Arm which are classified as main rivers, and there are proposals to enhance the brooks with wildlife sensitive cutting regimes.
- In Appendix 2 of the Ecological conservation management plan statement the following needs to be added against Year 1 and Year 2 of 'Wildflower Meadow': When work is carried out during the bird breeding season (March to July inclusive) a check for nesting birds should be made prior to any cutting commencing. If nesting birds are found, work should avoid the nest / nest area to not cause damage or disturbance and cause the bird to abandon.

12.9 The Environment Agency also recommend a condition requiring the implementation of the Ecological Conservation Management Plan Statement (November 2018) and the Phase 2 Ecological Surveys and Assessment (November 2018). This and the recommended change to Appendix 2 of the Management Plan forms part of condition 2, recommended below.

12.10 Natural England has not responded to their consultation. However, Natural England has produced interim advice to ensure new residential development and any associated recreational disturbance impacts on European designated sites are compliant with the Habitats Regulations. The European designated sites within the Maldon District are as follows: Essex Estuaries SAC, Blackwater Estuary SPA and Ramsar site, Dengie SPA and Ramsar site, Crouch and Roach Estuaries SPA and Ramsar site. The combined recreational 'Zones Of Influence' (ZOI) of these sites cover the whole of the Maldon District.

12.11 Natural England anticipate that, in the context of the Local Planning Authority's duty as competent authority under the provisions of the Habitat Regulations, new residential development within these ZOI constitute a likely significant effect on the sensitive interest features of these designated site through increased recreational pressure, either when considered 'alone' or 'in combination'. The application site falls within the ZOI for one or more of the European designated sites scoped into the emerging Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS). This means that the development could potentially have a significant effect on the sensitive interest features of these coastal European designated sites, through

increased recreational pressure. Natural England's general advice is that a Habitats Regulations Assessment (HRA) should be undertaken and a 'proportionate financial contribution should be secured' from the developer for it to be concluded that the development proposed would not have an adverse effect on the integrity of the European sites from recreational disturbance. The financial contribution is expected to be in line with the Essex Coast RAMS requirements to help fund strategic 'off site' measures (i.e. in and around the relevant European designated site(s)) targeted towards increasing the site's resilience to recreational pressure and in line with the aspirations of emerging RAMS.

12.12 However, the current application is seeking approval of matters reserved as part of the outline planning permission and the principle of the acceptability of the development has already been established as part of that extant outline planning permission which specified the maximum number of residential units. The development the subject of the current application would result in no greater impact than the development the subject of the outline planning permission and therefore, it is not necessary for the Local Planning Authority to seek mitigation as part of the current application.

12.13 To accord with Natural England's requirements, a Essex Coast RAMS HRA Record has been completed to assess if the development would constitute a 'Likely Significant Effect' (LSE) to a European site in terms of increased recreational disturbance, as follows:

HRA Stage 1: Screening Assessment – Test 1 - the significance test

Is the development within the Zone of Influence (ZoI) for the Essex Coast RAMS with respect to the below sites? Yes

Does the planning application fall within the specified development types? Yes

HRA Stage 2: Appropriate Assessment- Test 2 – the integrity test

Is the proposal for 100 houses + (or equivalent)? Yes

Is the proposal within or directly adjacent to one of the above European designated sites? No.

12.14 Summary of Appropriate Assessment - As a competent authority, the Local Planning Authority concludes that the development the subject of the current application would result in no greater impact than the development the subject of the outline planning permission (reference OUT/MAL/14/01103) and therefore, it is not necessary for the Local Planning Authority to seek mitigation as part of the current application.

12.15 Based on the above, it is considered that the development proposed would not cause harm to nature conservation and is expected to result in enhancement to the ecological value of the site.

13. SPORTS PROVISION

13.1 The current application includes details of sports pitches, sports pavilion, NEAP, LEAP and MUGA, which were required as part of the outline planning permission.

The sports pavilion would include player and officials changing rooms, a function hall, kitchen and toilets.

- 13.2 The location of the sports pavilion was agreed at Masterplan stage and outline approval. The Urban Design Officer has advised that the design of the sports pavilion has taken account of the further requirements for changing rooms and a community hall. The form of the sports pavilion has taken account of its location in open space at the sensitive southern boundary adjacent open countryside. The asymmetrical roof design of the hall and linear form of the changing rooms lend themselves to green roofs or addition of solar panels to raise the sustainability credentials. The hall and changing rooms are linked but can be used independently of each other. However, the Urban Design Officer notes that there are no details of material palette for the sports pavilion but this could be required by condition. The Urban Design Officer also questions if there are enough benches around play areas and recommends that secure and practical cycle stands are provided at LAPS, LEAPS and NEAPS to encourage cycling but also so that adults and children have safe and secure places to leave bikes whilst playing or sitting. However, this matter can be dealt with in relation to compliance with Schedule 11 of the S106 for the outline planning permission which requires details of the children's play areas (including benches and cycle parking) to be submitted to the Council for approval prior to implementation of a given phase.
- 13.3 Sports England has advised that the design and layout of the proposed sports pitches is broadly supported by them and the Football Foundation. Sports England also advised that the Sports Pitch Performance Specification: paragraph 3.1 should require that an independent agronomist provides detailed input into the design of the playing field rather than input where required and this should be the same independent agronomist that inspects the scheme at the post construction stage. The Specification has since been amended, accordingly.
- 13.4 Sports England originally advised that they would object to the proposal due to concerns regarding the quality of the playing pitches that would be implemented, unless a condition is imposed requiring a contractor's specification for the playing pitches, a long term maintenance programme for the playing fields and a detailed construction programme for the playing pitches to ensure that the construction is programmed for the appropriate times of the year. However, Sports England have since advised that such a condition is not necessary as the matters are already covered by condition 50 of the outline planning permission.
- 13.5 Sports England also advocate that consultation takes place with the potential operator and football clubs that would use the facilities before the design of the sports ground is finalised, which is the subject of an informative below.
- 13.6 With respect to the design and layout of the proposed pavilion, Sports England originally advised that they broadly supported the proposal but requested that a revised floor plan with the internal dimensions of the key facilities including the changing rooms was provided so that they can be checked against the Football Foundation guidance. It was also requested that the internal layout of the pavilion be modified to switch the kitchen with the toilets / hall store to allow the kitchen and an external servery to open out onto the pitches and pavilion terrace. Revised drawings have now been received and Sports England has since advised that the details submitted are acceptable.

