



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

to  
**DISTRICT PLANNING COMMITTEE  
7 APRIL 2022**

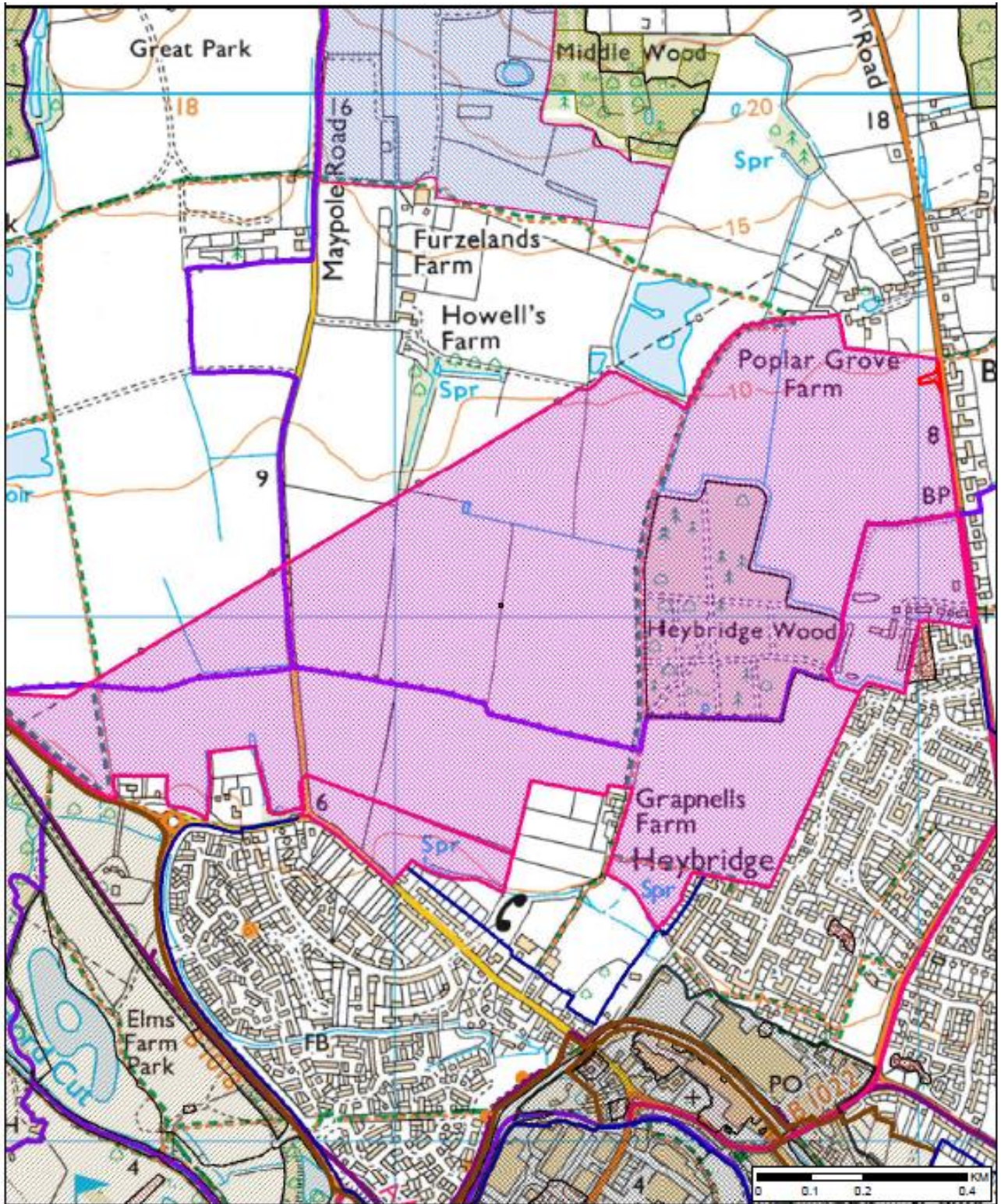
<b>Application Number</b>	<b>21/00752/RES</b>
<b>Location</b>	Land At Broad Street Green Road, Maypole Road And Langford Road, Heybridge, Essex
<b>Proposal</b>	Reserved matters application for the approval of access, appearance, landscaping, layout & scale for the construction of 160 residential units with associated access, parking, servicing and landscaping (Phase 1 only) on approved application 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development including: (i) Residential development (Use Class C3) for up to 1138 dwellings including 30% as affordable housing (Outline) (ii) Residential Care for up to 120 beds (Use Class C2) (Outline) (iii) "Neighbourhood" uses which may include retail, commercial, and community uses (Use Classes A1 and/or A2 and/or A3 and/or A4 and/or A5 and/or D1a and/or D1b) (Outline) (iv) Primary school and early years childcare facility (Use Class D1c) (Outline) (v) A relief road between Broad Street Green Road and Langford Road (Detailed element) (vi) Formal and informal open space (including any associated sports pavilion/clubhouse) (Use Class D2e) (Outline); (vii) Construction of initial gas and electricity sub-stations (Detailed); and (viii) All associated amenity space, landscaping, parking, servicing, utilities (other than as listed in item (vii) above), footpath and cycle links, on-site drainage, and infrastructure works (Outline).)
<b>Applicant</b>	Mr Carl Glossop - Countryside Properties (UK) Ltd
<b>Agent</b>	Mr Matthew Wood - Phase 2 Planning
<b>Target Decision Date</b>	22.11.2021 (Extension of time agreed: 10.03.2022)
<b>Case Officer</b>	Anna Tastsoglou
<b>Parish</b>	<b>GREAT TOTHAM</b>
<b>Reason for Referral to the Committee / Council</b>	Strategic site within the strategic submitted Local Development Plan


**1. RECOMMENDATION**

**APPROVE** subject to the conditions (as detailed in Section 8 of this report).

**2. SITE MAP**

Please see below.



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	<p>www.maldon.gov.uk</p>	<p>Organisation: Maldon District Council</p>
		<p>Department: Department</p>
		<p>Comments: Not Set</p>
		<p>Date: 23/11/2021</p>
		<p>MSA Number: 100018588</p>

### **3. SUMMARY**

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

3.1.1 The application relates to the largest of the three sites allocated for development in the North Heybridge Garden Suburb referred to in Policy S2 as S2(d) North of Heybridge, which was granted planning consent for a hybrid mixed-use development on appeal on 25 October 2019 under reference 15/00419/OUT. The site is located to the north of the Heybridge settlement boundary, west of Broad Street Green Road, east of Langford Road.

3.1.2 The development granted on appeal under reference 15/00419/OUT was:

*“Part outline/part detailed (hybrid) application for mixed use development including:*

- (i) Residential development (Use Class C3) for up to 1138 dwellings including 30% as affordable housing (Outline)*
- (ii) Residential Care for up to 120 beds (Use Class C2) (Outline)*
- (iii) "Neighbourhood" uses which may include retail, commercial, and community uses (Use Classes A1 and/or A2 and/or A3 and/or A4 and/or A5 and/or D1a and/or D1b) (Outline)*
- (iv) Primary school and early years childcare facility (Use Class D1c) (Outline)*
- (v) A relief road between Broad Street Green Road and Langford Road (Detailed element)*
- (vi) Formal and informal open space (including any associated sports pavilion/clubhouse) (Use Class D2e) (Outline);*
- (vii) Construction of initial gas and electricity sub-stations (Detailed); and*
- (viii) All associated amenity space, landscaping, parking, servicing, utilities (other than as listed in item (vii) above), footpath and cycle links, on-site drainage, and infrastructure works (Outline).”*

3.1.3 The current proposal relates to Phase 1 of the approved development and in particular the land that is reserved for the delivery of residential parcels 1 and 2, which constitute Phase 1. Both parcels are located adjacent to and the east of Maypole Road and they form the westernmost part of the approved development at the North Heybridge Garden Suburb.

3.1.4 The northern residential parcel (parcel 1) is located between the approved relief road and the spine road, to the north and south, respectively. To the west of the site there is a landscaped area and open space, which would include a large attenuation basin. The northern boundary would be demarked by the acoustic bund and landscaping providing a gap between the residential development and the relief road. To the east there is also a landscaped area with a series of attenuation basins.

3.1.5 The southern parcel (parcel 2) is located to the south of the spine road and north of the approved development at the S2(e) allocated site. This parcel is also boarded by landscaping to all boundaries with a series of attenuation basins to the south and east.

3.1.6 It should be noted that the development does not include the land that is necessary to provide the strategic landscaping and infrastructure elements, such as roads, paths, open space and Sustainable Drainage Systems (SuDS) features, for this Phase. This element of Phase 1 was previously assessed and approved at the District Planning Committee meeting on 30 September 2021 under the terms of application 21/00384/RES.

3.1.7 Condition 11 of 15/00419/OUT required that before or concurrent with the first reserved matters application(s) for the site, a strategic phasing plan, for the site was to be submitted to and approved in writing by the local planning authority. A revised Strategic Phasing Plan was approved on 14 January 2022, under the terms of application 21/05187/DET. This application covers the residential element of Phase 1 area of the development. Following consideration of this application, all elements of phase 1 (including the strategic landscaping and infrastructure and residential elements) would have been determined.

3.1.8 The map below shows the agreed Phase 1 area in Blue.



Phase 1 - Blue

3.1.9 Planning permission is sought for the construction of 160 residential units with associated access, parking, servicing and landscaping.

3.1.10 The proposal would provide the following housing mix:

- Market units:
  - 2 one-bedroom units
  - 24 two-bedroom units
  - 54 three-bedroom units
  - 29 four-bedroom units
  - 3 five-bedroom units
- Affordable units:
  - 15 one-bedroom units
  - 28 two-bedroom units
  - 5 three-bedroom units

3.1.11 Parcel 1 (northern parcel) would accommodate 71 residential units. Access to this parcel would be taken from the spine road that runs along the southern boundary of this parcel, heading north along the eastern boundary of the site. Four residential blocks are proposed to be created to this northern parcel. This part of the development would accommodate detached, semi-detached and terraced dwellings, as well as maisonettes and flats on the southern block, and a block of flats on the north-eastern block.

3.1.12 Parcel 2 (southern parcel) would accommodate 89 units. Access to the site will be taken off the spine road along the northern boundary of the parcel, heading south and dividing the parcel into the eastern and western sections. Two residential blocks would be created in each section. A small open space is proposed centrally to this parcel. The residential units proposed in this parcel would include a mixture of detached and semi-detached dwellings with maisonettes and flats on the north-eastern block, facing the spine road.

