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APOLOGIES

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

26 May 2020

Dear Councillor

You are summoned to attend the meeting of the;

DISTRICT PLANNING COMMITTEE

on **WEDNESDAY 3 JUNE 2020 at 1.00 pm.**

Please note that this will be a **remote meeting** – Members to access the meeting via Microsoft Teams. Members of the press and public may listen to the live stream on the Council's website

<https://democracy.maldon.gov.uk/ieListDocuments.aspx?CIId=277&MIId=2136>.

A copy of the agenda is attached.

Yours faithfully



Director of Strategy, Performance and Governance

Please note:

Electronic copies of this agenda and its related papers
are available via the Council's website www.maldon.gov.uk.

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AGENDA DISTRICT PLANNING COMMITTEE

WEDNESDAY 3 JUNE 2020

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

2. **Apologies for Absence**

3. **Minutes of the last meeting** (Pages 9 - 14)

To confirm the Minutes of the meeting of the District Planning Committee held on 12 March 2020 (copy enclosed).

4. **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.)

5. **20/00387/RES Land West of 2 Maldon Road, Burnham-on-Crouch** (Pages 15 - 54)

To consider the report of the Director of Service Delivery, (copy enclosed and Members' Update to be circulated).

6. **Any other items of business that the Chairman of the Committee decides are urgent**

Note:

1. The Council operates a facility for public participation. This will operate only in relation to the consideration and determination of planning applications under Agenda Item No. 5.
2. The Committee may consider representation from one objector, one supporter, a Parish / Town Council representative, and the applicant / agent. Please note that the opportunity to participate is afforded only to those having previously made written representation.
3. Anyone wishing to participate must register by completing the online form (link below) no later than noon on the working day before the Committee meeting
https://forms.office.com/Pages/ResponsePage.aspx?id=VH_RilQmuUumwvI0YlcqFJCd4KzoXBdDs1brNZU39TJUNKY5QzBXOVFSQzdBUIZIUk1VSjAxTjVRRy4u.
4. For further information please ring 01621 875791 or 876232 or see the Council's website – www.maldon.gov.uk/committees

* Please note the list of related Background Papers attached to this agenda.

NOTICES

Sound Recording of Meeting

Please note that the Council will be recording and publishing on the Council's website any part of this meeting held in open session. At the start of the meeting an announcement will be made about the recording.

BACKGROUND PAPERS

The Background Papers listed below have been relied upon in the preparation of this report:

1. The current planning applications under consideration and related correspondence.
2. All third party representations and consultation replies received.
3. The following Statutory Plans and Supplementary Planning Guidance, together with relevant Government legislation, Circulars, Advice, Orders, Directions and Guidance:

Development Plans

- Maldon District Local Development Plan approved by the Secretary of State 21 July 2017
- Burnham-On-Crouch Neighbourhood Development Plan (2017)

Legislation

- The Town and Country Planning Act 1990 (as amended)
- Planning (Listed Buildings and Conservation Areas) Act 1990
- Planning (Hazardous Substances) Act 1990
- The Planning and Compensation Act 1991
- The Planning and Compulsory Purchase Act 2004 (as amended)
- The Planning Act 2008
- The Town and Country Planning (General Permitted Development) Order 1995 (as amended)
- The Town and Country Planning (Development Management Procedure) (England) Order 2010
- The Town and Country Planning (Use Classes) Order 1987 (as amended)
- The Town and Country Planning (Control of Advertisements) (England) Regs 2007
- The Town and Country Planning (Environmental Impact Assessment) Regs 2011
- Localism Act 2011
- The Neighbourhood Planning (General) Regulations 2012 (as amended)
- The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)
- Growth and Infrastructure Act 2013
- Housing and Planning Act 2016
- Neighbourhood Planning Act 2017
- The Town and Country Planning (Brownfield Land Register) Regulations 2017

Supplementary Planning Guidance and Other Advice

i) Government policy and guidance

- National Planning Policy Framework (NPPF) - 2018
- Planning Practice Guidance (PPG)
- Planning policy for Traveller sites - 2015
- Relevant government circulars
- Relevant Ministerial Statements (as referred to in the report)
- Essex and South Suffolk Shoreline Management Plan – October 2010

ii) Essex County Council

- Essex Design Guide 1997 (Note: superseded by Maldon District Design Guide 2018)
- Essex and Southend on Sea Waste Local Plan 2017
- Essex Minerals Local Plan 2014

iii) Maldon District Council

- Five Year Housing Land Supply Statement 2017 / 18
- Maldon District Design Guide – 2017
- Maldon and Heybridge Central Area Masterplan - 2017
- Infrastructure Delivery Plan (All versions, including update in Council's Hearing Statement)
- Infrastructure Phasing Plan (January 2015 and January 2017 update for Examination)
- North Heybridge Garden Suburb Strategic Masterplan Framework - 2014
- South Maldon Garden Suburb Strategic Masterplan Framework – 2014 (adapted as Supplementary Planning Document (SPD) 2018)
- Vehicle Parking Standards SPD - 2018
- Renewable and Low Carbon Technologies SPD – 2018
- Maldon District Specialist Housing SPD – 2018
- Affordable Housing and Viability SPD – 2018
- Accessibility to Buildings SPD – December 2006
- Children's Play Spaces SPD – March 2006
- Sadd's Wharf SPD – September 2007
- Heybridge Basin Timber Yard SPD – February 2007
- Developer Contributions Guide SPD - 2010
- Heybridge Basin Village Design Statement – 2007
- Wickham Bishops Village Design Statement – 2011
- Woodham Walter Village Design Statement – 2011
- Althorne Village Design Statement
- Woodham Walter Village Design Statement
- Various Conservation Area Appraisals

All Background Papers are available for inspection at the Maldon District Council Offices, Princes Road, Maldon, Essex CM9 5DL during normal office hours.

For further information please call 01621 876232 or 875791
or see the Council's website – www.maldon.gov.uk.



**MINUTES of
DISTRICT PLANNING COMMITTEE
12 MARCH 2020**

PRESENT

Chairman	Councillor R G Boyce MBE
Vice-Chairman	Councillor Mrs P A Channer, CC
Councillors	E L Bamford, M G Bassenger, Miss A M Beale, B S Beale MBE, V J Bell, Mrs J L Fleming, A S Fluker, B E Harker, M S Heard, M W Helm, A L Hull, K W Jarvis, K M H Lagan, C Mayes, C P Morley, C Morris, S P Nunn, N G F Shaughnessy, R H Siddall, N J Skeens, Mrs J C Stilts, Mrs M E Thompson and Miss S White

944. CHAIRMAN'S NOTICES

The Chairman referred to the notices printed on the agenda.

945. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M F L Durham, M R Edwards, W Stamp and C Swain.

946. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the District Planning Committee held on 30 January 2020 be approved and confirmed.

947. DISCLOSURE OF INTEREST

Councillor Mrs PA Channer, CC, declared a non-pecuniary in all items on the agenda as a member of Essex County Council, a consultee on highways, access, education, flooding and any other matters within their remit.

948. 19/01097/RES - LAND SOUTH OF WYCKE HILL AND LIMEBROOK WAY (WESTERN), MALDON, ESSEX

Application Number	19/01097/RES
Location	Land South Of Wycke Hill And Limebrook Way (Western) Maldon Essex
Proposal	Reserved matters application for the approval of appearance, landscaping, layout and scale for Phase 1 of the Western Parcel of planning permission 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) comprising 106 residential dwellings (Use Class C3), new public open space and car parking.
Applicant	Crest Nicholson (Eastern)
Agent	Ms Catherine Williams – Savills
Target Decision Date	19.03.2020
Case Officer	Kathryn Mathews
Parish	MALDON WEST
Reason for Referral to the Committee / Council	Strategic site in the Approved Local Development Plan

Following the Officer's presentation Mr Owen, Planning Manager for Crest Nicholson (Eastern), addressed the Committee.

A lengthy debate ensued during which Members commented on the application and a large number of questions were raised. In response to these questions Officers provided the following information:-

- That parking spaces did not comply with the Council's current parking standards but no objection could be raised as they complied with the standards required when the outline planning permission was granted. The garages were large enough to be counted as parking spaces and would be included in the parking provision. All road widths and layout had been approved by Essex County Council Highways Department and the site will have two points of access.
- That affordable housing and housing mix would comply with the s106 agreement across the Western Parcel as a whole. That it was normal in developments of this size that different phases ended up with a different mix of housing.

- That garden sizes complied with the recommended minimum standards. Additional condition would take into account the provision of bat and bird boxes.
- That the Anglian Water Informative confirmed that the sewage pumping station was situated offsite at 15 metres from the development therefore did not constitute a noise nuisance. That on review of layout issues raised by Essex County Council Highways officers had determined that the loss of open green spaces outweighed other concerns therefore the layout would remain as is. Furthermore, the road was a cul-de-sac with little traffic.
- That Broadband requirements formed part of the original outline planning permission and would be dealt with in the normal way. With reference to communal waste storage areas it was noted that these were not necessary as the development comprised individual houses not flats. That electric charging points were not included as they did not form part of the requirements of the outline planning permission.
- That management of water courses, public spaces etc. would be the responsibility of the management company which would include representative(s) of residents and was covered by the s106 agreement linked to the outline planning permission .
- That Maldon District Council did not have a policy in place to protect the provision of small properties therefore there would be no justification to take away permitted developments rights to require that the number of bedrooms were not increased.
- That the outline planning permission conditioned the provision of bridleways on the western and southern site boundaries which would form part of future phases of the development .

In accordance with Procedure Rule No. 13 (3) Councillor C Morris requested a recorded vote on this application. This was duly seconded.

The Chairman put the proposal to approve the Officer's recommendation as set out in the report together with the additional condition relating to the approved Ecological Conservation Management Plan to the Committee. In line with the earlier proposal there was a recorded vote as follows:-

For the recommendation:

Councillors E L Bamford, M G Bassenger, Miss A M Beale, B S Beale, R G Boyce, Mrs P A Channer, J L Fleming, A S Fluker, B E Harker, M S Heard, M W Helm, K W Jarvis, C P Morley, S P Nunn, Mrs N G F Shaughnessy, R H Siddall, Mrs M E Thompson and Miss A S White.

Against the recommendation:

Councillors K M H Lagan, C Morris, N Skeens, and J Stilts.

Abstention:

Councillors V J Bell, A J Hull and C Mayes.

The motion was thereby agreed.

RESOLVED that the application be **APPROVED** subject to conditions as detailed in section 8 of the report with the inclusion of an additional condition as detailed below:

4. The development shall be completed in accordance with the approved Ecological Conservation Management Plan and Statement rev.H December 2019 including the Ecological Enhancement Plan for Phase 1 in Appendix 3. The proposed integrated bat boxes, swift boxes and ‘hedgehog highways’ shall be provided in accordance with the approved details before the relevant dwellings, which are to include these ecological enhancements, are occupied. The general bat and bird boxes shall be provided within 1 month of the occupation of the last dwelling within the development hereby approved. All of these ecological enhancements shall be retained as approved in perpetuity.

REASON: To ensure that the approved measures are fully implemented in the interests of nature conservation in accordance with Policies S1, D1, N2 of the Maldon District Approved Local Development Plan and the NPPF.

949. 19/01257/FUL - LAND BETWEEN CHANDLERS AND CREEKSEA LANE, MALDON ROAD, BURNHAM-ON-CROUCH, ESSEX

Application Number	19/01257/FUL
Location	Land Between Chandlers and Creeksea Lane, Maldon Road, Burnham-On-Crouch, Essex
Proposal	Erection of 36 dwellings, with associated off-street parking, public open space and landscaping
Applicant	David Wilson Homes Eastern Counties
Agent	N/A
Target Decision Date	02.03.2020 (EoT to be agreed for: 18.03.2020)
Case Officer	Anna Tastsoglou
Parish	BURNHAM NORTH
Reason for Referral to the Committee / Council	Strategic site within the strategic submitted Local Development Plan

It was noted from the Members’ Update that a letter of objection and a Construction Method Statement had been received. With reference to the latter Members were advised that as a result of this Condition 10 on page 92 of the report was no longer necessary and that the pre-commencement conditions on page 79 of the report on the agenda were no longer relevant.

Following the Officer’s presentation, Mr Webber, on behalf of David Wilson Homes Eastern Counties, addressed the Committee.

A debate ensued during which a number of Members raised concerns regarding over development, education requirements, non-compliance with parking standards, strain on the National Health Service (NHS), loss of green space, no cycle or bridle pathways and social isolation.

Councillor Bell addressing the Burnham-on-Crouch Neighbourhood Development Plan raised concerns regarding the current number of additional dwellings being proposed given the original overall number had been agreed at 180 for this site and the fact that development overall in the area was already 62% over its 15 years target.

