

09 December 2025



Princes Road  
Maldon  
Essex CM9 5DL

[www.maldon.gov.uk](http://www.maldon.gov.uk)



APOLOGIES: Committee Services  
Email: [Committee.clerk@maldon.gov.uk](mailto:Committee.clerk@maldon.gov.uk)

CHIEF EXECUTIVE  
Doug Wilkinson

Dear Councillor

You are summoned to attend the meeting of the;

**CENTRAL AREA PLANNING COMMITTEE**

on **WEDNESDAY 17 DECEMBER 2025 at 7.30 pm**

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

Please Note: All meetings will continue to be live streamed on the [Council's YouTube channel](#) for those wishing to observe remotely. Public participants wishing to speak remotely at a meeting can continue to do so via Microsoft Teams.

To register your request to speak / attend in person please complete a [Public Access form](#) (to be submitted by 12noon on the working day before the Committee meeting). All requests will be considered on a first-come, first-served basis.

A copy of the agenda is attached.

Yours faithfully

Chief Executive

**COMMITTEE MEMBERSHIP:**

CHAIRPERSON	Councillor P L Spenceley
VICE-CHAIRPERSON	Councillor A M Lay
COUNCILLORS	J R Burrell-Cook
	S J Burwood
	S Dodsley
	J Driver
	K Jennings
	K M H Lagan
	N D Spenceley
	J C Stilts
	N J Swindle

Please note: Electronic copies of this agenda and its related papers are available via the Council's website [www.maldon.gov.uk](http://www.maldon.gov.uk).



**AGENDA  
CENTRAL AREA PLANNING COMMITTEE**

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**WEDNESDAY 17 DECEMBER 2025**

1. **Chairperson's notices**
2. **Apologies for Absence**
3. **Minutes of the last meeting** (Pages 7 - 10)

To confirm the Minutes of the meeting of the Committee held on 19 November 2025, (copy enclosed).

4. **Disclosure of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, Other Registrable interests and Non-Registrable Interests relating to items of business on the agenda having regard to paragraph 9 and Appendix B of the Code of Conduct for Members.

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

5. **Tree Preservation Order (TPO) 06/25 - Land To The Front of 27 Mayflower Drive, Maldon** (Pages 11 - 18)

To consider the report of the Director of Place, Planning and Growth, (copy enclosed, Members' Update to be circulated)\*.

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

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**Note:**

1. The Council operates a facility for public participation. This will operate only in relation to the consideration and determination of planning applications.
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](#) no later than noon on the working day before the Committee meeting.
4. For further information please see the Council's website – [www.maldon.gov.uk/committees](http://www.maldon.gov.uk/committees)

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

## **NOTICES**

### **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.

### **Fire**

We do not have any fire alarm testing scheduled for this meeting. In the event of a fire, a siren will sound. Please use either of the two marked fire escape routes. Once out of the building please proceed to the designated muster point located on the grass verge by the police station entrance. Please gather there and await further instruction. If you feel you may need assistance to evacuate the building, please make a member of Maldon District Council staff aware.

### **Health and Safety**

Please be advised of the different levels of flooring within the Council Chamber.

### **Closed-Circuit Televisions (CCTV)**

Meetings held in the Council Chamber are being monitored and recorded by CCTV.

### **Lift**

Please be aware, there is not currently lift access to the Council Chamber.

## DISTRICT AND AREA PLANNING COMMITTEE 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 Development Plans and Other Material Considerations:

### Statutory Development Plans

- [Maldon District Local Development Plan 2014-2029](#) - approved by the Secretary of State 21 July 2017
- [Burnham-On-Crouch Neighbourhood Development Plan](#) (Made 7 Sept 2017)
- [Wickham Bishops Neighbourhood Development Plan](#) (Made 30 June 2021)
- [Langford and Ulting Neighbourhood Development Plan](#) (Made 31 March 2022)
- [Great Totham Neighbourhood Development Plan](#) and [Village Design Statement](#) (Made 6 July 2022)
- [Mayland Neighbourhood Plan](#) (Made 25 September 2025)
- [Essex and Southend on Sea Waste Local Plan](#) 2017
- [Essex Minerals Local Plan](#) 2014

