MINUTES of
DISTRICT PLANNING COMMITTEE
22 SEPTEMBER 2026

PRESENT

Chairperson	Councillor R G Pratt
Vice-Chairperson	Councillor M E Thompson
Councillors	M G Bassenger, J R Burrell-Cook, M F L Durham, A Fittock, A S Fluker, J C Hughes, K M H Lagan, A M Lay, S J N Morgan, M G Neall, P L Spenceley and E L Stephens
Officers (Maldon District Council)	Mr Johnson, Head of Development Management and Building Control Mr Purvis, Development Management Team Leader Mr Bailey, Principal Planning Officer

1. CHAIRPERSON'S NOTICES

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

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors V J Bell, D Bown, S J Burwood, S Dodsley, J Driver, L J Haywood, C P Morley, R H Siddall, U G C Siddall-Norman, N D Spenceley, W Stamp CC, J C Stilts, N J Swindle, S White and L L Wiffen.

3. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the District Planning Committee held on 2 September 2026 be approved and confirmed.

4. DISCLOSURE OF INTEREST

Councillor S J N Morgan declared that they knew the applicant for Agenda Item 5 - 25/00607/OUTM Land 100M East Of 53 Seagers, Great Totham.

Councillor M F L Durham declared that they were an acquaintance of the landowner for Agenda Item 5 - 25/00607/OUTM Land 100M East Of 53 Seagers, Great Totham.

Councillor K M H Lagan declared that they had a presumption about Agenda Item 5 - 25/00607/OUTM Land 100M East Of 53 Seagers, Great Totham and would leave the chamber for this item and return when it had been concluded.

At this point in the meeting Councillor Lagan left the chamber, in accordance with his earlier declaration.

5. 25/00607/OUTM LAND 100M EAST OF 53 SEAGERS GREAT TOTHAM

Application Number	**25/00607/OUTM**
Location	Land 100M East Of 53 Seagers Great Totham
Proposal	Outline application for the development of up to 150 homes alongside public open space, with all matters reserved except for access.
Applicant	BDW Trading Ltd & Britt Snelling C/o Whirledge & Nott
Agent	Belinda Greenwell - Stantec
Target Decision Date	30.09.2026 (with Extension of Time agreed to 22 December 2026 to allow for S106 completion in the event of resolution to grant planning permission)
Case Officer	Chris Purvis
Parish	**GREAT TOTHAM**
Reason for Referral to the Committee / Council	Major Development Departure from the Policies in the Local Plan

An Addendum was published prior to the meeting outlining changes and additional information in section 5 of the report. Also, a further consultation response was received.

The Officer presented the report. Following this, an Objector Filipe Henriques and the Agent Ellen Nicholson addressed the Committee.

A discussion then ensued between Officers and Members in relation to Open Space Protection, the Impact of National Planning Policy, Education and School Capacity, Healthcare Infrastructure, Construction Impacts, Public Transport, Highway Safety and Landscape Harm.

Following this the Chairperson Councillor R G Pratt proposed that the application be approved in line with Officers' recommendations. This was duly seconded. Upon a vote being taken this proposal was approved.

RESOLVED

(i) that the application be **APPROVED** and authority delegated to the Director of Place, Planning and Growth to grant outline planning permission subject to:

(a) the applicant entering into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the compliant Heads of Terms set out below;

(b) the planning conditions set out below.

HEADS OF TERMS OF ANY SECTION 106 AGREEMENT

<u>Affordable Housing</u>

Affordable Housing Scheme, including:

- Delivery of 40% affordable housing with a 75% affordable/social rented / 25% shared ownership

- Provision of affordable home ownership products in line with national policy Affordable units to be delivered by a Registered Provider/Housing Association recognised and regulated by Homes England
- Gross costs (rent/service charge) to be within the Council's Strategic Tenancy Strategy
- All affordable units to meet Nationally Described Space Standards
- An Affordable Housing Scheme detailing tenure, gross costs (rent/service charge), and allocation of units to be agreed with the Council.

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/social rented and shared ownership dwellings to be constructed to Building Regulations Approved Document M requirements for M4(3) (Wheelchair User Dwellings) and 80 per of both the affordable/social rented and I shared ownership 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.

Education

Financial contributions being secured through planning obligations based on the formula used by Essex County Council's Education team. The figures are set out below are based on the maximum number of 150 dwellings being built but the proposal is up to 150 dwelling so less dwellings could be built and the figures would then be lower based on the formula used. If 150 dwellings were built the financial contributions would be as follows:

- Primary Education – £920,250
- Secondary Education - £843,810
- School Transport - £178,410
- Libraries - £11,670
- Monitoring fee - £700 per obligation
- An Employment and Skills Plan for post 16 education should be prepared

Highways

A financial contribution of £480,000 to ECC towards improving public transport links between the site and other local destinations including Maldon, Tiptree and Colchester.