Councillor Skeens echoed these concerns and reiterated that development was already massively over the allocation for Burnham-on-Crouch and the infrastructure was not in place to support this over development. He proposed that the application be refused as contrary to the neighbourhood plan. This was duly seconded.

Councillor Fluker reminded Members that this piece of land was meant to act as a buffer between residential and industrial buildings. The schools were already at capacity with children having to attend schools in other villages causing social problems. This development was more intrusive than the original in that it negated the semi-rural nature of the area. He summed up by stressing the need to acknowledge the Neighbourhood Plan given the amount of work that had gone into it.

Councillor Mrs Channer felt that the harm afforded by this development outweighed the benefits. To agree this would be doing the residents a disservice given the loss of valuable open space together with a deficient Heads of Terms and the lack of additional NHS contributions. She concluded by noting that the application was contrary to both the Burnham-on-Crouch Neighbourhood Development Plan and the Local Development Plan (LDP).

In accordance with Procedure Rule No. 13 (3) Councillor C Morris requested a recorded vote on this application. This was duly seconded.

A discussion ensued around demonstrable harm during which the Lead Specialist Place outlined what impact the concerns already raised would have on the final decision and what constituted potential harm. The Chairman then requested reasons for refusal from Members.

Councillor Skeens having already proposed that the application be refused contrary to the Officer's recommendation outlined the reasons of over development, unacceptable urbanisation, and the non-completion of a s106 agreement. This was duly seconded.

The Chairman put the proposal to refuse the application, contrary to the Officer's recommendation, to the Committee. In accordance with an earlier proposal a recorded vote was taken as follows:

For the refusal:

Councillors E L Bamford, M G Bassenger, B S Beale, V J Bell, Mrs P A Channer, a s Fluker, B E Harker, M S Heard, M W Helm, A J Hull, K W Jarvis, C Mayes, C P Morley, C Morris, S P Nunn, MRS N G F Shaughnessy, N Skeens, MRS M E Thompson and MISS S White.

Against the refusal:

Councillors A M Beale, J L Fleming, KMH Lagan and R H Siddall.

Abstention:

Councillors R G Boyce, and J Stilts.

The motion was thereby agreed.

RESOLVED that the application be **REFUSED** for the following reasons:

- 1 The use of the land, previously approved to be used as landscaped area and public open space, for residential purposes would erode the quality of development at the

strategically allocated site and result in unacceptable urbanisation to the detriment of the character and appearance of the strategically allocated site and the wider area. This is unacceptable and contrary to the National Planning Policy Framework (2019), policies S1, S2, S6, D1 and N1 of the Maldon District Local Development Plan (2017), policies S1 and HO.5 of the Burnham-on-Crouch Neighbourhood Development Plan (2017) and the guidance contained in the Maldon District Design Guide SPD (2017).

- 2 The proposed development, by reason of its layout, impact on the living conditions of the future occupiers of a number of dwellings and the shortfall in size of the proposed garages is considered to result in overdevelopment of site to the detriment of the character of the area contrary to the National Planning Policy Framework (2019), policies S1, S2, S6, D1 and T2 of the Maldon District Local Development Plan (2017), policies S1, HO.1 and HO.5 of the Burnham-on-Crouch Neighbourhood Development Plan (2017) and the guidance contained in the Maldon District Design Guide SPD (2017).

950. ANY OTHER ITEMS OF BUSINESS THAT THE CHAIRMAN OF THE COMMITTEE DECIDES ARE URGENT

The meeting closed at 9.17 pm.

R G BOYCE MBE
CHAIRMAN



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
DISTRICT PLANNING COMMITTEE
03 JUNE 2020

Application Number	20/00387/RES
Location	Land North West of 2 Maldon Road, Burnham-on-Crouch
Proposal	Reserved matters application for the approval of appearance, landscaping and scale on approved planning application OUT/MAL/18/00443 (Create retirement community consisting of 103No. one, two and three-bedroom bungalows (class C.3), 70 bedroom two-storey care home building (class C.2) and 55 bedroom two-storey assisted living apartment building (class C.3) including affordable housing. Erect ancillary community centre, 8No. shops (class A.1) with 8No. key workers apartments over in two-storey building, two-storey medical centre (GP, dental, optician, and dispensing chemist), and construct single-storey office and Maintenance Buildings. Lay Out Amenity and Sports Facilities Including Outdoor Swimming Pool, tennis courts, allotments and open spaces. Lay out estate roads, footpaths and surface water drainage infrastructure including swales and detention Basin. Form vehicular and pedestrian accesses onto B1010 Maldon Road and Tinkers Hole, and create associated hard and soft landscaping)
Applicant	Mr Jamie Moccock – Think Green Land Limited
Agent	Mr Stewart Rowe – The Planning & Design Bureau Limited
Target Decision Date	16.07.2020
Case Officer	Devan Hearnah
Parish	BURNHAM NORTH
Reason for Referral to the Committee / Council	Major Application This application is presented before Members of District Planning Committee as it is of strategic and corporate merit and because there is a Planning Performance Agreement in place.

1. RECOMMENDATION

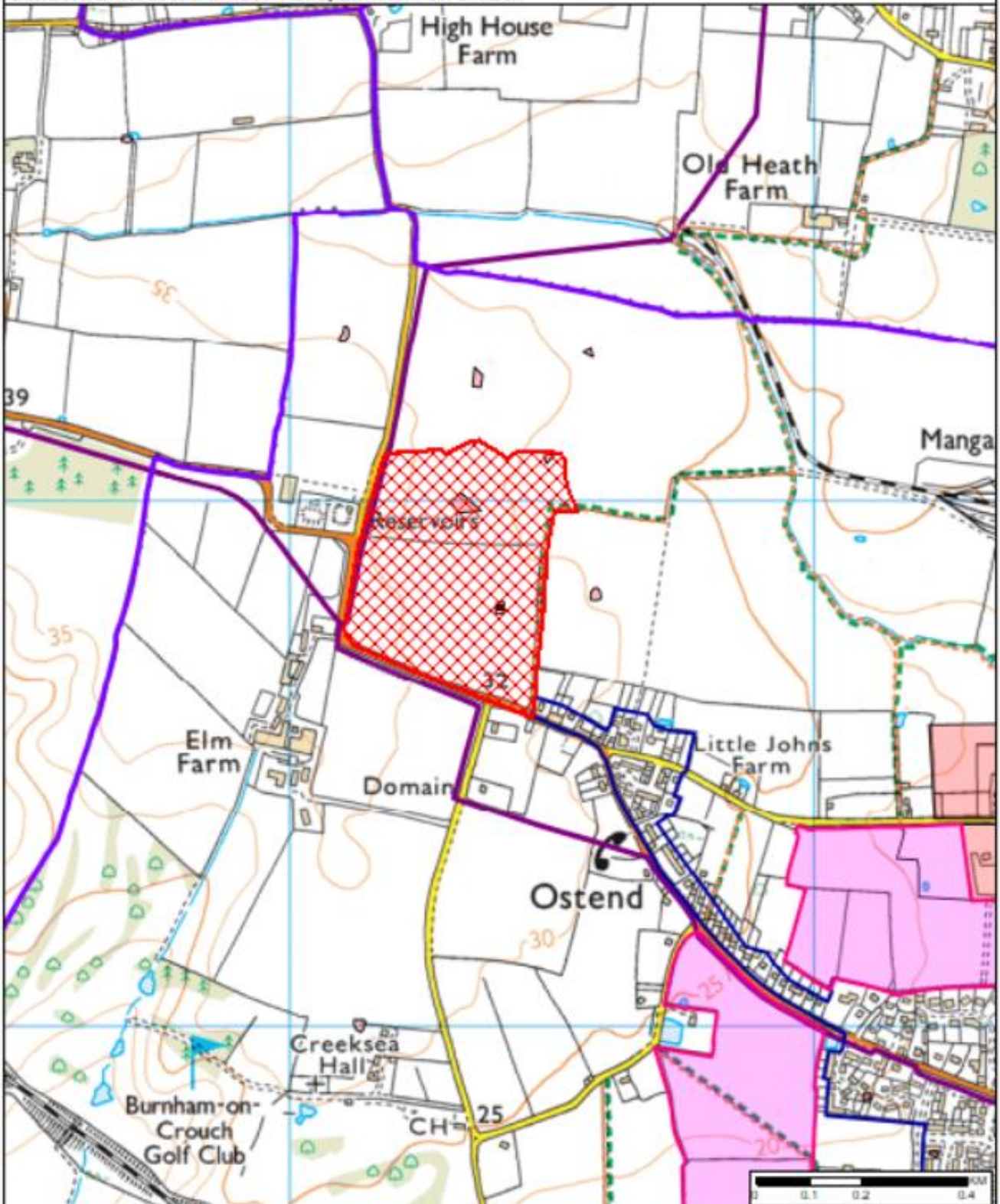
APPROVE subject to the conditions (as detailed in Section 8 of this report),

2. SITE MAP

Please see overleaf.

20/00387/RE S

Land North West of 2 Maldon Road, Burnham-on-Crouch



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Maldon District Council 100018588 2014



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Scale: 1:10,000

Organisation: Maldon District Council

Department: Department

Comments: District Planning

Date: 04/05/2020

MSA Number: 100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

Application Site and Background

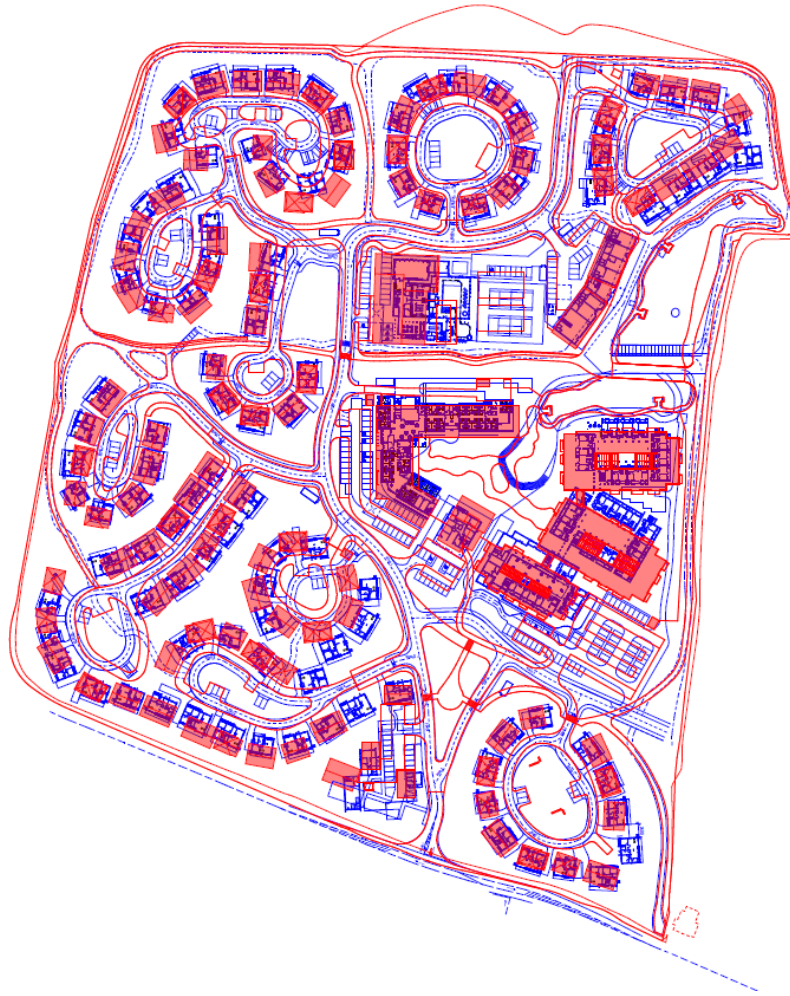
- 3.1.1 The site is approximately 15.7 hectares in size, located to the north of Maldon Road, east of Tinkers Hole and west of the Burnham-on-Crouch settlement boundary. The villages of Althorne and Southminster are sited approximately 2 miles to the west and 3 miles to the northeast respectively. The section of Maldon Road that abuts the application site is a 60mph (miles per hour) stretch of public highway, while Tinkers Hole is a minor rural road with less frequency usage.
- 3.1.2 The site is almost a rectangular shaped parcel of land and it is arable land, bounded by hedgerows along the south, east and west boundaries. A hedgerow line and ditch also traverses the site. It is stated that the ditch is hydraulically linked to another ditch running on the north-south direction along the eastern boundary of the site. A public footpath runs along the eastern boundary, which is lined up with mature trees and hedgerows.
- 3.1.3 Within the site an 8-metre easement exists for water utilities, which extends 4 metres either side of the subterranean main water pipe, running in an east-west direction, almost parallel with the ditch, continuing to the south along the eastern boundary of the site. Another easement relating to another water pipe and electricity main traverses the site from the reservoir to the west of the site in a southeast direction, continuing along the northern boundary of the dwellings along Maldon Road. Following consultation undertaken with National Gas, as part of the Outline Application, it has been highlighted to the Authority that a gas pipeline runs along the western boundary of the site.
- 3.1.4 The surrounding area to the north, south and west of the application site is predominantly undeveloped, comprising large agricultural fields. Burnham Reservoir is sited immediately adjacent to the west of the site, while Elm Farm and Elmwood Equestrian Centre are to the southeast, consisting mainly of agricultural style buildings and two dwellings that appear to be used in association with the equestrian use. To the east of the site there are mainly large-scale dwellings, erected in a linear layout along the Maldon Road.
- 3.1.5 Topographically the area is broadly flat, sloping marginally on the northeast direction, falling approximately 7.5 metres in elevation. The level of incline along the northern boundary is approximately 6.5m towards the east, while along the eastern boundary is around 3m towards the north. The site is located within Flood Zone 1.
- 3.1.6 With regard to services, a café is located around 115 metres from the site and a petrol station approximately 450m to the southeast of the site on Maldon Road. The nearest bus stop is located approximately 110m to the southeast of the site. The Burnham-on-Crouch Railway Station is situated around 1.3 miles away from the site. The High Street of Burnham-on-Crouch is approximately 1.9 miles away.
- 3.1.7 It is noted that to the east of the application site, north and south of Maldon Road, the area is undergoing considerable change, due to large scale residential developments

having been granted planning permission following allocation for development within the Local Development Plan (LDP). These two sites are approximately 0.5 miles to the east of the application site.