3.1.13 The following dwellings types are proposed:

Dwelling type	Number of bedrooms	Number of units	Plots	Description
<b>Market housing</b>				
Villa – 1B	1B	2	96, 97, 98, 99	This house type is a two and a half storey building with a double gable and valley roof, having an eaves height of 6 metres and a ridge height of 9.4 metres. The building would be 12.8 metres wide and 11.5 metres deep and it would accommodate two one-bedroom flats at ground floor and two, two-bedroom maisonettes at first and second floors. The building would be finished in red multi stock smooth brick and off-white weatherboarding, with an antique red roof.
202, 202 – 1, 202 – 2, 202 – 3	2B	19	17, 21, 78, 103, 24, 74, 76, 104, 120, 18, 27, 75, 77, 79, 105, 121, 49, 50	All options of 202 house types are two storey gabled roof dwellings, with flat roof front projecting canopies. There are minor variations between the different options, including finishing materials, roof form and detailing. House types 202 and 202 – 2 have gabled roof running in a front rear direction, opposed to 202 – 1 and 202 – 3, which gabled roofs run in a sideways direction. House types 202 and 202 - 1 are finished in buff handmade rustic brick and slate substitute roof tiles, with soldier courses over the windows to the front elevation. House types 202 – 2 and 202 – 3 are finished in red multi stock smooth brick and dark grey weatherboarding with an antique red roof. All properties are of the same dimensions, measuring 9.2 metres wide, 4.8 metres wide, with an eaves height of 5 metres and a ridge height of 8.7 metres.

Dwelling type	Number of bedrooms	Number of units	Plots	Description
Villa – 2B – 2.5 storey	2B	2	96, 97, 98, 99	This house type is a two and a half storey building with a double gable and valley roof, having an eaves height of 6 metres and a ridge height of 9.4 metres. The building would be 12.8 metres wide and 11.5 metres deep and it would accommodate two one-bedroom flats at ground floor and two, two-bedroom maisonettes at first and second floors. The building would be finished in red multi stock smooth brick and off-white weatherboarding, with an antique red roof.
2BB	2B	3	116, 117, 118	House type 2BB is a gabled roof almost squared bungalow, with a gabled roof front projecting canopy. The property measures 9.3 metres deep, 9 metres wide, 2.3 metres high to the eaves with a maximum height of 6.7 metres. The bungalows would be finished in buff handmade rustic bricks with a slate substitute or antique red in the roof.
301	3B	10	44, 65, 81, 101, 132, 19, 45, 80, 128, 131	These three-bedroom dwellings would have a gabled roof (either running in a front to back direction or parallel with the frontage line), with mono-pitched canopies to front and soldier courses over fenestration. The dwellings would measure 5.5 metres wide, 9.2 metres deep, with an eaves height of 4.9 metres and a maximum height of 9 metres. Finishing materials would include red multi stock smooth bricks, with antique red or slate substitute roof tiles.
301C	3B	8	20, 52, 69, 107, 129, 51, 100, 106	House type 301C is a gabled roof, three-bedroom dwelling, with a single storey, mono-pitched roof rearward projection and a mono-pitched roof front projecting canopy. Materials to be used to the external elevations would include red multi stock smooth bricks and dark grey weatherboard, with slate substitute roof tiles. The properties would measure 5.5 metres wide, 11.9 metres deep at ground floor, 9.2 metres deep at first floor, 5 metres high to the eaves, with a maximum height of 8.7 metres.
Blythe	3B	10	54, 122, 124, 45, 63, 112, 134, 139, 140, 142	This house type is a two-storey gabled roof dwelling with front gable projecting feature, hipped front canopy and mono-pitched roof single storey rearward projection. Detailing over the large sized front windows has been incorporated. The dwellings would measure a maximum of 6.2 metres wide, 10.6 metres deep, 5 metres high to the eaves, with a maximum height of 8 metres.

Dwelling type	Number of bedrooms	Number of units	Plots	Description
305 305 – 1 305 – 2	3B	9	25, 82, 111, 130, 56, 72, 110, 119, 123	This is a two-storey, rectangular, gabled roof type of dwelling, with gabled roof canopy supported by pillars and soldier courses of the fenestration. The properties would measure 10 metres wide, 6.2 metres deep, 5 metres high to the eaves, with a ridge height of 9 metres. Materials to be used to the external elevations would include stock smooth bricks, puff handmade rustic bricks and off-white weatherboard, with terracotta or slate substitute roof tiles.
308	3B	10	23, 40, 41, 68, 83, 84, 22, 102, 125, 126	House type 308 is a two-storey dwelling with a cross gable roof, a mono-pitched single storey rearward projection and integral garage. Detailing incorporated to this house type would include soldier courses to the windows on the front elevation. The dwellings would be of an L-shape and they would measure a maximum of 9.1 metres wide, 11.9 metres deep, 4.9 metres high to the eaves, with a maximum height of 9 metres. The properties would be finished in beige stock smooth brickwork and antique red rooftiles.
323	3B	7	55, 64, 60, 61, 67, 114, 46	House type 308 is a two storey dwelling with a cross gable roof, a front mono-pitched canopy and integral garage. Detailing incorporated to this house type would include soldier courses to the windows and garage door on the front elevation. It is noted that the dwelling on plot 46 would also have a canted bay window at ground floor on the side elevation, adjacent to the highway. The dwellings would be of an L-shape and they would measure a maximum of 9.4 metres wide, 9.2 metres deep, 5 metres high to the eaves, with a maximum height of 9.2 metres. In terms of finishing materials, the following three options are proposed: <ul style="list-style-type: none"> <li>• Red multi handmade rustic brickwork with slate substitute rooftiles</li> <li>• Buff handmade rustic brickwork with antique red rooftiles</li> <li>• Beige stock smooth brickwork with antique red rooftiles</li> </ul>

Dwelling type	Number of bedrooms	Number of units	Plots	Description
404	4B	12	85, 38, 47, 48, 62, 66, 71, 109, 113, 127, 141, 73	This house type is a two-storey gabled roof dwelling with a pitched roof front projecting canopy, supported with pillars. Detailing over the windows would be incorporated. A canted bay window is proposed on the side elevation of this house type on plot 85. The properties would be 7.2 metres wide, 10.1 metres deep, 5 metres high to the eaves, with a maximum height of 9.9 metres. Materials to be used on the external elevations would include buff handmade rustic or beige stock smooth brickwork with state substitute or terracotta rooftiles.
405	4B	9	39, 59, 108, 115, 42, 133, 135, 143	House type 405 is a two storey, L-shaped dwelling, with a cross gabled roof. A supported mono-pitched roof canopy, as well as chimneys are proposed to these properties. Furthermore, the dwellings on plots 39, 115 and 133 would have a canted bay window at ground floor. The dwellings would measure a maximum of 9.6 metres with and 10.2 meters deep. The height to the eaves would be 5 metres, whilst the height to the ridge would be 8.5 metres. Three different variations to the external finishing materials are proposed, as follows: <ul style="list-style-type: none"> <li>• Dark grey weatherboarding with terracotta rooftiles</li> <li>• Off-white weatherboarding with state substitute rooftiles</li> <li>• Red multi stock smooth brickwork with terracotta rooftiles</li> </ul>
419	4B	2	36, 138	These are two storey, gabled roof dwellings, with a one-and-a-half gabled roof projection, with garages at ground floor and habitable accommodation in the roof and a mono-pitched roof rearward projection. The dwelling would measure a maximum of 16.6 metres deep, 10 metres wide, with an eaves height of 4.9 metres (2.9 metres at the front projections) and a maximum height of 8.7 metres (6.5 metres to the top of the one-and-a-half storey projection). The properties would be finished in red multi stock smooth brickwork with terracotta rooftiles.



Dwelling type	Number of bedrooms	Number of units	Plots	Description
435	4B	6	53, 57, 37, 70, 87, 135, 137	<p>House type 435 is a two-storey dwelling with a gable roof and a gabled roof front projecting canopy. As with other properties there are variations to the design of the dwellings. The dwelling on plot 53 would have a canted bay window at ground floor on the side elevation, whilst the dwelling on plot 87 would incorporate small front gables. In terms of their size, the dwellings would measure 10 metres wide, 7.2 metres deep, 5 metres high to the eaves, with a maximum height of 8.5 metres. The following variations are proposed in terms of finishing materials:</p> <ul style="list-style-type: none"> <li>• Buff handmade rustic brickwork with state substitute rooftiles</li> <li>• Beige stock smooth brickwork with terracotta rooftiles</li> <li>• Red multi stock smooth brickwork with state substitute rooftiles.</li> </ul>
500	5B	3	58, 88, 86	<p>This house type is a two-and-half storey dwelling with a gabled roof, incorporating flat roof dormers to the front elevation, chimney, flat roof canopy and brick detailing over the windows on the front elevation. The properties would be 9.4 metres wide, 8.1 metres deep, 5.5 metres high to the eaves, with a maximum height of 10.2 metres. The dwellings would be finished in either red multi handmade rustic brickwork or off-white weatherboarding, with state substitute or terracotta rooftiles.</p>
<b>Affordable housing</b>				
1BF – 1	1B	4	148 - 156	<p>These one-bedroom properties will be located within the block of flats proposed at the northeast part of parcel 1. This is an L-shaped building with a main gable roof and flat roof wall dormers. The main entrance to the block of flats is on the eastern elevation. Juliet balconies are proposed to be incorporated on the east and south elevations, at first and second floors. The building would measure a maximum of 21.7 metres wide and 19.9 metres deep, 8.2 metres high to the eaves, with a maximum height of 10.4 metres. The external elevations of the building would be finished in red multi handmade rustic brickwork and off-white weatherboarding. The roof would be finished in antique read roof tiles.</p>
1BF - 2	1B	1	148 - 156	

