



**MINUTES of
DISTRICT PLANNING COMMITTEE
2 SEPTEMBER 2026**

PRESENT

Chairperson	Councillor R G Pratt
Vice-Chairperson	Councillor M E Thompson
Councillors	M G Bassenger, D O Bown, J R Burrell-Cook, S J Burwood, S Dodsley, J Driver, M F L Durham, A Fittock, A S Fluker, L J Haywood, K Jennings, K M H Lagan, A M Lay, S J N Morgan, C P Morley, M G Neall, U G C Siddall-Norman, N D Spenceley, P L Spenceley, W Stamp, CC, E L Stephens, J C Stilts, N J Swindle and L L Wiffen
Officers (Maldon District Council)	Mr Jaggard, Director of Place, Planning and Growth Mr Johnson, Head of Development Management and Building Control Mr Purvis, Development Management Team Leader Mr Ball, Principal Planning Officer Mr Bailey, Principal Planning Officer

208. CHAIRPERSON'S NOTICES

The Chairperson welcomed those present to the meeting and outlined the general housekeeping arrangements for the meeting.

The Chairperson then invited the Head of Development Management to provide an update on the new National Planning Policy Framework (NPPF), which had come into effect on 17 August 2026. The Head of Development Management advised that Members had previously received a briefing on the new NPPF, highlighting key policy changes and how these should be taken into consideration when determining applications. He further advised that the reports for this meeting had been amended to reflect the new policies and expressed confidence that the Council was fully equipped to make robust and lawful planning decisions.

209. CHANGE TO THE ORDER OF BUSINESS

In accordance with Procedure Rule 1(4)a, the Chairperson advised that he would be varying the order of business and bringing forward Agenda Item 7, application 26/00066/OUTM - Land Rear of 6 to 108 Mell Road, Tollesbury, Essex to be considered following Agenda Item 5, Declaration of Interests.

210. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J C Hughes, W J Laybourn and S White.

211. MINUTES - 14 JULY 2026

RESOLVED that the Minutes of the meeting of the Committee held on 14 July 2026 be approved and confirmed.

212. MINUTES - 5 AUGUST

RESOLVED that the Minutes of the meeting of the Committee held on 5 August 2026 be approved and confirmed.

213. DISCLOSURE OF INTEREST

Councillor E L Stephens declared an interest in Agenda Item 7, 26/00066/OUTM - Land Rear Of 6 To 108 Mell Road, Tollesbury. She advised that she had founded and led a campaign relating to the site and would therefore speak at the beginning of the item. She further advised that she would then leave the Council Chamber and would not take part in the debate or vote on the application.

Councillor W Stamp declared an interest in Agenda Item 6, 26/00018/FULM - Land West of Edmond Street and Newman Drive and Benson Close, Burnham-on-Crouch, Essex. She advised that, although she was an Essex County Councillor and lived near the site, she had sought advice from the Monitoring Officer and did not have a pecuniary interest. She further advised that she would speak on the application but would not vote on the matter.

214. 26/00066/OUTM - LAND REAR OF 6 TO 108 MELL ROAD, TOLLESBURY, ESSEX

Application Number	26/00066/OUTM
Location	Land Rear Of 6 To 108 Mell Road Tollesbury Essex
Proposal	Outline planning application for a residential development of up to 149 dwellings (including affordable housing) with public open space, landscaping, sustainable drainage systems and vehicle access point from Mell Road (following the demolition of no. 6 Mell Road). All matters reserved except for means of access.
Applicant	Gladman Developments Limited
Agent	N/A
Target Decision Date	An extension of time was agreed until 5 July 2026; however, an appeal for non-determination was made following the expiry of the extension of time.
Case Officer	Gareth Ball
Parish	Tollesbury
Reason for Referral to the Committee / Council	• Departure – Site outside of the settlement boundary • Any residential development proposal which includes provision for 75 dwellings or more.

An Addendum to the Officer report had been circulated prior to the meeting and detailed:

- amendments to paragraphs within the report;
- further consultation and public participation responses received;
- amended consultation reviews from Place Services Ecology and Essex County Fire and Rescue Service;
- an amendment to Condition 12;

- an additional proposed condition 42.

It was noted that this application was the subject of an appeal for non-determination and therefore the Committee was required to make a 'minded to' decision.

During his presentation of the application, the Principal Planning Officer advised that since publication of the Addendum a letter had been received from a Member of Parliament along with four further letters of objection. He highlighted some new issues that these raised and advised that following consideration Officers did not feel any change was required to the recommendation. The Officer informed Members that Place Services Ecology had reviewed the updated ecological assessment and as a result removed their objection. They would be requesting a number of conditions, and should Members be minded to approve the application the Officer explained that these would be added.

Following the Officer's presentation, an objector, Mr Ludden, and Parish Councillor Sarah Hawes (representing Tollesbury Parish Council) addressed the Committee.

With permission of the Chairperson, Councillor E L Stephens then addressed the Committee, highlighted a number of concerns that she had with the application including its impact on education, the environment, GP services and its sustainability. In response further information was provided by the Officer, who highlighted how concerns particularly those regarding infrastructure, education and healthcare would be addressed by financial contributions within the Section 106 Legal Agreement. In response to a comment regarding the transport contributions relating to Tolleshunt D'Arcy Primary School, the Officer advised that should Members be minded to approve the application he would seek further confirmation from Essex County Council (ECC) prior to the introduction of that statement of case. Following this, in accordance with her earlier declaration, Councillor Stephens left the meeting and did not return.

A lengthy debate ensued, during which a number of questions and comments were raised by Members of the Committee. In response Officers provided further clarification and information, which included:

- If the Committee was minded to approve the application this would change the scope of the planning appeal being discussed and it may be that it was dealt with by a smaller hearing, potentially written representations. The Officer informed the Committee of discussions that had taken place with the applicant prior to the appeal being submitted.
- It was confirmed that the application would be dealt with by the Planning Inspectorate and would count towards the Council's appeal statistics. The Director of Place, Planning and Growth provided the Committee with some further information regarding the Council's appeal statistics and how this related to the target for intervention from Government.
- It was confirmed that the cumulative impact of three developments in this area had been taken into consideration, and consultation responses had been supportive in terms of the individual elements, particularly highways.
- It was noted that the Parish Council had raised concerns regarding a wire fence adjacent to Tollesbury Primary School and Members expressed similar concerns. Officers advised that this had been considered, and they had felt it came under the boundary treatment which would be triggered with the reserved matters. In response to further discussion, Officers suggested that an additional condition could be included should Members wish.