- 3.1.8 The application site benefits from outline planning permission with the matters of access and layout approved (18/00443/OUT) . Condition 1 of the outline planning permission requires the matters of appearance, landscaping, and scale to be addressed through a reserved matters application, which is the subject of this current application.
- 3.1.9 The approved development allows for the creation of a retirement community involving the erection of 103 no. one, two- and three-bedroom detached bungalows, along with a two-storey building containing 55 independent living flats and a 70 bedroom care home with a dedicated dementia care element. Various associated facilities and elements of infrastructure were also included in the form of a community centre, indoor and outdoor sports and social facilities, a medical centre, a small parade of shops with workers accommodation at first-floor and associated office and maintenance staff and equipment buildings.

Proposal

- 3.1.10 As stated above this application follows the granting of outline permission under application (18/00443/OUT) which was granted on 13 September 2019. As the matters of layout and access were considered and approved at the outline permission stage, this application has been submitted to deal with the matters of appearance, landscaping and scale.
- 3.1.11 The development as proposed includes the provision of 103 bungalows, which will be sited within the northern, southern and western areas of the site. The ‘central hub’ would be located in the centre / eastern side of the site and will contain a medical centre, a 70-bedroom care home with a dedicated dementia care element, 55 independent living flats, a parade of shops with apartments for those working at the site at first floor, and a community hub / centre containing indoor and outdoor sports and social facilities, including both an indoor and outdoor swimming pool. The site offices and maintenance buildings will be located within the southern part of the site.
- 3.1.12 The layout proposed reflects the layout approved at outline, but with refinements to the shape of some of the buildings, road radiuses and also the shape of bodies of water and footpaths through the site. The overlay overleaf highlights the proposed changes in blue against the scope of the approved layout (red) which is addressed at section 5.1



3.1.13 Access was also approved at outline stage. The vehicular and pedestrian access to the site would be gained off of Maldon Road on the south side of the application site. A secondary emergency vehicular access would be provided on the western side of the application site taken off Tinkers Hole, north of the Maldon Road. Within the site, with the exception of the main road running in a north / south direction, ten cul-de-sac roads would be formed to provide access to the small residential clusters. In addition to the pedestrian access taken from Maldon Road, the emergency access onto Tinkers Hole would be utilised as pedestrian and cycle access. Footpaths would be created throughout the site and around its periphery. Traffic speed within the site would be restricted to 20mph.

3.1.14 The surface finish of the internal roads and driveways will consist of vehicular asphalt on the main estate roads, and various types of block paving within the secondary access roads and driveways.

3.1.15 The proposed development would include fourteen bungalow types which are summarised as follows:

Reference	Bedrooms	Width	Depth	Eaves Height	Ridge Height
Bungalow Type 1 A-M	1	11.5m	11.3m (max)	2.4m	5.5m
Bungalow Type 1-A-F	1	11.5m	11.3m (max)	N/A flat roof	4.2m (max)

Reference	Bedrooms	Width	Depth	Eaves Height	Ridge Height
Bungalow Type 1-A-P	1	11.5	11.3m (max)	2.4m	5.2m
Bungalow Type 1-B-M	1	11.6m	11.5m (max)	2.9m	5.9m
Bungalow Type 1-B-P	1	11.5m	11.6m (max)	2.4m	5.5m
Bungalow Type 1-A-P	1	11.5m	11.1m (max)	2.7m	5.3m (max)
Bungalow Type 2-A-M	2	13.9m	11.8m (max)	2.7m	5.9m
Bungalow Type 2-A-P	2	13.9	11.8m (max)	2.4m	5.6m
Bungalow Type 2-B-F	2	14m	11.7m (max)	N/A flat roof	4.2m (max)
Bungalow Type 2-B-P	2	14m	11.7m (max)	2.7m	5.5m
Bungalow Type 2-B-M	2	14m	17.7m (max)	2.8m	5.9m
Bungalow Type 3-A-F	3	15.1m	12.5m (max)	N/A flat roof	4.2m (max)
Bungalow Type 3-A-M	3	15.1m	12.5m (max)	4.1m (max)	5.8m
Bungalow Type 3-A-P	3	15.1m	12.5m	2.7m	5.7m

- 3.1.16 The bungalows are largely arranged in cul-de-sac arrangements consisting of ten groups with small open spaces in the centre. The bungalows situated along Maldon Road however, are laid out to continue the existing ribbon development along the road and the established front building line.
- 3.1.17 The bungalows are of varying styles and design with some flat roof style properties, some with gable roof forms and some mixed. The submitted plans show the use of a mixture of brick, timber cladding, composite cladding and slate roof tiles.
- 3.1.18 Parking will be provided either to the front or sides of the bungalows in the form of driveways with some visitor parking provided within the centre of the 'courtyards'.
- 3.1.19 The proposal also includes the provision of 55 independent living units, 50 of which will be provided as affordable housing. The mix of apartments consists of No.45, one bed units and No.10, two bed units. The independent living units will be provided within three blocks within the eastern part of the site. Block 1, located furthest to the south, will feature a number of communal facilities at ground and first floor consisting of facilities and services such as a hairdressing room, cinema room, communal lounge, staff facilities, large dining area with indoor and outdoor seating and a scooter store. In the centre of the blocks are communal courtyards consisting of soft landscaping. There is also some outdoor seating provided within Block 3.
- 3.1.20 The three blocks are linked via two storey walkways. The overall building has a flat roof and would be finished in grey / brown facing brickwork, powder coated aluminium windows and doors, fibre cement cladding and 1.1m high railings to balconies and the rooftop perimeter. The majority of the building has a height of 7.2m but it has a maximum height of 8.8m to accommodate the roof plant. There will also be solar panels located on the roof of Block 1. The footprint of the building would have a total area of 5,429m².
- 3.1.21 The independent living units will be served by 54 parking spaces, including three disabled spaces, eight cycle spaces provided in a shelter shared with the proposed

Medical Centre, three electric charging points and ten scooter storage spaces with one charging point per scooter, within Block 1. The vehicle parking is provided to the southeast of Block 1.

- 3.1.22 The proposed care home element of the development is also two-storey in height and would specialise in dementia care. The facility would have 70 beds, communal spaces, dining and catering facilities.
- 3.1.23 The building would be 'J-shaped' with a flat roof measuring mostly 9.4m in height but with a maximum height of 9.9m inclusive of maintenance facilities on the roof. The overall footprint of the building would be 4,010.8m². The finish materials would consist of brown / grey brickwork, powder coated aluminium windows and doors, timber lining to reveals and soffits, a 1.1m high rooftop railing, fibre cement cladding and louvres for solar shading. Solar panels will be fixed to the roof of the building.
- 3.1.24 A two-storey medical centre is proposed to the west of Block 1 of the independent living units. The centre will provide pharmacy facilities, GP (General Practitioner) consultation rooms, dialysis, MRI (Magnetic Resonance Imaging) facilities, psychiatric consultation rooms, Dentist, Optometrist and Paediatric facilities and dementia care. The building would have a flat roof design with a height of 6.1m and would be rectangular in footprint measuring 17.8m in width and 23m in depth. There would be an external staircase to the west elevation. The building will largely consist of glass and full length glazing with supports for the flat roof.
- 3.1.25 On the southern side of the medical centre would be fifteen car parking spaces, two of which would be disabled spaces. A covered cycle parking area has also been provided and is shared by those within the independent living units.
- 3.1.26 To the north of the care home would be the 'community hub'. This would provide sports facilities, including both indoor and outdoor pools and a gym along with a community bar and indoor and outdoor seating areas. The outside space would consist of two tennis courts.
- 3.1.27 The palette of materials will be consistent with those used throughout the scheme; the building would be finished in brown / grey brick and timber cladding and materials such as polycarbonate cladding. The building would have a flat roof design measuring a maximum of 9.7m in height and have a total internal footprint of 1,896m².
- 3.1.28 The 'community hub' would provide 35 vehicle spaces, ten cycle spaces, and two vehicle charging points.
- 3.1.29 To the east of the 'community hub' would be a mixed-use area consisting of eight Class A1, A3 and A5 units at ground floor and eight flats at first and second floor, which would provide accommodation for those working within the site. The proposed building would face onto the body of water within the northeast of the application site. It would have a more traditional design than the other buildings proposed with a red brickwork finish, gable dormer windows and a covered parade area to the front of the shops. The building would have a width of 66m and a depth of 14.9m, with an overall height of 10m.

3.1.30 The proposed opening hours are as follows:

- A1 shops:
 - 07:30 hours – 21:00 hours Monday to Saturday;
 - 08:00 hours – 18:00 hours Sundays and Bank Holidays.
- A3 Restaurants and Cafes:
 - 07:30 hours – 23:00 hours Monday to Saturday;
 - 08:00 hours – 22:00 hours Sundays and Bank Holidays.
- A5 Hot Food takeaways:
 - 11:00 hours – 22:00 hours Monday to Saturday;
 - 11:00 hours – 22:00 hours Sundays and Bank Holidays.

3.1.31 The proposal also includes the provision of site offices located within the south of the site to the northwest of the site entrance. The buildings will consist of a staff office, security office, maintenance ‘barn’ and sales office which is based on the bungalow Type 2-A-M design. The buildings would be finished in the palette of materials used for the remainder of the site i.e. brick, cladding and slate roof tiles. There is also a substation proposed within the north of the site.

3.1.32 There are four refuse stores proposed around the site to serve the bungalows and each commercial element of the site will also have their own refuse store. The bin stores will consist of gabion walls with galvanised steel roofs. Each of the bungalows will be able to place their refuse and recycling out in the cul-de-sacs on the designated days and staff will use buggies to transport these to the refuse areas.

3.1.33 In terms of landscaping, a Landscape Specification and Management Plan has been submitted along with a number of landscaping plans. The soft landscaping seeks to preserve and improve the important existing landscape and ecological features of the site, particularly the existing hedgerows to the southern, eastern and western boundaries and the tree line and ditch bisecting the site on an east-west axis as required by condition 3 of the outline permission.

3.1.34 A Local Equipped Area of Play (LEAP) is shown to the west of the Community Centre / Hub, with the exact details to be agreed as part of the detail relating to clause 3.8 of the signed S106 (Section 106) Agreement.

3.1.35 The soft landscaping also includes a SuDS (Sustainable Drainage System) to not only provide flood protection but also visual amenity and ecological opportunities. Rainwater runoff will be discharged via open grass swales where possible, or underground pipes, into a detention basin in the northeast corner, where water will then be discharged into a ditch at a manageable rate. The layout of the detention basin which has been referred to as a wet lake has a slightly different layout to that approved at the outline stage, but has been altered to retain the existing ditch and tree lines. This reduces the capacity of the lake and so additional storage volume has been incorporated to the south of the site, with the lake now entering the courtyard between the independent living and care home buildings.

