



**MINUTES of
DISTRICT PLANNING COMMITTEE
3 SEPTEMBER 2025**

PRESENT

Chairperson	Councillor M E Thompson
Vice-Chairperson	Councillor V J Bell
Councillors	M G Bassenger, D O Bown, J R Burrell-Cook, S J Burwood, S Dodsley, J Driver, M F L Durham, CC, A Fittock, A S Fluker, L J Haywood, J C Hughes, K M H Lagan, A M Lay, W J Laybourn, S J N Morgan, C P Morley, M G Neall, R G Pratt, R H Siddall, U G C Siddall-Norman, N D Spenceley, P L Spenceley, W Stamp, CC, E L Stephens, J C Stilts and N J Swindle

216. CHAIRPERSON'S NOTICES

The Chairman welcomed everyone to the meeting and went through some general housekeeping arrangements for the meeting.

217. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors K Jennings, S White and L L Wiffen.

218. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the District Planning Committee held on 30 July 2025 be approved and confirmed.

219. DISCLOSURE OF INTEREST

Agenda Item 5 – 24/00901/FULM – Solar Farm at 596892 196989 Marsh Road, Burnham-on-Crouch

Councillor V J Bell declared that her decision was pre-determined so would recuse herself from the Committee during that section of the meeting.

Councillor A Fittock declared that he was the Chairperson of Latchingdon Parish Council and had already discussed this application at a Parish Council meeting.

Prior to the next item of business and following her earlier declaration, Councillor Bell left the meeting.

220. 24/00901/FULM - SOLAR FARM AT 596892 196989 MARSH ROAD, BURNHAM-ON-CROUCH

Application Number	24/00901/FULM
Location	Solar Farm At 596892 196989 Marsh Road, Burnham-on-Crouch
Proposal	Construction and operation of a solar farm and battery energy storage system (with a power generation capacity up to 25.5 MW), together with all associated works, equipment, necessary infrastructure and landscaping.
Applicant	One Planet Developments Limited
Agent	Mr Arfon Hughes - Mango Planning & Development Ltd
Target Decision Date	10.09.2025 (Time Extension agreed with the Agent)
Case Officer	Chris Purvis
Parish	BURNHAM NORTH
Reason for Referral to the Committee / Council	Major Development - Solar energy proposal

It was noted from the Members' Update that an additional representation from an interested party had been received.

Following the Officers presentation the Applicant, Mr James Wallwork addressed the Committee.

During the debate that ensued some Members raised concerns regarding the development, including access to the site past local schools, the overall height of the solar panels including their impact on the surrounding area, and the proposed materials used for the entrance and exit of the site.

In response to a request for an additional condition to request that the contractors repaired any damage to the access roads or property, Officers advised that this would depend on who owned the road as if privately owned this would be a civil matter.

Councillor A S Fluker proposed that a pre-commencement condition be added regarding the binding of roads after completion. In response the Principal Planning Officer advised that was included within the suggested conditions.

Following further discussion, Councillor S J N Morgan proposed that Members accept the officers' proposal to approve the application and this was duly seconded.

Members discussed the fire safety of the site, and in response to some concerns raised the Officer reassured the Committee that a consultation with the fire authority had taken place and a number of conditions, which included a fire risk management plan were proposed.

At this point in the meeting the Chairperson put Councillor Morgan's proposal of approval to the Committee and this was duly agreed. It was further agreed that an additional condition regarding surfacing materials would be included. Councillors A S Fluker, M G Neall, D O Bown, K M H Lagan, L J Haywood, J C Stilts, W Stamp, U G C Siddal-Norman, S Dodsley, M G Bassenger and J C Hughes requested to have their vote against the approval recorded.