- 13.7 The function / sports hall to be included within the proposed sports pavilion is proposed to partly fulfil the developer's obligations within the Section 106 Agreement to provide youth facilities. The Section 106 Agreement requires that the developer makes a financial contribution of at least £541,667 towards youth facilities (50% to be paid prior to first occupation of a residential unit and 50% to be paid prior to the first occupation of the 250th residential unit). 'Youth Facilities' are not defined in the Agreement but it is stated that they can include a skateboarding park and teen shelters, to be provided within and/or in the vicinity of the development. It must be noted that the provision of sports facilities is dealt with separately in the Section 106 Agreement. As the current applicant is willing to construct a function / sports hall (and MUGA) in lieu of part of the financial contribution required, they have submitted details of a MUGA and sports / function hall to be attached to the sports changing rooms they are already required to provide under the terms of the Section 106 Agreement. A formal request to vary the wording of the 'Youth Facilities Contribution' (reference MLA/MAL/19/00101), to allow this change has been submitted and the Council has resolved to agree to the changes but the Deed of Variation has yet to be completed.
- 13.8 It is understood that the Countryside and Coast Manager has raised concerns that the size of the main room of the sports / function hall (height, width and length) would not be sufficient to accommodate some sports (short tennis and badminton in particular). However, under the terms of the Section 106 Agreement, the provision of a building to accommodate these sports is not required, only undefined youth facilities. As highlighted above, the provision of sports facilities is dealt with separately in the Section 106 Agreement. Furthermore, according to Sports England's 'Village and Community Halls Design Guidance Note', a hall of the size proposed (at least 10m x 10m x 3.5m) could accommodate a range of sports (aerobics, martial arts, boxing, table tennis and darts). On this basis, it is considered that the proposed sports / function hall would meet the requirement for the provision of youth facilities within the Section 106 Agreement.

14. OTHER MATERIAL CONSIDERATIONS

- 14.1 The Air Quality Assessment submitted provides the following conclusions:
- Concentrations of Nitrogen Dioxide (NO₂), Particulate Matter (PM)₁₀ and PM_{2.5} have been predicted at sensitive human health and compared with the relevant air quality standards. The results of the assessment indicate that traffic associated with the development is unlikely to result in an exceedance of the air quality objectives at either existing or proposed human receptor locations.
 - The predicted annual mean NO₂ concentrations are >75% of the air quality objective at several locations. The significance of the impact has been assessed as 'moderate adverse' at one receptor in Woodham Mortimer and 'minor adverse' at a number of receptors in Maldon and Danbury.
 - The significance of the impact on PM₁₀ and PM_{2.5} concentrations at receptor locations has been assessed as negligible at all existing receptor locations.
 - At the boundary of the Proposed Development, the predicted pollutant concentrations are well within (≤75%) the air quality objectives.

- At the identified habitat sites, predicted airborne concentrations of NO_x exceed the air quality objectives, however there is no statutory requirement for compliance in urban areas. A minor adverse impact on nutrient nitrogen deposition rates at the River Chelmer Beeleigh to Fullbridge LWS and Maldon Wick and Maldon Wycke Meadow Local Nature Reserve (LNR) has been predicted.
- In order to minimise any potential operational impacts associated with the Proposed Development the Masterplan includes the provision of a continuous foot / cycle path between the site and Maldon town centre. In addition, two bus services will be re-routed to pass through the wider development. A Sunday shuttle-bus service has also been proposed.

14.2 The Environmental Health Officer previously considered that further mitigation should be included but did not indicate what further measures could be added. Officers do not raise objection to the reserved matters application on the basis of air quality and consider that the mitigation proposed is sufficient.

15. **ANY RELEVANT SITE HISTORY**

- **SCR/MAL/13/01169**– Request for a Screening Opinion for Development south of Limebrook Way, Maldon – Required.
- **OUT/MAL/14/01103** - Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure – Approved, following completion of a Section 106 Agreement, 01.12.2016.
- **FUL/MAL/16/01454** - Variation of conditions 5, 13 & 14 on approved planning permission OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.) – Approved 16.02.2017 - Deed of variation subsequently completed 26.02.2018.
- **FUL/MAL/16/01458** - Variation of condition 11 and removal of condition 12 on planning permission OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.) – Approved 16.02.2017.