Dwelling type	Number of bedrooms	Number of units	Plots	Description
Villa – 1B	1B	10	1-4, 91-94, 13-16, 5-8, 9-12	These one-bedroom units would be located within the two-and-a-half and three storey buildings on the north eastern part of parcel 2. The buildings will have double gable and valley roofs and they would measure 12.8 metres wide and 11.5 metres deep. The two-and-a-half storey buildings would have an eaves height of 6.1 metres and a maximum height of 9.41 metres. The three storey buildings would measure 6.7 metres and a maximum height of 10.2 metres. The buildings would accommodate two one-bedroom flats at ground floor and two, two-bedroom maisonettes at first and second floors. The buildings would be finished in red multi stock smooth brick and off-white weatherboarding, with an antique red tiled roof.
M201 – GF	2B	1	145-146	This is a two-storey building with a gable roof, accommodating two, two-bedroom flats, which would be served from different access points. The building would measure 10.2 metres wide and 7.9 metres deep. The height to eaves would be 5.1 metres and the height to the top of the ridge would be 8.9 metres. The property would be finished in red multi stock smooth brickwork and antique red rooftiles.
M202 – FF	2B	1		
F203	2B	3	90, 95, 147	<p>The buildings on these plots would accommodate two-bedroom flats at first floor and bike and bin stores at ground floor of flat 147, a bin store and drive through under the flat at plot 95 and bin store and carport under the flat on plot 90. The buildings would have a gable roof with a gable feature, and they would measure 11.6 metres wide and 6.7 metres deep, 5 metres high to the eaves, with a maximum height of 8.3 metres.</p> <p>It is noted that there are minor differences in the appearance of the proposed buildings. Units 90 and 95 would have projecting balconies, whilst unit 147 would have a Juliet balcony. Due to the different uses at ground floor, the design of the ground floors would vary. At unit 147 the ground floor would be bricked over, with three recessed sections with varying detailing at the front elevations and double hinged doors to the side and rear elevations. Unit 90 would incorporate similar detailing, but with two sections and double hinged doors to the front elevation. Unit 95 would incorporate a large opening to allow</p>

Dwelling type	Number of bedrooms	Number of units	Plots	Description
				<p>vehicle and pedestrian access. Brick detailing would be incorporated over the opening.</p> <p>Unit 147 would be finished in red multi handmade rustic brickwork and off-white weatherboarding with antique red rooftiles. Unit 95 would be finished in red multi stock smooth brickwork and antique red rooftiles. The finishing materials of unit 90 would include red multi stock smooth brickwork and off-white weatherboarding with antique red rooftiles.</p>
2BF	2B	4	148 - 156	<p>These two-bedroom properties will be located within the block of flats proposed at the northeast part of parcel 1. This is an L-shaped building with a main gable roof and flat roof wall dormers. The main entrance to the block of flats is on the eastern elevation. Juliet balconies are proposed to be incorporated on the east and south elevations, at first and second floors. The building would measure a maximum of 21.7 metres wide and 19.9 metres deep, 8.2 metres high to the eaves, with a maximum height of 10.4 metres. The external elevations of the building would be finished in red multi handmade rustic brickwork and off-white weatherboarding. The roof would be finished in antique red roof tiles.</p>
Villa 2B – 2.5 storey	2B	6	1-4, 91-94, 13-16	<p>These two-bedroom units would be located within the two-and-a-half buildings on the north eastern part of parcel 2. The buildings will have double gable and valley roofs and they would measure 12.8 metres wide and 11.5 metres deep, with an eaves height of 6.1 metres and a maximum height of 9.41 metres. The buildings would accommodate two one-bedroom flats at ground floor and two, two-bedroom maisonettes at first and second floors. The buildings would be finished in red multi stock smooth brick and off-white weatherboarding, with an antique red tiled roof.</p>

Dwelling type	Number of bedrooms	Number of units	Plots	Description
Villa 2B – 3 storey	2B	4	5-8, 9-12	These two-bedroom units would be located within the three storey buildings on the north eastern part of parcel 2. The buildings will have double gable and valley roofs and they would measure 12.8 metres wide, 11.5 metres deep, 6.7 metres high to the eaves, with a maximum height of 10.2 metres. The buildings would accommodate two one-bedroom flats at ground floor and two, two-bedroom maisonettes at first and second floors. The buildings would be finished in red multi stock smooth brick and off-white weatherboarding, with an antique red tiled roof.
2B	2B	9	29, 31, 159, 28, 144, 157, 158, 35	<p>This house type is a two storey, rectangular dwelling, measuring 10 metres deep, 4.7 metres wide, 5 metres high to the eaves, with a maximum height of 9 metres.</p> <p>Dwellings on plots 29, 31, 159, 28, 144 and 157 would feature a gable roof with a flat roof front projecting canopy and would be finished in red multi stock smooth brick, with an antique red tiled roof.</p> <p>The dwelling on plot 35 would have a gable roof running in a front to rear direction with timber detailing to the top of the roof, it would have a flat roof canopy to the front, and it would be finished in buff handmade rustic brickwork and slate substitute roof tiles.</p> <p>The dwelling on plot 158 would have a gable roof with a front gable feature and a gabled roof canopy. This dwelling would be finished in the same materials as unit 157.</p>
3B	32B	4	33, 30, 32, 34,	These are two storey rectangular dwellings. The dwellings on plots 33, 30, 32 and 34 would measure 10 metres deep and 5.5 metres wide and they would have a gable roof, with an eaves' height of 5 metres and a ridge height of 9 metres. These properties would be finished in buff handmade rustic brickwork and a mix of terracotta and state substitute roof tiles.
3BW	3B	1	160	The dwelling on plot 160 would measure 10 metres wide and 5.7 metres wide a gable roof having an eaves height of 5 metres and a ridge height of 7.9 metres. The external materials to this property would include red multi stock smooth brick, with an antique red tiled roof.

- 3.1.15 It is noted that all affordable units would meet Nationally Described Space Standards.
- 3.1.16 With regard to amenity space provision, the application is supported by an Amenities Layout plan showing that two-bedroom dwellings would be served by amenity space provision in excess of 50sqm, and dwellings with three or more bedrooms would be served with an amenity area greater than 100sqm. The following applies to the residential units served by communal amenity space:
- For the residential units on plots 147-156 a total of 250sqm open space would be provided.
  - For the flats on plots 145-146 a 50sqm amenity area would be provided.
  - Units on plots 95-99 would be served by an amenity area of 126.5sqm.
  - Units on plots 90-94 would be served by an amenity area of 127sqm.
  - Units 1-16 would be served by an amenity area of 407sqm.
- 3.1.17 In terms of off-street parking provision, it is noted that the majority of the properties would be served with on-plot parking. Detached and integral garages are also proposed. Courtyard parking is also proposed for the units on plots 90 -99, as well as the block of flats to the north east part of Parcel 1 (units 148-156). Perpendicular parking (at right angles to the kerb) will be provided for a number of units within the proposed scheme, including units 147 - 155, 116 - 118, 103 - 105, 1 - 16, 26 - 34 and 43 - 44.
- 3.1.18 All one-bedroom properties and 7 out of 23 of the two-bedroom flats will be served by one parking space, two and three-bedroom dwellings will be served with two parking spaces, four-bedroom properties would be served with three parking spaces and five-bedroom dwellings would be served with four parking spaces. A total of 25 visitor parking spaces would be provided on site.
- 3.1.19 The details of the proposed detached garages and car barns are as follows:
- Two types of single garages are proposed. One would have a cross gable roof and the other would have a gable roof. Both types would measure 7.4 metres deep and 3.4 metres wide, 2.3 metres high to the eaves, with a maximum height of 4.1 metres.
  - The double garages would have a hipped roof and would measure 6.6 metres wide, 7.4 metres deep, 2.3 metres high to the eaves, with a maximum height of 4.4 metres.
  - The extended double garages would have a gable roof and they would measure 6.4 metres wide, 9 metres deep, 2.3 metres high to the eaves, with a maximum height of 4.4 metres.
  - The proposal would also include an L-shaped building, which would be a double garage attached to a single garage. This would have a part hipped part gabled roof and it would measure a maximum of 7.4 metres deep and 13.9 metres wide. The height to the eaves would be 2.3 metres, with a ridge height of 4.4 metres.
  - The double car barn would have a hipped roof and it would measure 5.7 metres wide and 5.8 metres deep, 2.3 metres high to the eaves, with a maximum height of 4.2 metres.
  - A large car barn is also proposed, providing parking space for four vehicles and a pedestrian access. The car barn would have hipped roof and it would measure 13 metres wide, 5.8 metres deep, 2.3 metres high to the eaves, with a maximum height of 4.2 metres.

- The development would also involve the erection of two car barn / pergolas measuring 6 metres wide and 5.5 metres deep, with a maximum height of 2.5 metres.
- 3.1.20 A variety of finishing materials would be used to the external elevation of the proposed garages, matching the finishing materials of the adjacent residential properties.
- 3.1.21 Bin storage for the proposed flats will provided at ground floor of buildings, as detailed above. This is with the exception of a detached bin store, which is proposed to be provided for units 1-16. This would be a detached outbuilding, with a hipped roof and a double hinged door to the front and rear, measuring 5.8 metres deep and 5.7 metres wide, 2.3 metres high to the eaves, with a maximum height of 4.2 metres.
- 3.1.22 As part of the planning application submission, the following documents were submitted in support of the development proposal:
- Design Compliance Statement
  - Heybridge Affordable Housing Scheme RM1
  - Planning Statement
  - Landscape Management Responsibilities Plan
- 3.1.23 It is noted that there has been an ongoing discussion with the applicant with regard to the scheme. Amendments have been incorporated in an attempt to address matters in relation to layout, design, quality of life considerations, level of outdoor amenity space, parking provision and concerns raised by the Highway Authority.

## **3.2 Conclusion**

- 3.2.1 The principle of the development of this site has been accepted as the site forms part of the North Heybridge Garden Suburb, strategic site reference S2(d). The details of the residential element of phase 1 of the development are considered to accord with the North Heybridge Strategic Masterplan Framework, the North Heybridge Strategic Design Code, the approved parameter plans and the outline planning permission to which it relates (15/00419/OUT). Overall, it is considered that the layout, mass, height, form, design and appearance of the development would be acceptable and would be a good representation of the Village Edge character that is aimed for this section of the North Heybridge Garden Suburb and will deliver the high quality, vibrant and distinctive neighbourhoods that is the aim for garden suburbs. It is also considered that the proposal would provide a level of affordable housing that is policy compliant that would encourage the provision of mixed communities. The housing mix proposed would be, on balance, acceptable, without prejudicing the deliverability of the approved development. The proposal would provide a good level of quality of life for existing and future residents and a parking provision that accords with the guidance contained within the Vehicle Parking Standards Supplementary Planning Document (SPD). No objection is raised in terms of the impact of the development on highway safety or the highway network. The impact on existing vegetation would be acceptable and the proposal would be able to deliver net biodiversity. On the basis of the above, this reserved matter application is considered acceptable and in accordance with the aims of the development plan.

