



**REPORT of
DIRECTOR OF PLANNING AND REGULATORY SERVICES**

**to
COUNCIL (EXTRAORDINARY)
16 August 2018**

Application Number	FUL/MAL/18/00494
Location	Land South Of Wycke Hill and Limebrook Way, Maldon, Essex
Proposal	Application for infrastructure works, including; foul and surface water drainage; provision of highways, proposed site levels and associated works.
Applicant	Taylor Wimpey (East London)
Agent	Ms Catherine Williams (Savills)
Target Decision Date	23 July 2018 EoT: 24 August 2018
Case Officer	Mark Woodger
Parish	Maldon West
Reason for Referral to the Committee / Council	Previous Committee Decision Major Application Planning Performance Agreement

1. RECOMMENDATION

APPROVE: subject to the conditions as detailed within Section 8 of this report.

2. SITE MAP

Please see overleaf.

Land South of Wycke Hill and Limbrook Way Maldon

FUL/MAL/18/00494



Copyright


 For reference purposes only.
 No further copies may be made.
 This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright.
 Unauthorised reproduction infringes Crown copyright
 and may lead to prosecution or civil proceedings.
 Maldon District Council 100018588 2014

www.maldon.gov.uk

Scale: 1:5,000

Organisation: Maldon District Council

Department: Department

Comments: Extraordinary Council

Date: 19/07/2018

MSA Number: 100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

3.1.1 The application site forms part of the wider area identified as Strategic Site S2(a) (part of the South Maldon Garden Suburb) in the Approved Maldon District Local Development Plan (LDP). Outline planning permission has been granted to provide up to 1,000 houses; an employment area; a local centre; a primary school; two early years and childcare facilities; general amenity areas; formal open space including allotments, sports playing fields, and landscaping; sustainable drainage measures including landscaped storage basins and Sustainable Urban Drainage (SuDS) features; and, vehicle accesses onto the existing highway network and associated infrastructure. Application reference OUT/MAL/14/01103 applies.

3.1.2 The Decision Notice for application reference OUT/MAL/14/01103 was issued on the 01 December 2016 and includes multiple planning conditions and a S.106 Agreement to provide for affordable housing, education and health contributions, open space provision etc. that is applicable to the whole site.

3.1.3 The site forms the eastern portion of site S2(a) within the South Maldon Garden Suburb site and is located immediately to the south of Limebrook Way in Maldon. The former railway line traverses the whole S2 (a) site from north to south and splits the site into two portions. The site is subject to a Strategic Masterplan Framework and a Design Code to inform development and to create a Garden Suburb which is intended to be a vibrant, high quality and distinctive neighbourhood which will complement and enrich the character of the area, protect and enhance the environment and enhance the environmental qualities of the area.

3.1.4 Whereas the original application and the associated Section 106 Agreement was agreed under a single developer consortium approach, a Deed of Variation, dated 26 February 2018 provides for Site S2(a) to be delivered as east and west parcels by two or more separate developers acting independently. In addition various conditions have been amended to allow the same. Neither the Section 106 Deed of Variation nor the amendments to the conditions change the obligations or requirements on the developer with all matters, including the provision of 30% affordable housing across the whole site set.

3.1.5 The applicant intends to develop the residential elements of the eastern parcel in phases; the first of the phase Reserved Matters applications is currently under consideration (Ref: FUL/MAL/18/00531) and which is also considered under this Agenda.

3.1.6 This application deals with the key infrastructure requirements across the whole of the eastern parcel. This sets the key structural framework on which the development will be built in phases. Essentially this application sets the framework within which the various housing parcels as they come forward will be built onto.

3.1.7 The highways element of this application details the proposed road layout and Section 278 works to be carried out, including works to Fambridge Road and Limebrook Way, and the internal spine road.