- **NMA/MAL/17/00367** - Application for non-material amendment following grant of Planning Permission of OUT/MAL/14/0110 as amended by permissions FUL/MAL/16/01454 & FUL/MAL/16/01458 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure) Amendment sought: Amendment to conditions 5 & 6 – Approved 26.04.2017.
- **FUL/MAL/17/00396** - Variation of condition 27 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.) – Approved 24.07.2017 - Deed of variation subsequently completed 26.02.2018.
- **FUL/MAL/18/00070** - Variation of condition 7 on approved application FUL/MAL/17/00396 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.) – Approved 13.04.2018.
- **FUL/MAL/18/00071** - Variation of conditions 5,13,21,25,43,53,55,61, 63,67,68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.) – Approved 13.04.2018.
- **FUL/MAL/18/00494** - Application for infrastructure works, including; foul and surface water drainage, provision of highways, proposed site levels and associated works. Approved 17.08.2018.
- **RES/MAL/18/00531** - Approval of reserved matters (layout, scale, appearance and landscaping) for Phase 1 of the Eastern Parcel of the wider Land South of Wycke Hill and Limebrook Way site (LPA Application Ref. FUL/MAL/18/00071), comprising the construction of 200 residential dwellings (Use Class C3) and associated works. Approved 11.09.2018.

- **PROW/MAL/18/00831** - Diversion of a public footpath 8 PROW 253 Undetermined.
- **ADV/MAL/18/01066** - Moveable advertisements attached to hoardings, no more than 100m in length in total, to promote the District of Maldon and the South Maldon Garden Suburb. Approved 16.11.2018.
- **ADV/MAL/18/01176** – 10 sign panels measuring 3,050mm by 1,500mm and one sign panel measuring 57,339mm by 2,140mm. 9no. flags 1,000mm by 2,000mm attached atop 6,000mm poles. Approved 15.11.2018.
- **SCR/MAL/18/01396** - Request for Environmental Impact Assessment Screening Opinion for a proposed development of up to 40 additional residential units. Not required.
- **FUL/MAL/18/01439** - Redevelopment to provide 33 residential units (Class C3) together with associated infrastructure. Refused 12.03.2019.
- **FUL/MAL/18/01440** - Approval of reserved matters (layout, scale, appearance and landscaping) for Phase 2 of the Eastern Parcel of the wider Land South of Wycke Hill and Limebrook Way site (LPA Application Ref. FUL/MAL/18/00071), comprising the construction of 406 residential dwellings (Use Class C3) and associated work – Refused 25.03.2019.
- **DET/MAL/18/05066** - Compliance of conditions notification of approved application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67,68,69,74,81,84 on approved application OUT/MAL/14/01103) Condition 7 - Strategic phasing plan. Approved 08.06.2018.
- **DET/MAL/18/05078** - Compliance with conditions notification FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61, 63,67,68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.) Condition 45 - Trees & hedgerows. Condition 47 - Position & proposed depth of excavation trenches for all services. Condition 54 - Allotments plan. Condition 61 - Management & maintenance of all watercourses. Condition 64 - Foul water drainage. Condition 67 - Submission of archaeological assessment. Condition 68 - Secured implementation of archaeological assessment. Condition 74 - Contaminated land assessment. Condition 81 - Construction Environmental Management Plan (CEMP). Condition 84 - Superfast broadband. Approved 05.10.2018.
- **DET/MAL/18/05193** - Compliance of conditions notification of approved application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67,68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school,

two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.) Condition 7 - Strategic phasing plan. Approved 09.01.2019.

- **DET/MAL/19/05007** - Compliance with conditions notification of approved application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67,68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)). Condition 56 – Materials (Phase 1) Undetermined.
- **DET/MAL/19/05020** - Compliance with conditions notification of approved application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67,68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)) Conditions 45 - Trees & Hedges. Condition 47 - Trenches. Condition 50 - Assessment of ground conditions. Condition 73 - Noise impact assessment. Condition 76 - Validation report. Condition 81 - Construction environmental management plan. Undetermined.
- **MLA/MAL/19/00101** - Application for a modification to Section 106 legal agreement executed under planning application FUL/MAL/16/01454 – resolution to agree 21.03.2019 but Deed of Variation yet to be completed.