#### **4. MAIN RELEVANT POLICIES**

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

##### **4.1 National Planning Policy Framework 2021 including paragraphs:**

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 10-12 Presumption in favour of sustainable development
- 38 Decision-making
- 47-50 Determining applications
- 54 – 57 Planning conditions and obligations
- 60-67 Delivering a sufficient supply of homes
- 92 – 103 Promoting healthy and safe communities
- 104-113 Promoting sustainable transport
- 119-125 Making effective use of land
- 126-136 Achieving well-designed places
- 152-169 Meeting the challenge of climate change, flooding and coastal change
- 174-182 Conserving and enhancing the natural environment
- 189-193 Conserving and enhancing the historic environment

##### **4.2 Maldon District Local Development Plan 2014 – 2029 approved by the Secretary of State:**

- S1 Sustainable Development
- S2 Strategic Growth
- S3 Place Shaping
- S4 Maldon and Heybridge Strategic Growth
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D2 Climate Change & Environmental Impact of New Development
- D3 Conservation and Heritage Assets
- D5 Flood Risk and Coastal Management
- H1 Affordable Housing
- H2 Housing Mix
- H4 Effective Use of Land
- N1 Green Infrastructure Network
- N2 Natural Environment and Biodiversity
- N3 Open Space, Sport and Leisure
- T1 Sustainable Transport
- T2 Accessibility
- I1 Infrastructure and Services

#### **4.3 Relevant Planning Guidance / Documents:**

- National Planning Policy Framework (NPPF)
- Maldon District Design Guide (MDDG) SPD
- Maldon District Vehicle Parking Standards SPD
- North Heybridge Garden Suburb Strategic Masterplan Framework (endorsed by Maldon District Council as a material consideration for Development Management purposes in October 2014)
- North Heybridge Garden Suburb Strategic Design Code (endorsed by Maldon District Council as a material consideration for Development Management purposes in March 2017)
- Green Infrastructure Strategy
- Approved Design Parameter plans

### **5. MAIN CONSIDERATIONS**

#### **5.1 Principle of Development**

- 5.1.1 Hybrid planning permission (reference 15/00419/OUT) was granted on appeal on 25 October 2019 for the development as described above in section 3.1 of the report.
- 5.1.2 The granting of 15/00419/OUT therefore establishes that the principle of the development of the site is acceptable. The reserved matters application relates to the delivery of the residential element of Phase 1 on the westernmost part of the site, but does not relate with the delivery of the strategic landscaping and infrastructure for this phase, which was previously approved under the terms of application 21/00384/RES.
- 5.1.3 Therefore, the material consideration for this development would be whether the details submitted accord with the details set out in the approved parameter plans, the North Heybridge Garden Suburb Strategic Masterplan Framework, the North Heybridge Garden Suburb Strategic Design Code, and relevant Local Development Plan (LDP) policies.
- 5.1.4 According to the Land Use Parameter Plan (map extract below), approved as part of the hybrid application 15/00419/OUT, two alternative locations have been indicated for the provision of a pre-school facility. One within phase 1 of the development and the second within phase 2. The current reserved matters application for the approval of the residential element of Phase 1 does not include a pre-school facility. Given that two alternative positions have been agreed through the approval of the Land Use parameter plan as part of the hybrid application 15/00419/OUT and taking into consideration that there is an option for the pre-school facility to be provided within phase 2, for which an application has not yet been submitted, it is not considered reasonable for an objection to be raised for it not being included under this submission, at this stage. Furthermore, it is not considered unusual or unreasonable, for viability reasons, for the first phase of a mixed-use scheme to provide a residential element only.





5.1.5 Therefore, due to the aforementioned reasons, no objection is raised to the principle of a fully residential development within this phase 1 of the approved development within the North Heybridge Garden Suburb.

## 5.2 Housing Mix and Affordable housing

5.2.1 The housing mix requirements were set through the imposition of planning conditions and obligations in the Section 106 (S106) agreement of the approved hybrid application 15/00419/OUT.

5.2.2 In accordance with the recently approved Strategic Phasing Plan (under the terms of application 21/0518/DET) an approximate 160 dwellings are expected to be delivered within Phase 1. The current proposal seeks to provide 160 dwellings within parcels 1 and 2, which form the residential element of Phase 1 and therefore, no objection is raised in terms of the number of units proposed within this Phase.

5.2.3 Condition 37 of 15/00419/OUT requires the development to accord with the following housing mix:

- Minimum of 50% of 1 or 2 bedrooms;
- Minimum of 30% of 3 bedrooms; and
- No more than 20% of 4 bedrooms.

5.2.4 Furthermore, a requirement for a minimum of 4% of the overall development to be smaller (1 or 2 bedrooms) dwellings that are single storey was set by the imposition of condition 38.

5.2.5 In accordance with the description of the proposed development, 30% of the overall number of dwellings to be provided within the North Heybridge Garden Suburb, should be affordable units. Further requirements in relation to the affordable housing mix and tenure have been agreed through the S106 agreement and the Affordable Housing Delivery Plan. These are further discussed below.

5.2.6 The proposal would provide the following housing mix:

Unit type	Number of bedrooms	Number	Total	Percentage
Market units	One-bedroom	2	17	43.1%
Affordable units	One-bedroom	15		
Market units	Two-bedroom	24	52	
Affordable units	Two-bedroom	28		
Market units	Three-bedroom	54	59	36.9%
Affordable units	Three-bedroom	5		
Market units	Four-bedroom	29	29	18.1%
Affordable units	Four-bedroom	0		
Market units	Five-bedroom	3	3	1.9%
Affordable units	Five-bedroom	0		

5.2.7 Although the proposed housing mix would not fully accord with the percentage requirement set in condition 37 (set out in paragraph 5.2.3 above), it is noted that the condition applies to the entirety of the development and not to each phase independently. It is noted that weight should be had to the requirements set in condition 37 and although a level of flexibility is afforded to the housing mix provision within each phase, the mix should not materially deviate from those percentages. This is to ensure that the delivery of the first phase would not prejudice the deliverability and quality of development in the following phases. Furthermore, this is to secure that the development as a whole would accord with the requirements set in the conditions of the original permission (15/00419/OUT).

5.2.8 The proposed development would provide a mix that does not materially depart from the percentages set in condition 37. Although the number of smaller (one and two-bedroom) units would be lower than 50% (required by condition 37), the deviation would not be significant (6.9%) and it would equate to the need of the provision of an additional 11 smaller units within the following phases. Considering that this is the first phase of the approved development and an additional 978 residential units are going to be delivered in the subsequent phases, on balance, it is not considered that balancing out the housing of the future phases to provide additional 11 smaller units would prejudice the deliverability or quality of the future phases of the development as a whole. The provision of larger (four or more-bedroom) units would not exceed 20% and as such, no objection is raised in that respect.

5.2.9 The development, as proposed, would provide three, two-bedroom bungalows. Condition 38 requires 4% of the dwellings to be delivered at the site to be bungalows and this would equate to 6.4 units for this phase. However, similar to condition 37, condition 38 applies to the entirety of the development, allowing a grade of flexibility in terms of the provision of bungalows in each phase separately. It is therefore considered that the provision of an additional 3.4 bungalows as part of the future phases of the development would not compromise the deliverability or the quality of the development as a whole. As a result, it is considered that the provision of a lesser number of units than the 4% percentage total for bungalows (for the whole scheme) in this first phase would be acceptable.

5.2.10 Pursuant to the S106 agreement, the Council agreed the Affordable Housing Delivery Plan (AHDP) on 5 March 2021, which sets the affordable housing mix criteria for the North Heybridge Garden Suburb. Furthermore, in accordance with the S106 and as agreed as part of the AHDP the tenure split for affordable housing would be 70/30.

5.2.11 The agreed affordable housing mix is summarised in the table below:

*Table 5: Draft Affordable Housing Dwelling mix for North Heybridge Garden Suburb based on the % split in the SPD adjusted to reflect the approved tenure split and quantum of bungalows.*

		Percentage (No. of units*)	% by unit size	% of Affordable Rented Units and / or Social Rented Housing (No. of units*)	% Intermediate (No. of units*)
1-bedroom	1 – Bedroom (2p)	33.26% (113)	40%	66.66% (76)	33.33% (37)
	1 Bedroom Bungalow (2p)	6.74% (23)		100% (23)	0%
2-bedroom	2-bedroom bungalow (3p)	5.86% (20)	50%	100% (20)	0%
	2-bedroom (4p)	44.28% (151)		71% (107)	29% (44)
3-bedroom	3-bedroom (5p)	10% (34)	10%	38% (13)	62% (21)
	Total	100% (341)		70% (239)	30% (102)

5.2.12 The S106 also includes a requirement for prior agreement of the affordable housing within each phase. The current reserved matters application is accompanied by an Affordable Housing Scheme (AHS) document providing information about the quantum, mix and distribution of affordable housing within phase 1.

5.2.13 The table below is an extract from the submitted AHS including all the details of the proposed affordable housing for this phase.

*Table 2: Affordable Housing within Phase 1*

		PHASE	PHASE 1	
		PARCEL	Parcels 1 & 2	
		TENURE	Affordable housing in Phase 1 (BY NUMBER)	Affordable housing in Phase 1 (BY PERCENTAGE)
1 bedroom	1 bedroom (2p)	AFF Rent	11	22.9
	1 bedroom bungalow	AFF Rent	0	0.0
	1 bedroom (2p)	AFF Inter	4	8.3
2 bedroom	2 bedroom (4p)	AFF Rent	19	39.6
	2 bedroom bungalow	AFF Rent	0	0.0
	2 bedroom (4p)	AFF Inter	9	18.8
3 bedroom	3 bedroom (5p)	AFF Rent	3	6.3
	3 bedroom (5p)	AFF Inter	2	4.2
		<b>AFF TOTAL</b>	<b>48</b>	
		<b>AFF RENT</b>	<b>33</b>	<b>68.8</b>
		<b>AFF INT</b>	<b>15</b>	<b>31.3</b>
		PD	112	70
		<b>TOTAL</b>	<b>160</b>	

5.2.14 According to the above table, the development within phase 1 would deliver 48 affordable units, which equates to 30% of the total amount of units to be delivered in this phase (160 units). Therefore, the development would provide a quantum of affordable units fully compliant with the requirement of the approved permission (15/00419/OUT) and the S106 agreement.