3.1.36 Each bungalow is to be served by a small patio area, enclosed with ornamental shrub planting, but otherwise there are no formally defined boundaries, fences or means of enclosure. Each of the ten cul-de-sacs of bungalows or ‘mini-communities’ as

referred to in the planning statement, has a central shared space laid to grass, providing space for allotments, seating, meeting spaces, visitor parking, charging points and all framed with ornamental planting. The northern boundary of the site will be defined by a new native hedgerow in a linear format.

- 3.1.37 The hard landscaping proposes a hierarchy of materials; grey tarmacadam for the spine road carriageway, buff tarmacadam for the footways and concrete block paving for the commercial area's vehicle parking spaces. Pedestrian footpaths will be finished in recycled rubber and stone in a buff colour. The footpath / exercise trail around the outside of the development, in places accommodating a permissive bridleway, will be surfaced in loose limestone chippings.
- 3.1.38 With regards to parking, Condition 4 of the outline permission requires the provision for car parking to be in accordance with the abovementioned standard with the exception of the shopping parade, this will be addressed in the relevant section of the report.

3.2 Conclusion

- 3.2.1 Having taken all material planning considerations relevant to this reserved matter application into account, it is considered that the details of scale, appearance and landscaping submitted are acceptable and would not result in demonstrable harm to the character of the area. The development complies with the obligations agreed though the S106 agreement of the outline permission. It is also considered that the proposal would represent a development that is in keeping with the character of the build form in the vicinity, in terms of layout, appearance, scale and landscaping and it would provide a good level of living conditions for the future occupiers. The details submitted in relation to the public open space and LEAP are considered acceptable. Therefore, the details of the development as submitted as part of the reserved matters application area acceptable and accord with the aims of the development plan and the conditions and obligations imposed to the outline application.

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
- 59-66 Delivering a sufficient supply of homes
- 80-84 Building strong, competitive economy
- 85-90 Ensuring the vitality of town centres
- 91-101 Promoting healthy and safe communities
- 102-111 Promoting sustainable transport

- 124-132 Achieving well-designed places
- 117-123 Meeting challenges 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:

- S1 Sustainable Development
- S2 Strategic Growth
- S8 Settlement Boundaries and the Countryside
- S6 Burnham-on-Crouch Strategic Growth
- D1 Design Quality and the Built Environment
- D2 Climate Change & Environmental Impact of New Development
- D4 Renewable and low Carbon Energy Generation
- D5 Flood Risk and Coastal Management
- E1 Employment
- E2 Retail Provision
- E3 Community Services and Facilities
- E6 Skills, Training and Education
- H1 Affordable Housing
- H2 Housing Mix
- H3 Accommodation for ‘Specialist’ Needs
- H4 Effective Use of Land
- N1 Green Infrastructure Network
- N2 Natural Environment and Biodiversity
- N3 Open Space, Sport and Leisure
- T1 Sustainable Transport
- T2 Accessibility
- I1 Infrastructure and Services
- I2 Health and Wellbeing

4.3 Adopted Burnham-on-Crouch Neighbourhood Plan (BOCNP):

- Policy S1 – Strategic Housing Growth
- Policy EN.2 – New Development and Flood Risk
- Policy HO.2 – Range and Type of New Residential Development
- Policy HO.3 – Housing for Retired and Elderly Persons
- Policy HO.4 – Affordable Market Housing
- Policy HO.8 – Housing Design Principles

4.4 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)

- Maldon District Design Guide Supplementary Planning Document (SPD) (2017)
- Maldon District Special Needs Housing SPD (2018)
- Maldon District Vehicle Parking Standards SPD (2018)
- Essex Design Guide.

4.5 Necessary Associated Infrastructure Improvements Required and/or Affordable Housing

4.5.1 This was addressed as part of the outline permission (18/00443/OUT).

5. MAIN CONSIDERATIONS

5.1 Principle of Development

5.1.1 The site benefits from outline planning permission (18/00443/OUT) that was granted to enable the erection of a retirement community at the site consisting of No.103 one, two and three-bedroom bungalows, a two-storey care home building, a 55 bedroom two-storey assisted living apartment building, a community centre consisting of sports and recreational facilities, a medical facility, shops and eight key-worker flats. This therefore establishes the principle of residential development at the site in accordance with Policies S8, I2, E1, H1 and H3 of the LDP and Policy HO.3 of the BOCNP.

5.1.2 Notwithstanding the comments of the objectors, it cannot be argued that the principle of the development at this site (subject to the matters of scale, appearance and landscaping) is not acceptable and therefore it would not be reasonable to object to the density of the proposed development or the impact of development on the rural character of the area, as the urbanisation of the site is inherent to the outline planning permission that has been granted. Likewise, it would not be reasonable to object in terms of the impacts on the existing infrastructure or wider services as this was addressed at the outline stage and those matters are subject to the signed S106 agreement.

5.1.3 It is noted above that the layout of the development has been slightly amended and that layout was a matter that was considered and approved at the outline planning stage. The Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO) provides the following definitions for layout and scale:

'layout' means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development

'scale' means the height, width and length of each building proposed within the development in relation to its surroundings

5.1.4 In the case of The High Court in Pearl, R (on the application of) v Maldon District Council & Anor [2018] EWHC 212, the High Court found that as scale could be approved without layout, or vice versa, a change in one at reserved matters and

whether this results in a material departure from the arrangement approved at outline is a matter of planning judgement. The Judge stated that care should be taken in assessing the interrelationship between the details granted and whether the details submitted for reserved matters approval constitutes a material departure from the former within the context of the nature of the development, which is part of the planning judgment as a decision maker.

- 5.1.5 As can be seen from the image above the alterations are very minor in nature and do not result in any demonstrable changes to the layout. Furthermore, having regard to the above Judgement and the fact that the alterations primarily relate to appearance and landscaping, which are for consideration as part of this application and that the proposed changes are considered minor refinements to the layout and therefore not a material departure from the arrangement shown and approved at Outline, it is considered that these alterations can be considered within the scope of the approved layout.

5.2 Housing Mix

- 5.2.1 The proposed housing mix accords with that which was considered and approved at the outline planning stage:

- 30 No. one-bedroom bungalows
- 52 No. two-bedroom bungalows
- 21 No. three-bedroom bungalows
- 8 No. two-bedroom flats
- A mixture of 55 one and two-bedroom independent living units

- 5.2.2 As the proposed mix of 87.35% of the units would be single and two-bedroom units and 12.7% being larger, three-bedroom units, which meets the requirements of Policy H2 of the LDP and condition 7 of the Outline Permission there is no need to re-visit this matter or nor are there any reasonable grounds to object on this basis.

5.3 Affordable Housing

- 5.3.1 As with the housing mix, the level of affordable housing required was agreed as part of the outline permission. As part of this application there are no changes to the level of affordable housing proposed (50 independent living units = 30.12%). On this basis there is no further comment required in relation to the provision of affordable housing.

5.4 Visual Impact and Impact on the Character of the Area

- 5.4.1 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.
- 5.4.2 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”.

5.4.3 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:

- a) Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;
- b) Height, size, scale, form, massing and proportion;
- c) Landscape setting, townscape setting and skylines;
- d) Layout, orientation, and density;
- e) Historic environment particularly in relation to designated and non-designated heritage assets;
- f) Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
- g) Energy and resource efficiency.

5.4.4 Policy H4 states that “all development will be design-led and will seek to optimise the use of land having regard to the following considerations:

- 1) The location and the setting of the site;
- 2) The existing character and density of the surrounding area;
- 3) Accessibility to local services and facilities;
- 4) The capacity of local infrastructure;
- 5) Parking standards;
- 6) Proximity to public transport; and
- 7) The impacts upon the amenities of neighbouring properties.”

5.4.5 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the Maldon District Design Guide (2017).

5.4.6 The housing design principles for Burnham-on-Crouch are also identified in Appendix 2 of the Burnham-on-Crouch Neighbourhood Development Plan.

5.4.7 The application site lies outside the defined settlement boundaries. According to policies S1 and S8 of the LDP, the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. The policies stipulate that outside of the defined settlement boundaries, the Garden Suburbs and the Strategic Allocations, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely

impacted upon and provided the development is for proposals that are in compliance with policies within the LDP, neighbourhood plans and other local planning guidance.

- 5.4.8 Matters relating to access and layout were addressed at the outline planning stage. Nonetheless, matters relating to scale, appearance and landscaping are to be assessed as part of the current application.
- 5.4.9 As part of the consideration of the outline permission it was noted that the development would be located outside the designated settlement boundaries, albeit it would abut the Burnham-on-Crouch boundary to the east. Although it was acknowledged that the development would alter the current character of the site and the surrounding area, it was considered that substantial attempts have been made to minimise the impact of the development on the countryside and blend with the existing developed land to the east. Regard was also given to the fact that the development is to meet an identified need of the District that has not been directly designated through the allocated sites within the LDP and therefore, due to the identified amount of development to meet specialist accommodation, it is only likely to be able to be provided outside the settlement boundaries as an exception site. The proposal would contribute towards the provision of much needed small sized and appropriate residential accommodation for an older population. Given the current shortfall of such type of accommodation and for all the reasons stated above, the development would bring benefits to the District that would outweigh any potential harm that the development would have to the character and beauty of the countryside and the locality more widely.
- 5.4.10 Given that the wider visual impacts on the character of the area were considered as part of the outline permission as outlined above, it is only relevant to consider the impacts on the character and appearance of the area in terms of the scale, appearance and landscaping proposed.

Appearance and Scale

- 5.4.11 It is noted that the proposed bungalows have been designed in such a way to create small communities that are bound around a central care and community area. The fourteen types of bungalows, which consist of five different floor plans in three different configurations, are of contemporary designs but feature traditional forms and massing, each featuring slightly different design principles and scales with the tallest of the them being 5.9m in height and the smallest being 4.2m in height, which is largely a reflection of the differing roof forms (gable, flat or mixed). The design and scale differences between the proposed bungalows offer a degree of interest to site, but uniformity is maintained through the consistent palette of materials. Overall it is considered that the design of the bungalows are architecturally interesting and aesthetically pleasing.
- 5.4.12 The layout of the proposed bungalows is largely consistent with the approved layout, subject to minor alterations resulting from alterations to the scale and appearance of the bungalows.
- 5.4.13 Whilst the objecting comments received from both the Town Council and members of the public are noted, and whilst flat roofs would introduce a new design feature to the surrounding area, given the scale of the development it is considered that it will be

read in relation to its own context and style and therefore, complete conformity with the surrounding area is not necessary.

- 5.4.14 Further to the above, it should be noted that the Maldon District Design Guide (MDDG) at C14 - Form and Massing, requires buildings to adopt a simple form, including the form of the roof. Likewise, although not located within the settlement boundary, the application site does lie in close proximity to the settlement boundary of Burnham-on-Crouch, therefore, section B 04_01 Main Towns (MDDG) is relevant in that it discusses how the varied rooflines in all three main towns contribute to creating a sense of scale and character. Given that this development abuts the countryside C19 Building Edge (MDDG) is also relevant which also states that a varied skyline and roofscape should be provided. Having regard to these points within the MDDG it is considered that the varied roof forms of pitched, flat and mixed roof profiles contribute to a sense of scale and provide a degree of architectural interest, but also respects the edge of settlement character as the development would transition into the countryside.
- 5.4.15 It is also worth noting the Council has accepted the aesthetic value and appropriate architectural style of flat roofs at the Strategic Sites and within the Design Parameters formally endorsed by the Council for these sites.
- 5.4.16 In terms of the independent living flats, all three blocks will be two-storey in height, in accordance with the requirements of the outline permission, and will feature a flat roof design. As with the proposed bungalows, materials are used to provide detailing within the elevations of the building and to maintain a degree of consistency with the overall design ethos of the development. By breaking the bulk of the development into three separate blocks, linked by two storey walkways, the overall bulk and mass of this large building is reduced, thereby limiting its dominance on the public realm.
- 5.4.17 The proposed care home is also a large building in terms of its footprint. However, as with the independent living blocks, the architectural detailing in terms of the shape of the building breaks up the overall mass and appearance of the building to an acceptable degree. The longest elevation will be the northern elevation but as this would be located within the setting of other larger buildings, such as the community hub, it would not appear at odds with the surrounding landscape. Furthermore, in accordance with the outline permission the care home does not exceed two storeys in height, ensuring that the scale of the proposal is in keeping with the other buildings within the site and development within the wider area.
- 5.4.18 The care home also utilises the palette of materials proposed for the wider development, thereby ensuring that it is in keeping with the appearance of the wider site.
- 5.4.19 The proposed two storey medical building features a more extensive amount of glazing than the other buildings. Nevertheless, the proposed materials remain consistent with those used within the wider site. The Design and Access Statement suggests that the level of glazing is used to produce a permeable structure creating a relationship between the public realm and the healthcare centre and to ensure that the building is welcoming, which given the type of building proposed is considered to be a positive inclusion into the scheme.