16. CONSULTATIONS AND REPRESENTATIONS RECEIVED

16.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Maldon Town Council	Recommends approval.	Noted.
Woodham Mortimer with Hazeleigh	No response received	

16.2 Statutory Consultees and Other Organisations (summarised)

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
ECC Archaeology	In response to the previous application they advised that the archaeological fieldwork has been completed for this site. For these reasons no archaeological recommendations are being made with regard to this application.	Noted.
Anglian Water Services	No response received.	
Essex and Suffolk Water	No response received.	
ECC Education	In response to the previous application they advised that they had no comments to make.	Noted.
Essex Bat Group	No response received.	
ECC SUDS team	No objection - the updated drainage strategy is in line with the principles previously agreed during the outline planning application and should be subject to any conditions that were previously agreed as part of that strategy.	Noted – informatives as recommended by ECC SUDS team are recommended below
Essex County Fire and Rescue	Access for fire service purposes is satisfactory. Developer urged to consider installation of Automatic Water Suppression Systems	Noted – an informative to this effect is recommended below.
Natural England	No response received.	
Environment Agency	No objections subject to imposition of a condition and informatives.	Noted - refer to paragraphs 11.5-11.9 of report and condition 3 recommended below with respect to flood risk, and section 12 of report with respect to nature conservation

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Essex Police Designing Out Crime	Secured by Design is a flagship initiative by the Police Force in the UK to support the designing out of crime. We would welcome the opportunity to consult on this phase of the development to assist the developer with their obligation under this policy and to assist with compliance of Approved Document "Q" at the same time as achieving a Secured by Design award to the current Homes 2019 guidelines. To make any meaningful comment we would require the finer detail such as the proposed lighting, boundary treatments and physical security measures especially as this development sits within a key area of Maldon, Essex. From experience pre-planning consultation is always preferable in order that security, landscaping and lighting considerations for the benefit of the intended residents and those neighbouring the development are agreed prior to a planning application.	Noted – an informative covering these issues is recommended below.
Essex Wildlife Trust	No response received.	
Essex County Highways	No comments to make but informatives recommended.	Noted – refer to section 9 of report. The informatives are recommended below.
The Maldon Society	No response received.	
NHS Property Services	No response received.	
Sport England	Generally supportive.	Noted – an informative regarding user consultation is recommended below.
North East Essex Badger Protection Group	No response received.	

16.3 Internal Consultees (summarised)

Name of Internal Consultee	Comment	Officer Response
Urban Design	No objections raised. The application has responded effectively to the garden suburb principles set out in the adopted SMGS SMF SPD, the endorsed Strategic Design Codes and the design guidance set out in the MDDG SPD and the design section in the Design Codes.	Refer to section 7 of report.
Housing Officer	In response to the previous application they advised that the Applicant is providing 30% affordable provision across Phase 1 and 2 and therefore Strategic Housing fully supports this application which will provide affordable housing to meet the needs of the district.	Noted – refer to section 6 of report.
Emergency Planner	As this development does not lie within a flood zone, no comment to make in relation to Emergency planning on this application.	Noted
Environmental Health	The biggest issues with the acoustic report are: - Further evidence that the external day time noise levels to the gardens of properties will be below 55dB would be appropriate. - The Noise Assessment report suggests that satisfactory internal noise level can only be achieved with windows closed. This is at variance with our additional guidance in which the stated aim is to achieve suitable levels with windows open.	Noted – refer to section 10 of report.
Tree Consultant	In response to the previous application, no objection raised. Comments on current application awaited.	Noted – refer to section 7 of report.

Name of Internal Consultee	Comment	Officer Response
Waste Management Officer	In response to the previous application they advised: 1. Please confirm that the blocked paving is of highways standard and suitable for a 26 tonne refuse vehicle. 2. Elderly Residents Flats and apartment blocks - no bin store has been identified - a dedicated bin store which is within 10 metres of an adopted highway required. 3. There are high number of shared driveways - for some of the longer shared driveways a dedicated collection point where there are 3 or more properties to be serviced would be advisable. 4. Please note that the developer will have to purchase refuse and recycling containers for all properties including individual properties. Please contact the Waste Team for details on waste.services@maldon.gov.uk	Noted – 1. The block paved roads which form part of the proposed refuse collection strategy submitted would need to be suitable for a 26 tonne refuse vehicle and this matter is part of an informative recommended below. 2. Amended drawings have now been received which include bin storage for all flats / apartments. 3. The proposed arrangements for shared driveways are the same as for Phase 1 i.e. no collection point where four or less units. 4. Comment regarding container purchase is part of an informative recommended below.
Economic Development	In response to the previous application, no objections raised - proposal has indicated its sustainability and will contribute significantly economically to the Maldon District in terms of infrastructure, economic benefit for local retail and service centres, as well as employment opportunities, both during the build and in the future.	Noted.
Countryside and Coast Manager	In response to the previous application they advised that the proposal is acceptable from an ecology perspective subject to the implementation of the recommendations in the Ecological Assessment. Comments on the current application are awaited.	Noted – refer to section 12 of report. Recommended condition 2 below requires the implementation of the recommendations of the ecological reports.

16.4 Representations received from Interested Parties (*summarised*)

16.4.1 No letters were received.

17. **PROPOSED CONDITIONS**

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

Site Plans

Proposed Site Layout (1:1000) FINC 1301.P0.400 rev.N
Proposed Site Layout (Limebrook North) 1:500 FINC 1301.P0.401 rev.C
Proposed Site Layout (1:500) FINC 1301.P0.402 rev.C
Location Plan FINC 1301.P0.403
Coloured Site Layout FINC 1301.P0.404 rev.A

Parameter Plans

Proposed Parking Layout FINC 1301.P0.411 rev.C
Proposed Density Plan FINC 1301.P0.412 rev.D
Proposed Materials Layout FINC 1301.P0.413 rev.C
Proposed Garden Layout FINC 1301.P0.414 rev.B
Proposed Refuse Strategy FINC 1301.P0.415 rev.C
Proposed Storey Heights FINC 1301.P0.416 rev.B
Proposed Affordable Housing Plan FINC 1301.P0.417 rev.B