- In response to a request for green roofs on bus stops to ensure they fitted in with the surrounding area; Members were advised that Officers could raise this with the applicant.
- Clarification was given in relation to the application score on the Government's connectivity tool and Members were advised that the sustainable location was largely established through appeals. The bus travel information had been reproduced from an official source and the appellant's transport assessment.
- Officers provided some detail and clarification, in response to a question regarding whether a Planning Performance Agreement had been entered into and the guidelines about such an application. Further clarification was also given in respect of the circumstances under which the non-determination appeal had been submitted and how this had been done midway through consultation with statutory consultees on the application.
- Officers confirmed that ECC Highways, as part of its assessment, had viewed this application cumulatively across all related applications and the Officers' report presented their assessment. In response to a comment about car exhausts the Officer advised that an air quality impact assessment had been submitted to which no consultees had objected to and therefore he would not recommend introducing this subject at appeal.

Councillor M F L Durham acknowledged the concerns raised regarding the impact of large-scale development in rural areas, particularly in Tollesbury, but emphasised that planning applications must be determined in accordance with planning law and the evidence before the Committee. He stated that there were no defensible planning reasons to refuse the application and that such a decision would be unlikely to succeed at appeal. Councillor Durham therefore proposed that the application be approved in line with the Officers' recommendation subject to the proposed Section 106 agreement and the additional conditions highlighted during the debate. This proposal was duly seconded.

In response, the Head of Development Management clarified that Officers were supportive of the request for conditions regarding the fence adjoining Tollesbury School and the request for green roofs to bus stops discussed. He also highlighted an amendment to condition 12 and an additional condition 42 as set out in the Addendum and it was confirmed that these were included in the proposal from Councillor Durham. The Officer referred to the cumulative impact of the development and confirmed that along with their own assessments and those from the applicant, ECC Highways had used the national assessment process for all related applications to ensure consistency.

Councillor A S Fluker requested that his vote against the application be recorded.

The Chairperson then put the proposal in the name of Councillor Durham to the Committee. Upon a vote being taken there was an equality of votes and the Chairperson exercised his casting vote in support of the proposal.

RESOLVED that the Committee was **MINDED TO APPROVE** this application and authority be delegated to the Director of Place, Planning and Growth to grant planning permission subject to the applicant entering into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the planning obligations and subject to:

- the conditions as detailed below;
- the additional condition set out in the Addendum, circulated prior to the meeting; and

- additional conditions requiring the upgrading of the fence adjoining Tollesbury Primary School and provision of green roofs as part of proposed bus stop improvements.

HEADS OF TERMS OF ANY SECTION 106 AGREEMENT

- Accessible Dwellings:
 - At least 80 per cent of open market units to be constructed to Building Regulations Approved Document M requirements for M4(2) (Adaptable and Accessible Dwellings).
 - At least 10 per cent of both the Affordable Rent and Intermediate dwellings to be constructed to Building Regulations Approved Document M requirements for M4(3) (Wheelchair User Dwellings) and 80 per of both the Affordable Rent and Intermediate dwellings to be constructed to Building Regulations Approved Document M requirements for M4(2) (Adaptable and Accessible Dwellings).
 - Housing delivery and monitoring to include notification of the Council upon completion of the first dwelling and an annual build-out report on the completed units that preceding year and anticipated completions for the following year.
- Affordable Housing Scheme, including:
 - Provision of at least 40 per cent affordable housing
 - Tenure split of at least 80 per cent affordable rent, 20 per cent intermediate within this provision
 - Provision of at least 75 per cent social rent within the affordable rent portion.
- The requirement for a tenure layout plan, demonstrating acceptable clustering of between 15 and 25 units of affordable dwellings, and details of tenure type and unit size. Annual Travel Plan monitoring fee of £1,883 (index linked to April 2026) from first occupation until one year after final occupation
- Bus service improvements financial contribution of £440,000
- Education contributions including:
 - Early years childcare financial contribution of £365,646 index linked to Q1- 2025,
 - Primary education financial contribution of £914,115 index linked to Q1- 2025
 - Special Educational Needs and Disability (SEND) school contribution of £290,735 index linked to Q1-2025
 - Secondary school transport contribution of £177,220.60 index linked to 2Q 2021
 - Libraries financial contribution of £16,433.21, index linked to November 2025
 - A £700 monitoring fee per obligation (£3,500 total)
- Essex Coast RAMS contribution of £175.55 (indexed to April 2026) per dwelling (up to £26,156.95 if 149 dwellings are constructed) and implementation of mitigation measures including:
 - A variety of footpaths through the greenspace and SANG on site that equates to approximately 2.55km in total.
 - 5.19ha greenspace, to include 3ha of Suitable Alternative Natural Green Space (SANG) to the west and south of the site.
 - On-site open space facilities which include dog waste bins and interpretation boards.
 - Homeowner information packs to new residents.
- Management Company details, including details of how the orchard will be managed.
- NHS healthcare Primary Care Network infrastructure contribution of £111,200

- Maldon District Council Section 106 administration and monitoring fee of £1,638

PROPOSED CONDITIONS

1 Outstanding Reserved Matters

The development shall be carried out in accordance with plans and particulars relating to the layout, scale, appearance, and the landscaping of the site (hereinafter called "the reserved matters"), for which approval shall be obtained from the Local Planning Authority in writing before any development is begun. The development shall be carried out fully in accordance with the details as approved.

2 Reserved Matters Time Limit

Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

3 Outline Permission Commencement Time Limit

The development hereby permitted shall be begun within two years from the date of the final approval of the reserved matters. The development shall be carried out as approved.

4 Approved Plans and Parameter Plans

The reserved matters submitted pursuant to Condition 1 of this permission shall be submitted in accordance with the details set out in the following approved plans:

- Site Location Plan 7192-FPCR-L-01)
- Proposed Access Arrangements drawing number: P25063-001C
- Development Framework Plan 7192-L-03

5 Housing Unit Size Mix

The dwelling mix for the development hereby approved shall be agreed as part of the reserved matters application(s) and shall accord with the preferred dwelling mix set out in Table 2 within Section 5 of the Technical Advice Note accompanying the Maldon District Local Housing Needs Assessment 2025 (namely: 1-bedroom – 10%, 2-bedroom – 35%, 3-bedroom – 35%, and 4+ bedrooms – 20%) in relation to market housing and Table 1 within Section 5 of the Technical Advice note in relation to affordable housing, or any subsequent updated Local Housing Needs Assessment and associated Technical Advice Note.

