



**MINUTES of
DISTRICT PLANNING COMMITTEE
5 AUGUST 2026**

PRESENT

Vice-Chairperson (in the chair)	Councillor M E Thompson
Councillors	M G Bassenger, S J Burwood, M F L Durham, A Fittock, A S Fluker, L J Haywood, J C Hughes, K Jennings, S J N Morgan, C P Morley, U G C Siddall-Norman, N D Spenceley, P L Spenceley, W Stamp, CC, E L Stephens, N J Swindle and L L Wiffen
Officers (Maldon District Council)	Mr Jaggard, Director of Place, Planning and Growth Mr Purvis, Development Management Team Leader Mr Ball, Principal Planning Officer

196. CHAIRPERSON'S NOTICES

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

197. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D O Bown, J R Burrell-Cook, S Dodsley, J Driver, K M H Lagan, A M Lay, W J Layborn, M G Neall, R G Pratt, R H Siddall, J C Stilts and S White.

198. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meetings of the District Planning Committee held on 25 June and 8 July 2026 be approved and confirmed.

199. DISCLOSURE OF INTEREST

There were none.

200. 25/00381/OUTM - LAND NORTH OF WEST STREET, TOLLESBURY, ESSEX

Application Number	25/00381/OUTM
Location	Land North of West Street Tollesbury Essex
Proposal	Outline planning application, with all matters reserved except access for up to 159 residential dwellings (Use Class C3), a road link connecting West Street to North Road, ancillary infrastructure, public open space, play space, Suitable Alternative Natural Greenspace (SANG) and sustainable drainage.
Applicant	Welbeck Strategic Land IV LLP
Agent	DLP Planning Ltd
Target Decision Date	14 August 2026
Case Officer	Gareth Ball
Parish	Tollesbury West
Reason for Referral to the Committee / Council	Departure – Site outside of the settlement boundary.

It was noted from the written Addendum circulated prior to the meeting that there had been amendments to paragraphs 5.4.1, 5.4.2, 5.5.1 and to consultee comments. Insertion of section 106 clauses and amendments to condition 5.

Further to this a verbal addendum was provided highlighting a typographical error in the report at 5.12.13 which states 'transport assessment does project a significant increase to traffic to Colchester road' which should read as 'does not'. Essex County Council (ECC) had provided additional comments stating that they maintain their previous comments including the financial contributions listed in the Committee report. Four further letters of representation from the public had been received with no new material planning considerations. Finally, a letter had been received earlier in the day from a local Member of Parliament objecting to the scheme which had not added any new material planning considerations.

The Officer then presented the report.

Following this an Objector Andrew Gilbert, Tollesbury Parish Councillor Caroline Page and the Agent Rhys Bradshaw addressed the Committee.

A Lengthy discussion ensued between Members and Officers, with Officers providing the following information:

- The Council did not currently have a five-year housing land supply, so the tilted balance was applied. They advised that, under the NPPF, permission should be granted unless the adverse impacts would significantly and demonstrably outweigh the benefits. Officers confirmed their recommendation was based on national and local planning policy, recent appeal decisions and the evidence before the Committee.
- Cumulative impact had been considered, but the weight given depended on the status of other schemes. The approved Obsidian scheme was given moderate weight because the Section 106 was still ongoing. The Gladman appeal scheme was given very limited weight because it had not yet been determined. He said cumulative effects had to be considered topic by topic, such as highways, infrastructure and landscape.
- The proposal would result in the loss of Grade 3 agricultural land. However, they gave this limited weight, reflecting recent appeal decisions where similar or greater agricultural land loss had been given limited weight.