House Types

House Type PA25 - Plans & Elevations FINC 1301-HT-PA25-V1-500
House Type PA25 - Plans & Elevations FINC 1301-HT-PA25-V3-502
House Type PA25 - Plans & Elevations (Special) FINC 1301-HT-PA25-V4-503
House Type PA25 - Plans & Elevations (Special) FINC 1301-HT-PA25-V5-504
House Type PA25 - Plans & Elevations (Special) FINC 1301-HT-PA25-V6-505
House Type PA25 - Plans & Elevations FINC 1301-HT-PA25-V7-506
House Type B3 - Plans & Elevations FINC 1301-HT-B3-V1-510
House Type B3 - Plans & Elevations FINC 1301-HT-B3-V2-511
House Type B3 - Plans & Elevations FINC 1301-HT-B3-V3-512
House Type B3 - Plans & Elevations FINC 1301-HT-B3-V4-513
House Type B3 - Plans & Elevations FINC 1301-HT-B3-V5-514
House Type NA32 - Plans & Elevations (Special) FINC 1301-HT-NA32-V1-520
House Type NA32 - Plans & Elevations FINC 1301-HT-NA32-V2-521
House Type NA32 - Plans & Elevations FINC 1301-HT-NA32-V3-522
House Type NA32 - Plans & Elevations FINC 1301-HT-NA32-V4-523
House Type NA32 - Plans & Elevations (Special) FINC 1301-HT-NA32-V5-524
House Type NA32 - Plans & Elevations (Special) FINC 1301-HT-NA32-V6-525
House Type NA32 - Plans & Elevations FINC 1301-HT-NA32-V7-526
House Type NT30 - Plans & Elevations FINC 1301-HT-NT30-V1-530
House Type NT30 - Plans & Elevations (Special) FINC 1301-HT-NT30-V2-531
House Type NT30 - Plans & Elevations (Special) FINC 1301-HT-NT30-V3-532
House Type NT30 - Plans & Elevations FINC 1301-HT-NT30-V4-533
House Type NT32 - Plans & Elevations FINC 1301-HT-NT32-V1-540
House Type NT32 - Plans & Elevations (Special) FINC 1301-HT-NT32-V3-542
House Type NT32 - Plans & Elevations (Special) FINC 1301-HT-NT32-V4-543
House Type WOODMAN - Plans & Elevations FINC 1301-HT-WDMN-V1-550
House Type WOODMAN - Plans & Elevations FINC 1301-HT-WDMN-V2-551
House Type WOODMAN - Plans & Elevations FINC 1301-HT-WDMN-V4-553
House Type WOODMAN - Plans & Elevations FINC 1301-HT-WDMN-V5-554

House Types continued

House Type WOODMAN - Plans & Elevations FINC 1301-HT-WDMN-V6-555
House Type WOODMAN - Plans & Elevations FIN 1301-HT-WDMN-V7-556
House Type WOODMAN - Plans & Elevations FINC 1301-HT-WDMN-V8-557
House Type WOODMAN - Plans & Elevations FINC 1301-HT-WDMN-V9-558
House Type WOODMAN - Plans & Elevations FINC 1301-HT-WDMN-V10-559
House Type NB32 - Plans & Elevations FINC 1301-HT-NB32-V1-560rev.A
House Type B4 - Plans & Elevations FINC 1301-HT-B4-V1-570
House Type B4 - Plans & Elevations FINC 1301-HT-B4-V2-571
House Type B4 - Plans & Elevations FINC 1301-HT-B4-V3-572
House Type PA44 - Plans & Elevations FINC 1301-HT-PA44-V1-580
House Type PA44 - Plans & Elevations FINC 1301-HT-PA44-V2-581
House Type NT41 - Plans & Elevations FINC 1301-HT-NT41-V1-590
House Type NT41 - Plans & Elevations FINC 1301-HT-NT41-V2-591
House Type NA43 - Plans & Elevations FINC 1301-HT-NA43-V1-600
House Type NA43 - Plans & Elevations FINC 1301-HT-NA43-V2-601
House Type NA43 - Plans & Elevations FINC 1301-HT-NA43-V3-602
House Type NA43 - Plans & Elevations FINC 1301-HT-NA43-V4-603
House Type NT42 - Plans & Elevations FINC 1301-HT-NT42-V1-610
House Type NT42 - Plans & Elevation FINC 1301-HT-NT42-V2-611
House Type NT42 - Plans & Elevations FINC 1301-HT-NT42-V3-612
House Type NT42 - Plans & Elevations FINC 1301-HT-NT42-V4-613
House Type NT42 - Plans & Elevations FINC 1301-HT-NT42-V5-614
House Type NT42 - Plans & Elevations FINC 1301-HT-NT42-V6-615
House Type NT42 - Plans & Elevations FINC 1301-HT-NT42-V7-616
House Type PT45 - Plans & Elevations FINC 1301-HT-PT45-V1-620
House Type PT45 - Plans & Elevations FINC 1301-HT-PT45-V2-621
House Type PT45 - Plans & Elevations FINC 1301-HT-PT45-V3-622
House Type PT45 - Plans & Elevations FINC 1301-HT-PT45-V4-623
House Type PT45 - Plans & Elevations FINC 1301-HT-PT45-V5-624
House Type PA49 - Plans & Elevations FINC 1301-HT-PA49-V1-630
House Type PA49 - Plans & Elevations FINC 1301-HT-PA49-V2-631
House Type PA49 - Plans & Elevations FINC 1301-HT-PA49-V3-632
House Type PA49 - Plans & Elevations FINC 1301-HT-PA49-V4-633
House Type PA49 - Plans & Elevations (Special) FINC 1301-HT-PA49-V5-634
House Type PA49 - Plans & Elevations (Special) FINC 1301-HT-PA49-V6-635
House Type PA49 - Plans & Elevations FINC 1301-HT-PA49-V7-636
House Type PA49 - Plans & Elevations FINC 1301-HT-PA49-V8-637
House Type PA49 - Plans & Elevations FINC 1301-HT-PA49-V9-638
House Type PA49 - Plans & Elevations FINC 1301-HT-PA49-V10-639
House Type NA51 - Plans & Elevations (Special) FINC 1301-HT-NA51-V1-640
House Type NA51 - Plans & Elevations FINC 1301-HT-NA51-V2-641
House Type NA51 - Plans & Elevations FINC 1301-HT-NA51-V3-642
House Type NA51 - Plans & Elevations FINC 1301-HT-NA51-V4-643
House Type NA51 - Plans & Elevations FINC 1301-HT-NA51-V6-644
House Type NA51 - Plans & Elevations FINC 1301-HT-NA51-V7-645
House Type NA50 - GA Plans FINC 1301-HT-NA50-V1-650
House Type NA50 – ELEVATIONS FINC 1301-HT-NA50-V1-651
House Type NA50 - GA Plans FINC 1301-HT-NA50-V2-652
House Type NA50 – ELEVATIONS FINC 1301-HT-NA50-V2-653
House Type NA50 - GA Plans FINC 1301-HT-NA50-V3-654