Provision of an updated travel plan and an annual monitoring fee of £1,817 per year from year one until final occupation.

NHS Contribution

A financial contribution of £112,500 towards local healthcare improvements based on the maximum number of 150 dwellings being built.

Essex RAMs

A financial contribution based on the current tariff of £175.55 per dwelling (2026-2027 figure) which would be £26,332.50 if all 150 dwellings are to be built out.

Biodiversity Net Gain

Any legal security required for significant on-site biodiversity gains, together with the 30-year Habitat Management and Monitoring Plan, without double counting HRA or ordinary landscape mitigation.

Monitoring Fee

MDC Section 106 administration and monitoring fee of £1,638.

CONDITIONS

Submission of Outstanding Reserved Matters

1. 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.

Time Limit for the Submission of the Outstanding Reserved Matters

2. 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.

Time Limit for the Commencement of the Outline Planning Permission

3. 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.

Approved Plans

4. The reserved matters shall be submitted in accordance with the details set out in the following approved plans:
   - RG-M-09-1 Rev S - Parameter Plan
   - RG-M-13D - Site Boundary Plan
   - TRP-00218-DR-00 Rev A - Proposed Access-Refuse Veh SPA
   - TRP-00218-DR-006 Rev D - Proposed Shared Footway-Cycleway
   - 794-PLN-TRP-00218-DR-009 Rev B - Proposed Acces

Plan to Influence the Reserved Matters

5. The details submitted pursuant to Condition 1 (the reserved matters) shall be broadly in accordance with the following plans:
   - RG-M-06 Rev G - Concept Masterplan
   - GT-5 Rev 01 - Illustrative Landscape Masterplan
   - GT-01 - Landscape Related Designations

Housing Mix

6. The dwelling mix for the development hereby approved shall be agreed as part of the reserved matters application(s) and shall have regard to 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, has been submitted to and approved in writing by the Local Planning Authority.

Maximum Height for the Development

7. The development shall be a maximum of two storeys (9.5m) in height.

Levels

8. No development (excluding preliminary groundworks and site preparation) shall commence until details of finished site levels and finished external surface levels, and the finished floor level of the building(s) hereby permitted have been submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

Materials

9. The reserved matters for the approval of layout shall include details of the proposed materials to be used in the development.

   No development above slab level shall commence until written details or samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the materials and details as approved.

Boundary Treatment

10. The reserved matters for the approval of layout shall include details of the proposed boundary treatment to the development.

    No development above slab level shall commence until details of the siting, height, design and materials of the treatment of all boundaries including gates, fences, walls, railings and piers have been submitted to and approved in writing by the Local Planning Authority. The screening as approved shall be completed for each dwelling prior to the first occupation of that dwelling and shall be retained and maintained as such thereafter.

Landscaping

11. The reserved matters for 'landscaping' shall provide full details and specifications of both hard and soft landscape works which shall be submitted to and approved in writing by the Local Planning Authority. Such details shall be submitted with the other reserved matters. These landscaping details shall include the layout of the hard landscaped areas with the materials and finishes to be used together with details of the means of enclosure, car parking layout, vehicle and pedestrian accesses. The details of the soft landscape works shall include 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 hard landscape works shall be carried out as approved prior to the beneficial occupation of the development hereby approved unless otherwise first agreed in writing by the Local Planning Authority. The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development, unless otherwise first 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, 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.

Tree and Hedge Retention

12. The trees and hedges identified for retention on the approved plan Tree Protection Plan listed in Appendix C of the Arboricultural Impact Assessment shall be protected during the course of the development. The trees and/or hedges shall be protected by chestnut paling fencing for the duration of the construction period at a distance equivalent to not less than the spread from the trunk. The protective fencing and ground protection shall be erected before the commencement of any clearing, demolition and building operations and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced protection zone(s) no materials shall be stored, no rubbish dumped, no fires lit and no buildings erected inside the fence, nor shall any change in ground level be made within the fenced area unless otherwise first agreed in writing by the Local Planning Authority. If within five years from the completion of the development a tree or hedge shown to be retained is removed, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, a replacement 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.