- 5.4.20 As with the proposed flat roof bungalows, it is considered that the flat roofs proposed on the commercial / community buildings respect the siting of the application site in terms of it providing a transition into the countryside in accordance with the MDDG. Furthermore, the flat roof designs ensure that an appropriate scale is maintained, as pitched roofs in this locality would result in larger buildings which would not be as sympathetic to the scale of development within the locality. Furthermore, the levels of accommodation have been accepted at the time of the outline application, so the Council could not object to the principle of larger pitched roof buildings. In addition, it is not unusual for commercial or community buildings to adopt flat roof designs and therefore, the design of the buildings will reflect their proposed use. Therefore, whilst the objections relating to flat roof forms are noted it is not considered that their use in this development would reduce the material harm to the overall appearance and scale of the scheme.
- 5.4.21 The proposed mixed-use unit (shops and flats) is of a more traditional design than the other buildings proposed within the development as a result of the architectural features such as the covered arcade, dormer windows and fenestration detailing. The Design and Access Statement considers that an arcade and a series of individual shops with a domestic scale would benefit from a more traditional and familiar approach. The covered arcade is said to provide a sense of permeability by allowing the shop frontages to engage with the public realm but by also providing a practical purpose as shelter.
- 5.4.22 Whilst the proposed parade of shops is of a more traditional design than the other buildings found within the site, the materials utilise those found within the wider part of the site such as brick, glass and timber detailing. The building sits within its own setting within the site to some degree, as it is separated from the other built form to the west by tennis courts and to the southeast by landscaping. To the east of the building would be the associated SuDS feature, which lends well to the setting of a more traditionally designed building. Therefore, although the building would not conform completely to the overall design of the remainder of the site, it is considered given its individual use and siting and that there are references made to the materials use within the wider site, the design of the mixed use element would not be so out of keeping with the character of the wider site as to result in demonstrable harm to the character and appearance of the area.
- 5.4.23 Although the proposal includes three levels of accommodation, at a height of 10m, it is not considered that the overall height of the building exceeds two storeys as the third level of accommodation is within the roofspace. Therefore, it is considered that the overall height of the building is acceptable and in accordance with the outline planning permission. Furthermore, the width and depth of the building is not considered excessive and suitably frames the proposed SuDS feature.
- 5.4.24 It is acknowledged that the Town Council does not consider the buildings to protect the landscape or enhance or responds to the character and local context. However, the impacts on the landscape are not considered to be any greater than that which was approved at outline stage as there has been no increase in the density of development, and the scale of the building has respected the approved layout and conditions imposed at outline in respect of building heights. Furthermore, the soft landscaping and 'wet lakes' soften the impact of the development, as does the lack of fencing and formal boundary treatments within the site, which will be discussed further below, but

all of these elements contribute to ensuring that the development respects the rural character of the area. Likewise, the proposed palette of materials, although used in more contemporary design forms are in keeping with materials used on buildings with the wider area.

Landscaping

- 5.4.25 In relation to soft landscaping it is noted that the proposal features a large proportion of green space and planting. The proposed planting is considered acceptable due to the amount of planting proposed. Furthermore, it is noted that the hedgerows to the southern, eastern and western boundaries and the tree line ditch bisecting the site on an east-west axis will be retained and enhanced in places.
- 5.4.26 Boundary treatments between individual plots have not been included in the scheme in favour of ornamental planting, which not only provides visual benefits to the overall appearance but also creates a greater sense of place and community.
- 5.4.27 The proposed SuDS features have been incorporated into the communal areas of the site, providing not only functional benefits but also ecological enhancement and visual amenity. They are considered positive elements of the scheme which will also soften the appearance of the development from the existing properties fronting Maldon Road to the east of the application site.
- 5.4.28 Each of the clusters of bungalows will be served by a central communal area of open space which will be both hard and soft landscaped. The siting of some of the visitor parking in the centre of these areas is considered unfortunate as it may interrupt the use of these spaces. However, the parking is considered to be suitably mitigated by the degree of planting proposed and only relates to a small part of these areas of open space. Therefore, it is not considered that their siting would materially impact on the appearance or usability of these spaces.
- 5.4.29 The siting of the proposed LEAP is to the west of the Community Hub. Whilst the exact detailing of the equipment, boundary treatments etc. have not been provided as this is to be agreed as part of the signed S106 agreement, based on the submitted plans the proposed LEAP contributes positively to the overall soft landscaping scheme and provides a central soft landscaping area within the site. This will be discussed further in the relevant section below.
- 5.4.30 Following consultation with the Council's Tree Consultant it is noted that the proposed landscaping layout has the potential to develop into an amenity asset for landscape amenity and wildlife benefit, if planted out with care, consideration and future management considerations are considered from the outset. However, it is noted that some comments in relation to species need to be addressed which are discussed in section 5.8 of this report.
- 5.4.31 The proposed hard surfaced areas as stated above will conform to a hierarchy of materials. By limiting the areas of tarmac within the site to the spine road carriageway and footpaths and using block paving and chippings within other parts of the site a softer appearance is maintained. Whilst it would be preferable that all of the roads were blocked paved, it is appreciated that this is not possible where roads will need to be adopted and maintained by the Local Highway Authority. Therefore, it is

considered that a reasonable compromise has been reached and softer materials have been used where reasonably practicable.

Summary

- 5.4.32 In light of the above, it is considered that the layout is in line with the details submitted and agreed at outline stage and that the landscaping, scale and appearance of the development would be acceptable and would accord with the aims of policy D1 of the LDP, the housing design principles of the Burnham-on-Crouch Neighborhood Plan and the guidance contained in the Maldon District Design Guide.

5.5 Impact on Residential Amenity

- 5.5.1 The basis of policies D1 and H4 of the approved LDP seek 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).
- 5.5.2 It was established as part of the Outline Permission that the proposed use of the application site was acceptable in terms of residential amenity and noise. Furthermore, it was not considered that the proposed layout would result in demonstrable harm in terms of loss of light, domination, sense of enclosure or overlooking, or that the increased use of the existing public footpath would result in harmful impacts to neighbouring occupiers. Therefore, as part of this reserved matters application it is only necessary to consider whether the details relating to appearance, scale and landscaping would have any material impacts on residential amenity.
- 5.5.3 The most affected property by the development is no.2 Maldon Road, which abuts the site to the southeast. The nearest development to this property would be a bungalow, which would be located 35m away from the western boundary of this property. This separation distance would be sufficient to mitigate any adverse impacts caused in terms of loss of light, domination, sense of enclosure or overlooking. It is not considered that the detail relating to the scale of the bungalow alters this stance in relation to the Outline Permission.
- 5.5.4 The proposed two-storey independent living block, which is the closest two-storey building to the application site, is located around 100m away from the northeast boundary of the site shared with No. 2 Maldon Road and as such, it is considered unlikely that this element of the development would have any impact on the residential amenity of the occupants of no. 2 Maldon Road.
- 5.5.5 Elm Farm House to the southwest is located approximately 40m away from the application site and 55m from the nearest proposed bungalow. It is therefore considered that the development, due to the separation distance and single storey nature of the adjacent development would not have a detrimental impact on the amenities of the occupants of this dwelling.
- 5.5.6 All other residential properties are sited further away from the proposed development in comparison to the abovementioned dwellings. The impact of the development on

the amenities of the occupiers of the dwellings closer to the application site is assessed above and considered to be acceptable. On that basis, any impact on properties located further away from the application would be lesser than that that caused to the adjacent properties and thus, would also be acceptable.

- 5.5.7 A community centre, including a number of indoor and outdoor sport activities is proposed, which would potentially generate noise. Given that this element of the development is sited well away from the nearby residential dwellings, it is considered that it is unlikely to result in a detrimental harm to the amenities of the nearby occupiers. With regard to the proposed residential units proposed in close proximity to the community centre, it is considered that the impact would be self-imposed and also subject to appropriate opening hours conditions, no objection is considered reasonable to be raised.
- 5.5.8 The development would also introduce some shops and restaurants, the opening hours are proposed as follows:
- A1 shops:
 - 07:30 hours – 21:00 hours Monday to Saturday;
 - 08:00 hours – 18:00 hours Sundays and Bank Holidays.
 - A3 Restaurants and Cafes:
 - 07:30 hours – 23:00 hours Monday to Saturday;
 - 08:00 hours – 22:00 hours Sundays and Bank Holidays.
 - A5 Hot Food takeaways:
 - 11:00 hours – 22:00 hours Monday to Saturday;
 - 11:00 hours – 22:00 hours Sundays and Bank Holidays.
- 5.5.9 Whilst it is noted that the noise resulting from these uses would likely have an impact on the nearby future occupiers and first floor flats, given that Environmental Health has no objected to the proposed opening hours, they are not considered to be ‘unsociable’ and that the building is said to be designed in a way which will feature appropriate acoustic insulation between the shops, flats and nearest bungalows. Therefore, it is considered that the proposed hours of use are acceptable. Furthermore, if any extract duct or other plant system would be required to be installed full details of that and noise mitigation measure would be required to be submitted and approved in writing by the Local Planning Authority (LPA) to ensure the impact on residential amenity is minimised.
- 5.5.10 In terms of the inter-relationship between the bungalows, whilst the recommended 25m back to back distance between properties is not always maintained, given the more communal nature of the development, which does not incorporate private amenity space, and the single storey nature of the development, which will reduce overlooking, it is not considered that the failure to achieve the 25m back to back distance would result in material harm to neighbouring amenity. Furthermore, a condition can be imposed removing permitted development rights to ensure that no outbuildings or extensions could be constructed to further reduce this space.
- 5.5.11 Having regard to the above assessment it is not considered that the development will result in demonstrable harm to the amenity of either the existing or future occupiers of the site.

5.6 Access, Parking and Highway Safety

- 5.6.1 Policy T2 aims to create and maintain an accessible environment, requiring development proposals, inter alia, to provide 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.

Access, highway improvements and trip generation

- 5.6.2 Access, highway improvements and trip generation were all considerations for the outline planning stage. Given that there have been no material changes to these factors as part of the reserved matters submission it is not considered necessary to revisit them.

Parking provision

- 5.6.3 The Council's adopted Vehicle Parking Standards SPD contains the parking standards which are expressed as minimum standards. This takes into account Government guidance which recognises that car usage will not be reduced by arbitrarily restricting off street parking spaces. Therefore, whilst the Council maintains an emphasis of promoting sustainable modes of transport and widening the choice, it is recognised that the Maldon District is predominantly rural in nature and there is a higher than average car ownership. Therefore, the minimum parking standards seek to reduce the negative impact unplanned on-street parking can have on the townscape and safety and take into account the availability of public transport and residents' reliance on the car for access, employment, everyday services and leisure. The key objectives of the standards are to help create functional developments, whilst maximising opportunities for use of sustainable modes of transport. This will enable people to sustainably and easily carry out their daily travel requirements without an unacceptable detrimental impact on the local road network, or the visual appearance of the development, from excessive and inconsiderate on street parking.
- 5.6.4 To meet the vehicle parking standards the development would need to comply with the following:
- Residential element: 1 parking space per one-bedroom dwelling and 2 parking spaces for two and three-bedroom dwellings.
 - Independent living: No specific standards, the number of parking spaces would have to be assessed / justified individually.
 - Retail / food and drink units: 1 space per 14sqm for food and convenience shops, 1 space per 20sqm for all other A1 uses and 1 space per 5sqm for food and drink units outside the town centre.
 - Residential care homes: 1 space per resident staff, 1 space per two other staff, 1 space per three bed spaces / dwelling units.
 - Medical centre: 1 space per full time staff and 2 spaces per consulting room, or individual assessment / justification.
 - Community centre: Maximum of 1 space per 22sqm of gross floor space.

- Visitor parking: 1 visitor parking space per 4 dwellings.

5.6.5 There are also requirements in relation to provision of cycle parking, as follows:

- Residential element: None if garages are provided, 1 per one-bedroom dwelling, 2 per 2+ bedroom dwellings and 1 per eight units for visitor cycle parking.
- Retail / food and drink units: 1 per 100sqm for staff and 1 per 100sqm for customers for food and convenience shops, 1 per 100sqm for staff and 1 per 200sqm for customers for all other A1 uses and 1 per 4sqm for staff and 1 per 25sqm for customers for food and drink units outside the town centre.
- Residential care homes: 1 per four staff and 1 per 20 beds.
- Medical centre: 1 per four staff and 1 per consulting room
- Community centre: 1 per four staff and 1 per 4 visitors.

Bungalows

5.6.6 It is noted that for independent living, retirement complexes and residential care homes one mobility scooter space per five self-contained residential units or 1 / 5 residents' communal establishment should be provided.