### Other Material Considerations

#### Legislation

- [The Town and Country Planning \(Use Classes\) Order 1987](#) (as amended)
- [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](#)
- [Human Rights Act 1998](#)
- [The Planning and Compulsory Purchase Act 2004](#) (as amended)
- [The Town and Country Planning \(Control of Advertisements\) \(England\) Regulations 2007](#)
- [Localism Act 2011](#)
- [The Planning Act 2008](#)
- [Marine and Coastal Access Act 2009](#)
- [Equality Act 2010](#)
- [The Community Infrastructure Levy Regulations 2010](#) (as amended)
- [The Town and Country Planning \(Tree Preservation\) \(England\) Regulations 2012](#)
- [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](#)
- [The Town and Country Planning \(General Permitted Development\) Order 2015](#) (as amended)

- [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#)
- [Housing and Planning Act 2016](#)
- [The Self-build and Custom Housebuilding Regulations 2016](#)
- [The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017](#)
- [Neighbourhood Planning Act 2017](#)
- [The Town and Country Planning \(Brownfield Land Register\) Regulations 2017](#)
- [The Conservation of Habitats and Species Regulations 2017](#)
- [Environment Act 2021](#)
- [Levelling Up and Regeneration Act 2023](#)
- [The Biodiversity Gain \(Town and Country Planning\) \(Consequential Amendments\) Regulations 2024](#)
- [The Biodiversity Gain Requirements \(Exemptions\) Regulations 2024](#)
- [The Biodiversity Gain \(Town and Country Planning\) \(Modifications and Amendments\) \(England\) Regulations 2024](#)

#### National Planning Policy

- [National Planning Policy Framework \(NPPF\)](#)
- [Planning Policy for Travellers Sites 2024](#)
- Written Ministerial Statements – as / if referred to in the report
- Government Circulars – as / if referred to in the report

#### Guidance, Supplementary Planning Documents (SPD) and Design Statements

##### *National-scale*

- [National Planning Practice Guidance](#)

##### *Sub-Regional / Essex-scale*

- [Essex and South Suffolk Shoreline Management Plan \(SMP\)](#) - October 2010
- [South East Inshore Marine Plan](#) - June 2021
- [The Essex Design Guide](#)

##### *District-scale*

- [North Heybridge Garden Suburb Strategic Masterplan Framework – 2014](#)
- [Maldon District Design Guide SPD 2018](#)
- [Maldon and Heybridge Central Area Masterplan SPD – 2017](#)
- [South Maldon Garden Suburb Strategic Masterplan Framework SPD – 2018](#)
- [Maldon District Vehicle Parking Standards SPD – 2018](#)
- [Maldon District Renewable and Low Carbon Technologies SPD – 2018](#)
- [Maldon District Specialist Needs Housing SPD – 2018](#)
- [Maldon District Affordable Housing and Viability SPD – 2018- amended 2019](#)
- [Maldon District Green Infrastructure Strategy SPD - 2019](#)
- [Essex Coast Recreational Disturbance Avoidance Mitigation Strategy \(RAMS\) SPD - 2020](#)
- [North Quay Development Brief SPD - 2020](#)
- [Maldon District Five Year Housing Land Annual Supply Statement – May 2024](#)

### *Local-scale*

- [Heybridge Basin Village Design Statement – 2007](#)
- [Althorne Village Design Statement - 2015](#)
- [Woodham Walter Village Design Statement – 2017](#)

### *Maldon District Local Development Plan Review Evidence Base*

- Various Conservation Area Appraisals
- [Maldon District Viability Study 2020](#)
- [Maldon District Economic Study 2020](#)
- [Maldon District Local Housing Needs Assessment 2021](#)
- [Maldon District Nature Conservation Study 2022](#)
  - [Assessment of Selected Sites](#)
  - [Maldon District Local Wildlife Sites Register 2022](#)
  - [Maldon Wildlife Sites Ratification Letter 2024](#)
- [Maldon District Rural Facilities Survey and Settlement Pattern 2023](#)
- [Maldon District Housing and Economic Land Availability Assessment \(HELAA\) 2023](#)
- [Maldon District Employment Land and Premises Study 2024](#)
  - [Appendix G](#)
  - [Appendix H](#)
  - [Appendix I](#)
  - [Appendix J](#)

All Background Papers are available for electronic inspection at the Maldon District Council Offices, Princes Road, Maldon, Essex CM9 5DL during [opening hours](#).