House Types continued

House Type NA50 – ELEVATIONS FINC 1301-HT-NA50-V3-655
House Type B1 - Plans & Elevations FINC 1301-HT-B1-V1-660
House Type B1 - Plans & Elevations FINC 1301-HT-B1-V2-661
House Type B1 - Plans & Elevations FINC 1301-HT-B1-V3-662
House Type B2 - Plans & Elevations FINC 1301-HT-B2-V1-670
House Type B2 - Plans & Elevations FINC 1301-HT-B2-V2-671
House Type PT22 - Plans & Elevations FINC 1301-HT-PT22-V1-680
House Type AA23 - Plans & Elevations FINC 1301-HT-AA23-V1-690
House Type AA23 - Plans & Elevations FINC 1301-HT-AA23-V2-691
House Type AA31 - Plans & Elevations FINC 1301-HT-AA31-V2-701
PRIVATE APARTMENTS F4 - GA PLANS FINC 1301-HT-F4—720rev.A
PRIVATE APARTMENTS F4 - GA PLANS FINC 1301-HT-F4—721rev.A
PRIVATE APARTMENTS F4 – ELEVATIONS FINC 1301-HT-F4—722rev.A
PRIVATE APARTMENTS F5 - GA PLANS FINC 1301-HT-F5—725rev.A
PRIVATE APARTMENTS F5 - GA PLANS FINC 1301-HT-F5—726rev.A
PRIVATE APARTMENTS F5 – ELEVATIONS FINC 1301-HT-F5—727rev.A
RETIREMENT APARTMENTS F1 - GA PLANS FINC 1301-HT-F1—740rev.A
RETIREMENT APARTMENTS F1 - GA PLANS FINC 1301-HT-F1—741rev.A
RETIREMENT APARTMENTS F1 – ELEVATIONS FINC 1301-HT-F1—
742rev.A
AFFORDABLE APARTMENTS F2 - GA PLANS FINC 1301-HT-F2--750
AFFORDABLE APARTMENTS F2 – ELEVATIONS FINC 1301-HT-F2--751
AFFORDABLE APARTMENTS F3 - GA PLANS FINC 1301-HT-F3—752
AFFORDABLE APARTMENTS F3 - GA PLANS FINC 1301-HT-F3—753rev.A
AFFORDABLE APARTMENTS F3 – ELEVATIONS FINC 1301-HT-F3—
754rev.A
House type NNN29 (ALDBURY) -V1 – Plans and elevations - 1301-HT-NB32-V1-780