5.6.7 The application has been supported by a letter dated 15 May 2020 outlining the proposed parking provision and staffing numbers at the site. In relation to the proposed bungalows, each bungalow (one, two and three bed units) will be provided with two off street parking spaces which accord to the Council's vehicle parking standards both in terms of size and quantity. Ten of the bungalows will be served with two disabled spaces and communal visitor parking is provided within the central communal space within each 'mini-community'. There will be provision for a total of 45 visitor spaces across the ten 'mini-communities,' which exceeds the requirement of 26. Therefore, it is considered that there is sufficient parking provided for each of the proposed bungalows

5.6.8 In terms of cycle space provision, each bungalow is proposed to be provided with a cycle locker adjacent to the rear patio which will provide space to store 3 cycles. Whilst it is considered that sufficient cycle storage will be provided within the site as each bungalow would be provided with sufficient storage for the occupants and their visitors within each plot, it is noted that the design and exact detailing of the cycle parking provision has not yet been finalised. However, as condition 19 of the Outline Permission requires cycle provision to be provided prior to the occupation of the development and to be agreed by the LPA, it is noted that this information will come forward as part of a discharge of conditions application and will be required to be delivered prior to the occupation of the plots. Therefore, the submitted detail is considered sufficient.

Independent Living

5.6.9 The supporting information states that the Independent Living Blocks will provide one vehicle parking space per three dwelling units and one space per two members of staff. It is stated that eight members of staff will be present within the building at one time and so it has been calculated within the supporting information that there is a requirement for 23 spaces based on the parking standards for a C2 use. The proposal

includes 54 parking spaces, including three communal disabled spaces. The statement also suggests that it is unlikely that the residents will own their own cars, and many will not drive. Taking in to account the nature of the use this is considered to be a reasonable assumption.

- 5.6.10 If eight of the 54 spaces were used for staff, then the remaining 48 spaces would be provided for the 55 units meaning less than one parking space per unit. Whilst it is likely that the occupiers of the Independent Living Units are likely to have higher car ownership levels than a residential care home, it is noted that an additional 31 spaces have been provided in relation to what would be required for a C2 use. Furthermore, having regard to the services, facilities and amenities provided at the site and given the nature of the units it is likely that not every unit will require a vehicle parking space as the development provides the services and facilities required for day to day living. Furthermore, it is also noted that the development aims to promote alternative modes of transport, which would reduce the need for private car ownership. On the basis of the above assessment, it is considered that the off-street parking provision for this element of the development. Therefore, based on the above assessment it is considered that the 54 parking spaces provided for the Independent Living element is justified.
- 5.6.11 The above also supports the stance taken at the Outline Planning Stage where regard was given to a report from the Housing Department which provided information of the people that are registered with the Council and would wish to move to a development such as the proposed independent living / extra care scheme. It appeared that from those registered and willing to move to such type of accommodation, the average age is over 77 which reduces the vehicle ownership expectancy.

Care Home

- 5.6.12 The supporting information states that no resident staff are intended at the care home; instead a three-shift pattern of sixteen staff each will be operated. Furthermore, the care home will provide 70 beds. Therefore, based on the Vehicle Parking Requirements 32 vehicle parking spaces should be required.
- 5.6.13 58 vehicle parking spaces, including four disabled spaces, will be provided in relation to the care home on a communal basis and will be located on the northern and eastern sides of the buildings. The over provision of spaces provides flexibility between uses, particularly during staff changeover times. Therefore, the over provision is considered a positive aspect to the scheme.

Medical Centre

- 5.6.14 The Medical Centre is proposed to be served by fifteen parking spaces, including two disabled spaces. It is anticipated that six full-time staff will be present in the Medical Centre at anyone time and a three-shift pattern will be operated. The Medical Centre will provide nine consultation rooms and, on that basis, there is a requirement for 24 vehicle parking spaces unless there is sufficient justification.
- 5.6.15 Given that the Medical Centre is primarily intended to serve the residents of the proposed retirement community and given the siting of the Medical Centre in relation to the residential elements of the site it is considered likely that a number of residents

will walk to the Medical Centre. It is also noted that the developer intends to provide communal electric bicycles within the site and the development seeks to promote healthier forms of living through walking and cycling. Cycle parking would be provided within the cycle store shared with the Independent Living Units. Furthermore, as discussed above, there is an over provision of spaces in relation to the neighbouring care home, which could provide flexible parking for the Medical Centre if required. Therefore, taking the above matters into account it is considered that the provision of fifteen spaces, one for each of the six staff members, and the remaining nine, along with the cycle storage for patients / visitors to the centre and the flexible use with the care home is acceptable.

Community Hub

- 5.6.16 Based on the 1,284 sqm of floor space, the community hub is required to provide a maximum of one space per 22sqm of floorspace. 34 parking spaces are proposed to the east and west of the Community Hub. Given that the Community Hub is intended to principally cater for the residents of the retirement community and is situated within walking or cycling distance of most of the residential units, it is considered that the provision of 34 spaces is acceptable.
- 5.6.17 Further to the above, it is likely that people visiting the Community Hub will also be likely to visit other uses such as the shops during one trip, it is unlikely that all uses will require the full parking capacity at any one time. This is a similar approach taken at other retail areas across the District. Therefore, it is considered unnecessary for all uses to provide the maximum car parking provision and if they were to do so there would likely be negative impacts as a result of increased hardstanding and disruption to the layout of the scheme to the detriment of the character and appearance of the site. Therefore, there is no objection to the level of parking provision proposed in relation to the Community Hub.

Shops and Apartments

- 5.6.18 Condition 4 of the Outline Planning Permission allows for the parking provision in relation to the shopping parade to not meet the requirements of the Council's adopted Vehicle Parking Standards. This was because it was noted at the time of the outline application that the shops primarily will be used by residents of the development and that the flats are to provide accommodation for workers on the site and therefore, are less likely to own a car.
- 5.6.19 As part of the application a total of eighteen spaces have been provided to serve the shops and the eight apartments above. Taking in to account that the shops are in walking distance of most of the residential units, communal parking is provided in relation to the other uses across the site and in some instances an over provision has been provided, and as discussed above visitors of the shops and other uses are likely to visit more than one use during a single trip, it is not considered that parking directly related to the shopping parade is necessary.
- 5.6.20 Further to the above, the apartments are intended to provide accommodation for those working within the site and therefore, the likelihood of the occupiers of the flats owning a car is reduced as they will be in walking distance to their place of employment. Therefore, for the reasons given it is considered that the proposed

vehicle parking provision is acceptable and in accordance with the conditions imposed at the time of the outline planning application.

Maintenance Shed, Security and Site Offices

- 5.6.21 A total of 25 spaces, including two disabled spaces have been proposed in relation to the administrative and maintenance buildings on site. Based on the Vehicle Parking Standards there is a requirement for eighteen spaces. The supported information states that the overprovision of seven spaces provides flexibility during shift change over times, particularly in relation to the Care Home and Independent Living Buildings. This is considered a sensible approach and no objection is raised.

Cycle Parking, Mobility Scooters and Vehicle Charging Points

- 5.6.22 In addition to what has been discussed above, the supporting information states that the locations for cycle parking is illustrative and cannot be finalised until there is some certainty of hard and soft landscaping. Furthermore, the developer is still undertaking work to refine the sites general cycling strategy in relation to the position of the electric motor vehicle charging points and electric cycle parking and charging strategy for the site.
- 5.6.23 As condition 19 of the Outline Permission requires cycle provision to be provided prior to the occupation of the development and to be agreed by the LPA, it is noted that this information will come forward as part of a discharge of conditions application and will be required to be delivered prior to the occupation of the plots. Therefore, the submitted detail is considered sufficient in relation to cycle provision and a condition can be imposed on the Reserved Matters, if approved, requiring detail of vehicle charging points.
- 5.6.24 The adopted Vehicle Parking Standards also requires a maximum of one, ten-scooter store per independent living unit or care home. A store will be provided within the Independent Living block providing space to park ten scooters. However, no detail has been provided in relation to the care home or other uses which are likely to be used by older people. Nevertheless, this can be managed by the abovementioned condition. Therefore, there is no objection in this regard.

5.7 Flood Risk, Sustainable Urban Drainage Strategy and Foul Drainage

- 5.7.1 Condition 12 of the Outline Permission requires a detailed surface water drainage scheme to be submitted to and approved in writing by the Local Planning Authority. The conditions require that the drainage scheme is implemented prior to the first occupation of the development. As this detail is not required at the Reserved Matters stage it is not a consideration as part of this application.
- 5.7.2 Notwithstanding the above, it is noted that some detail relating to the surface water drainage scheme has been submitted and is outlined in section 3.1 above. The scheme includes the provision of 'wet lakes'. This was the method outlined at outline stage. The Lead Local Flood Authority did not object to the application in relation to surface water drainage subject to relevant conditions and these have been imposed at outline stage and will be considered under a separate application. It is not reasonable or necessary to impose further conditions at this stage.

- 5.7.3 Likewise, it is considered that matters relating to Foul Drainage have been suitably addressed as part of the Outline Permission and subsequent conditions.

5.8 Impact on Ecology, Trees and Biodiversity

- 5.8.1 Various conditions relating to biodiversity and ecology were included on the outline permission (Condition 8, investigation and risk assessment for site clearance, Condition 24 lighting, Condition 25 ecological enhancements, Condition 26 ecological mitigation scheme and Condition 27 non-licensed method statement for amphibians and reptiles). As these matters will be addressed as part of a discharge of conditions application there is no requirement to address them further as part of this application. Nevertheless, given that the landscaping details have been provided it is considered necessary to provide further comment in relation to impacts of the proposed landscaping on ecology.
- 5.8.2 The application has been supported by Landscape Layout Plans, Planting Plans and a Landscape Specification and Management Plan (Wynne Williams Associates, December 2019). The Council's Ecological Consultant has assessed these plans and documents and have advised that they are satisfied within the details submitted. They state that suitable native species have been identified for planting and suitable management and sourcing has been proposed. Furthermore, the inclusion of a Water Vole mitigation island and appropriate wetland planting to be further informed by the project's ecologist is a welcomed addition to the scheme. Therefore, there is no objection to the scheme in terms of ecological impacts subject to the information to be submitted as a separate discharge of conditions application.
- 5.8.3 The Council's Tree Consultant has also been consulted on the scheme and acknowledges that the landscape scheme provides a good species mix, which is acceptable to provide both amenity and ecological benefit. However, concerns have been raised in relation to:
- Plan ref. ending 0301 shows an avenue of Sorbus Aria. These will need to be set back as to not cause a slip hazard as a result of berry dropping. If they are planted correctly their crown spread will offer amenity, habitat and food source for wildlife with minimum management. Therefore, subject to appropriate management and the siting of these species they are considered a positive addition to the site.
 - The above also applies where Sorbus and Crataegus are shown close to pavements, seating areas and parking bays on plans ref ending 0302, 0303, 0306, 0307.
 - Root deflectors or other provisions will need to be installed where trees with large growth potentials such as Hornbeam shown on plan ref ending 0304 and 0305 are shown to be planted in small spaces adjacent to parking bays. Without these measures root growth could cause kerb or surface displacement, likely resulting in the removal of the tree.
 - Overall the species mix is acceptable and the placement of trees in relation to shadowing has been addressed.
- 5.8.4 It is considered that the above matters could be addressed through a suitably worded condition, ensuring that these considerations are taking into account and implemented to prevent trees becoming a nuisance as they mature and resulting in their removal.

Therefore, subject to an appropriately worded condition it is considered that the proposed planting has the potential to develop into an amenity asset for landscape amenity and wildlife benefit.

5.9 Ecology regarding development within the Zone of Influence (ZOI) for the Essex Coast Recreational Avoidance and Mitigation Strategy (rams)

- 5.9.1 As this was addressed as part of the Outline Permission and the S106 Legal Agreement, there is no requirement to re-visit this at this stage.

5.10 Other Material Considerations

Archaeology

- 5.10.1 No designated assets are located within or the immediate vicinity of the application site. However, relevant conditions were imposed on the Outline Permission to address archaeological concerns and were subsequently discharged under application 19/05192/DET.

Waste management

- 5.10.2 Condition 23 of the Outline Permission requires states that:

'Notwithstanding the details submitted in the Design and Access Statement, a Waste Management Plan shall be submitted to as part of the reserved matters application(s).'