5.2.15 In terms of tenure split, the development would marginally deviate from the 70/30 split requirement (68.8/31.3). However, it is considered that this is a negligible deviation, which would easily be adjusted in the forthcoming phases of the approved development.

5.2.16 With regard to the lack of the provision of bungalows in this first phase of the development, whilst it is undesirable that no affordable/social rented bungalows are proposed in this phase, consideration should be had to the flexibility of the agreed AHDP in the provision of affordable housing. It should be noted that in order for the development to fully comply with the affordable mix details set in the AHDP, six small (one and two-bedroom) bungalows should have been provided at this phase. Taking into account the remaining quantum of affordable units to be delivered as part of the future phases (293 affordable units), it is not considered that these bungalows would not be able to be delivered as part of a future phase. The applicant has confirmed that this will be fully achievable and deliverable throughout the remaining phases of this development.

5.2.17 In light of the above assessment, it is considered that the dwelling mix, would be, on balance, acceptable and it would not prejudice the deliverability of the future phases of the approved development.

### **5.3 Design and Impact on the Character of the Area and the Existing Trees and Hedgerows**

5.3.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high-quality built environment for all types of development.

5.3.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The NPPF states that:

*“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.*

5.3.3 The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context. Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG (2017).

5.3.4 The Council envisaged that the South Maldon and North Heybridge Garden Suburbs (NHGS) would be high quality, vibrant and distinctive neighbourhoods that would complement and enrich the character of the Maldon district and protect and enhance the environmental qualities of the area. The development is subject to a Strategic Masterplan Framework and Design Code. The NHGS Strategic Masterplan Framework (SMF) and the NHGS Strategic Design Code have both been endorsed by the Council as material considerations for Development Management purposes. A number of parameter plans were also approved as part of the hybrid planning application. Those relevant to the current application are Land Use Parameter Plan, the Density Parameter Plan and the Building Heights Parameter Plan.

5.3.5 The design codes included within the NHGS Strategic Design Code relate to the main structuring elements, whilst maintaining flexibility for each developer to decide how to bring forward individual plots. These design codes are therefore a material consideration for the assessment of the landscaping and infrastructure elements of the approved development more so than the individual parcels. Nevertheless, the NHGS Strategic Design Code includes guidance in relation to the character areas, car parking and bin storage, which are relevant to the assessment of the submitted development.

5.3.6 By reason of the location of parcels 1 and 2, and their proximity to the northern and western boundaries abutting the countryside, the area falls within mainly the village character area. I address its requirements below:

- Village Edge: The built form should be planned to overlook open space positioned in peripheral areas of the site to strengthen the visual relationship between the housing and open space. The street layout should have a less consistent building line than other areas. Additional planting to enhance existing planting, with new trees and shrubs contributing to green space, particularly along pedestrian routes and within parks should be incorporated. Finishing materials would be expected to be of a natural palette, including

stone, metal, slate, brick, and timber. Use of hedge boundaries, with post and rail fencing and timber gates, to reinforce the rural character common in the surrounding villages are expected to define the edge of the large front gardens.

- 5.3.7 Further guidance in relation to parking and refuse storage is provided within the NHGS Strategic Design Code. The key points that need to be considered are as follows:
- The development should provide sufficient parking in accordance with Maldon Vehicle Parking Standards.
  - Natural surveillance of the parking areas is deemed necessary.
  - Whilst on-plot parking is preferable there is flexibility in terms of parking solutions, where this is provided in a form of on-street parking and good natural surveillance can be achieved.
  - Courtyard parking should only be used occasionally, where there are flats and should be kept small in size, not exceeding six to eight spaces.
  - Refuse storage must be positioned in the most convenient location within the plot.
  - The refuse storage facility should be capable of minimising the visual intrusion of bins on the street scene.
  - Bins should be integrated to the front elevations or the front boundary when there is no alternative option.
- 5.3.8 The proposed development is split into two parcels (parcel 1 – northern parcel and parcel 2 – southern parcel). Both parcels would be boarded by open landscaped areas and the open countryside to the west and further north. Due to the proximity of this westernmost part of the Heybridge Garden Suburb with the open countryside, a requirement for lower densities and heights, as well as an overall character of the development that reflect the rural nature of its surroundings has been set through the approved parameter plans and the endorsed NHGS Strategic Design Code.
- 5.3.9 According to the residential density parameter plan, the north-eastern part of parcel 1 should have a density between 26 and 32 dwellings per hectare, whilst the southern part of parcel 2 should have a density of 30 to 36 dwellings per hectare. The application is supported by a layout plan overlaid with the residential density parameter plan demonstrating that the development would accord with the approved densities. In particular, the northeast part of parcel one would have a density of 31.15 units per hectare and the rest of parcel 1 and parcel 2 would have a density of 34.6 units per hectare. Therefore, the development, as proposed, would fall within the requirements set out within the approved residential densities parameter plan.
- 5.3.10 With regard to building heights, lower heights, of no more than two storeys are allowed on the northern part of parcel 1, with higher buildings of up to three storeys considered acceptable along the main spine road, which divides the two parcels. The remaining areas of both parcels can be buildings with heights no greater than two-and-a-half storeys. The submitted 'Building Heights Overlay' plan, shows that the development would accord with the building heights set out in the relevant approved parameter plan. The majority of the site would be occupied by buildings not higher than two storeys. Three, two-and-a-half storey buildings are proposed within parcel 1 on its eastern side. On the southern parcel there are three detached dwellings with roof accommodation and a row of four buildings accommodating flats and maisonettes that are two-and-a-half and three storeys in height. These are

located along and parallel with the spine road. The development would therefore accord with requirements of the building heights parameter plan.

- 5.3.11 As noted above, the site is located within the Village Edge character area and the built form should be planned to overlook open space positioned in peripheral areas of the site to strengthen the visual relationship between the housing and open space. This has carefully been considered with all properties fronting the open space at the periphery of each parcel. This would enhance the character and appearance of the streetscene when viewed from within the public open space but would also provide good surveillance of the public open space from the proposed dwellings. The active and attractive street frontages would create a strong sense of place and a visually attractive streetscene. The landscaped front gardens would also support the character of the development transitioning from open landscaped areas to the built form.
- 5.3.12 The dwellings would front the highway and green open space surrounding parcel 1, and they would be positioned so that sufficient gaps and openness is maintained between them. Furthermore, with the exception of the dwellings fronting the spine road, the rest of the development has a more organic and less structured form. The residential units along the secondary streets and those fronting the open space follow a less consistent front building line, which helps provide articulation to the streetscene. It therefore considered that the layout and grain of the development would follow the guidelines for the Village Edge character area and respect the rural nature of the surrounding area. It is considered that the provision of a strong front building line along the spine road would be appropriate to create sense of identity for the garden suburb. Given that the buildings would be set back from the highway, with sufficient space allowed for landscaping, it is not considered that they would appear prominent or obtrusive within the public realm.
- 5.3.13 A small area of public open space (pocket park) is proposed centrally within parcel 2, with properties surrounding the site fronting the open space. This is an area that is easily accessible from all residential units within this parcel. Although no public open space is proposed within parcel one, it is noted that this parcel is surrounded by a large amount of public open space to the east and west that is accessible from all properties within this parcel. Furthermore, more street trees have been introduced to parcel 1, softening the appearance of the development and supporting the landscaped let nature of the garden suburb.
- 5.3.14 Some of the proposed residential units would be located in close proximity to the boundary line of the residential parcels and green open space. It is noted that following suggested amendments to this element of the scheme, sufficient space between the residential units of their boundaries and the public open space has been introduced to secure the provision of landscaping and a more gradual transition to the open space surrounding the residential parcel.
- 5.3.15 The proposed residential units would have plot sizes and frontage widths that are of similar size with those recently constructed to the south of the current application site, within the allocated site, known as S2(e). Furthermore, the urban grain south of Holloway Road is even tighter than that of the allocated site and therefore, it is not considered that the proposed development would be out of keeping with the built pattern of the adjacent residential areas.
- 5.3.16 The development would involve blocks of flats with courtyard parking. These are located on the northern parcel of the application site. The guidance contained in the NHGS Strategic Design Code suggests that courtyard parking should only be used occasionally, where there are flats and should be kept small in size, not exceeding 6

to 8 spaces. It should be noted that following amendments to the parking proposals, the amount of parking spaces provided within the courtyards has been materially reduced and alternative solutions (i.e. perpendicular parking), in terms of parking provision, have been explored and adopted to address the concerns raised. Although the number of parking spaces to be provided within each courtyard is greater than eight spaces (15 and 13 spaces are proposed in the courtyard parking area serving plots 147-160 and 90-99, respectively), given that they would not be highly visible from the streetscene and the fact that a level of landscaping has been introduced, it is considered that, on balance, the visual harm would not be materially detrimental to warrant refusal of the application on those grounds.

- 5.3.17 For the majority of the development parking is provided on plot and adjacent to the residential units. However, there are exceptions where parking is proposed perpendicular with the highway. Ten perpendicular parking spaces are proposed to serve units 149 to 155, twenty perpendicular parking spaces are proposed to serve units 1-16 and fourteen to serve units 26 to 34. Although it is considered that this is a large amount of perpendicular parking, measures to reduce the amount of hard standing and avoid extensive car-dominated frontages have been incorporated, including the introduction of landscaping, car barns and pergolas. It is considered that these measures would assist in breaking up the continuity of the hard surfacing, softening the appearance of the development and adding architectural merit in the streetscene.
- 5.3.18 It should be noted that during the application process concerns were raised regarding the layout of the north-eastern part of parcel 1 and in particular the layout of the proposed block of flats and adjacent residential units (units 145 to 160), the design of the block of flats and the flat over the garages and the relationship of the proposed buildings. A number of amendments have been incorporated in an attempt to address the concerns. The layout has been revised so that the originally proposed extensive amount of parking within a courtyard has been reduced, as addressed in the paragraphs above. The block of flats has been re-orientated, set back from the highway and separated from the adjacent two storey unit, to overcome issues relating to design and the awkwardness of the juxtaposition of the three-storey with two-storey elements. Furthermore, the position of two buildings have been amended (the buildings on plots 145-146 and 147 have been swapped) so that all properties have access to amenity space.
- 5.3.19 The proposed development involves more than 25 different types of residential units, as described in section 3.1 of the report, including detached, semi-detached and terraced dwellings, blocks of flats, bungalows, two-storey, two-and-half storey and three-storey buildings and a variety of designs and forms. Although the development would introduce a variety of dwelling types, there is a prevailing character for gable end roofs, with front gable features and a level of uniformity in terms of the detailing, including the soldier courses around fenestration and the types of projecting canopies over the entrance doors. Overall, the residential units could be characterised as being traditional, with some modern touches (i.e. the amount of glazing and Juliet balconies introduced to some properties) and this would reflect the character of the recently constructed area to the south (S2(e)) and the pre-existing residential area south of Holloway Road. It is therefore considered the character and appearance of the proposed residential development would be in keeping with the appearance and character of the nearby residential developments.
- 5.3.20 It is considered that the introduction of detailing, including the projecting features, the canopies, the detailing over fenestration, the bay windows on the side elevations, the Juliet balconies, the chimneys and the timber detailing on top of some of the gable roofs add architectural merit to the scheme. It is also positive that a variety of



dwelling types have been introduced, as this would add interest to the streetscene and would result in a less structured built form, in accordance with the guidance for the Village Edge character area. A good level of fenestration has been used to all dwellings and following amendments additional detailing, such as bay windows that have been introduced to the side elevations of dwellings that are adjacent to and visible from the highway.