- 3.1.8 In addition, the applicant submitted with the application details in respect to the following. As stated in the applicants letter with the application, dated 21 April 2018 '*this application includes information pertinent to some of the conditions imposed on the OPP [Outline Planning Permission] and whilst the applicant acknowledges these will still need to be formally approved, this information has been submitted so as to avoid the imposition of unnecessary conditions on the permission relating to the infrastructure works in order to expedite the delivery of the site.*'
- 3.1.9 The site is yet to be developed, although archaeology investigations have begun on site. The site has recently been surrounded by a perimeter fence and signage/flag poles erected and the applicants asked to submit applications for both.

3.2 Conclusion

- 3.2.1 This application formalises the infrastructure alignment that has been established through the approved Parameter Plans under OUT/MAL/14/01103.
- 3.2.2 The original outline planning application came forward with a Design and Access Statement which itself enabled the Council to develop and adopt a Supplementary Planning Guidance a Strategic Masterplan Framework (SMF) alongside the LDP. The purpose of the SMF was to illustrate using maps and policies details specific to the Garden Suburb relating to strategic infrastructure, highway and access, flood alleviation, design guidelines, ecology and green infrastructure. It is within the SMF that this application has to be assessed. In addition the Council has published and adopted the South Maldon Strategic Design Codes and the Maldon District Design Guide by which applications on this site fall to be considered.
- 3.2.3 This application comes following a pre application meeting as presented to Members, and a lengthy period of technical meetings with officers of the Council and the Highway Authority, all of which have been under the as agreed Planning Performance Agreement for this site.
- 3.2.4 Officers have considered all matters as far as they relate within the site to public transport infrastructure; Section 78 works, that is to say works to the highway to facilitate the development, its access and the as proposed toucan crossing in Limebrook Way; the widening of Fambridge Road and the replacement of the hedge currently along its western side; the crossing of culverts within the site; the primary street network, which replicates almost exactly that as set out within the SMF; the as proposed Construction Environmental Management Plan; arboricultural and landscape impact; drainage; and have, with the advice and co-operation of statutory consultees, found all these to be acceptable and in accordance with adopted policy.

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

It should be noted that the principle of development on this site has been established by the LDP and also with the granting of Outline planning permission (Ref: OUT/MAL/14/01103). Therefore the policy extracts that follow only consider the detailed matter by which this application falls to be considered.

4.1 National Planning Policy Framework 2018 including paragraphs (NPPF):

- 11 Presumption in favour of sustainable development
- 59-66 Delivering a wide choice of high quality homes
- 124-132 Requiring Good Design
- 38 Decision-taking

4.2 Maldon District Approved Local Development Plan 2014 – 2029 (LDP):

- S1 Sustainable Development
- S2 Strategic Growth
- S3 Place Shaping
- S4 Maldon and Heybridge Strategic Growth
- D1 Design Quality and Built Environment
- H4 Effective Use of Land
- T1 Sustainable Transport
- T2 Accessibility

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- The Maldon District Design Guide (MDDG)
- South Maldon Garden Suburb Strategic Masterplan Framework
- South Maldon Garden Suburb Strategic Design Code

5. MAIN CONSIDERATIONS

5.1 Principle of Development

5.1.1 The Council is required to determine planning applications in accordance with its approved Development Plan unless material considerations indicate otherwise as set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004), Section 70(2) of the Town and Country Planning Act 1990 (TCPA1990) and paragraph 2 of the NPP).

5.1.2 The principle for the development to provide up to 1,000 houses, an employment area, a local centre, a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDS features, vehicle accesses onto the existing highway network and associated infrastructure has been established through the grant of permission FUL/MAL/14/01103, approved 1 December 2016. That permission included Parameter Plans that form the basis for this application which has led to the production of the SMF for the site.

5.1.3 With the principles for the site firmly set with permission what has to be here considered is whether the details fit within the details as set out in the SMF and the Design Codes.

5.2 Design and Impact on the Character of the Area

5.2.1 The proposal relates to matters which in themselves are not design led, but which provide the framework for the phased development of the site within which the design elements of the site will sit. In particular the drainage and SuDS are important components of the open spaces, whilst the highway elements set out the main structure for the development blocks in all phases in accordance with the Master Plan, Design Codes and Parameter Plans.