- 5.10.3 The submitted planning statement states that the approach to refuse and recycling collection and storage has not been altered from that submitted at the Outline Planning Stage. It is intended that refuse vehicles will not enter the individual residential cul-de-sac communities for residential amenity reasons and to remove the potential conflict between vulnerable persons and large refuse freighters. Therefore, the spine road has been designed to accommodate refuse vehicles and emergency vehicles, with refuse points located at the entrance to each cul-de-sac and adjacent to each of the community buildings, care home and independent living block.
- 5.10.4 Plan 6681-1117-P1 shows the siting of the dedicated refuse points mentioned above. Residents of the bungalows will be required to place refuse and recycling out in the cul-de-sacs on designated days and staff of the site's management company will use electric buggies and trailers to transport these to the dedicated refuse points. From these points a commercial contractor and the District Council's refuse operator would collect the refuse. A contract with a commercial waste management company will be entered into to collect waste from the independent living building, the care home, community centre, medical centre, shops and apartments from collection points depicted on plan 6681-1117-P1.
- 5.10.5 Drawing 191450-003 Site Layout – Swept Paths has also been submitted to demonstrate that the spine road and various junctions onto it are capable of accommodating a turning movement undertaken by a refuse truck and that each of the refuse storage points is accessible and serviceable. The drawing also demonstrates that the trucks could access the individual communities, but this is not the attention of the developer due to the safety concerns highlighted above.

5.10.6 Although no comments have yet been received from the Waste Officer, given that the application suitably demonstrates that waste vehicles can be sufficiently and safely accommodated within the site and there was no objection raised as part of the Outline Permission in relation to the proposed refuse strategy it is considered that the submitted detail sufficiently complies with condition 23 of the Outline Permission.

Local Equipped Area of Play (LEAP)

5.10.7 Public open space will be provided in the form of a LEAP to the west of the Community Centre and spine road through the site, and amongst the proposed bungalows. The Green Infrastructure Strategy for Maldon states at table 2.1 of the Green Infrastructure Strategy, the following are the requirements for LEAP:

- Located within a walking time of five minutes from home;
- Five play types, including safer surface;
- Fencing complete with two pedestrian gates;
- Minimum activity zone of 400sqm;
- Seating, litter bins and a notice should be provided.

5.10.8 The siting and proposed area of the LEAP are included in landscaping plan 1925-WWA-XX-XX-DR-L-0101 PL01, which shows that the proposed area is not less than 400sqm in size. Whilst detail relating to the exact specification of the LEAP has not been submitted as this is to be agreed under clause 3.8 of the signed S106 agreement as part of the outline permission, given that landscaping is a matter for consideration as part of this application it is considered relevant to consider the siting of the LEAP. The dwelling located furthest from the LEAP within the southwest of the site would be located approximately 340m from the proposed LEAP, which is considered to be within a five-minute walking distance. Furthermore, from the plans submitted, it would appear that the LEAP is to be suitably landscaped with trees planted around its perimeter. For these reasons, there is no objection to the siting of the proposed LEAP and further details will come forward in respect of the S106 agreement.

External lighting

5.10.9 External lighting was addressed at the Outline Planning Stage and a condition imposed (No. 22) requiring that prior to the commencement of works details of the external lighting strategy shall be submitted to and approved by the Local Planning Authority. Therefore, it is considered that this detail will be dealt with as part of a discharge of conditions application.

Permitted Development Rights

5.10.10 It is noted that given the limited size of the plots and their relationship with neighbouring occupiers, any alterations/extensions to the dwellings or erection and installation of fencing and hardstanding may result in the unacceptable design of the approved dwellings. Furthermore, the living conditions of the future occupiers (in case the back to back distances would be further reduced as result of a rear extension or outbuildings). For these reasons it is considered reasonable that permitted development rights for the proposed dwellinghouses are removed for Schedule 2, Part 1 classes A, B, C, D, E, F and H and Schedule 2, Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as

amended). It will also be reasonable and necessary to impose a condition requiring that one master antenna is installed on the roof of each Independent Living block opposed to separate satellite dishes and antenna per flat to protect the character and appearance of the area.

6. ANY RELEVANT SITE HISTORY

(Only relevant history of the site will be referred to here.)

- **18/00443/OUT** - Create retirement community consisting of 103No. one, two and three-bedroom bungalows (class C.3), 70 bedroom two-storey care home building (class C.2) and 55 bedroom two-storey assisted living apartment building (class C.3) including affordable housing. Erect ancillary community centre, 8No. shops (class A.1) with 8No. key workers apartments over in two-storey building, two-storey medical centre (GP, dental, optician, and dispensing chemist), and construct single-storey office and Maintenance Buildings. Lay Out Amenity and Sports Facilities Including Outdoor Swimming Pool, tennis courts, allotments and open spaces. Lay out estate roads, footpaths and surface water drainage infrastructure including swales and detention Basin. Form vehicular and pedestrian accesses onto B1010 Maldon Road and Tinkers Hole and create associated hard and soft landscaping. Approved Subject to S106.
- **19/01203/ADV** - Erect non-Illuminated advertisement hoarding not exceeding 23 metres in length. Approved.
- **19/05192/DET** - Compliance with conditions notification 18/00443/OUT (Create retirement community consisting of 103No. one, two and three-bedroom bungalows (class C.3), 70 bedroom two-storey care home building (class C.2) and 55 bedroom two-storey assisted living apartment building (class C.3) including affordable housing. Erect ancillary community centre, 8No. shops (class A.1) with 8No. key workers apartments over in two-storey building, two-storey medical centre (GP, dental, optician, and dispensing chemist), and construct single-storey office and Maintenance Buildings. Lay Out Amenity and Sports Facilities Including Outdoor Swimming Pool, tennis courts, allotments and open spaces. Lay out estate roads, footpaths and surface water drainage infrastructure including swales and detention Basin. Form vehicular and pedestrian accesses onto B1010 Maldon Road and Tinkers Hole and create associated hard and soft landscaping) Condition 21 - Written scheme of investigation of archaeology. Conditions Cleared.
- **20/00343/CLA** - Compliance with legal agreement for approved planning permission OUT/MAL/18/00443 – Pending consideration.

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

(Summary of comments received which are only relevant planning matters that are to be taken into account).

7.1 **Representations received from Parish / Town Councils**

Name of Parish / Town Council	Comment	Officer Response
Burnham-on-Crouch Town Council	<p>Object – Proposal does not accord with Policy D1, parts 1a, b, c, e, f, 4, 8 or 9, or paragraph 127 of the NPPF.</p> <p>There are not flat roof buildings in this locality.</p> <p>In breach of Policy S6 part 4 and 13.</p> <p>In breach of Policy S8 as the design does not protect the landscape.</p> <p>In breach of the BOCNP (HC.1, HO.8, NHD, 30 and 9.3)</p> <p>Designs do not conform to the rural area and therefore is contrary to Policy D1</p>	Addressed at section 5.4

7.2 **Statutory Consultees and Other Organisations** *(summarised)*

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Essex Police – Designing out Crime	No comment received	Noted
Archaeology	Three areas have been identified as requiring open-area excavation, which has as yet not been undertaken, and this will need to be completed before any development can take place in those areas.	Addressed at section 5.10
Cadent Gas	No comment received	Noted
Essex County Council Fire and Rescue	<p>The access meets the requirements in ADB B5.</p> <p>Additional water supplies for firefighting may be necessary.</p> <p>Sprinkler systems are recommended</p>	These matters can be included as an informative.
Lead Local Flood Authority – Sustainable drainage (SuDS)	No response received	Noted

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Natural England	No further comments in relation to the Outline Permission. The proposed amendments are unlikely to have a significant different impact on the natural environment than originally proposed	Noted and addressed at section 5.8
Ecology	No objection subject to the discharge of conditions of 18/00443/OUT relating to ecology.	Addressed at section 5.8
Essex Wildlife Trust	No response received	Noted
Local Highway Authority	No objection subject to a condition maintaining the public right of way over public footpath no 1.	Noted the condition shall be included.

7.3 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No further comment	Noted
Tree Consultant	<ul style="list-style-type: none"> Plan ref ending 0301 shows an avenue of Sorbus Aria. These will need to be set back as to not cause a slip hazard as a result of berry dropping. If they are planted correctly their crown spread will offer amenity, habitat and food source for wildlife with minimum management. Therefore, subject to appropriate management and the siting of these species they are considered a positive addition to the site. The above also applies where Sorbus and Crataegus are shown close to pavements, seating areas and parking bays on plans ref ending 0302, 0303,306, 0307. Root deflectors or other provisions will need to be installed where trees with large growth potentials such as Hornbeam shown on plan ref ending 0304 and 0305 are shown to be planted in small spaces adjacent to parking bays. Without these measure root growth could cause kerb or 	Addressed at section 5.8

Name of Internal Consultee	Comment	Officer Response
	<p>surface displacement, likely resulting in the removal of the tree.</p> <ul style="list-style-type: none"> Overall the species mix is acceptable and the placement of trees in relation to shadowing has been addressed. <p>Overall the proposed landscaping has the potential to develop into amenity assets for landscape amenity and wildlife benefits, if planted out with care, consideration and future management requirements are taken into account from the start. Therefore, a suitably worded condition should be imposed.</p>	
Conservation Officer	The development will not affect the setting or significance of any heritage assets.	Noted

7.4 Representations received from Interested Parties (*summarised*)

7.4.1 5 letters were received **objecting** to the application and the reasons for objection are summarised as set out in the table below:

Objection Comment	Officer Response
Not included within the Neighbourhood Plan,	This was addressed as part of the Outline Permission.
Overdevelopment,	Layout was addressed at the outline stage. The level of development has not increased as part of the reserved matters submission.
No access to the town for the elderly,	The required facilities will be provided within the site reducing the need to travel. This was a matter for consideration at the Outline stage.
Unsafe and unsuitable access.	This was considered at the Outline stage and is not for consideration as part of this application.
Private medical facilities will make the development expensive and not for the general public of Burnham.	Sufficient affordable housing is being provided at the site. The cost of the market dwellings is not a planning consideration.
Outdoor swimming pool, tennis courts and allotments are not for the general residents of Burnham.	This is an assumption and not based on planning.

Objection Comment	Officer Response
Not beneficial to the town.	The benefits of the development such as the provision of much needed specialist accommodation were addressed at the outline stage.
Insufficient sewage.	Addressed at section 5.7.
Unsustainable development.	This was addressed at the Outline Planning stage.
Outside the settlement boundary.	This was a principle matter addressed at the Outline Planning stage.
Contrary to paragraph 127 of the NPPF due to its design.	Design is addressed at section 5.4.
Above the required growth for Burnham.	This was addressed at the Outline Planning Stage.
LDP aims for people to enjoy independent living for as long as possible in their own homes.	This is a matter addressed at the Outline Planning Stage, but it should be noted that the development does relate to independent living.
Inaccessible location in terms of main roads and hospitals.	This was addressed at the Outline Planning Stage.
Existing care homes exceeds local needs.	This was addressed at the Outline Planning Stage.
Workers would need to be provided for within the vicinity and so would require access to local services and facilities.	This was matter for the Outline Planning Stage. However, it is not considered that the levels of growth relating from employment at the site would be so substantial as to put excess pressure on local services and facilities.
Residents will try and save money by using the towns medical and dental facilities.	This is not a planning consideration.
Impact on emergency services	This was addressed at the Outline Planning Stage.
Increase in CO2.	This was addressed at the Outline Planning Stage. The development proposes the use of renewable energies where possible to help mitigate against the harm.
Lack of integration with the existing settlement.	This was addressed at the Outline Planning Stage in considering the layout and also at 5.4 of this report.
Retail element doesn't conform to the sequential test.	This was addressed at the Outline Planning Stage.
Policy E2 requires an impact assessment where retail provision exceeds 1000sqm.	This was addressed at the Outline Planning Stage and the proposed shops are less than 1000sqm.

8. **PROPOSED CONDITIONS**

- 1 The development hereby permitted shall be begun before the expiration of two years from the date of this permission.