6 Soft and Hard Landscaping Scheme

Full details of the onsite provision and subsequent retention of both hard and soft landscape works shall be submitted concurrently with the reserved matters submitted pursuant to Condition 1 of this permission. These details shall include:

- a) Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers/densities.
- b) Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes, seeding rates, planting methods, mulching, plant protection, staking and/or other support.
- c) Details of the aftercare and maintenance programme.

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the occupation

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.

7 Tree Retention and Protection

Prior to the commencement of any development hereby permitted, details shall be submitted to, and approved in writing by, the Local Planning Authority in accordance with the requirements of BS5837:2012 in relation to tree retention and protection as follows:

- Tree survey detailing works required
- Trees to be retained
- Tree retention protection plan
- Tree constraints plan
- Arboricultural implication assessment
- Arboricultural method statement (including drainage service runs and construction of hard surfaces)

The tree protection measures shall be carried out in accordance with the approved details and any protective fencing and ground protection shall be implemented prior to the commencement of construction works and retained until all equipment, machinery and surplus materials have been removed from the site. If within five years from the completion of the development an existing tree is removed, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, a replacement tree shall be planted within the site of such species and size and shall be planted at such time, as specified in writing by the Local Planning Authority.

8 Site Levels

No works related to the alteration of ground levels at the site and no works above ground level shall occur until details of existing ground levels and proposed finished ground levels, and their relationship to the adjoining land, and floor levels, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

9 Construction Management Plan

No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Plan shall include (but not be limited to) the following details:

- safe access to the site
- vehicle routing
- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- wheel and underbody washing facilities
- Noise and vibration controls
- Construction Dust Management Plan, including elements such as wheel washing and mud control
- Risk assessment of potentially damaging construction activities
- Site compound, temporary lighting and material storage

- Protection of boundary vegetation and ditches
- Identification of “biodiversity protection zones”.
- 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) including impacts from noise or vibration
- The location and timing of sensitive works to avoid harm to biodiversity features
- The times during construction when specialist ecologists need to be present on site to oversee works
- Responsible persons and lines of communication
- The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person
- Use of protective fences, exclusion barriers and warning signs

The Construction Management Plan shall be implemented as approved and maintained and retained throughout the construction process of the development.

10 Construction Working Hours

No noise generating construction activities related to the development hereby approved shall be conducted that are audible at the site boundary outside the hours of:

- 07:30-18:00 Monday-Friday
- 08:00-13:00 Saturdays
- No work on Sundays or Bank Holidays

11 Site Access

Prior to the first occupation of the development, the details of access arrangements and off-site highway works, as shown in principle on drawing no P25063-001D in Appendix D of the Transport Assessment, shall be fully implemented and then maintained and retained as such for the life of the development. Prior to commencement of the development all details as listed below shall be submitted to and approved in writing with the Local Planning Authority, including:

- Minimum clear to ground visibility splays of 43 metres in both directions from a setback of 2.4 metres of the vehicular access;
- Appropriate kerb radii at the bellmouth of the vehicular access to enable refuse vehicles to manoeuvre safely in and out of the site;
- A pedestrian dropped kerb crossing together with tactile paving at the bellmouth of the vehicular access;
- The proposed pedestrian / cycle access is provided with a minimum width of 3.5 metres and include suitable measures, for example bollards, to prevent any vehicular access.

The approved details shall be implemented in full, prior to the first occupation of any dwelling hereby approved, and retained as such for the life of the development.

12 Bus Stop Improvements

Prior to the first occupation of any dwelling within the development hereby approved, details of bus stop improvements shall be submitted to, and approved in writing by, the Local Planning Authority. The bus stop improvements shall include the following:

- provision of a freestanding Real Time Passenger Information sign at 'The Square' bus stop on the southern side of the High Street;

- provision of raised kerbs at 'The Square' bus stop on the southern side of the High Street

The bus stop improvements shall be implemented prior to the first occupation of any dwelling within the development hereby approved.

13 Public Footpath Works

Prior to the commencement of the development hereby approved, details of a footpath within the site with a firm surface of 2 metre width (exact materials are to be agreed). In order to maintain the integrity and character of the footpath, there shall be no planting within 3 metres of the definitive route to Public Footpath 10 (Tollesbury parish) within the application site. The scheme of works shall be implemented in accordance with the approved details, prior to the first occupation of any residential dwelling hereby permitted.

14 Pedestrian Facilities Improvements

Prior to first occupation of any dwelling in the development hereby approved, pedestrian facilities outside the site (but within the public highway) shall be improved as follows:

- the telegraph pole opposite the convenience store to the west of the proposed vehicle access shall be relocated to the back of the existing footway;
- pedestrian dropped kerb crossings shall be provided at the bellmouth of The Mount's junction with East Street and across Mell Road on the west side of the proposed vehicle access with the precise location to be agreed.

15 Travel Plan

Prior to the first occupation of the proposed development, the Developer shall submit an updated residential Travel Plan to the Local Planning Authority for approval. The approved Travel Plan shall then be actively implemented for a minimum period from the first occupation of the development until 1 year after final occupation.

16 Residential Travel Packs

Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport to include six one day travel vouchers for use with the relevant local public transport operator. These packs (including tickets) are to be provided at first occupation of the development by the Developer to each dwelling free of charge.

17 Car Parking

Concurrently with the submission of reserved matters pursuant to Condition 1 of this permission, details of the vehicle parking, including visitor parking, shall be submitted to and approved in writing by the Local Planning Authority. The approved parking and charging provision shall be implemented in full prior to the first occupation of the dwelling to which it relates, or stretch of road which visitor parking is located upon, and shall thereafter be retained and kept available for such use at all times thereafter.

18 Cycle Parking

Concurrently with the submission of reserved matters pursuant to Condition 1 of this permission, details of cycle parking storage shall be submitted to, and approved in writing by, the Local Planning Authority. The storage shall be in accordance with the cycle parking standards in Maldon's Vehicle Parking Standards SPD (2018). The approved facilities shall be secure, convenient,

covered and shown to be appropriately located in rear gardens. The cycle storage shall be implemented in accordance with the approved details prior to the first occupation of each relevant dwelling hereby approved and retained in accordance for the duration of the development.