- Highway assessments were based on traffic surveys and modelling reviewed by the Highway Authority. The officer stated that even with cumulative development scenarios, Essex Highways considered key junctions to remain within acceptable operating levels. Concerns about parked cars and local congestion were acknowledged, but the officer advised these had not been identified by statutory consultees as not substantial enough to justify refusal.
- The applicant had submitted a primary school pedestrian audit identifying routes to Tollesbury School. They acknowledged there were pinch points, including narrow sections of pavement, but said the route had been reviewed and accepted by the relevant consultees. Officers said the earlier request for a school transport contribution had been removed after the additional pedestrian audit was accepted. They warned that, if the route was later considered unacceptable, the issue could potentially be addressed through a school transport contribution rather than becoming a clear refusal reason. The Officer warned that arguing there was no safe routes to school could be difficult at appeal because ECC Education had withdrawn its objection.
- In regard to school capacity the Officer advised that ECC Education had been consulted. They said ECC Education had not objected, subject to the relevant contributions or mitigation.
- Anglian Water had not provided additional comments, but the Officer advised that developers have statutory rights and processes for connecting to drainage infrastructure. He indicated that drainage concerns were generally difficult to sustain as planning refusal reasons without supporting evidence from the relevant statutory bodies.
- The Officer confirmed existing draft conditions covering construction management, traffic routing, bus stop design, and play equipment. He said further work could be undertaken on restrictions for construction traffic and park accessibility features if members wished.
- Officers noted the Fire and Rescue Service had raised the need for additional hydrants. They said this would generally be dealt with between the developer, the fire service and the water provider outside the main planning determination. However, officers indicated they could explore whether an additional condition on hydrants could be added if Members were minded to approve.
- Officers accepted that the bus contribution related to service improvements rather than creating a permanently guaranteed enhanced service. They said contributions from this could support an hourly Monday-to-Saturday service and two-hourly evening services for a period; with the expectation it could become viable. Officers maintained that, in planning terms, Tollesbury was still regarded as a sustainable location, having local services and some public transport provision.
- Officers confirmed there was already a condition relating to children's play space. They said the wording could be adjusted to require accessible play equipment for children with disabilities or additional needs.
- A Construction Environmental Management Plan was proposed. This would require construction traffic routing and other controls to be agreed. Officers said they could explore whether specific roads, such as Colchester Road, Back Road, Chapel Road and North Road, could be restricted, but cautioned that any condition would need to be reasonable and agreed where appropriate.
- Throughout the discussion the Officer repeatedly warned that reasons for refusal would need robust evidence and expert support if defended at appeal.

At this point in the meeting Councillor A Fittock proposed that they approve the application in line with Officer recommendation. This was duly seconded.

In accordance with Procedure Rule No. 13 (3) Councillor S J N Morgan requested a recorded vote. This was duly seconded.

Further discussion ensued between Officers and Members. The Chairperson then put the proposal to approve the application to a vote, and the voting was as follows:

For the recommendation:

Councillors M F L Durham, A Fittock, S J N Morgan, and N D Spenceley.

Against the recommendation:

Councillors A S Fluker, L J Haywood, J C Hughes, K Jennings, C P Morley, U G C Siddall-Norman, P L Spenceley, W Stamp, E L Stephens, N J Swindle and L L Wiffen.

Abstention:

Councillors M G Bassenger, S J Burwood and M E Thompson.

The Chairperson advised that the motion to approve was therefore not agreed.

Following this Councillor Fluker proposed that the application be refused, contrary to Officers recommendation, and outlined some reasons for refusal. This was duly seconded.

Further discussion over the reasons for refusal between Officers and Members occurred and the following areas of concern were highlighted. Officers emphasised the need for robust reasons for refusal.

- Essex Highways' assessment of pedestrian safety and whether further clarification or independent review was needed. In particular, walking routes to Tollesbury School, and whether the routes were genuinely safe for young children, pushchairs and wheelchair users.
- Accuracy of the highways and traffic evidence, including traffic counts, assumptions and route distribution. This included cumulative traffic impact from this application, and other potential developments in Tollesbury.
- Cumulative infrastructure impact of the approved and proposed housing growth in Tollesbury.
- Anglian Water's position on the cumulative impact of developments.
- Water supply and whether adequate fire hydrants could be provided on-site.
- Bus service frequency, reliability and whether proposed improvements would provide a sustainable transport option.
- Whether the development was sustainable given the limited public transport and likely reliance on private cars.
- Whether the development would harm the character and rural setting of Tollesbury.

Following this discussion, the Director of Place, Planning and Growth suggested that the Committee may wish to consider deferring consideration of the application to allow Officers to gather additional information, including from statutory consultees. Should this information not alleviate the concerns raised by Members, the deferral would also allow Officers to consider reasons for refusal.

Councillor W Stamp then proposed that the application be deferred, this was duly seconded. Upon a vote being taken this proposal was approved.

RESOLVED that the application be **DEFERRED** to a later date.

There being no other items of business the Chairperson closed the meeting at 9.47 pm.

M E THOMPSON
CHAIRPERSON