- 5.3.21 In terms of eaves and ridge heights, it is noted that overall a level of consistency throughout the scheme has been maintained. Although there are examples of buildings of different ridge and/or eaves heights that are located in close proximity, it is noted that the differences in the heights are not significant and would not be readily visible from a pedestrian point of view. Furthermore, it is noted that amendments have been incorporated in areas where the height variation was significant and considered to be resulting in an unacceptable juxtaposition in the ridge heights (i.e. the originally proposed dwelling on plot 57 has been replaced with a different type dwelling to improve a relationship with the two-and-half storey dwellings on plot 58). Moreover, similar building relationships have been accepted in previous developments in the garden suburbs and therefore, it is considered that it would have been unreasonable to raise an objection at this stage for this residential development.
- 5.3.22 Policy H2 of the LDP requires the design and appearance of the affordable housing to be indistinguishable from those built for the open market. Affordable housing should also be mixed with market housing to support mixed and vibrant communities. It is positive that affordable units would be located in various areas within the scheme and not clustered in one area. Furthermore, similar types of housing have been used as market and affordable units, such as the two-and-half storey villas. Overall, although some of the affordable units would be of a simpler design, it is noted that they still benefit from an acceptable design of fenestration and detailing, including finishing materials as the market housing. The affordable units would have outlook and aspect to public open space and therefore they would conform with the requirements of the LDP and the MDDG SPD.
- 5.3.23 The proposed garages would complement the design of the residential units and their finishing material would match those of the proposed dwellings. The proposed garage doors would have detailing that would assist in making the development visually attractive. As noted above, car barns and pergolas are going to be constructed in areas where long perpendicular parking is proposed in order to provide architectural interest and break the continuity of excessive hard standing.
- 5.3.24 A number of different types of materials would be used to external elevations of the residential units including red, buff and beige handmade and stock brickwork, grey and off-white weatherboarding, antique red, terracotta and slate substitute roof tiles. According to the guidance contained in the NHGS Strategic Design Code, housing within Village Edge character areas is expected to be finished in natural palette materials, including slate, brick and timber. It is therefore considered that the proposal would introduce materials that would reflect the rural character of the area and would largely accord with the requirements of the endorsed NHGS Strategic Design Code. The variety of materials would increase visual interest. To ensure that good quality materials are used in the proposed development, a condition requiring the approval of details of the materials is suggested to be imposed.
- 5.3.25 In terms of boundary treatment, the rear gardens would be boarded with traditional close boarded fence. However, any boundaries abutting the highway, or the public open space would be finished in brick to match the finishing materials of the adjacent residential units. Therefore, red, buff and beige brick walls would form the

boundaries along the public realm. The front boundaries of the flats and maisonettes proposed along the spine road would be enclosed with 0.9 black railings with brick piers. This would establish a soft division between the public and private space and it would enhance the appearance of the development. Timber post and raise fencing would be used on the eastern edge of the development to provide a soft boundary between the residential area and the public open space.

5.3.26 In light of the above, it is considered that the development, as it has been revised, would accord with the approved parameter plans and the guidance contained within the NHGS Strategic Design Code regarding the Village Edge character areas. The development would also follow the good design principles set out in the Maldon District design SPD. Overall, it is considered that the layout, mass, height, form, design and appearance of the development would be acceptable and would be a good representation of the Village Edge character that is aimed for this section of the North Heybridge Garden Suburb.

#### **5.4 Impact on Residential Amenity**

5.4.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the Maldon District Design Guide (2017).

5.4.2 The proposed development, by its very nature understandably, would result in a significant increase in levels of activity. However, the site forms part of the largest of the three sites allocated for development in the North Heybridge Garden Suburb (S2(d) allocated site) and therefore, the resultant impact, in terms of noise, activity, position and built form, has, in principle been appraised and agreed subject to detailed design through the reserved matters applications.

5.4.3 The proposed development would be sited approximately 55 metres away from the nearest existing residential properties, which are located to the south and form part of the recently erected development within S2(e) allocated site. This separation distance is sufficient to prevent overlooking, overshadowing or any overbearing impacts from the proposed development. All other residential properties are sited further away and therefore, no objection is raised in terms of the impact of the development on residential amenity.

5.4.4 With regard to the interrelationship of the proposed residential units, consideration has been given to the orientation of the buildings, in order to avoid overbearing and overshadowing impacts. Back-to-back distances are over 20 metres and therefore, no concerns are raised in terms of overlooking for those properties backing onto each other. There are examples where dwellings are positioned in an angle (i.e. units 160 and 139, units 88 and 70, units 43 and 41); however, it appears that a minimum of 9 metres separation distance is maintained between the rear elevation of one dwelling and the direct outdoor amenity area of the other. This separation distance is considered sufficient to prevent from direct or indirect overlooking.

5.4.5 For those properties that have a back to flank wall relationship (i.e. units 42 and 41, units 40 and 39, units 52 and 53, units 59 and 60, units 63 and 62, units 72 and 73, units 78-79 and 77, units 108 and 89, units 111 and 127, units 123 and 124, units 110 and 128, units 130 and 129, units 143 and 144, units 160 and 138), consideration should be had on the introduction of first floor windows on the side elevations. There are examples of dwellings (i.e. house type 404) that have windows at first floors that are proposed to serve bathrooms and be obscure glazed. A

condition will be imposed for those first floor windows on the flank elevations to be glazed in obscure glass and to be fixed shut.

- 5.4.6 The majority of the garages are positioned back from the front building line of the dwellings. Although in some cases, due to their orientation, they would result in a level of loss of light (i.e. units 38, 39, 42, 54, 58, 59, 107, 109, 112), taking into consideration their single storey nature, on balance, it is not considered that this loss of light would be detrimental to warrant refusal of the application on those grounds.
- 5.4.7 In light of the above, it is not considered that the development would have a detrimental impact in terms of residential amenity and subject to conditions the interrelationship of the proposed residential dwellings would be acceptable.

## **5.5 Access, Parking and Highway Safety**

- 5.5.1 Policy T2 aims to create and maintain an accessible environment, requiring development proposals, inter alia, to provide sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes
- 5.5.2 Paragraph 111 of the NPPF states that *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."*

### Parking

- 5.5.3 In terms of off-street parking provision for new dwellings, the Vehicle Parking Standards SPD, requires the following:
- 1 parking space per one-bedroom dwelling
  - 2 parking spaces per two and three-bedroom dwellings
  - 3 parking spaces per four+ bedroom dwellings
  - For housing developments of more than 10 units 1 visitor parking should be provided per four dwellings
- 5.5.4 All one-bedroom properties will be served with one parking space, 7 out of 23 of the two-bedroom flats will be served by one parking space, the rest of the two-bedroom flats, all two-bedroom and three-bedroom dwellings will be served with two parking spaces, four-bedroom properties would be served with three parking spaces and five-bedroom dwellings would be served with four parking spaces. Whilst 7 out of 23 two-bedroom flats will be served by one rather than two parking spaces, it should be noted that the Vehicle Parking Standards SPD states that *"lower parking provision may be acceptable within town centre locations or the Garden Suburbs depending on access to alternative means of transport, subject to a minimum provision of 1 car parking space per dwelling"*. The Applicant has submitted information in relation to the proximity of the development to the local centre and approved crescent park within the approved development in the North Heybridge Garden Suburb. The distance to those facilities would be around 485 metres from the northernmost block of flats in parcel 1. Furthermore, the proposed development involves the provision of bus stops along the spine road, north of the Local Centre. Therefore, it is considered that the development, as proposed would comply with the relaxation within the Vehicle Parking Standards for Garden Suburbs, as one parking space will provided per unit and also those units will be located within walking distance away from local

amenities and public transportation and have access to other alternative modes of transport, including cycling and walking routes within the garden suburb. It is therefore considered that the development would provide sufficient parking spaces for each individual residential unit, that meet the parking requirements set out in the Vehicle Parking Standards SPD.

- 5.5.5 As noted above housing developments of more than 10 units should be provided with 1 visitor parking per four dwellings. A total of 25 visitor parking spaces are proposed to be provided within phase one and the requirement would be for 40 visitor parking spaces. On balance, it is considered that it would be unlikely that the shortfall on site visitor car parking provision would result in unacceptable on-street parking. Although, at times when visitor levels are at peak, the development would potentially result in vehicles parked on the estate roads, on balance, given that sufficient off-street parking is proposed for the proposed residential units, it is considered that the impact on on-street parking or obstruction of the free flow of traffic, would not be such that to justify refusal of the application on visitor parking provision.
- 5.5.6 The internal dimensions of the proposed garages would exceed the minimum dimensions set within the Vehicle Parking Standards SPD (3m x 7m for single garages and 6m x 7m for double garages). Therefore, the garages would provide sufficient off-street parking to accommodate a vehicle and to allow room for storage, particularly for cycles.
- 5.5.7 In accordance with the Vehicle Parking Standards SPD, an external fast charging point shall be provided adjacent to at least one parking space for each new dwelling. For communal residential parking areas, one charging point is required for every 20 spaces (5%). Where the parking spaces are allocated to individual dwellings, the charging point(s) can be provided on unallocated visitor parking spaces within the development. These requirements will be secured by the imposition of an appropriately worded condition.
- 5.5.8 In terms of cycle parking, it is noted that 1 cycle parking space for one-bedroom and two cycle parking spaces for two-bedroom and over residential units are required to be provide. For those dwellings benefiting from garages, there is no requirement to provide separate cycle parking. A block of flats with a total of nine units is proposed to be erected within the proposed development (units 147-156), as well as six smaller blocks occupied by two flats and two maisonettes each are proposed (units 96-99, 91-94, 1-4, 5-8, 9-12 and 13-16). For the larger block of flats sufficient cycle parking would be provided at ground floor of unit 147, which is adjacent to the block of flats. The cycle parking will be secured and covered. In terms of accessibility, although the cycle parking will be located separately from the block of flats, it will still be in very close proximity to the units and it is considered that it would be easily accessible and usable. For the six smaller blocks of flats and maisonettes, cycle parking will be provided at ground floor, underneath the staircase, in a safe and easily accessible location for all units. For the dwellings that do not benefit from garages, it is considered reasonable for a condition, requiring the submission and agreement of the details of cycle parking prior to the occupation of the dwellings, to be imposed. Subject to the development being implemented in accordance with the details contained with this application and those to be submitted as part of the discharge of the condition application, it is considered that the development would provide sufficient cycle parking and it would promote alternative and sustainable modes of transport alternative to private vehicles.