19 External Materials

The reserved matters for the approval of layout and appearance shall include details of all proposed external finishing materials to be used in the development. No development above ground level shall commence until details or samples of all 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.

20 Boundary Treatment

The reserved matters for the approval of layout and appearance shall include details of the siting, height, design and materials of the treatment of all boundary treatments including gates, fences, walls, railings and piers shall be submitted to, and approved in writing by, the Local Planning Authority. The approved boundary treatments shall be constructed prior to the first occupation of the dwelling to which it relates, or first use of adjoining land, and be retained as such thereafter for the duration of the development.

21 Surface Water Drainage Scheme

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 should include:

- Monitoring of ground water levels in the proposed location of the attenuation basin over at least one Winter period (December to March). Readings to be taken at appropriate intervals and reported to the Planning Authority.
- Limiting discharge rates to 11.9 l/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 OR, if impracticable:-
- Demonstrate that features are able to accommodate a 1 in 10-year storm events within 24 hours of a 1 in 30-year event plus climate change.
- Provision of 10% urban creep allowance applied to the impermeable areas used to calculate the required storage, in accordance with BS8582.
- 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. Note, the FRA assesses the Pollution Hazard Level as "Low". However, 149 residences will generate in excess of 300 vehicle movements per day, and the correct level is "Medium". Notwithstanding, the proposed provision of SuDS features is sufficient provided all

carriageway run-off is routed through both the proposed swale and the attenuation basin.

- 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 and details of the conveyance route downstream of the final outfall. FFLs should be set at least 150mm above adjacent ground levels.
- 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 first occupation of any dwelling hereby permitted.

22 Offsite Flooding

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 development shall be implemented in accordance with the approved scheme, with any prevention or mitigation measures in place at all times as required.

23 Surface Water Drainage Maintenance Scheme

Prior to the first occupation of any dwelling hereby approved, a maintenance plan detailing the maintenance arrangements of the hereby approved surface water drainage system, including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, shall have been 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 should be provided. The development shall be carried out and maintained in accordance with the approved details.

24 Surface Water Drainage Maintenance Logs

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.

25 Archaeology Phased Programme of Archaeological Investigation

- (1) No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation, including aerial photographic rectification, geophysical survey and archaeological trial trenching has been secured in accordance with a Written Scheme of Investigation (WSI) which has been submitted in writing by the applicant, for approval by the Local Planning Authority.
- (2) No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological evaluation identified in the WSI defined in Part 1 and confirmed by the Local Planning Authority has been approved.
- (3) No development or preliminary groundworks of any kind shall take place until the submission of a mitigation WSI detailing the excavation/preservation strategy for approval by the Local Planning Authority.
- (4) No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation WSI, and approved by the Local Planning Authority.

- (5) The applicant shall submit a Post Excavation Assessment and/or Updated Project Design for approval by the Local Planning Authority. This shall be submitted within 6 months of the date of completion of the archaeological fieldwork. This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

26 Phase 2 Contaminated Land Investigation

No development shall commence until a Phase 2 intrusive site investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority. The investigation shall assess the nature and extent of contamination, an intrusive investigation with ground gas monitoring to confirm geological succession, contaminant levels and gas migration risks; and appropriate recommendations.

27 Remediation Strategy

Where contamination is identified, no development shall take place until a remediation strategy has been submitted to and approved in writing by the Local Planning Authority and implemented in full.

28 Verification Report

Prior to the first occupation of any dwelling hereby approved, a verification report shall be submitted to and approved in writing by the Local Planning Authority, confirming that any approved remediation works have been satisfactorily completed.

29 Site Waste Management Plan (SWMP)

No development (including demolition, site clearance or groundworks) shall commence until a Site Waste Management Plan (SWMP) has been submitted to, and approved in writing by, the Local Planning Authority. The submitted SWMP shall include, but not be limited to the following details:

- a site-wide approach to address the key issues associated with sustainable management of waste, throughout the stages of site clearance, design, construction and operation
- strategic forecasts in relation to expected waste arisings for construction,
- waste reduction/recycling/diversion targets, and monitor against these through a Mineral Waste Audit which details the volume of waste to landfill, recycling and reuse, with measures to divert waste up the Waste Hierarchy where possible
- advise on how materials are to be managed efficiently and disposed of legally during the construction phase of development, including their segregation and the identification of available capacity across an appropriate study area

The development hereby approved shall be implemented in accordance with the approved SWMP.

30 Foul Water Strategy

No development shall commence until a strategic foul water strategy has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall identify the connection point to MH2600 located at NGR TL 96251 10680

Prior to the first occupation of any residential unit hereby approved, the foul water drainage works must have been carried out in complete accordance with

the approved scheme and they shall be retained in accordance with the approved details for the lifetime of the development.

31 Public Open Space Provision

A scheme for the proposed area of public open space shall be submitted to the Local Planning Authority concurrently with the reserved matters submitted pursuant to Condition 1 of this permission. The details shall be broadly in accordance with the Landscape Illustrative Masterplan '8158.ASP4.ILSP'. The development shall be carried out only in accordance with the approved details.

32 Public Open Space Management

Prior to the first occupation of any residential unit hereby permitted, details of the future management, maintenance schedules and funding provision of the public open space and associated landscaping (this could include surface water management provision) shall be submitted to and approved in writing by the Local Planning Authority. The site shall then be managed, maintained and funded in accordance with these details at all times thereafter.

33 Children's Play Equipment

Prior to the first occupation of any residential unit hereby permitted, details of children's play space equipment specifications, layout and safety features shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall ensure that a range of play equipment is provided, which is designed to be accessible and inclusive to children of all abilities and needs. The design of the play areas shall ensure that access is level and that any routes, surfacing or gradients are appropriate for wheelchair users or people with mobility impairments.

The play space equipment shall be implemented prior to the occupation of any residential unit hereby permitted and retained in accordance with the approved details for the lifetime of the development.

34 Sustainability and Renewable Energy

The reserved matters for the approval of layout and appearance shall include details of energy efficient and renewable energy installations for each dwelling. The energy efficient and renewable energy installations as approved shall be provided prior to the first occupation of each dwelling they serve and shall be permanently maintained and retained at all times thereafter.