**MINUTES of  
CENTRAL AREA PLANNING COMMITTEE  
19 NOVEMBER 2025**

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**PRESENT**

Chairperson	Councillor P L Spenceley
Vice-Chairperson	Councillor A M Lay
Councillors	J R Burrell-Cook, S J Burwood, S Dodsley, J Driver and N D Spenceley

**322. CHAIRPERSON'S NOTICES**

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

**323. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors K Jennings, K M H Lagan, J C Stilts and N J Swindle.

**324. MINUTES OF THE LAST MEETING**

**RESOLVED**

- (i) that the Minutes of the meeting of the Committee held on 22 October 2025 be received.

It was noted that in the list of those present in the meeting there was an error in who attended Councillor J C Stilts was not in attendance and Councillor N J Swindle was in attendance.

**RESOLVED**

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 22 October 2025 be confirmed.

**325. DISCLOSURE OF INTEREST**

Councillor J R Burrell-Cook declared that he was acquainted with the applicant on Agenda Item 5 25/00605/FUL - Land Adjacent Heybridge House Industrial Estate, Bates Road, Maldon.

**326. 25/00605/FUL - LAND ADJACENT HEYBRIDGE HOUSE INDUSTRIAL ESTATE,  
BATES ROAD, MALDON**

<b>Application Number</b>	<b>25/00605/FUL</b>
<b>Location</b>	Land Adjacent Heybridge House Industrial Estate Bates Road Maldon
<b>Proposal</b>	Retrospective application for storage of empty bins, empty skips and lorries associated with neighbouring use
<b>Applicant</b>	Mr Robert Smith - CSH Environmental
<b>Agent</b>	Mr Paul Calder - Next Steps Planning Ltd
<b>Target Decision Date</b>	28 November 2025 (Time Extended)
<b>Case Officer</b>	Chris Purvis
<b>Parish</b>	<b>MALDON NORTH</b>
<b>Reason for Referral to the Committee / Council</b>	Called in by Cllr Nick Spenceley over concerns with flood risk and policy D5, impact upon green infrastructure and policy N1, and to consider biodiversity and policy N2.

The Officer presented the report. Following this the Applicant Robert Smith addressed the Committee.

Members were reminded that this application had been considered by this Committee at its meeting on 22 October 2025 and due to an error had been brought back for fresh consideration. Members then commended the applicant for working with Maldon District Council to address some of the Committees concerns.

Following this Councillor P L Spenceley proposed that they approve this application. This was duly seconded

In accordance with Procedure Rule No. 13 (3) the Chairperson requested a recorded vote. She then put the proposal to approve the application to the Committee, and the voting was as follows:

For the recommendation:

Councillors J R Burrell-Cook, S J Burwood, S Dodsley, J Driver, A M Lay, N D Spenceley and P L Spenceley.

Against the recommendation:

None.

Abstention:

None.

**RESOLVED** that the application be **APPROVED** subject to the following conditions:

1. Notwithstanding the time limits given to implement planning permission as prescribed by Sections 91 and 92 of the Town and Country Planning Act 1990 (as amended), this permission in so far as it relates to the development (being granted under section 73A of the Act in respect of development already carried out) shall have effect from the date of this decision notice.
2. The site shall only be used for the storage of empty bins, empty skips and lorries associated with neighbouring use and for no other purpose including any purpose as defined within Class B8 of the Schedule to the Town & Country Planning [Use Classes] Order 1987 [as amended] [or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification].
3. The use hereby permitted shall only be undertaken between 08:00 hours and 18:00 hours on weekdays and between 08:00 hours and 13:00 hours on Saturdays and not at any time on Sundays and Public Holidays.



4. Deliveries to and collections from the site shall only be undertaken between 08:00 hours and 18:00 hours on weekdays and between 08:00 hours and 13:00 hours on Saturdays and not at any time on Sundays and Bank and Public Holidays.
5. No waste transfer processes or cleaning processes shall be undertaken on site.
6. No bins or skips shall be stacked, stored or deposited on the site to a height exceeding 2.0 metres.
7. No means of external illumination of the site shall be installed at the site.
8. Within 2 months of the date of this planning permission a Flood Warning and Evacuation Plan [FWEP] 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 within one week following its written approval by the local planning authority, shall be made available for inspection by all users of the site and shall be displayed in a visible location all times thereafter.
9. Within 2 months of the date of this planning permission, the site shall be laid out in accordance with the approved plans and retained as such.
10. Within 2 months of the date of this planning permission full details of soft landscape works to be carried out within the site shall be submitted to and approved in writing by the local planning authority. This shall include details of the soft landscape works including schedules of shrubs and trees to be planted, noting the species, stock size, proposed numbers/densities and details of the planting scheme's implementation, aftercare and maintenance programme. The soft landscape works shall be carried out as approved within first available planting season (October to March inclusive) following approval of the soft landscaping works. 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.
11. Within 2 months of the date of this planning permission details of an acoustic fence to be installed within the site but adjacent to the existing north eastern site boundary with the public footpath connecting Bates Road to Hall Road and The Street in Heybridge to the north shall be submitted to and approved in writing with the local planning authority. The acoustic fence as approved shall be then erected within 1 month following approval of the details and shall be retained as such at all times thereafter.