### Access and highway safety

- 5.5.9 Access to the northern parcel would be taken from the spine road that runs along the southern boundary of this parcel, heading north along the eastern boundary of the site. Access to parcel 2 (southern parcel) will be taken off the spine road along the northern boundary of the parcel, heading south dividing the parcel into the eastern and western sections.
- 5.5.10 Following minor amendments to reduce the amount of perpendicular parking on the road bend to serve units 150 to 155 (reduction from 10 to 6 parking spaces) the Highway Authority has confirmed that from a highway and transportation perspective, the Highway Authority has no objections to make on this proposal. On that basis, no objection is raised to the proposed access in terms of highway safety or highway network.

### Pedestrian and Cycle Access

- 5.5.11 It is noted that the main pedestrian and cycle network is provided in the periphery of the site, as required by the Access and Movement Parameter Plan. However, linkages are provided within the site to connect the pedestrian and cycle routes on the western part of the application site to the eastern part and the rest of the approved development. Therefore, no objection is raised in that respect.

## **5.6 Private Amenity Space and Living Conditions**

- 5.6.1 With regard to the size of amenity spaces, the Council has adopted the MDDG as a supplementary guidance to support its policies in assessing applications for residential schemes. The guidance indicates that dwellings that have three or more bedrooms should be served with a minimum of 100sqm outdoor amenity area, whilst smaller one and two-bedroom units could be served by 50sqm. For flats, the requirement would be a minimum of 25sqm. Policy D1 of the Local Development Plan indicates the need for amenity space in new development and that the spaces provided must be useable.
- 5.6.2 All proposed dwellings, including market and affordable units, would be served by sufficient outdoor amenity area, which complies with the requirements set out in the MDDG SPD.
- 5.6.3 Following amendments, units 147 to 156 would be served by an outdoor amenity area measuring approximately 250sqm. Further landscaping is proposed to the front of the buildings, adjacent to the highway; however, this has not been taken into consideration as private amenity area. Therefore, the development would provide amenity space that meets the minimum outdoor amenity area requirements for 10 flats (250sqm), as set out in the MDDG SPD. The provision of further landscaping surrounding the flats, is also positive, in terms of outlook from those units. It is also noted that majority of the flats would have Juliet balconies providing a further level of openness and also access to large areas of public open space.
- 5.6.4 Flats 145, 146 would be served by a small but sufficient amenity space (just over 50sqm) to meet the needs of the future occupiers and therefore, no objection is raised in that respect. Following revisions, an amenity area of 126.5sqm and 127sqm would be provided for flats 95-99 and 90-94, respectively. Therefore, the proposal, following amendments would meet the outdoor amenity area requirements of the future occupiers, in accordance with the MDDG SPD. Units 90 and 95 would also benefit from outdoor space in a form of a balcony. It is also noted that the

development is bounded by significant areas of public open space and this will compensate against this small shortfall of private amenity space.

- 5.6.5 Units 1-16 would be served by 406sqm of outdoor amenity space and as such, no objection is raised in terms of the outdoor amenity area provision for these units.
- 5.6.6 Concerns were initially raised with regard to living conditions and quality of life of the future occupiers of the three proposed flats over the garages / bin stores. This is because of the expected levels of activity and movement due to the proposed ground floor uses (parking, bin and cycle stores). Although it is acknowledged that the activity, due to the use of the ground floor facilities, would be higher, it is noted that it is not unusual for such facilities to be located at the ground floor of flatted development. Whilst insulation for noise and vibration is generally covered by building control regulations, it is considered reasonable that a condition securing the submission of details for noise and vibrations mitigation to be approved by the Local Planning Authority (LPA) is imposed. This will ensure that the quality of life of the future occupiers of these units will be protected.
- 5.6.7 The residential units will be served by windows which would provide adequate light, outlook and ventilation to all habitable rooms. Furthermore, a good level of accommodation would be provided for the future occupiers. For those occupiers of the ground floor units within the blocks of flats adjacent to the communal amenity space, it is considered that a level of privacy should be secured. It is considered that hard or soft landscaping could be introduced around those ground floor units to separate them from the rest of the communal area. This can be secured by the imposition of a prudently worded condition. Subject to the imposition of this condition, it is considered that the development would provide a good level of living environment to the future occupiers.
- 5.6.8 Part of the proposed development would be located in close proximity to the relief road and therefore, close to a source of noise. Although noise attenuation has been considered and found acceptable as part of the Reserved Matters application assessing the landscaping strategy and infrastructure for phase 1 (Reference number: 21/00384/RES), consideration should be had to the noise impact to the units adjacent to the relief road (units 133-143). Section 7 of the Noise Assessment submitted with application 21/00384/RES relates to the residual mitigation required for the dwellings along the northern boundary of phase 1. This requires all dwellings to be provided with thermal double glazing and alternative means of ventilation (trickle vents), to ensure that a minimum sound insulation is maintained. It is recommended that trickle ventilators to rooms facing onto roads are selected to maintain a minimum acoustic performance of  $D_{n,e,w} 35dB$ . Whilst compliance with the Noise Assessment was secured through condition of the approved application 21/00384/RES, given that section 7 relates to mitigation relevant to the residential element of phase 1, it is considered reasonable that this is secured by condition under the terms of this application, to ensure quality of life of the future occupiers of those units.

## **5.7 Impact on ecology existing vegetation, biodiversity and landscaping**

- 5.7.1 The application site does not fall within or in close proximity to nature conservation sites. However, policy N2 of the LDP states that *“All development should seek to deliver net biodiversity and geodiversity gain where possible. Any development which could have an adverse effect on sites with designated features, priority habitats and / or protected or priority species, either individually or cumulatively, will require an assessment as required by the relevant legislation or national planning*

*guidance.*” Conservation and enhancement of the natural environment is also a requirement of the NPPF.

- 5.7.2 The application is supported by a Landscape Strategy Layout which provides details regarding the proposed landscaping. The development, as shown on the landscaping strategy plan would include a variety of trees, hedges (typical hedges and native hedges) and grassland to boundary edges.
- 5.7.3 The application is supported by a Landscape Management Plan, including information about the management of planted areas, including existing vegetation. Regarding existing vegetation, it is stated that there are hedgerows and trees along Maypole Road and entrance gateway (spine road), which will be protected throughout the construction of the development. It is noted that the larger amount of the abovementioned existing vegetation is outside the boundaries of the current application site, which relates only to the residential parcels and not the area of the strategic landscaping and infrastructure. There is only a small area of existing trees and hedgerows that fall within the application site, and this is along the northern boundary of parcel 2. These trees and hedgerows are proposed to be retained.
- 5.7.4 In summary, in terms of the management of the existing and proposed vegetation the following is proposed:
- Hedge trimming – existing and proposed.
  - Pruning native and ornamental shrubs.
  - Tree surgery – existing and proposed where applicable.
  - Watering – proposed infill / buffer planting.
  - Fixtures and fittings – Post and rail fencing, estate railings, footpaths, etc.
  - Grass cutting - Grass lawn, grass meadow & wildflower meadow areas.
  - Weed control – soft areas.
  - Litter removal.
  - Ditch clearance where applicable.
- 5.7.5 The submitted Landscape Management Plan also includes a review process, which requires that at the end of a yearly contract period the site shall be appraised by all landscape management party’s Supervisory Officers. Each area shall be reviewed in terms of the following and after the issues have been identified shall be incorporated to the management regime for the forthcoming contract period:
- plant form and growth;
  - diversity;
  - use patterns;
  - wear and tear of surfacing, street furniture, fencing etc.;
  - the ability to modify site objectives, operations, and programmes.
- 5.7.6 The Design Compliance Statement Thrive Architects (June 2021) advises the proposal seeks to be environmentally responsive by protecting and enhancing existing natural habitats throughout the development process. Habitats will be respected with careful placing of rear gardens and open spaces to afford protection. New planting including hedgerows, trees and diverse grassland is also proposed throughout the scheme. The previously agreed Construction and Ecological Management also confirms the provision of bird and bat boxes. Based on this information, the Ecology Consultant is satisfied that existing habitats will be protected and new habitats will be created.

- 5.7.7 It should be noted that ecological management in relation to phase 1 of the approved development, has already been considered and details have been agreed, either as part of discharge of conditions applications (conditions 7(g) – Construction Ecological Management Plan and condition 13 - Ecological conservation management plan) or as part of the approved application 21/00384/RES, relating to the approval of the strategic landscaping and infrastructure for phase 1. Therefore, these matters have been previously assessed and found acceptable. A condition to ensure that the development is implemented in accordance with the details included within the Construction and Ecological Management Plan and associated documents submitted in relation to phase 1 will be imposed.
- 5.7.8 With regard to the proposed landscaping, the Tree Consultant has advised that the species of trees and shrubs proposed to be used are acceptable. However, concerns have been raised regarding the position of the planting due to the wording in the landscaping plan stating that *'tree location to be subject to services and visibility splays'*. It should be noted that, as confirmed within the submitted Planning Statement, condition 31 (detailed landscaping scheme) has been subject on a non-material amendments application (21/00321/NMA) resulting in splitting the condition into two parts. On the basis of this change to the condition, Reserved Matters applications still require the submission of the overall landscape design; however, the details of the planting scheme will form part of a separate application to be submitted to the Council for approval. The Tree Consultant will have to be consulted as part of these discharge of conditions application, where all the details of the planting scheme will have to be agreed.
- 5.7.9 The Tree Consultant has also advised that in principle the set out is acceptable, but more tree planting would be beneficial. Provision of trees within private gardens would assist in softening the views across the gardens. These comments are noted, and the Applicant should take these comments into consideration for the submission of the detailed planting scheme.
- 5.7.10 Although details have been included in the Landscape Strategy Layout, in terms of numbers, sizes and position of trees and hedges, given the comments raised by the Tree Consultant it is considered necessary that the planting scheme is revised and proposed planting throughout the proposal is enhanced and be more specific in terms of position and size of trees. For that reason, it is considered reasonable that a condition requiring the submission of further details of the planting scheme is imposed.
- 5.7.11 In light of the above, it is considered that the proposed development would be acceptable in terms of its impact on existing trees, habitats and species and the Landscape Management Plant will ensure that that existing and proposed planning will be managed appropriately.