35 Waste Management Plan

A Waste Management Plan shall be submitted to the Local Planning Authority concurrently with the reserved matters submitted pursuant to Condition 1 of this permission. The Waste Management Plan shall provide details including the number, size, location, design and materials of bin and recycling stores to serve the development, together with details of the means of access to bin and recycling stores for residents and refuse operatives, including collection points and bin drag distances if necessary. No development shall commence until the Waste Management Plan has been approved in writing by the Local Planning Authority. The bin and recycling stores as approved shall be provided in accordance with the approved details prior to the first occupation of each dwelling and permanently retained at all times thereafter.

36 Mitigation Measures

The development, including construction, hereby approved shall be carried out in accordance with the details contained in the Ecological Appraisal, prepared by FPCR dated August 2026 and the Appendices of the earlier version of the document dated January 2026.

This will include the appointment of an appropriately competent person e.g. an Ecological Clerk of Works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

37 Construction Environmental Management Plan for Biodiversity

Prior to the commencement of any development hereby approved, a Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity) shall be submitted to, and approved in writing by, the Local Planning Authority.

The CEMP (Biodiversity) shall include the following:

- Risk assessment of potentially damaging construction activities.
- Identification of “biodiversity protection zones”.
- 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).
- The location and timing of sensitive works to avoid harm to biodiversity features.
- The times during construction when specialist ecologists need to be present on site to oversee works.
- Responsible persons and lines of communication.
- The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person.
- Use of protective fences, exclusion barriers and warning signs.

The development hereby approved shall adhere to and be implemented strictly in accordance with the details within the approved CEMP (Biodiversity) throughout the construction period.

38 Badger Protection

Prior to the commencement of any development hereby permitted, including site clearance or demolition, a Badger Protection and Mitigation Scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be informed by an up-to-date badger survey and shall include:

- a) details of measures to protect badgers and any active sett(s) during construction
- b) the location and specification of exclusion fencing, protective buffers and any other temporary safeguards
- c) details of supervision and monitoring by a suitably qualified ecologist during relevant stages of construction
- d) measures to maintain badger commuting routes and access to foraging
- e) details of any habitat enhancement or mitigation works proposed for badgers
- f) measures for the long-term protection and management of badger habitat, commuting routes and any retained or created sett protection areas

The approved scheme shall be implemented in full, prior to the commencement of any development including site clearance or demolition and retained thereafter for the lifetime of the construction phase or development operational phase where appropriate.

39 Biodiversity Enhancement Strategy

Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified

ecologist, shall be submitted to and approved in writing by the Local Planning Authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- Purpose and conservation objectives for the proposed enhancement measures;
- detailed designs or product descriptions to achieve stated objectives;
- locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- persons responsible for implementing the enhancement measures; and
- details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

40 Habitat Management and Monitoring Plan (HMMP)

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:

- the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- 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;
- 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;
- the monitoring methodology in respect of the created or enhanced habitat to be submitted to the Local Planning Authority; and
- 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.

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.

41 Wildlife Sensitive Lighting Scheme

Prior to the first occupation of any residential unit hereby permitted, 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:

- 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

- 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.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

215. ADJOURNMENT OF THE MEETING

RESOLVED that the meeting be adjourned at 9:06pm for a short break.

216. RESUMPTION OF THE MEETING IN OPEN SESSION

RESOLVED that the meeting of the District Planning Committee resumed at 9:16pm.

At this point, the Chairperson referred to Procedure Rule 1(6)(i) and confirmed that he considered it appropriate to continue the Committee's business after 10pm in order to consider and determine the second application on the agenda.

217. 26/00018/FULM LAND WEST OF EDMOND STREET AND NEWMAN DRIVE AND BENSON CLOSE, BURNHAM-ON-CROUCH, ESSEX

Application Number	26/00018/FULM
Location	Land West of Edmond Street and Newman Drive and Benson Close, Burnham-on-Crouch, Essex
Proposal	Hybrid planning application for a residential-led development comprising full planning permission for the construction of 170 dwellings (including market and affordable homes) (Use Class C3), vehicular access points, public open space, sustainable urban drainage systems (SuDS), and associated infrastructure; and outline planning permission (with all matters reserved, apart from access) for the construction of up to 190 dwellings (Use Class C3), public open space, and associated infrastructure; and retention of the employment land within Use Classes E(g), B2, and B8.
Applicant	BDW Trading Limited and Burwest LLP
Agent	Miss Guoda Vaitkeviciute – Lanpro
Target Decision Date	4 September 2026 (with EoT agreed to 14 December 2026 to allow for S106 completion in the event of resolution to grant permission)
Case Officer	Matt Bailey
Parish	Burnham-on-Crouch North
Reason for Referral to the Committee / Council	Major Application

An Addendum to the report was circulated prior to the meeting and contained the following information received and clarifications following publication of the Officers' report:

- a further consultation response from Essex County Council (ECC) Highways advising that the scheme was acceptable from a highway and transportation perspective subject to a number of conditions;
- an updated consultation response from Anglian Water confirming that the scheme was acceptable subject to conditions;
- two further letters of objection had been received;
- clarification to paragraph 5.9.2 and section 5.17;
- amendment to the Section 106 Heads of Terms (paragraph 8.1) to include the ECC Highways consultation response and provide further clarification;
- amendment to condition 11;
- information relating to correspondence received from Burnham-on-Crouch Town Council in relation to the employment allocation and subsequent discussions with the applicant;
- amendment to recommendation (i), taking into account the resolved Highways consultation response and providing further clarification of the associated obligations relating to ECC Highways and Network Rail.

Following the Officers' presentation, an objector, Ms Chant, and the applicant, Mr Houghton, addressed the Committee.

In response to comments made regarding highway safety, Members were informed that a detailed Construction Environmental Management Plan (CEMP) had been submitted and would provide a considerable amount of protection in terms of residential amenity and highway safety. In addition, ECC Highways had examined the traffic movements and proposed junction, and was satisfied that the movements, in combination with the proposed mitigation, would be acceptable.

Councillor A S Fluker proposed that the revised recommendations as set out in the Addendum be agreed, subject to highway works at Kitts Hill / B1012 being completed prior to the first occupation of any properties. He explained that leaving the junction works until after the houses were occupied would make the existing situation worse. This proposal was duly seconded.