5.2.2 It is considered that the proposal will not result in a detrimental visual impact on the street scene or garden suburb principles and accords with approved LDP Policy D1 (Design Quality and Built Environment) and the principles set out in the adopted Masterplan, the MDDG, the South Maldon Garden Suburb Design Code , and the guidance and provisions as contained within the NPPF.

5.2.3 Whilst it is correct that the site will change from what is a slightly undulating agricultural field at the moment however the impact of this engineering application will be to simply facilitate the development and provide the roadways, drainage infrastructure etc around which the detailed development will occur. Looking at arboriculture the site will change out of all proportion, but the development of this site into houses and associated uses has been granted in principle by the granting of outline planning permission, this permission is simply the first which implements the outline approval.

5.3 Access and Highway Safety

5.3.1 Policy T1 of the approved LDP seeks to secure provision for sustainable transport in new development and enable the provision for new bus services as well as maintaining and improving existing services in the district. Policy T2 seeks to create and maintain an accessible environmental capacity to accommodate the type and amount of traffic generated by development proposals.

5.3.2 It has been agreed in meetings with the Highway Authority that the traffic speed within the site will be regulated by a Traffic Order to not exceed 20 mph.

5.3.3 Firstly the original points of access into the site, which is here shown as a roundabout off Limebrook Way to the east of the former railway crossing, and the two access points off Fambridge Road were granted by the original outline permission. It has been necessary to slightly amend the location of the roundabout following a road safety audit and in consultation with the Highway Authority. This application does not change these as agreed access points.

5.3.4 The proposed infrastructure layout has been assessed by Essex County Highways who have worked closely with the applicant and the Council in joint meetings prior to submission and the infrastructure layout and as proposed is in accordance with what was agreed and what was proposed by the original Design and Access Statement, the Strategic Masterplan Framework and the Design Code. The proposal allows for a bus

route through the site. The southernmost primary route through the site from the roundabout in Limebrook Way to Fambridge Road will carry the bus route and has been designed in terms of its width, vertical deflection to reduce road speeds, with bus stops being agreed along this route.

- 5.3.5 Fambridge Road will have to be widened to make room for the right hand turn lanes into the site, however this was detailed on the outline permission. This means that the existing hedge on the field boundary will be lost but the RES application which is also to this Committee shows this re-planted as part of the approved planting scheme.
- 5.3.6 The Highways Agency advised that the Eastern Type D Feeder Road which forms the primary bus route through the site should provide additional or amended traffic calming features and recommended that the proposed triangular landscaped areas should be removed as they are likely to be overrun and are highly impractical. They also advised that all shared drives across the whole site should have a minimum width of 5m for the first 6m back from the highway, and have made detailed comment that the Private Eastern Cycleway and advised that there should be at least a 1m separation of the private cycleway and the turning head adjacent to plots 79 and 162. Consideration should also be given to making this an adoptable strategic route.
- 5.3.7 Following the receipt of these comments the applicants have submitted additional plans which address the aforementioned concerns.
- 5.3.8 Works are required on the highway outside the boundary of the application site, namely along Fambridge Road, to provide safe access to and from the site. These works are subject to S278 agreement which will progress through a detailed design and safety audit process outside the scope of this application but never the less secure the access points as have been agreed by this Council.
- 5.3.9 The highway infrastructure is supported by dedicated pedestrian footways and cycle paths that provide safe routes through the site and link to the other Garden Suburb sites. ECC Highways have advised that the footway/cycleway should extend to the west of the site and be as wide as can be achieved to tie into the new Toucan crossing on Limebrook Way to the west of the old railway line.
- 5.3.10 In terms of layout, design, accessibility the scheme is considered to meet the criterion of policies T1 and T2 of the LDP and the principles set out in adopted SPDs, the MDDG and the guidance and provisions as contained within the NPPF.