RESOLVED that this application be **APPROVED** subject to the following conditions and an additional condition regarding surfacing materials:

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

2. The grant of planning permission shall expire 40 years from the date of when electricity is first exported from any of the solar panels to the electricity grid ("First Export Date"). Written notification of the First Export Date shall be given to the Local Planning Authority within 1 month of its occurrence.
3. If the use of the hereby approved development should cease for the purposes of energy generation for a concurrent period exceeding six months or more, all the equipment and structures hereby approved shall be removed from the land and the site reinstated to its former condition. In any case, the Panels, associated structures, and infrastructure shall be removed at the latest date of 40 years from the First Export Date, in accordance with the details as required in condition 3. Prior to the removal of any panels and equipment a scheme (to include timescales) for the reinstatement of the site to agricultural land alongside any retained ecological habitat areas shall be submitted to and approved in writing by the Local Planning Authority. The site shall be reinstated in accordance with the approved details.
4. No development shall commence until fencing/ground protection to protect the trees/hedges/shrubs to be retained has been erected in accordance with BS5837:2012, details of which are set out in the Arboricultural Impact Assessment and Method Statement (11835_AIA.001 November 20024). Within the fenced protection zone nothing shall be stored or placed, no fires lit, no vehicle shall gain access, ground levels shall not be altered, no excavation shall be made and no structure shall be erected.
5. The soft landscape works shall be carried out in accordance with the Landscape Strategy Plan drawing no. 098 210 Rev B. The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the first operation of any part of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority. 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 its replacement, is removed, uprooted, destroyed, 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 in the same place, unless the Local Planning Authority gives its written consent to any variation.
6. Site construction shall be carried out in accordance with the submitted Construction Traffic Management Plan dated July 2024.
7. Prior to the commencement of the development, the proposed eastern vehicle access shall be provided as shown in the Construction Traffic Management Plan Drawing 2307-036/PL01 and shall be maintained and retained during the course of the construction phase of the development.
8. No unbound material shall be used in the surface treatment of the proposed eastern vehicular access within 20 metres of the highway boundary on Marsh Road.
9. Prior to commencement of the development, a before and after condition survey to identify defects to the highway on Marsh Road shall be undertaken and the developer will repair any damage caused by construction traffic (repairs shall be undertaken in accordance with the approval of the Local Highway Authority) within 6 months of the First Export Date or approval from the Local Highways Authority if later.
10. The public's rights and ease of passage over public footpath nos 15 and 26 (Burnham-on-Crouch Parish) shall be maintained free and unobstructed at all times.
11. The development hereby permitted shall be carried out in accordance with the proposed mitigation measures as set out in the Flood Risk Assessment (dated 30 June 2025). The mitigation measures shall be fully implemented and then maintained and retained prior to the solar farm becoming operational.
12. No development except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles

and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in found in chapter 25.3 of The CIRIA SuDS Manual C753.
- For the BESS area, limiting discharge rates to a maximum of 1l/s for all storm events up to and including the 1 in 100 year plus 45% allowance for climate change storm event. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 45% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 45% climate change critical storm event.
- All sensitive infrastructure to be raised above the flood levels or details of the flood mitigation measures to be provided.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753. A minimum of one stage of treatment will be required exclusively for the BESS Area.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.

The scheme shall subsequently be implemented prior to the solar farm becoming operational.

13. No development shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall subsequently be implemented as approved.
14. Prior to the first operation of the development a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies shall be submitted to and agreed in writing by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long-term funding arrangements shall be provided.
15. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.
16. The development hereby permitted shall not be commenced until such time as a soil management plan has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.
17. Prior to the first operational use of the development, a Flood Warning and Evacuation Plan [FWEP] for the development shall be submitted to and approved in writing by the Local Planning Authority. The approved measures within the Flood Warning and Evacuation Plan [FWEP] shall be implemented, shall be made available for inspection by all users of the site and shall be displayed in a visible location all times thereafter.

18. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority, in line with the Ecological Impact Assessment & Biodiversity Net Gain Assessment (Windrush Ecology, January 2025). The CEMP (Biodiversity) shall include the following:
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

19. Prior to the commencement of development, a finalised Farmland Bird Compensation Strategy shall be submitted to and approved by the Local Planning Authority to compensate the loss or displacement of any Farmland Bird territories identified as lost or displaced, in line with the Skylark Mitigation Scheme (One Planet, April 2025). This shall include provision of offsite compensation in nearby agricultural land, prior to commencement. The content of the Farmland Bird Compensation Strategy shall include the following:
- 20.
- a) Purpose and conservation objectives for the proposed compensation measure e.g. Skylark plots;
 - b) methodology for the compensation measures;
 - c) locations of the compensation measures by appropriate maps and/or plans;
 - d) persons responsible for implementing the compensation measure.

The Farmland Bird Compensation Strategy shall be implemented in accordance with the approved details and all features shall be retained for a minimum period of 10 years.

21. Prior to any works above ground level, a Biodiversity Enhancement Layout for biodiversity enhancements listed in the Landscape Strategy Plan (Steele Landscape Design, November 2024) shall be submitted to and approved in writing by the Local Planning Authority. The content of the Biodiversity Enhancement Layout shall include the following:
- a) detailed designs or product descriptions for biodiversity enhancements; and
 - b) locations, orientations and heights for biodiversity enhancements on appropriate drawings.

The enhancement measures shall be implemented in accordance with the approved details prior to first operational use of the solar farm and all features shall be retained in that manner thereafter.

22. Prior to first operation of the development, a lighting design strategy for biodiversity in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding

- sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.
 - c) All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained
 - d) thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.
23. Prior to first operation of the development, a Habitat Management and Monitoring Plan (HMMP) for significant on-site enhancements, prepared in accordance with the approved Biodiversity Gain Plan shall be submitted to and approved in writing by the local authority, this shall include:
- a) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - b) the planned habitat creation and enhancement works to create or improve habitat to achieve the on-site significant enhancements in accordance with the approved Biodiversity Gain Plan;
 - c) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
 - d) the monitoring methodology in respect of the created or enhanced habitat to be submitted to the Local Planning Authority; and
 - e) details of the content of monitoring reports to be submitted to the LPA including details of adaptive management which will be undertaken to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.
 - f)

Notice in writing shall be given to the Council when the:

- initial enhancements, as set in the HMMP, have been implemented; and
- habitat creation and enhancement works, as set out in the HMMP, have been completed after 30 years.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Unless otherwise agreed in writing, monitoring reports shall be submitted in years 1, 2, 5, 10, 15, 20, 25, and 30 to the Council, in accordance with the methodology specified in the approved HMMP.

24. No development including any site clearance or groundworks of any kind shall take place within the site until the applicant or their agents; the owner of the site or successors in title has secured the implementation of a programme of archaeological work from an accredited archaeological contractor in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in a manner that accommodates the approved programme of archaeological work, and the applicant shall submit a Post Excavation Assessment within 6 months of the date of completion of the archaeological fieldwork for record sharing purposes.
25. Prior to the commencement of the beneficial use of the solar farm hereby permitted, details of site security measures shall be submitted to and approved in writing by the Local Planning Authority. The solar farm shall be operated in accordance with the approved details.
26. Prior to the first operation of the development details of the designated safe access route for fire appliances shall be submitted to and approved in writing by

the Local Planning Authority. This safe access route shall be maintained and retained at all times during the lifetime of the solar farm.

27. Prior to the commencement of the development a Fire Risk Management Plan (FRMP) should be submitted to and approved in writing by the Local Planning Authority. The FRMP should include details relating to potential emergency response implications, including (where relevant):
- The proposed management of the fire hazards and risk at and to the facility.
 - Any safety issues for emergency responders responding to any emergencies at the facilities.
 - How safe access to and within the facility will be achievable for emergency vehicles and responders, including to key site infrastructure and fire protection systems.
 - Details of proposed fire detection and suppression systems (e.g. water supply) on site.
 - Details of any natural and built infrastructure, and on-site processes that may impact or delay effective emergency response.

The development shall be constructed and operated in accordance with the FRMP until such a time that the site ceases for the purposes of energy generation as set out in Condition 3 of this permission.