A lengthy debate ensued, and in response to comments raised by Members, Officers provided additional information and clarification, which included:

- Should the proposed diversion of the railway crossing not be possible, Officers would propose that a contribution be sought. The benefit to pedestrian safety of either option was noted by Members.
- The housing mix condition would apply to the whole of the scheme and reference to the whole scheme could be added to the resolution.
- In respect of the proposed highway work, a two-phase approach was being proposed, with works to Church Road and a pedestrian crossing being completed prior to the occupation of Phase 1 and the works to Kitts Hill prior to the occupation of Phase 2. The Officer highlighted that, in relation to Kitts Hill, there were other associated technical issues which might have explained why the additional time was required. In response to further questions, the Director of Place, Planning and Growth provided further explanation and noted that the applicant was seeking to bring the works forward as quickly as possible, but collaboration with ECC was required in terms of delivery. It was noted that the proposed changes to Kitts Hill would benefit the wider area as well as the development.
- The inclusion of an area designated as a safe space within the development was highlighted, with reference made to the 'Safe Space for Girls' scheme, which had been highlighted by the Police and was considered as part of the

Home Office Violence Against Women and Girls agenda. It was questioned whether such a space could be secured by condition. In response, Officers suggested that the condition could be worded to ensure that it provided a fully inclusive and safe space, with no one feeling excluded.

The Chairperson then put the proposal in the name of Councillor Fluker to approve the application in accordance with the recommendation set out in the Addendum. Upon a vote being taken, this was duly agreed.

RESOLVED

- (i) that this application be **APPROVED** and authority delegated to the Director of Place, Planning and Growth to grant planning permission subject to:
 - a) the Director of Place, Planning and Growth being satisfied (in consultation with the Chairperson of the District Planning Committee and Ward Members) that the proposals were acceptable following receipt of final consultee responses from Place Services Ecology and Active Travel England, and agreement of the railway crossing contribution;
 - b) the applicant entering into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the planning obligations set out below. This may include any additions, amendments or delegations agreed by the Director of Place, Planning and Growth where necessary to ensure the development was acceptable and satisfied the Community Infrastructure Levy (CIL) Regulations, following discussions with the Highways Authority and Network Rail; and
 - c) subject to the planning conditions detailed below, with amendment to the housing mix condition to specify that it related to the entire site.

Section 106 Heads of Terms:

Item	Provision / Purpose
Affordable housing	40% on-site provision: 68 of 170 full-phase homes and up to 144 across 360 homes; overall mix to have regard to TAN and Local Housing Needs Assessment (overall scheme wide); social-rent, standards, transfer, nomination, clustering and occupation controls.
Early years and childcare	£836,814, indexed from Q1 2025, subject to the final mix and ECC formula.
Primary education	£2,092,035, indexed from Q1 2025, subject to the final mix and ECC formula.
Healthcare	Awaiting confirmation from NHS – anticipated £252,400 (to be confirmed during S106 drafting)
SEND	£665,374, indexed from Q1 2025, subject to the final mix and ECC formula.
Essex Coast RAMS / HRA	Current per-dwelling RAMS tariff plus the on-site greenspace, Riverside Park loop, information/signage, dog facilities and long-term management relied upon in the Appropriate Assessment.

Item	Provision / Purpose
Highways	The applicant shall be required to enter into a Section 278 under the Highways Act for works and/or proportionate contributions for the agreed junction works, zebra crossing. PRow route 3 improvements and Travel Plan package. Bus Service Improvements £925,000 (to be confirmed subject to CIL compliance)
Railway crossing improvements	Miniature stop light design, installation, operation, renewal and maintenance package at Creeksea Place crossing. Contribution of £325,500 (to be confirmed during S106 drafting subject to CIL compliance)
Open space, play and landscape	Provision, public access, transfer/management, early structural planting, greenway, play, SuDS amenity and HRA landscape features across both phases.
Biodiversity net gain / ecology	Legal security for significant on-site habitats or off-site units not adequately secured by condition/conservation covenant; 30-year HMMP and monitoring.
Employment and skills	Construction Employment and Skills Plan with agreed targets, reporting and monitoring.
Monitoring	Maldon and ECC Monitoring fees

Conditions Applying to the Full Permission Phase (170 Dwellings)

- 1 **Time Limit (Phase 1)**
The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2. **Compliance with Plans (Phase 1)**
The Full Planning Permission Phase 1 hereby permitted shall be carried out in accordance with the approved Phase 1 plans as shown on the decision notice.

3. **Hard and Soft Landscaping (Phase 1)**
All hard and soft landscape works for Phase 1 shall be carried out in accordance with the approved landscape drawings as shown on the decision notice. Soft landscape works shall be completed in the first planting season following occupation of the relevant dwelling or completion of the relevant part, whichever occurs first. Hard landscape, play, greenway and public-open-space works shall be completed before the occupation threshold approved for them. Any tree, hedge, shrub or grass area which within five years of planting is removed, dies, becomes seriously damaged or diseased or fails to establish shall be replaced in the next planting season with a specimen of the same species and size unless an alternative is approved in writing by the Local Planning Authority.

4. **Refuse and Recycling Storage**
Refuse and recycling storage, collection points and vehicle access for Phase 1 shall be completed before occupation of the relevant dwelling in accordance with the approved Refuse Plan and shall thereafter be maintained, retained and kept available for use. No collection point shall obstruct a footway, cycleway or visibility splay.

5. **Flood Risk Compliance (Phase 1)**
All works within Phase 1 shall be carried out in accordance with the approved Flood Risk Assessment and Drainage Strategy Report by TPA reference 2507-022/FRA/01A dated December 2025, as updated by

Technical Note 2507-022/TN/02. The mitigation measures as identified in the Flood Risk Assessment and Drainage Strategy Report shall be fully implemented before occupation and thereafter in accordance with the timing and phasing arrangements embodied within the approved scheme, or within any other period subsequently approved in writing by the Local Planning Authority.

Conditions Applying to the Outline Permission Phase 2 (Up to 190 Dwellings)

6. Reserved Matters (Phase 2)

No development shall commence within the Outline Permission Phase until details of the layout, scale, appearance and landscaping of the relevant phase or sub-phase (the Reserved Matters) have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved Reserved Matters.