5.4 Other Considerations

- 5.4.1 Additional information has been submitted in relation to some conditions imposed on the Outline application (OUT/MAL/14/01103) as the applicant considered they were relevant to the infrastructure proposal.
- 5.4.2 In terms of the site levels at this time the site is made up of gently undulating fields which drop in level marginally from the north west to the south west corner. The proposals show the adjustments to be made to the existing ground levels to accommodate the various elements within the scheme. The area of greatest increase in height is close to Fambridge Road, where the levels need to be raised so that the new primary road safely ties-into the existing highway. Consequently the area either side

of part of the primary road is also raised to ensure the best access along pavements and drives and pathways to the new housing. Generally, they follow the existing pattern of the levels on the site and the impact of any level changes is considered minor and wholly acceptable.

- 5.4.3 The lighting details which would line the roadways have been submitted in detail and assessed alongside the overall site landscaping plan and is considered acceptable. The lighting plan has been to and is agreed by the Highway Authority.
- 5.4.4 This engineering application shows and set out the drainage strategy for the site, which has been slightly amended since outline stage as more up to date flood modelling has taken place. Precise details of the flood management and surface water Sustainable Urban Drainage are shown in more detail with the application which accompanies this item. Consultations have taken place with the required statutory undertakers and the design of the drainage system, including stand-off around it, the culverts and bridge crossings are all considered acceptable. This design also fits in with the Strategic Masterplan Framework and the Design Code and are all considered acceptable.
- 5.4.5 In terms of the Construction Management Plan (CMP) for the site ECC Highways advised that this document is acceptable subject to the construction access being widened to accommodate two HGV's to pass.
- 5.4.6 The CMP also shows how the site will work initially with the use of compounds, fencing and access which will not repeatedly run across areas which will be used as green corridors through the site. Once completed each land parcel will then be fenced from the remainder of the development in the interest of amenity of local residents. Wheel washing. Dust and water suppression will operate under the CMP as standard.

6. **RELEVANT SITE HISTORY**

- **OUT/MAL/14/01103:** Outline application for up to 1,000 dwellings, and employment area of 3.4ha (use classes B1, B2 and B8), a local centre A1 – A5, C2, C3, D1 and D2 uses) a primary school, two early years and child care facilities, general amenity areas and formal open space including allotments, sports paling fields, landscaping, sustainable urban drainage measures including landscaped storage basins and SUDS features, vehicle accesses onto the existing highway network and associated infrastructure. Approved 1.12.2016
- **FUL/MAL/16/01454:** Variation of conditions 5, 13 & 14 on approved planning permission OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2 C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDS features, vehicle accesses onto the existing highway network and associated infrastructure.) Approved 16.02.2017
- **FUL/MAL/16/01458:** Variation of condition 11 and deletion of condition 12 of approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8

uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDS features, vehicle accesses onto the existing highway network and associated infrastructure.) Approved 16.02.2017

- **NMA/MAL/17/00367:** Application for non-material amendment following grant of Planning Permission of OUT/MAL/14/0110 as amended by permissions FUL/MAL/16/01454 & FUL/MAL/16/01458 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDS features, vehicle accesses onto the existing highway network and associated infrastructure) Amendment sought: Amendment to conditions 5 & 6. Approved 26.04.207
- **FUL/MAL/17/00396:** Variation of condition 27 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDS features, vehicle accesses onto the existing highway network and associated infrastructure.) Approved 24.07.2017
- **FUL/MAL/18/00071:** Variation of condition 7 on approved application FUL/MAL/17/00396 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDS features, vehicle accesses onto the existing highway network and associated infrastructure.) Approved 13.04.2018
- **FUL/MAL/18/00494:** Application for infrastructure works, including; foul and surface water drainage, provision of highways, proposed site levels and associated works. PENDING CONSIDERATION
- **PROW/MAL/18/00831:** Diversion of a public footpath 8 PROW 253. PENDING CONSIDERATION
- **DET/MAL/18/05066:** Compliance of conditions notification of approved application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67,68,69,74,81,84 on approved application OUT/MAL/14/01103) Condition 7 - Strategic phasing plan. Approved 8.6.2018
- **DET/MAL/18/05078:** Compliance with conditions notification FUL/MAL/18/00071 (Variation of conditions 5, 13, 21, 25, 43, 53, 55, 61, 63, 67, 68, 69, 74, 81, 84 on approved application OUT/MAL/14/01103 (Outline