Vehicle Access

13. Prior to the first occupation of the development the vehicle access as shown on Drawing 794-PLN-TRP-00218-DR-009 Rev B in Appendix 5 of the Transport Assessment, the main site access on the B1022 Maldon Road, shall be provided with clear to ground visibility splays of 2.4 metres by 123 metres to the west and 2.4 metres by 125 metres to the east, as measured from and along the nearside edge of the carriageway, and shall have a minimum road width of 5.5 metres with 3 metre wide footway / cycleway on each side and a straight section for a minimum of the first 15 metres into the site. The vehicle access shall be completed with a surface finish prior to the first occupation of the development.

Footway / Cycleway

14. Prior to the first occupation of the development and as shown in principle on Drawing 794-PLN-TRP-00218-DR-009 Rev B in Appendix 5 of the Transport Assessment, a new 3 metre footway / cycleway shall be provided across the site frontage and extended to upgrade the existing footway alongside the cricket ground. It shall also provide a dropped kerb / tactile paving crossings of the access road junction and, as indicated, Maldon Road to link with the bus stop outside the Bull public house, Staplers Heath and the adjacent playground area. The footway / cycleway shall be completed prior to the first occupation of the development.

Bus Stop Improvements

15. Prior to the first occupation of the development, the bus stops outside the Village Hall and the Bull public house shall be upgraded. The south westbound stop, i.e. towards Heybridge and Maldon, shall be provided with a new hardstanding, a new shelter with lighting, flag, raised kerbs

and real time passenger information display. The north eastbound stop, i.e. towards Tiptree, shall be provided with hardstanding, raised / dropped kerbs and timetable display case. The bus stop improvements shall be completed prior to the first occupation of the development.

Traffic Regulation Order

16. Prior to the first occupation of the development, the developer shall pay (through the Highway legislation requirements) for a Traffic Regulation Order together with the provision of associated signage to extend the existing 30mph speed limit on the B1022 to a location east of the site access to be agreed in road markings.

Residential Travel Information Pack

17. Prior to the first occupation of the development, the applicant or developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport to each dwelling upon occupation of the dwelling with details to be submitted and approved in writing by the Local Planning Authority (to include six one day travel vouchers for use with the relevant local public transport operator). The Residential Travel Information Pack shall be made available for use following the written approval of the Local Planning Authority

Updated Travel Plan

18. Prior to the first occupation of the development, an updated Travel Plan shall be submitted to and agreed in writing with the Local Planning Authority. 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.

Parking

19. The reserved matters for the approval of layout shall include land reserved for the parking and / or garaging of private cars/motor vehicles/electric vehicles and charging points.

    Prior to the first occupation of the development the parking areas and any electric vehicle charging points shall be constructed, surfaced, laid out and made available for such purposes in accordance with the approved scheme and retained as such thereafter.

Cycle Parking

20. The reserved matters for the approval of layout, appearance and scale shall include details of bicycle and powered two-wheel storage facilities for each dwelling.

    The bicycle and powered two-wheel storage facilities shall be constructed and made available for such purposes in accordance with the approved scheme and retained as such thereafter.

Amenity Space Provision

21. The reserved matters for the approval of layout and landscaping shall include private amenity space for each dwelling in accordance with the requirements of the Maldon District Design Guide SPD.

Public Open Space Provision

22. The reserved matters for the approval of layout and landscaping shall include public open space in broad accordance with the land identified for such purposes on the GT-5 Rev 01 - Illustrative Landscape Masterplan

Management of Open Space and Children's Play Space

23. Prior to the first occupation of the development, details of the future management, maintenance schedules and funding provision of the public open space, children's play 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.

Surface Water Drainage Scheme

24. No development (excluding preliminary groundworks and site preparation) shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
    a) Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in found in chapter 25.3 of The CIRIA SuDS Manual C753.
    b) Limiting discharge rates to 6.6l/s for all storm events up to and including the 1 in 100 year plus 45% allowance for climate change storm event
    c) 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.
    d) Final modelling and calculations for all areas of the drainage system.
    e) 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. Permeable paving must be provided within the shared roads and driveways.
    f) Detailed engineering drawings of each component of the drainage scheme.
    g) A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
    h) 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 occupation.

Scheme to Minimise Off Site Flooding

25. No development (excluding preliminary groundworks and site preparation) shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented as approved.

Maintenance Plan for Surface Water Drainage Scheme

26. Prior to the first occupation of the development a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, shall be submitted to and approved in writing by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of the long-term funding arrangements shall be provided.

Yearly Logs

27. 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.

Foul Drainage

28. No development (excluding preliminary groundworks and site preparation) shall commence until a site layout plan detailing the location of existing water and drainage assets, and any proposed asset diversion, shall be submitted to and approved by the Local Planning Authority, in consultation with Anglian Water. In order to ensure on-going maintenance is possible all existing water and drainage assets should be located in areas of public open space and/or adoptable highways.