7. Time Limit (Phase 2)

Applications for approval of the Reserved Matters for the Outline Permission Phase shall be made no later than three years from the date of this permission. Development of each phase or sub-phase shall begin no later than two years from the date of approval of the last Reserved Matter for that phase or sub-phase.

8. Compliance with Plans (Phase 2)

The Outline Permission Phase 2 hereby permitted shall provide no more than 190 dwellings and shall be carried out in accordance with the approved Phase 2 plans as shown on the decision notice and associated plans approved as part of the Reserved Matters and associated planning conditions.

9. Surface Water Drainage (Phase 2)

Prior to or concurrently with the Reserved Matters submission for Phase 2 a detailed surface-water drainage scheme shall be submitted which accords with the approved Flood Risk Assessment and Drainage Strategy as listed on the decision notice. The scheme shall identify storage, treatment, discharge rates and volumes, climate-change and urban-creep allowances, exceedance routes, finished levels, connections between phases, adoption/maintenance and delivery triggers. No development of Phase 2 shall commence until the scheme has been approved in writing by the Local Planning Authority, and no dwelling shall be occupied until the drainage serving it has been completed.

Conditions Applying to the Development as a Whole

10. Total Number of Units

The development hereby permitted shall comprise no more than 360 dwellings in total, of which 170 dwellings shall form the Full Permission Phase 1 and no more than 190 dwellings shall form the Outline Permission Phase 2. The land identified for employment use on the approved drawings as shown on the decision notice shall be retained and safeguarded for uses within Classes E(g), B2 and B8 pursuant to this permission.

- 11. Housing Unit Size Mix**
Notwithstanding the approved Phase 1 housing mix, the reserved matters for Phase 2 shall provide a housing unit size mix that shall have regard to the Maldon District Technical Advice Note - Housing Mix Position (November 2025), Local Housing Needs Assessment (2025) or any subsequent update, and the policy requirements within Policy H08 of the National Planning Policy Framework. The housing unit size mix as set out in the reserved matters shall be implemented as approved.
- 12. Materials**
No development above slab level within each phase shall take place until a schedule and samples or sample panels of all external facing and roofing materials, including brick, render, cladding, roof coverings, windows, doors, rainwater goods, porches, canopies, garage doors, hard surfacing and street furniture, have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed and retained in accordance with the approved details.
- 13. Topographical Details**
No development above slab level within each phase shall take place until existing and proposed ground levels, finished floor levels, road levels, retaining structures and the finished relationship to neighbouring land, retained vegetation, public open space and drainage features have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.
- 14. Boundary Treatments**
No dwelling shall be occupied until the boundary treatments, gates, walls, fences, railings, hedges and privacy screens serving that dwelling are completed in accordance with a detailed schedule and plan, to be submitted to and approved in writing by the Local Planning Authority. Boundary treatments adjoining public open space, SuDS, retained hedgerows and pedestrian/cycle routes shall be visually open where necessary to provide surveillance while preventing unauthorised vehicle access. The approved treatments shall thereafter be retained and maintained in accordance with the approved details.
- 15. Parking Provision**
No dwelling shall be occupied until its vehicle parking, garage, cycle parking, electric-vehicle charging provision, turning space and pedestrian access have been completed in accordance with the approved plans. Those facilities shall thereafter be kept available for their intended purposes.
- 16. Access to Dwellings**
No dwelling shall be occupied until the carriageway, footway, cycleway, crossing, lighting, drainage and visibility-splay works necessary to provide safe access to that dwelling and a continuous connection to the existing network have been completed in accordance with details submitted to and approved in writing by the Local Planning Authority. No obstruction exceeding 600 mm in height shall be placed within an approved visibility splay. The approved routes and splays shall thereafter be retained.

17. Off-Site Highways Improvements

No dwelling within Phase 1 shall be occupied until the following highway works have been completed:

- a) improvements to the B1010 Maldon Road and B1021 Church Road junction in accordance with Transport Planning Associates drawing 2507-022 PL04 Rev B; and
- b) the B1010 Maldon Road pedestrian crossing in accordance with drawing 2507-022 PL05 Rev A, including high PSV surfacing to the crossing approaches.

No dwelling within Phase 2 shall be occupied until the B1010, B1012 and Fambridge Road junction improvements as shown in Transport Planning Associates drawing 2507-022 PL03 Rev B have been completed.

The works shall be completed in accordance with the approved details.

18. Construction Stage Drainage Scheme

No development shall take place within each phase until a scheme to minimise the risk of off-site flooding caused by surface-water runoff and groundwater during construction and to prevent pollution has been submitted to and approved in writing by the Local Planning Authority. The scheme shall address temporary storage, discharge, dewatering, topsoil stripping, silt, concrete washout, fuels, chemicals and inspection/response measures and shall be implemented as approved throughout construction.

19. SUDS Maintenance Plan

Prior to first occupation of each phase, a maintenance plan shall be submitted to and approved in writing by the Local Planning Authority detailing the maintenance arrangements for every element of the surface-water drainage system, the responsible bodies, activities and frequencies and, where any element is to be maintained by a management company, the long-term funding arrangements. The system shall thereafter be maintained in accordance with the approved plan.

The applicant and every successor in title shall maintain yearly logs of maintenance carried out in accordance with the approved surface water Maintenance Plan(s). The logs shall be retained for the lifetime of the development and made available to the Local Planning Authority within 20 working days of a written request.

20. Foul Water Drainage

No dwelling shall be occupied until the foul water drainage serving it has been completed in accordance with a phase drainage scheme submitted to and approved in writing by the Local Planning Authority. The scheme shall identify the connection point, capacity and programme and shall maintain the accepted 7.18 m clearance from the surveyed centreline of the 1050 mm Anglian Water sewer unless an alternative arrangement is approved in writing following consultation with the sewerage undertaker.

21. Noise Attenuation

The acoustic design, glazing, ventilation and external-amenity measures identified in the approved Noise and Vibration Impact Assessment shall be installed before occupation of the relevant dwelling and retained

thereafter. No dwelling shall rely on opening windows as the sole means of achieving the approved internal noise standard where the assessment requires alternative ventilation.

22. Residential Travel Plans

Prior to first occupation of each phase, a Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. It shall include baseline and target mode shares, measures and incentives, travel information, public-transport and active-travel promotion, personalised travel planning, monitoring for at least five years, annual reporting, review triggers, remedial measures, responsibilities and funding. The approved Travel Plan shall be implemented from first occupation and monitored in accordance with its programme.