application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDS features, vehicle accesses onto the existing highway network and associated infrastructure.) Condition 45 - Trees & hedgerows. Condition 47 - Position & proposed depth of excavation trenches for all services. Condition 54 - Allotments plan. Condition 61 - Management & maintenance of all watercourses. Condition 64 - Foul water drainage. Condition 67 - Submission of archaeological assessment. Condition 68 - Secured implementation of archaeological assessment. Condition 74 - Contaminated land assessment. Condition 81 - Construction Environmental Management Plan (CEMP). Condition 84 - Superfast broadband. PENDING CONSIDERATION

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

7.1 **Representations received from Parish / Town Councils**

Name of Parish / Town Council	Comment	Officer Response
Woodham Mortimer with Hazeleigh Parish Council	Recommend granting of planning approval	Noted
Maldon Town Council	Recommends approval	Noted

7.2 **Statutory Consultees and Other Organisations**

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
ECC Highways	<p>The applicant has worked closely with ECC Highways prior to submission and the infrastructure layout as proposed is broadly in accordance with what was agreed. The following comments have been raised:</p> <p><u>Bus stops & Infrastructure:</u> The bus stop locations have been agreed, subject to details being confirmed.</p> <p><u>S278 works:</u> The submitted plans are acceptable in principle, however, it should be noted that the</p>	<p>The development will be approved subject to the plan as submitted which set bus stop locations in detail. A connection strategy for cycles and pedestrians through the railway line will be as shown in application DET/MAL/18/05078. Additional information has been submitted by the applicant's to amend the scheme in the specific way as requested by the Highway Authority.</p>

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	<p>highway works will progress through their own S278 detail design checking process in addition to planning consent. The culverts and corresponding structures will also be subject to their own approval process. No comments are therefore made in this respect.</p> <p>The footway/cycleway should extend to the west of the site south of Limebrook Way and be as wide as can be achieved to tie into the new Toucan crossing to the west of the old railway line.</p> <p><u>Construction and Environmental Management Plan (CEMP):</u> The CEMP is acceptable subject to the construction access being widened to accommodate 2 HGV's to pass.</p> <p>Further to the comments above, and any amendments required as a result, the Highway Authority has no objections to make in principle on this proposal as its not contrary to the Highway Authority's Development Management Principles, adopted 2011.</p>	
Environment Agency	<p>Holding objection raised initially in relation to Flood Risk.</p> <p><u>Flood Risk:</u> Whilst the findings of the FRA (by Ardent) are acceptable in principle, the associated modelling underpinning the FRA is not yet considered to be fit for purpose and does not comply with the requirements set out in the Planning Practice Guidance, Flood Risk and Coastal Change, Ref ID: 7-030-20140306.</p>	<p>Whilst requested information is now submitted it is standard practice for the Environment Agency to post a hold objection.</p> <p>Members will be updated at the meeting.</p>

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	<p>Additional information requested. Objection remains in place.</p> <p><u>Ecology:</u> EA have a policy against the culverting of watercourses due to the adverse ecological, flood risk, human safety and aesthetic impacts.</p> <p>Additional ecological information and ecological surveys identify proposals to enhance the vegetation in the channel. The EA are satisfied that the proposed methodology for ensuring that breeding birds and reptiles are not adversely affected by the vegetation clearance works and therefore there is no objection on ecological matters in relation to the watercourses as is here proposed.</p> <p><u>Asset Maintenance:</u> Change to maintenance responsibilities is noted in the FRA (Ref Z514-02-A dated April 2018). EA requests that signage is erected along the watercourse where blockages may occur, especially on culverts. Signage must detail the name of the management company with 24hr contact details.</p>	