REASON To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended)

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

- | | |
|-----------------|----------------|
| • 461-P03 REV E | • 6681-1302-P2 |
| • 461-P04 REV A | • 6681-1303-P2 |
| • 191450-003 | • 6681-1304-P2 |
| • 6681-1105-P2 | • 6681-1305-P2 |
| • 6681-1106-P1 | • 6681-1306-P2 |
| • 6524-1101-PL1 | • 6681-1307-P2 |
| • 6681-1107-P2 | • 6681-1308-P2 |
| • 6681-1108-P1 | • 6681-1309-P2 |
| • 6681-1113-P2 | • 6681-1310-P2 |
| • 6681-1114-P1 | • 6681-1311-P2 |
| • 6681-1115-P2 | • 6681-1312-P2 |
| • 6681-1116-P2 | • 6681-1313-P2 |
| • 6681-1117-P1 | • 6681-1314-P2 |
| • 6681-1121-P1 | • 6681-1315-P2 |
| • 6681-1141-P1 | • 6681-1221-P2 |
| • 6681-1161-P1 | • 6681-1222-P2 |
| • 6681-1181-P1 | • 6681-1241-P2 |
| • 6681-1201-P2 | • 6681-1242-P2 |
| • 6681-1202-P2 | • 6681-1243-P2 |
| • 6681-1203-P2 | • 6681-1261-P2 |
| • 6681-1204-P2 | • 6681-1285-P2 |
| • 6681-1205-P2 | • 6681-1341-P2 |
| • 6681-1210-P2 | • 6681-1342-P2 |
| • 6681-1211-P2 | • 6681-1361-P2 |
| • 6681-1213-P2 | • 6681-1381-P2 |
| • 6681-1214-P2 | • 6681-1382-P2 |
| • 6681-1215-P2 | • 6681-1383-P2 |
| • 6681-1216-P2 | • 6681-1384-P2 |
| • 6681-1217-P2 | • 6681-1385-P2 |
| • 6681-1218-P2 | • 6681-1386-P2 |
| • 6681-1219-P2 | • 6681-1421-P1 |
| • 6681-1220-P2 | • 6681-1441-P1 |
| • 6681-1301-P2 | • 6681-1461-P1 |

- 6681-1321-P2
- 6681-1322-P2
- 6681-1323-P2
- 6681-1401-P1
- 461-P01 REV H
- 1925-WWA-XX-XX-DR-L-0100 REV PL04
- 1925-WWA-XX-XX-DR-L-0101 REV PL01
- 1925-WWA-XX-XX-DR-L-0102 REV PL03
- 1925-WWA-XX-XX-DR-L-0103 REV PL02
- 1925-WWA-XX-XX-DR-L-0104 REV PL02
- 1925-WWA-XX-XX-DR-L-0105 REV PL02
- 1925-WWA-XX-XX-DR-L-0106 REV PL02
- 1925-WWA-XX-XX-DR-L-0107 REV PL01
- 1925-WWA-XX-XX-DR-L-0108 REV PL02
- 1925-WWA-XX-XX-DR-L-0109 REV PL02
- 1925-WWA-XX-XX-DR-L-0111 REV PL01
- 1925-WWA-XX-XX-DR-LP-0300 REV PL01
- 1925-WWA-XX-XX-DR-LP-0301 REV PL03
- 1925-WWA-XX-XX-DR-LP-0302 REV PL02
- 1925-WWA-XX-XX-DR-LP-0303 REV PL02
- 1925-WWA-XX-XX-DR-LP-0304 REV PL02
- 1925-WWA-XX-XX-DR-LP-0305-REV PL02
- 1925-WWA-XX-XX-DR-LP-0306 REV PL01
- 1925-WWA-XX-XX-DR-LP-0307-REV PL02
- 1925-WWA-XX-XX-DR-LP-0308-REV PL02
- 461-P02 REV F
- 461-P06 REV A
- 461-P07 REV A
- 461-P08 REV A

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

- 3 The development shall be implemented in accordance with the dwelling mix hereby approved, which is as follows:

Market housing

- 30 No. one-bedroom bungalows
- 52 No. two-bedroom bungalows
- 21 No. three-bedroom bungalows
- 8 No. two-bedroom flats
- A mixture of 5 one and two-bedroom independent living units

Affordable housing

- A mixture of 50 one and two-bedroom independent living units

REASON In order to ensure that an appropriate housing mix is provided for the proposed development taking into account the objective of creating a

sustainable, mixed community contained in Policy H1 of the approved Maldon District Development Local Plan and the guidance contained in the National Planning Policy Framework.

- 4 The boundary treatments for the development hereby permitted shall be carried out in accordance with the details and with materials as shown on plans listed below and prior to the occupation of any of the dwellings:

- 1925-WWA-XX-XX-DR-L-0100 REV PL04
- 1925-WWA-XX-XX-DR-L-0101 REV PL01
- 1925-WWA-XX-XX-DR-L-0102 REV PL03
- 1925-WWA-XX-XX-DR-L-0103 REV PL02
- 1925-WWA-XX-XX-DR-L-0104 REV PL02
- 1925-WWA-XX-XX-DR-L-0105 REV PL02
- 1925-WWA-XX-XX-DR-L-0106 REV PL02
- 1925-WWA-XX-XX-DR-L-0107 REV PL01
- 1925-WWA-XX-XX-DR-L-0108 REV PL02
- 1925-WWA-XX-XX-DR-L-0109 REV PL02
- 1925-WWA-XX-XX-DR-L-0111 REV PL01
- 1925-WWA-XX-XX-DR-LP-0300 REV PL01
- 1925-WWA-XX-XX-DR-LP-0301 REV PL03
- 1925-WWA-XX-XX-DR-LP-0302 REV PL02
- 1925-WWA-XX-XX-DR-LP-0303 REV PL02
- 1925-WWA-XX-XX-DR-LP-0304 REV PL02
- 1925-WWA-XX-XX-DR-LP-0305-REV PL02
- 1925-WWA-XX-XX-DR-LP-0306 REV PL01
- 1925-WWA-XX-XX-DR-LP-0307-REV PL02
- 1925-WWA-XX-XX-DR-LP-0308-REV PL02

REASON To protect the amenity of the neighbouring residential properties and the character of the area in accordance with Policy D1 of the approved Maldon District Approved Local Development Plan.

- 5 The hard and soft landscape works shall be carried out in accordance with the details contained within approved plans listed below, prior to the occupation of any of the dwellings or prior to the first use of the buildings hereby approved within the relevant phase of development:

- 1925-WWA-XX-XX-DR-L-0100 REV PL04
- 1925-WWA-XX-XX-DR-L-0101 REV PL01
- 1925-WWA-XX-XX-DR-L-0102 REV PL03
- 1925-WWA-XX-XX-DR-L-0103 REV PL02
- 1925-WWA-XX-XX-DR-L-0104 REV PL02
- 1925-WWA-XX-XX-DR-L-0105 REV PL02
- 1925-WWA-XX-XX-DR-L-0106 REV PL02
- 1925-WWA-XX-XX-DR-L-0107 REV PL01

- 1925-WWA-XX-XX-DR-L-0108 REV PL02
- 1925-WWA-XX-XX-DR-L-0109 REV PL02
- 1925-WWA-XX-XX-DR-L-0111 REV PL01
- 1925-WWA-XX-XX-DR-LP-0300 REV PL01
- 1925-WWA-XX-XX-DR-LP-0301 REV PL03
- 1925-WWA-XX-XX-DR-LP-0302 REV PL02
- 1925-WWA-XX-XX-DR-LP-0303 REV PL02
- 1925-WWA-XX-XX-DR-LP-0304 REV PL02
- 1925-WWA-XX-XX-DR-LP-0305-REV PL02
- 1925-WWA-XX-XX-DR-LP-0306 REV PL01
- 1925-WWA-XX-XX-DR-LP-0307-REV PL02
- 1925-WWA-XX-XX-DR-LP-0308-REV PL02

Within the first available planting season (October to March inclusive) following the occupation of the relevant phase of the development the landscaping works as shown on the abovementioned plans and specifications attached to and forming part of this permission shall be fully implemented. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

REASON To protect the character of the area in accordance with policy D1 of the Maldon District Approved Local Development Plan.

- 6 Notwithstanding conditions 2 and 3 and the soft landscaping detail shown on the relevant plans and contained within the Landscape Specification and Management Plan (Wynne Williams Associates, December 2019), details of further soft landscaping relating to the siting of the Sorbus, Cherry and Crataegus tree species shall be submitted to and agreed in writing by the Local Planning Authority. The detail shall include the siting and management of these species and the provision of root deflectors or other provisions for managing growth.

The detail shall be submitted to and approved in writing by the local planning authority prior to any works occurring above ground level at the application site, carried out and maintained as specified.

REASON To ensure appropriate protection to protected species is provided and appropriate levels of soft landscaping in accordance with the guidance of the National Planning Policy Framework and Policies S1, D1 and N2 of the Maldon District Local Development Plan.

- 7 The development shall be undertaken in accordance with the terms and specifications contained within the Landscape Specification and Management Plan (Wynne Williams Associates, December 2019), which is attached to and forms part of this permission.

REASON To ensure appropriate protection to protected species is provided and appropriate levels of soft landscaping in accordance with the guidance of the National Planning Policy Framework and Policies S1, D1 and N2 of the Maldon District Local Development Plan.

- 8 Prior to the commencement of development, precise written details of the proposed phasing of development, supported by a detailed phasing plan shall be submitted to and be approved in writing by the Local Planning Authority. The development shall proceed in compliance with the agreed phasing schedule as approved.

REASON To ensure that development is completed in accordance with an agreed phasing of development having regard to the provisions and guidance of the National Planning Policy Framework, and the Approved Maldon District Local Development Plan policy N2.

- 9 No development above ground level relating to each individual phase of the development, to be agreed as part of condition 7, shall take place until samples of the external finishing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and be retained as such in perpetuity.

REASON In the interest of the character and appearance of the area in accordance with policy D1 of the approved Maldon District Local Development Plan and guidance contained within the National Planning Policy Framework.

- 10 Notwithstanding the provisions of Class A, B, C, D, E and F of Part 1 of Schedule 2 and Class A of Part 2 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no garages, extensions or separate buildings shall be erected within the site without planning permission having been obtained from the local planning authority.

REASON In the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance with the requirements of policies D1 and H4 of the Maldon District Local Development Plan and the provision and guidance as contained within the National Planning Policy Framework.

- 11 Prior to the occupation of the dwellings or buildings hereby permitted relating to each individual phase of the development, to be agreed under the terms of condition 7, the vehicle parking relating to that phase shall be hard surfaced, sealed and marked out in parking bays accordance with the plans and details hereby approved. The vehicle parking areas shall be retained in this form in perpetuity. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

REASON To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with policies D1 and T2 of the approved Local Development Plan.

12 The uses hereby permitted shall only be undertaken between the following hours:

- A1 shops:
 - 07:30 hours – 21:00 hours Monday to Saturday;
 - 08:00 hours – 18:00 hours Sundays and Bank Holidays.
- A3 Restaurants and Cafes:
 - 07:30 hours – 23:00 hours Monday to Saturday;
 - 08:00 hours – 22:00 hours Sundays and Bank Holidays.
- A5 Hot Food takeaways:
 - 11:00 hours – 22:00 hours Monday to Saturday;
 - 11:00 hours – 22:00 hours Sundays and Bank Holidays.
- Community Centre:
 - 07:30 hours – 23:00 hours Monday to Saturday;
 - 08:00 hours – 22:00 hours Sundays and Bank Holidays.

No customers or visitors shall be present upon the premises outside the permitted hours.

REASON In the interests of neighbouring amenity in accordance with Policies S1 and D1 of the approved Local Development Plan.

13 No goods, materials, plant, machinery, skips, containers, packaging or other similar items shall be stored or kept outside of the maintenance building hereby approved.

REASON In the interests of neighbouring amenity and visual amenity in accordance with Policies S1 and D1 of the approved Local Development Plan.

14 No repairs or maintenance works relating to the maintenance building shall be undertaken outside of the building.

REASON In the interests of neighbouring amenity in accordance with Policies S1 and D1 of the approved Local Development Plan.

15 The maintenance building shall be used for purposes ancillary to the wider retirement community hereby approved and for no other purpose.

REASON In the interests of neighbouring amenity in accordance with Policies S1 and D1 of the approved Local Development Plan.

16 Prior to the first occupation of the dwellings or the first use of the buildings hereby approved relating to each individual phase of the development, to be agreed under the terms of condition 7, the detail relating to waste management contained within the submitted Planning Statement (15th May 2020) and the refuse points as shown on Plans 6681-1117-P1 and 191450-003 shall be fully implemented and retained.

REASON To ensure that adequate refuse facilities are provided and in the interest of the visual amenity of the area in accordance with the requirements of policy D1 of the Maldon District Local Development Plan and the provision and guidance as contained within the Maldon District Design Guide.

17 Details of the number, location and design of vehicle charging points shall be submitted to and agreed in writing by the local planning authority. The approved provisions shall be provided in accordance with the approved

scheme before each phase of the development, subject to condition 7, is occupied and retained as such thereafter.

REASON To ensure appropriate parking is provided in accordance with the Council's adopted Vehicle Parking Standards (2018) and to ensure that provision for sustainable modes of transport are provided in accordance with Policies S1 and T2 of the approved Local Development Plan.

- 18 The public's rights and ease of passage over public footpath no 1 (Burnham-on-Crouch) shall be maintained free and unobstructed at all times. Any works, maintenance or improvements to the footpath as part of the proposed development shall be pre-agreed with the Highway Authority, Essex County Council, and to its specifications.

REASON To ensure the continued safe passage of the public on the definitive right of way and accessibility in accordance with Policies D4, N3 T1, and T2 of the approved Maldon District Local Development Plan.

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