23. Construction Environmental Management Plan (CEMP)

No development shall take place within each phase, including any ground works or demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Plan shall include the following details:

- safe access to the site
- vehicle routing
- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- wheel and underbody washing facilities
- Construction Dust Management Plan
- Risk assessment of potentially damaging construction activities.
- Identification of “biodiversity protection zones”.
- 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) including impacts from noise or vibration
- The location and timing of sensitive works to avoid harm to
- biodiversity features
- The times during construction when specialist ecologists need to be present on site to oversee works
- Responsible persons and lines of communication in the event of a complaint and subsequent investigation
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
- Use of protective fences, exclusion barriers and warning signs

The construction of the development shall be carried out in accordance with the Construction Management Plan as approved and shall be adhered to at all times thereafter.

24. Construction Time Restrictions

No construction activity that is audible at the boundary of the application site shall take place outside 07:30 to 18:00 Mondays to Fridays and 08:00 to 13:00 Saturdays, with no such work on Sundays or Bank or Public Holidays. Piling or other exceptionally noisy operations shall take place only during the hours specifically approved within the relevant Construction Environmental Management Plan.

25. Archaeology

- (1) No development or preliminary groundworks of any kind shall take place within each phase until a programme of archaeological investigation has been secured in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.
- (2) No development or preliminary groundworks of any kind shall take place within that phase until the programme of archaeological evaluation identified in the approved Written Scheme of Investigation has been completed and confirmed as satisfactory by the archaeological adviser to the Local Planning Authority.
- (3) Where the evaluation identifies archaeological deposits, no development or preliminary groundworks shall take place within the affected area until a mitigation Written Scheme of Investigation detailing the excavation and/or preservation strategy has been submitted to and approved in writing by the Local Planning Authority.
- (4) No development or preliminary groundworks shall commence in an area containing archaeological deposits until the fieldwork specified in the approved mitigation Written Scheme of Investigation has been completed to the satisfaction of the Local Planning Authority.
- (5) A Post-Excavation Assessment and, where required, Updated Project Design shall be submitted to the Local Planning Authority within six months of completion of the archaeological fieldwork unless an alternative period is approved in writing. The approved programme shall provide for post-excavation analysis, completion and deposition of the site archive and report at an appropriate local repository, and publication and dissemination of the results, and shall be carried out in full.

26. Contamination

If unexpected contamination is encountered at any time during development, works in the affected area shall cease and the Local Planning Authority shall be notified. A site investigation and risk assessment, and where necessary a remediation method statement and verification plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved remediation shall be completed and a verification report submitted to and approved in writing before development resumes in the affected area or the relevant dwelling is occupied, whichever is earlier.

27. Arboricultural Reports

No development shall commence within each phase until a final Arboricultural Method Statement and Tree Protection Plan, prepared in accordance with BS 5837:2012 and including drainage and service runs and the construction of hard surfaces within or adjacent to root protection areas, has been submitted to and approved in writing by the Local Planning Authority. The approved protective fencing and ground protection shall be installed before any site clearance or construction and retained until all equipment, machinery and surplus materials have been removed. No excavation, level change, storage, mixing, fire, vehicle movement or service installation shall occur within protected areas except in accordance with the approved method statement. If within five years of completion an existing retained tree is removed, destroyed, dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, a replacement tree of the

species, size and planting time specified in writing by the Local Planning Authority shall be planted. The tree-protection measures shall be implemented as approved.

28. Ecological Mitigation

The development shall be carried out in accordance with the mitigation, avoidance and enhancement measures in the Ecological Impact Assessment, Winter Bird Survey Report and confidential badger information, except where a later measure is approved pursuant to another condition. Before commencement of each phase, a phase-specific Ecological Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. It shall include protected-species checks and licensing, nesting-bird controls, farmland-bird/skylark mitigation, hedgerow and root-zone protection, amphibian/reptile precautionary methods, badger safeguards, timing of works, ecological watching briefs, responsibilities and corrective action. The approved measures shall be implemented in full.

29. External Lighting

No external lighting shall be installed within each phase until a Lighting Design Strategy for biodiversity and residential amenity has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall identify sensitive receptors, including retained hedgerows, trees, SuDS, public open space, railway and residential boundaries; specify horizontal and vertical illuminance, spectrum, shielding, mounting height, operating hours and controls; and demonstrate dark corridors for bats and other wildlife. Lighting shall be installed, operated and retained only in accordance with the approved Strategy.

30. Biodiversity Net Gain Plans

No development shall commence until a Site Wide Biodiversity Gain Plan has been submitted to and approved in writing by the planning authority, in accordance with Schedule 7A to the Town and Country Planning Act 1990. No development within each stage shall commence until a Biodiversity Gain Plan for that phase has been submitted to and approved in writing by the planning authority. Each Phase Biodiversity Gain Plan shall set out that phase's contribution to the biodiversity gain objective and shall demonstrate cumulative progress towards achieving at least the biodiversity values in the approved Site Wide Biodiversity Gain Plan and statutory metric for the development as a whole.

31. Habitat Management and Monitoring Plan (HMMP)

No habitat creation or enhancement identified as significant on-site enhancement in an approved Site Wide or Phase Biodiversity Gain Plan shall commence until a Habitat Management and Monitoring Plan for that habitat has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include: a non-technical summary; roles and responsibilities; baseline and target condition; detailed creation and enhancement works; management necessary to achieve and maintain the target; a programme and funding mechanism for at least 30 years from completion of the relevant habitat works; monitoring methodology and success criteria; submission of monitoring reports in years 1, 3, 5, 10, 15, 20, 25 and 30; and remedial and adaptive management where targets are not met. The approved Plan shall be implemented in full and the reports shall be submitted in accordance with the approved programme.

- (ii) If the Section 106 legal agreement is not completed within three months of the date of this District Planning Committee, or a longer period as agreed by the Director of Place, Planning and Growth, then authority is delegated to the Director of Place, Planning and Growth to **REFUSE** the planning application. This is subject to first referring the Planning Application to the Secretary of State for a period of at least 21 days, who may choose to call-in the decision under the Town and Country Planning (Consultation) (England) Direction 2026.

There being no other items of business the Chairperson closed the meeting at 10.14 pm.

R G PRATT
CHAIRPERSON