There being no other items of business the Chairperson closed the meeting at 7.47 pm.

P L SPENCELEY  
CHAIRPERSON

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**REPORT of  
DIRECTOR OF PLACE, PLANNING AND GROWTH**

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to  
**CENTRAL AREA PLANNING COMMITTEE  
17 DECEMBER 2025**

<b>Application Number</b>	<b>06/25</b>
<b>Location</b>	Land To The Front of 27 Mayflower Drive - Maldon
<b>Proposal</b>	Confirmation of TPO 06/25
<b>Applicant</b>	Maldon District Council
<b>Target Decision Date</b>	6 January 2026
<b>Case Officer</b>	Hayley Sadler
<b>Parish</b>	<b>Maldon South</b>
<b>Reason for Referral to the Committee / Council</b>	Decision on confirmation of a Tree Preservation Order as per the Council's scheme of delegation.

**1. RECOMMENDATION**

**CONFIRM Tree Preservation Order (TPO) 06/25** without any modifications.

**2. SITE MAP**

Please see below.

**Tree Preservation Order**

**G1 – 4 x Silver Birch**

**Land To The Front of 27 Mayflower Drive  
Maldon**

**TPO 06/25**



### **3. SUMMARY**

#### **3.1 Proposal / brief overview, including any relevant background information**

- 3.1.1 In July 2025 an email was received from the Council's Coast & Countryside Manager, requesting that a group of Four Silver Birch trees located on Council owned land to the front of 27 Mayflower Drive, Maldon are protected by a Tree Preservation Order (TPO). The reason for the request was that there was a concern that the trees could have unauthorised works carried out or were going to be felled, as it was claimed the trees are interfering and causing a nuisance to the properties that they front in Mayflower Drive.
- 3.1.2 A Tree Evaluation Method for Preservation Orders (TEMPO) assessment, which is the nationally accepted system of scoring the amenity value of a tree, was carried out by the Council's Arboricultural Consultant. The TEMPO assessment scored the tree 16 out of 25 and concluded that the trees 'Definitely merits TPO'. Therefore, a TPO was served as a provisional order on 9 July 2025, which must be confirmed within six months to become permanent and thus continue the tree's protection.
- 3.1.3 Three letters of objection have been received from both neighbouring properties and the son of the previous owner who is dealing with the sale of the property.
- 3.1.4 These objections remain unresolved; therefore, the question of whether or not to confirm the TPO has been brought before members to determine.
- 3.1.5 For the purposes of the report going forwards, the trees (4 x Silver Birch) subject to this report will be referred to as G1.

#### **3.2 The Site**

- 3.2.1 The group of trees (as identified as G1 in the TPO) are located on the south eastern side of Mayflower Drive, within the settlement boundary of Maldon. The application site itself is a piece of land which fronts No.27 Mayflower Drive which falls under the ownership of Maldon District Council.

Members' attention is also drawn to the list of background papers attached to the agenda to further appreciate the policy context..

#### **4.1 Relevant Planning Guidance/Documents**

- National Planning Policy Guidance (NPPG).

##### **Other Relevant Guidance:**

- Wildlife & Countryside Act 1981 (as amended)
- The Conservation of Habitats and Species Regulations 2017

#### **4.2 Government Guidelines:**

- 4.2.1 Government guidelines advise that the Local Planning Authority (LPA) is required to take into account all duly made objections and representations before deciding whether to confirm the TPO.
- 4.2.2 If Members decide to confirm TPO 05/25, the owners have the right to make an application to the High Court to challenge the validity of the TPO. There are specific grounds on which this application must be made:

1. That the TPO is not within the powers of the Act, or
  2. That the requirements of the Act or Regulations have not been complied with in relation to the TPO.
- 4.2.3 There are costs involved in this procedure which can be awarded should an applicant be aggrieved by process. An application must be made within six weeks of the date the TPO was confirmed.