Ecological Mitigation

29. All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Appraisal (Aspect Ecology, June 2025) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination. This shall 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.

Farmland Bird Compensation Strategy

30. A Farmland Bird Compensation Strategy shall be submitted to and approved by the Local Planning Authority to compensate the loss or displacement of any Farmland Bird territories identified as lost or displaced. This shall include provision of offsite compensation in nearby agricultural land, prior to commencement. The content of the Farmland Bird Compensation Strategy shall include the following
    a) Purpose and conservation objectives for the proposed compensation measure e.g. Skylark plots
    b) detailed methodology for the compensation measures e.g. Skylark plots must follow Agri-Environment Scheme option: ‘AB4 Skylark Plots’
    c) locations of the compensation measures by appropriate maps and/or plans, and
    d) persons responsible for implementing the compensation measure. The Farmland Bird Compensation Strategy shall be implemented in accordance with the approved details, and all features shall be retained for a minimum period of 10 years.

Biodiversity Enhancement Strategy

31. Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Ecological Appraisal (Aspect Ecology, June 2025), shall be submitted to and approved in writing by the Local Planning Authority. The content of the Biodiversity Enhancement Strategy shall include the following:
    a) Purpose and conservation objectives for the proposed enhancement measures
    b) detailed designs or product descriptions to achieve stated objectives
    c) locations of proposed enhancement measures by appropriate maps and plans (where relevant)
    d) persons responsible for implementing the enhancement measures, and
    e) 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.

Lighting Strategy

32. Prior to the first occupation of the development, a "lighting design strategy for biodiversity" in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:
    a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
    b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) 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.

Delivery Of Onsite Measures in Line with The Approved Habitats Regulations Assessment

33. Prior to the first occupation of the development, on site measures to avoid impacts from the development alone from recreation disturbance to the relevant coastal Habitats sites shall be submitted to and be approved in writing by the Local Planning Authority. The content of the onsite measures shall be in line with the approved Habitats Regulations Assessment and shall include the following:
    a) Purpose and conservation objectives for the proposed measures
    b) Detailed designs of the interpretation board and leaflets
    c) Timetable for implementation demonstrating that measures are aligned with the proposed phasing of development
    d) Locations of proposed interpretation boards by appropriate maps and plans, and
    e) details of initial aftercare and long-term maintenance

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

Archaeology – Pre Excavation

34. No development or preliminary groundworks of any kind shall take place until:
    - Part 1 - A programme of archaeological investigation into trial trenching and geophysical survey has been secured in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
    - Part 2 - The completion of the programme of archaeological evaluation identified in the WSI defined in Part 1 and has been confirmed in writing by the Local Planning Authority's archaeological advisors.
    - Part 3 - A mitigation strategy detailing the excavation / preservation strategy has been submitted to and approved in writing by the Local Planning Authority following the completion of the archaeological evaluation.
    - Part 4 - The satisfactory completion of fieldwork, as detailed in the mitigation strategy in Part 3 has been submitted to and approved in writing by the Local Planning Authority.

Archaeology – Post Excavation

35. Prior to the first occupation of the development, the following details shall be provided:
    - Part 1 - A post excavation assessment which has been submitted to and approved in writing by the Local Planning Authority. This shall be done within 6 months of the date of completion of the archaeological fieldwork.
    - Part 2 – Suitable provision has been made for 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 with details of this to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.

Noise Mitigation

36. The reserved matters for the approval of layout shall incorporate the details of the noise mitigation measures as set out in section 9 of the applicant's Noise Assessment.

    Prior to the first occupation of the development the noise mitigation measures as approved with the reserved matters shall be installed to ensure acceptable internal and external noise conditions for future occupiers of the development. These noise mitigation measures shall remain in place at all times thereafter.

Energy Efficiency and Renewable Energy

37. The reserved matters for the approval of layout, scale, appearance and landscaping 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.

Refuse and Recycling

38. The reserved matters for the approval of layout and appearance shall include full details of 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 if necessary.

    The bin and recycling stores as approved shall be provided prior to the first occupation of each dwelling and shall be constructed and permanently retained at all times thereafter.