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
ECC SuDS	<p>Following the receipt of an original holding objection additional information in support of the original submission the developers flood risk consultants have provided the necessary additional calculations to remove this objection and therefore the scheme as submitted is considered acceptable in terms of its impact on sustainable urban drainage.</p>	Noted
Archaeology	<p>The site is currently being archaeologically evaluated, and fieldwork results have not yet been submitted. Based on initial impressions and monitoring of the archaeological evaluation, there are indications that a further phase of archaeological investigation will be required in advance of any development occurring on site.</p> <p>As the first phase of the archaeological programme of works has not been completed, and to avoid any inadvertent destruction of surviving archaeological deposits during the construction of the infrastructure works proposed under this application it is recommended that a full archaeological condition is attached to the planning consent, in line with the NPPF.</p>	<p>Comments noted. Officers have requested details from the applicant of where on the site recordings have been made which may require further investigation, and where they are relative to the infrastructure proposed in this application. In addition, officers have requested details of how any further investigations can be undertaken prior to any construction works in those areas being carried out, and a condition will be imposed to this application restricting the carrying out of construction works in these areas until the full archaeology investigations have been concluded.</p>
Anglian Water Services (AW)	<p>Advise that there are no assets owned by Anglia Water or those subject to an adoption agreement within the development site boundary.</p> <p><u>Waste water treatment:</u> The foul drainage from this development is in the catchment area of Maldon Water Recycling Centre which currently does not</p>	<p>The scheme provides additional sewerage capacity within the site, in the form of holding storage tanks, as agreed with AW.</p> <p>The provision of foul water sewage has been provided through planning application 18/05078/DET.</p>

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	<p>have the capacity to treat the flows from the development site.</p> <p>AW are obligated to accept the foul flows from the development and would therefore take the necessary steps to ensure there is sufficient treatment capacity should permission be granted.</p> <p><u>Foul sewerage network:</u> An outline foul water drainage strategy has been agreed for this development and AW requests a condition for a drainage strategy to cover the detail yet to be arranged.</p> <p><u>Surface water disposal:</u> Not relevant to AW</p>	
Essex and Suffolk Water	Standard response received advising applicants of the need to get the necessary consents for connection to the water supply	Noted
Essex County Fire and Rescue Services	<p>It has been unable to scale the drawings provided but if the road width at the points marked 'Speed Restraint Road narrowing' is 3.1 metres or greater then access for fire service vehicles is considered satisfactory</p> <p>More detailed observations on access and facilities for the Fire Service will be considered at Building Regulation consultation stage.</p>	The applicant has confirmed the minimum road width is 3.7m even where there is narrowing of the road proposed.

7.3 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Environmental Health Team	The land is agricultural and the Supplementary Ground Investigation Report Phase 1 & 2 reiterates the conclusion of	Officer comments noted.

Name of Internal Consultee	Comment	Officer Response
	<p>the previous investigation which suggests that no remediation is required. There is no requirement to include any further conditions in this effect.</p>	
Urban Design Officer	<p><u>Public Transport Infrastructure:</u> The bus route within the primary street network has been altered to enter the site from the southern access point on Fambridge Road and continue westwards to the local centre, exiting on Limebrook Way. This is to ensure residents are within the acceptable walking radius for bus stops to access the public transport network. The 'real time' passenger information signs, bus shelters and raised kerbs are noted at each bus stop location. No adverse comments raised.</p> <p><u>S278 and highway works:</u> The vehicle and public transport access arrangements onto the site and the vehicle speed signs (20mph) are noted. The dedicated pedestrian and cycle routes within the development and parallel to the vehicle highway is also noted.</p> <p>Concerns are raised in relation to the proposed removal of the existing hedge adjacent and parallel to the vehicle highway (Fambridge Road) to allow for the S278 works. This is an important and sensitive edge to the development and its relationship with the opposite side of the road which is an open field with boundary hedging. This element of the proposal requires revision or</p>	<p>Officer comments noted. The hedge alongside Fambridge Road will be re planted in a scheme by application 18/00531, as are matters in relation to the details of the culverts and the crossings of Limebrook Way.</p>