## **5. MAIN CONSIDERATIONS**

- 5.1 The G1 trees are situated to the front of No.27 Mayflower Drive and, due to their size and position, are visible from within the public realm of both Mayflower Drive and Mirosa Reach and therefore they provide high visual amenity.
- 5.2 NPPG states (Paragraph 10 reference ID: 36-010-21040306) *'It may be expedient to make an Order if the authority believes there is a risk of trees being felled, pruned or damaged in ways which would have a significant impact on the amenity of the area. But it is not necessary for there to be immediate risk for there to be a need to protect trees. In some cases the authority may believe that certain trees are at risk as a result of development pressures and may consider, where this is in the interests of amenity, that it is expedient to make an Order. Authorities can also consider other sources of risks to trees with significant amenity value. For example, changes in property ownership and intentions to fell trees are not always known in advance, so it may sometimes be appropriate to proactively make Orders as a precaution.'*
- 5.3 The G1 trees are not located within a Conservation Area, and therefore does not have a fall back protection from any works being undertaken. As the G1 trees are located on land in the ownership of Maldon District Council, who would be responsible for their maintenance, as the trees have not been previously protected there has been no need for a formal application for tree works from third parties.
- 5.4 In the interest of protecting this prominent landscape feature and the amenity value of the trees within the locality, the G1 trees were assessed using the TEMPO which is designed as a guide to decision making and stands as a record that a systematic assessment has been undertaken. The TEMPO considers all of the relevant factors in the TPO decision making chain including amenity assessment, expediency assessment and decision guide. Within the assessment G1 scored 'good' for the suitability of a TPO for amenity due to their size and location which are visible within the public realm of Mayflower Drive and Mirosa Reach. The assessment of showed the trees to be in good condition. The expediency assessment reflected the foreseeable threat to the trees, due to the adjacent property owner wanted to heavily prune the trees. The G1 scored an overall total 16 out of 25 which means that the trees definitely merit a TPO.
- 5.5 It should be noted that the TPO would not prevent future works to the trees from being carried out, however it would control any such works to ensure that they were suitable, justified and did not harm the health of the trees or the amenity value they offer to the surrounding area.

## **6. ANY RELEVANT SITE HISTORY**

No relevant site history.

## 7. **REPRESENTATIONS RECEIVED**

### 7.1 **Representations received from Interested Parties** (*summarised*)

- 7.1.1 Three letters were received **objecting** to the TPO 06/25 and the reasons for the objections are summarised as set out in the table below:

<b>Objection Comment</b>	<b>Officer Response</b>
The trees have been neglected and not maintained by Maldon District Council. Multiple requests have been sent to the Council to maintain the trees.	Noted. Although this may be a source of frustration it is not relevant to this TPO.
The trees are situated very close together on a small bank sloping into the adjacent brook. As the trees have grown are causing issues with the brook.	Noted. Although this may be a source of frustration it is not relevant to this TPO.
One of the trees has exposed roots on the surface which could lead to possible subsidence. As these trees are in the ownership of the Council, they would be liable for any damage caused by the trees.	Noted. Although this may be a source of frustration it is not relevant to this TPO. Works to the trees can be undertaken, subject to consent being granted.
The trees cause a loss of light into the adjacent properties due to their size in close proximity.	Noted. Although this may be a source of frustration it is not relevant to this TPO. Works to the trees can be undertaken, subject to consent being granted.
The current state of the un-maintained trees are causing difficulties for anyone wanted to sell their properties in close proximity.	Noted. Although this may be a source of frustration it is not relevant to this TPO. Works to the trees can be undertaken, subject to consent being granted.
Other trees along the book under the ownership of the Council have been removed.	Noted. Trees which are not protected can be removed.

## 8. **CONCLUSION**

- a. The G1 trees, subject of the TPO, makes a contribution to the character and appearance of the surrounding area due to its size and location. Given that the TEMPO assessment scored 16 for the tree, which definitely merits serving of a TPO, it is considered that the TPO should be confirmed to prevent the removal or unauthorised or inappropriate works being carried out to the trees, which could harm the amenity value and overall health of the trees.



Photographs of the Silver Birch Trees (G1)

From outside No.25 & No.27 Mayflower Drive



From outside No.43 Mayflower Drive



From outside No.19 & No.15 Mayflower Drive (Opposite)





From outside No.28 Mirosa Reach (Opposite)



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