Garages and Car Ports

Garage - Single V1 FINC 1301-GAR-V1-750
Garage - Single V2 FINC 1301-GAR-V2-751
Garage - Single V3 FINC 1301-GAR-V3-752
Garage - Single V4 FINC 1301-GAR-V4-753
Garage - Single V5 FINC 1301-GAR-V5-754
Garage - Single V6 FINC 1301-GAR-V6-755
Garage - Single V7 FINC 1301-GAR-V7-756
Garage - Single V8 FINC 1301-GAR-V8-757
Garage - Single V9 FINC 1301-GAR-V9-758
Garage - Double V1 FINC 1301-GAR-V1-759
Garage - Double V2 FINC 1301-GAR-V2-760
Garage - Double V3 FINC 1301-GAR-V3-761
Garage - Twin V1 FINC 1301-GAR-V1-762
Garage - Twin V2 FINC 1301-GAR-V2-763
Garage - Twin V3 FINC 1301-GAR-V3-764
Garage - Twin V4 FINC 1301-GAR-V4-765
Garage - Twin V5 FINC 1301-GAR-V5-766
Garage - Twin V6 FINC 1301-GAR-V6-767
Garage - Twin V7 FINC 1301-GAR-V7-768
Single Car Port FINC 1301-GAR-769
Double Car Port FINC 1301-GAR-770

Sports Pavilion

Proposed Sports Pavilion (Plans and Elevations) FINC 1301.P1.800rev.F

Landscaping Drawings / Documents

Boundary Design Details CSA Environmental CSA/3000/125

POS Design Details CSA Environmental CSA/3000/126rev.A

Phase 2 - Soft Landscape Proposals - Sheet 1 of 13 CSA Environmental
CSA/3000/200

Phase 2 - Soft Landscape Proposals - Sheet 2 of 13 CSA Environmental
CSA/3000/201

Phase 2 - Soft Landscape Proposals - Sheet 3 of 13 CSA Environmental
CSA/3000/202

Phase 2 - Soft Landscape Proposals - Sheet 4 of 13 CSA Environmental
CSA/3000/203

Phase 2 - Soft Landscape Proposals - Sheet 5 of 13 CSA Environmental
CSA/3000/204

Phase 2 - Soft Landscape Proposals - Sheet 6 of 13 CSA Environmental
CSA/3000/205

Phase 2 - Soft Landscape Proposals - Sheet 7 of 13 CSA Environmental
CSA/3000/206

Phase 2 - Soft Landscape Proposals - Sheet 8 of 13 CSA Environmental
CSA/3000/207

Phase 2 - Soft Landscape Proposals - Sheet 9 of 13 CSA Environmental
CSA/3000/208

Phase 2 - Soft Landscape Proposals - Sheet 10 of 13 CSA Environmental
CSA/3000/209

Phase 2 - Soft Landscape Proposals - Sheet 11 of 13 CSA Environmental
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Topographical Survey

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Technical Drawings / Documents

Levels Strategy (Sheet 1 of 5) Ardent Consulting Engineers Z517_130rev.P1
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Technical Drawings / Documents continued

Adoptable Highway Construction Details Ardent Consulting Engineers

Z517_115 rev.P1

Contours & Geometry & Levels (Sheet 1 of 5) Ardent Consulting Engineers

Z517_110rev.P1

Contours & Geometry (Sheet 2 of 5) Ardent Consulting Engineers

Z517_111rev.P1

Contours & Geometry (Sheet 3 of 5) Ardent Consulting Engineers

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Z517_114rev.P1

Highways Note Ardent Consulting Engineers Z517-03

Design and Access Statement FINC 1301.DAS

Air Quality Assessment Brookbanks 10523/AQ/01

Noise Assessment Brookbanks 10523/NA/01

Energy Statement Energist Dec-18

Arboricultural Method Statement Southern Ecological Solutions Dec-18

Balcony Design Intent for Houses/Flats F1-F5

REASON To ensure that the development is carried out in accordance with the details as approved.

- 2 The development shall be carried-out in accordance with the Ecological Conservation Management Plan Statement (November 2018) and the Phase 2 Ecological Surveys & Assessment (November 2018), including the following elements:

- Scrub planting
- Wildflower meadow planting.
- Tree and native hedge planting.
- SuDS creation.
- Retention and biodiversity enhancement of Lime Brook and Lime Brook South Arm and as per 3.24 to 4.3 and Appendix 2 of the Ecological Conservation Management Plan Statement (November 2018).
- Bat sensitive lighting.
- Installation of bat and bird boxes at suitable locations.
- Hedgehog highways.
- Badger mitigation as outlined in 1.5 of the Ecological Conservation Management Plan Statement (November 2018)

REASON To ensure the protection of wildlife and supporting habitat. Also, to secure opportunities for enhancing the site's nature conservation value in accordance with policies N1 and N2 of the Approved Maldon District Local Development Plan, the South Maldon Garden Suburb Strategic Masterplan Framework Supplementary Planning Document, National Planning Policy Framework (NPPF) and Planning Policy Guidance (PPG).