28. Prior to the commencement of the development a Fire Emergency Response Plan (FERP) shall be submitted to and approved in writing by the Local Planning Authority. The FERP shall include details of (where relevant):
- How the emergency services will be alerted in the case of an emergency
 - A facility description, including infrastructure details, operations, number of personal and operating hours.
 - A site plan depicting key infrastructure including:
 - Site access points and internal roads
 - Firefighting facilities (including water tanks, pumps, booster systems, fire hydrants, fire hose reels);
 - drainage
 - neighbouring properties.
 - Details of emergency resources, including fire detection and suppression systems and equipment; gas detection; emergency eye-wash and shower facilities; spill containment systems and equipment; emergency warning systems; communication systems; personal protective equipment; first aid.
 - A list of dangerous goods stored on site.
 - Site evacuation procedures.
 - Emergency procedures for all credible hazards and risks, including building, infrastructure and vehicle fire, grassfire and bushfire.

The development shall be constructed and operated in accordance with the FERP until such a time that the site ceases for the purposes of energy generation as set out in Condition 3 of this permission.

221. 24/01004/OUTM - LAND SOUTH OF THREEWAYS AND 45 THE STREET, LATCHINGDON, ESSEX

Application Number	24/01004/OUTM
Location	Land South of Threeways And 45 The Street, Latchingdon, Essex
Proposal	Outline planning application with all matters reserved except for means of access, for up to 140 no. dwellings (Use Class C3) including 40% affordable housing; new site access and internal access roads; a new village centre (Use Class E(a)); flexible employment space (Use Class E); car and cycle parking; landscaping; sustainable urban drainage systems; public open space and footpaths; community woodlands and allotments; together with associated infrastructure.
Applicant	EJ Latchingdon Ltd
Agent	Mr Matthew Driscoll - MJD Planning Ltd
Target Decision Date	24.03.2025
Case Officer	Patrick Daly
Parish	MALDON WEST
Reason for Referral to the Committee / Council	Major application Departure application

It was noted from the Members' Update that an appeal against non-determination of the application had been received along with a consultation response from the Environment Agency.

Following the Officers presentation an Objector Emma Derham addressed the Committee.

A debate ensued and in response to questions raised, the Head of Service: Development Management and Building Control advised the appeal received was for non-determination and that the Council had missed the deadline for determination of the application because of resource limitations.

In response to a question regarding invoking the constitutional brake should Members be minded to refuse, the Head of Service stated that this would not be an available option due to related timescales. He explained that if Members were minded to refuse this application, a decision notice would not be issued due to the appeal in progress however this decision would form part of the information sent to the Planning Inspectorate by the Council.

Considerable concern was raised about Anglian Waters' (AW) consultation response about not having the capacity to deal with foul water in the new development. The Head of Service explained that it was outside of the Council's remit to refuse the application based on this, as a connection to a sewer in the UK could not be refused due to it being a matter of law and procedure and therefore it would be the responsibility of AW to resolve this.

Concerns regarding the traffic infrastructure and how the new development would impact the whole region were raised and it was highlighted that Essex County Council Highways had no objections to the proposal. Therefore, this would not be a valid reason for refusal.

In response to a discussion regarding the design of the development, Head of Service advised that refusing a scheme based on an illustrative plan may be difficult because it was not part of the formal consideration of the layout.

During the discussion that ensued and in response to concerns raised, proposals to refuse the application, contrary to Officers' recommendation, were put forward from Councillors A Fittock and A S Fluker, but not seconded.

Following further debate, Councillor S J N Morgan then proposed that the application be refused, contrary to Officers' recommendation for reasons relating to the application being unsustainable. This proposal was duly seconded. Members then discussed reasons for refusal, and it was agreed that if agreed the refusal should refer to Policies D1, S1, S2, S8, I5 and D5. Councillor Morgan amended his proposal accordingly, and upon a vote being taken this was agreed.

RESOLVED that the Committee be minded to **REFUSE** this application be for the reasons discussed.

There being no other items of business the Chairperson closed the meeting at 9.35 pm.

M E THOMPSON
CHAIRPERSON