Name of Internal Consultee	Comment	Officer Response
	<p>mitigation.</p> <p>The vehicle and pedestrian entrance from the roundabout crosses the Limebrook and there will be necessity to culvert and engineer the crossing. As this is a gateway entrance to the garden suburb the culverts and headwalls will need careful detailing to soften the probable dominance of concrete over the natural landscape feature. Mitigation should be offered to landscape and soften the engineering required for this crossing point in consultation with the EA.</p> <p><u>Primary street network:</u> The changes to the primary street network in the eastern parcel are in accordance with the amended and agree bus route. No adverse comments.</p> <p><u>Construction Environmental Management Plan:</u> Noted that all site compounds for the 4 phases are located in residential parcels and not on any public open space. However, the management of Limebrook river and the Limebrook course that runs east west through the site has not been considered and there is concern that construction material and other waste products (eg: plastics) may end up in the watercourses. Consideration must be given to providing hoarding and herra fencing to protect the watercourses during the construction phases.</p>	<p>Officer comments noted</p> <p>This matter is dealt with in the CEMP and there will be an overarching condition that the CEMP should be complied with.</p>

Name of Internal Consultee	Comment	Officer Response
	<p><u>Drainage Strategy:</u> Due to the number of crossings, outflows and culverts proposed, it is important to design in the engineered features to relate and integrate with the landscape design and natural landscape features.</p>	
Leisure and Liveability/Countryside and Coast	<p><u>Existing Landscape Features:</u> The proposed loss of the hedge (H 57) along the eastern boundary (Cambridge Road) due to highway works should be replaced with a new mixed native hedgerow with trees, in order to reinforce the rural character of the view, provide partial screening of the housing and an element of air quality mitigation from the road and a new biodiversity network.</p> <p><u>Watercourses:</u> These should be carefully managed at the construction stage to ensure the natural character of them as landscape and ecology features is not destroyed through the use of inappropriate, temporary infrastructure for haul roads, crossing points or water management. This should also include details of culverts, headwalls, bridge crossings and the treatment of the same. The SUDS areas as proposed will allow for joint use, that is to say water storage at times of sporadic heavy flows and as open accessible amenity space at other times. Biodiversity and ecological enhancement will be achieved.</p> <p><u>SuDS:</u> Generally the Landscape</p>	<p>As set out in the main report, an illustrative landscape strategy has been submitted with this application. However, details of the landscaping are to be included in the reserved matters applications for each phase. Therefore, matters relating to the landscaping have been raised by the consultee in relation to the Phase 1 Reserved Matters application.</p>

Name of Internal Consultee	Comment	Officer Response
	Strategy demonstrates compatibility of the SuDS with the key functions of the green space namely, amenity, biodiversity, access and play. In particular the use of wide low-flow channels below the level of the main SuDS basins demonstrates that substantial areas of the open spaces will remain available for these functions and are intended to continue as attractive features when not wet.	

7.4 Representations received from Interested Parties (summarised)

No letters of objection have been received specific to this application.

PROPOSED CONDITIONS.

APPROVE: subject to the following conditions;

1. The development hereby permitted shall be begun before the expiration of three years from the date of the original permission FUL/MAL/15/00885, decision notice dated 16th May 2017.
REASON To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in complete accordance with the approved drawings referenced and specifically referenced on this decision notice
REASON To ensure that the development is carried out in accordance with the details as approved.

INFORMATIVES

Essex County Council Highways

- 1 Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.
- 2 A temporary closure/diversion of the footpaths is likely to be required during the construction phases.
- 3 All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be

advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to: SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU.

- 4 The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

POSITIVE AND PROACTIVE STATEMENT

Town and Country Planning (Development Management Procedure) (England) Order 2015 - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant/Agent, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the NPPF.