Construction Environmental Management Plan

39. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall contain and address the following matters:
    - (a) Hours of use for the construction of the development
    - (b) Hours and duration of any piling operations
    - (c) Vehicle haul routing in connection with construction, remediation and engineering operations
    - (d) Wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off site
    - (e) Details of construction of any access or temporary access, and details of temporary parking requirements
    - (f) Location and size of on-site compounds (including the design layout of any proposed temporary artificial lighting systems)
    - (g) Loading and unloading of plant and materials locations
    - (h) Details of any temporary hardstandings
    - (i) Details of temporary hoarding
    - (j) Details of the method for the control of noise with reference to BS5228 together with a monitoring regime
    - (k) Measures to reduce vibration and mitigate the impacts on sensitive receptors together with a monitoring regime
    - (l) Measures to reduce dust including dust suppression, control and containment of air emissions incorporating Best Practice Means along with air quality mitigation and monitoring
    - (m) For dust and air quality management and mitigation:
        - i. The identification of all dust-generating activities and sensitive receptors
        - ii. The specific mitigation measures to be implemented across all phases (demolition, earthworks, construction, and trackout), including water suppression, haul-road speed limits, vehicle/wheel washing facilities, and covering of material transport/stockpiles
        - iii. Procedures for visual daily/weekly site inspections, dust monitoring (where deemed high risk), and clearly defined trigger/action levels
    - (n) Measures for water management including wastewater and surface water discharge
    - (o) A method statement for the prevention of contamination of soil and groundwater and air pollution, including the storage of fuel and chemicals
    - (p) Details of a procedure to deal with any unforeseen contamination, should it be encountered during development
    - (q) A Site Waste Management Plan
    - (r) For ecology and biodiversity:
        - i. Risk assessment of potentially damaging construction activities

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

(s) Details of security lighting layout and design, and

(t) Contact details for site managers including information about community liaison including a method for logging, handling and monitoring complaints.

Works on site shall only take place in accordance with the approved CEMP.

(ii) If the Section 106 legal agreement is not completed within three months of the date of this District Planning Committee, or an extended time period as agreed between the applicant and the Council, then authority is delegated to the Director of Place, Planning and Growth to **REFUSE** the planning application, subject to the referral of the case to the Secretary of State for a period of at least 21 days, who may opt to call-in the decision as per the Town and Country Planning (Consultation) (England) Direction 2026.

At this point in the meeting Councillor K M H Lagan returned to the Chamber. Councillor M F L Durham left the chamber and returned prior to the next Agenda Item.

6. 26/00138/OUTM LAND SOUTH OF THREEWAYS AND 45 THE STREET, LATCHINGDON, ESSEX

Application Number	**26/00138/OUTM**
Location	Land South Of Threeways And 45 The Street, Latchingdon, Essex
Proposal	Outline planning application with all matters reserved except for means of access, for up to 140 dwellings (Use Class C3), including 40% affordable housing; new site access and internal access roads; a new village centre (Use Class E(a)); flexible employment space (Use Class E); car and cycle parking; landscaping; sustainable urban drainage systems; public open space and footpaths; community woodlands and allotments; together with associated infrastructure.
Applicant	EJ Latchingdon Ltd
Agent	Mr Matthew Driscoll - MJD Planning Ltd
Target Decision Date	2 October 2026 (EoT)
Case Officer	Matt Bailey
Parish	**Latchingdon**
Reason for Referral to the Committee / Council	Major application

An Addendum was published prior to the meeting containing additional consultation responses and applicant information. It also contained more information relating to the flood risk sequential test, foul water drainage and highways.

The Officer presented the report. Following this an Objector, Emma Derham, a representative of Latchingdon Parish Council Councillor Phil Simcock and the Agent Matt Driscoll addressed the Committee.

Following this a discussion between Councillor A Fittock and Officers ensued focusing on the Sequential Test for flood risk. The Councillor raised concerns over the robustness of the assessment of alternative sites, he suggested that several alternative sites appeared capable of accommodating the proposed housing and questioned whether the applicant had applied overly restrictive criteria. He asked why the Inspector's previous conclusions had been given limited weight. Officers responded that the applicant had carried out a district-wide search for alternative sites. They considered that the submitted assessment, together with the additional information provided, represented a proportionate response to the sequential test and addressed the matters raised by the Planning Inspector.

Councillor Fittock maintained that the purpose of the sequential test was to direct development towards areas at lower risk of flooding and did not consider that this had been achieved, and that passing the sequential test was a fundamental policy requirement. He questioned whether the proposal should proceed when alternative sites without comparable flooding or infrastructure constraints might be available.

Councillor S J N Morgan then proposed that this application be deferred so further assessment and information for the sequential test could be provided. This was duly seconded and upon a vote being taken this was approved.

RESOLVED that the application be **DEFFERED** to a future meeting of this Committee to allow further information and assessment in relation to the sequential test to be carried out.

There being no other items of business the Chairperson closed the meeting at 9.34 pm.

R G PRATT
CHAIRPERSON