- 3 The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) referenced Z515-02 and dated April 2018. The mitigation measures shall be fully implemented prior to occupation of any of the residential dwellings hereby approved.
REASON To reduce the risk of flooding to the proposed development and future occupants, in accordance with the NPPF and Policy D5 of the Maldon District Approved Local Development Plan.
- 4 Samples of all materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority prior to their use on site. The development shall be carried out using the materials and details as approved.
REASON To ensure the external appearance of the development is appropriate to the locality in accordance with policies S3 and D1 of the Approved Maldon District Local Development Plan, the South Maldon Garden Suburb Strategic Masterplan Framework Supplementary Planning Document, NPPF and PPG.
- 5 The following shall be added to Appendix 2 of the Ecological conservation management plan statement against Year 1 and Year 2 of 'Wildflower Meadow': When work is carried out during the bird breeding season (March to July inclusive) a check for nesting birds should be made prior to any cutting commencing. If nesting birds are found, work should avoid the nest / nest area to not cause damage or disturbance and cause the bird to abandon.
REASON In the interests of nature conservation, in accordance with policies N1 and N2 of the Approved Maldon District Local Development Plan, the South Maldon Garden Suburb Strategic Masterplan Framework Supplementary Planning Document, NPPF and PPG.
- 6 No dwelling shall be occupied until details of how the proposed management company services for the maintenance of shared drainage features will be funded and managed for the lifetime of the development. The drainage features shall be maintained in accordance with the approved details.
REASON To reduce the risk of flooding to the proposed development and future occupants, in accordance with the NPPF and Policy D5 of the Maldon District Approved Local Development Plan.
- 7 No dwelling shall be occupied until details of a scheme of boundary treatment and landscaping for the area annotated 'Proposed Additional Units Layout' along with a timetable for its implementation, has been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.
REASON In the interests of the character and appearance of the area, in accordance with policies S3 and D1 of the Approved Maldon District Local Development Plan, the South Maldon Garden Suburb Strategic Masterplan Framework Supplementary Planning Document, NPPF and PPG.
- 8 The vehicle parking and turning areas as indicated on the approved plans shall be retained, as approved, in perpetuity for their intended purpose.
REASON To ensure that appropriate parking and turning is provided in order to prevent conditions of obstruction, congestion and danger to residents and

other road users, in accordance with Policies D1 and T2 of the Maldon District Approved Local Development Plan.

INFORMATIVES

- 1 Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed Sustainable Drainage System (SuDs) which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.
- 2 Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
- 3 Changes to existing water courses may require separate consent under the Land Drainage Act before works take place.
- 4 It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch / pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
- 5 Environmental Permit for Flood Risk Activities - the applicant may need an environmental permit for flood risk activities if they want to do work in, under, over or within 8 metres (m) from a fluvial main river and from any flood defence structure or culvert or 16m from a tidal main river and from any flood defence structure or culvert. Lime Brook, Lime Brook South Arm and Woodham Mortimer Brook are all designated a 'main river'. Application forms and further information can be found at: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. Anyone carrying out these activities without a permit where one is required, is breaking the law.
- 6 The Environment Agency has provided the following advisory comments on the Ecological survey and assessment submitted:
 - (a) Any silt management should be undertaken sensitively with regard to fish and wildlife, with no negative impact on the banks and its vegetation.
 - (b) Although negative impacts on Great Crested Newt (GCN) have been ruled out, as records have been found recently, it is recommended that as much rough grassland should be left as possible to support the population which is still potentially present even though no signs were found.
 - (c) The applicant and future companies who manage the development and watercourses are referred to the guidance here <https://www.gov.uk/guidance/owning-a-watercourse> regarding 'responsibilities and rules to follow for watercourses on or near your property, and permissions you need to do work around them.'
 - (d) Measures should be undertaken to ensure wash water from wheel washing is not discarded to any watercourses.
 - (e) The entrance road to the north-west of Phase 2 and the other proposed crossings of Lime Brook north are not within Phase 2 however it is suggested that consideration is given to otters (a Priority species) and their ability to navigate the Brooks once structures are established.

Many other casualties are due to them having to navigate roads when they are unable to use the watercourse as they normally would due to high water levels for example. They refer the applicant to the information here

<http://www.standardsforhighways.co.uk/ha/standards/dmr/vol10/section4/ha8199.pdf>

- 7 Sports England recommends that the applicant consults with the potential operator (if known) of the sports ground and local football clubs that would be expected to use the facilities to seek their views on the design and layout of the pitches and pavilion in order to ensure that the design is responsive to the needs of the operator and the local community as well as meeting the more general technical requirements covered in this response. The Football Foundation has advised that Maldon Saints Football Club for instance have expressed an interest in using the site. The applicant is advised to contact David Burnham at Maldon District Council for further information about potential football clubs that may use the sports ground.
- 8 Essex County Fire and Rescue urges the developer to consider installation of Automatic Water Suppression Systems.
- 9 The Council's Waste Management Officer advises that the block paved roads which form part of the proposed refuse collection strategy submitted would need to be suitable for a 26 tonne refuse vehicle and the developer will have to purchase refuse and recycling containers for all properties including individual properties. Please contact the Waste Team for details on waste.services@maldon.gov.uk
- 10 All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within six weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.
- 11 Any trees and non-standard materials / equipment proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for a period of 15 years following construction.
- 12 All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO3 - Essex Highways,
Unit 36,
Childerditch Industrial Park,
Childerditch Hall Drive,
Brentwood,
Essex, CM13 3HD.

- 13 The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.
- 14 Essex Police Designing Out Crime advise that Secured by Design is a flagship initiative by the Police Force in the UK to support the designing out of crime and they would welcome the opportunity to consult on this phase of the development to assist the developer with their obligation under this policy and to assist with compliance of Approved Document "Q" at the same time as achieving a Secured by Design award to the current Homes 2019 guidelines. To make any meaningful comment they would require the finer detail such as the proposed lighting, boundary treatments and physical security measures especially as this development sits within a key area of Maldon, Essex.

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