## **5.8 Other Matters**

### Surface Water and Foul Drainage

- 5.8.1 Policy D5 of the LDP sets out the Council's approach to minimising flood risk. Policy S1 requires that new development is either located away from high-risk flood areas or is safe and flood resilient when it is not possible to avoid such areas.
- 5.8.2 The current application relates to the approval of the reserved matters relevant to the residential parcels of phase 1. The details of the strategic landscaping and infrastructure relating to size, location and gradients of the surface water attenuation basins and drainage network within this phase of the development were approved as



part of application 21/00384/RES. The technical details of the surface water drainage scheme are to be dealt with through condition 9 of the original hybrid consent, and there is a current submission in relation to this condition (21/05125/DET), which is currently under consideration.

- 5.8.3 It is noted that the overall drainage strategy was approved as part of the hybrid application 15/00419/OUT, which was allowed on appeal. The Inspector found that the surface water drainage was in full compliance with the development plan. The agreed drainage strategy was that due to the relatively shallow ground water, infiltration drainage techniques will not be utilised on the site. However, other SuDS techniques will be used, which will follow the SuDS train submitted as part of the Flood Risk Assessment (FRA) to 15/00419/OUT, consisting of a mixture of rainwater butts, permeable paving to private driveways, swales, ponds and detention basins. Water will be collected, treated and attenuated in a SuDS train prior to outfalling into the existing water courses at the 1 in 1 year Greenfield runoff rates up to and including the 1 in 100 plus 40% climate change rainfall storm event.
- 5.8.4 It is confirmed that there is a series of attenuation basins in the periphery of both parcels 1 and 2 that form part of the measures to manage surface water on the site. Swales are also incorporated to manage surface water. The Applicant has advised that the impact of surface water will be managed through these attenuation features and there is no need to provide permeable paving in the parcels. The Lead Local Flood Authority has been consulted and having reviewed the Landscape Strategy which accompanied the planning application, they do not object to the granting of planning permission 21/00752/RES.
- 5.8.5 With regard to foul drainage, it is noted that this is secured through condition 16 of the approved hybrid application (15/00419/OUT), which requires the submission of details of the foul water drainage for all proposed buildings prior to their erection above foundation level. Therefore, it is considered that this matter has been considered and details are to be submitted under a separate application.

### Waste Management

- 5.8.6 The Council's Waste Management Team has been consulted and a number of points have been raised, as follows:
- Muster points must be as close to the vehicle collection point as possible and the maximum distance must be no more than 25 metres, this distance should be the exception and not the norm.
  - Communal storage facilities must be within 10 metres of the vehicle collection point with no steps or steep ramps to the vehicle collection point.
  - Communal storage facilities should be separate from parking so as not to be blocked by parked vehicles on collection days or risk damage.
  - As the Council operates an alternate weekly collection if a muster point is used then this must be big enough to accommodate two wheeled bins per property and a 23L Food bin or on the alternate week one wheeled bin, one glass box, one 23L food bin and up to four sacks for recycle per property.
  - The muster point for plots number 157 to 160 is not large enough for four properties neither is the muster point for plots 138 to 141.
  - It is not clear if access to the front curtilage of plots 116 to 119 is available as there is a refuse vehicle extent symbol opposite the parking bay for plot 104. Please clarify.

- The muster point for plots 103 to 105 is very close to a parking area and therefore not suitable plus it doesn't appear big enough to accommodate bins from the waste from 3 properties.
- Please confirm that the access road to the communal collection point at plot 148-156 is suitable for a 26t vehicle and the road is wide enough for the vehicle to reverse into this parking area to service both the communal bin and the muster point.

5.8.7 Following the submission of the above comments, minor amendments have been incorporated to the submitted plans, as well as clarification points by the Applicant to address the above concerns. Some of the minor amendments incorporated include the provision of outwards opening doors to bin store for units 1 – 16, increase of the size of the muster point for plots 157-160 and relocation and increase of the size of the muster point servicing units 103 and 105. Confirmation has also been provided regarding the access of a 26t refuse vehicle to the communal collection point servicing units 148-156. It has also been advised that the curtilage of units 116-119 can be accessed and its within 25 metres and that the muster point near units 138-141 would only serve two plots and therefore, its size will be adequate.

5.8.8 Therefore, on the basis of the above minor amendments and clarification points, it is considered that details of refuse would be acceptable.

#### Permitted Development Rights

5.8.9 Given the size of the plots and their interrelationship, any alterations/extensions to the dwellings may result in unacceptable design (i.e. in case of installation of large sized dormers on elevations not facing the highway, but visible from public vantage points), the living conditions of the future occupiers (i.e. in case the rear amenity space would be significantly reduced by a rear extension) or impact on the neighbouring occupiers (i.e. via the installation of dormer windows that result in overlooking). For these reasons it is considered reasonable that permitted development rights for the proposed dwellinghouses are removed for classes A, B, C, D and E.

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

6.1.1 The relevant planning history is set out in the table below:

- **15/00419/OUT** – Part outline/part detailed (hybrid) application for mixed use development including:
  - Residential development (Use Class C3) for up to 1138 dwellings including 30% as affordable housing (Outline)
  - Residential Care for up to 120 beds (Use Class C2) (Outline)
  - "Neighbourhood" uses which may include retail, commercial, and community uses (Use Classes A1 and/or A2 and/or A3 and/or A4 and/or A5 and/or D1a and/or D1b) (Outline)
  - Primary school and early years childcare facility (Use Class D1c) (Outline)
  - A relief road between Broad Street Green Road and Langford Road (Detailed element)
  - Formal and informal open space (including any associated sports pavilion/clubhouse) (Use Class D2e) (Outline);
  - Construction of initial gas and electricity sub-stations (Detailed); and

- (vii) All associated amenity space, landscaping, parking, servicing, utilities (other than as listed in item (vi) above), footpath and cycle links, on-site drainage, and infrastructure works (Outline).  
– Refused - 08.03.2019 – Allowed on Appeal – 25.10.2019.
- **19/00741/OUT** - Part outline/part detailed (hybrid) application for mixed use development including:
  - (i) Residential development (Use Class C3) for up to 1138 dwellings including 30% as affordable housing (Outline)
  - (ii) Residential Care for up to 120 beds (Use Class C2) (Outline)
  - (iii) "Neighbourhood" uses which may include retail, commercial, and community uses (Use Classes A1 and/or A2 and/or A3 and/or A4 and/or A5 and/or D1a and/or D1b) (Outline)
  - (iv) Primary school and early years childcare facility (Use Class D1c) (Outline)
  - (iv) A relief road between Broad Street Green Road and Langford Road (Detailed element)
  - (v) Formal and informal open space (including any associated sports pavilion/clubhouse) (Use Class D2e) (Outline);
  - (vi) Construction of initial gas and electricity sub-stations (Detailed); and
  - (vii) All associated amenity space, landscaping, parking, servicing, utilities (other than as listed in item (vi) above), footpath and cycle links, on-site drainage, and infrastructure works (Outline).  
– Approved - 14.10.2019.
- **20/05035/DET** - Compliance with conditions notification of approved application 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 12 - Strategic management and maintenance plan. – Cleared - 11.05.2020.
- **20/05039/DET** - Compliance with conditions notification 15/00419/OUT allowed on appeal APP/X1545/W/19/3230267 (Part outline/part detailed (hybrid) application for mixed use development - Condition 11 - Strategic Phasing Plan – Cleared - 15.05.2020.
- **21/00321/NMA** - Application for non-material amendment following grant of Planning Permission 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Amendment sought: Amendment to Condition 31 – Approved - 29.04.2021.
- **21/00538/NMA** - Application for non-material amendment following grant of planning permission 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Amendment sought: Condition 9 – Approved - 09.06.2021.
- **21/05031/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development Condition 13 - Ecological conservation management plan. Condition 7 - Construction & environmental management plan. – Cleared - 01.04.2021.
- **21/05054/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 8 – Archaeology – Cleared - 18.05.2021.
- **21/05107/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 14 - Contaminated land. – Cleared - 18.08.2021.
- **21/00384/RES** - Reserved matters application for the approval of access, appearance, landscaping, layout and scale covering details of strategic landscaping and infrastructure for Phase 1 comprising;
  - (a) landscaping for the approved Relief Road,

- (b) phase 1 entrance green,
- (c) phase 1 spine road,
- (d) green corridors, strategic open space and levels for Phase 1 (including Local Equipped Area of Play)
- (e) acoustic bund for phase 1

Together with details of a network of pedestrian and cycle routes in relation to Phase 1 pursuant to condition 28 of approved planning application 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development including:

- (i) Residential development (Use Class C3) for up to 1138 dwellings including 30% as affordable housing (Outline)
- (ii) Residential Care for up to 120 beds (Use Class C2) (Outline)
- (iii) "Neighbourhood" uses which may include retail, commercial, and community uses (Use Classes A1 and/or A2 and/or A3 and/or A4 and/or A5 and/or D1a and/or D1b) (Outline).
- (iv) Primary school and early years childcare facility (Use Class D1c) (Outline)
- (v) A relief road between Broad Street Green Road and Langford Road (Detailed element)
- (vi) Formal and informal open space (including any associated sports pavilion/clubhouse) (Use Class D2e) (Outline);
- (vii) Construction of initial gas and electricity sub-stations (Detailed); and
- (viii) All associated amenity space, landscaping, parking, servicing, utilities (other than as listed in item (vii) above), footpath and cycle links, on-site drainage, and infrastructure works (Outline).

– Approved - 08.10.2021

- **21/05113/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 9 - Drainage details – Cleared – 02.09.2021.
- **21/05121/DET** - Compliance with conditions notification 15/00419/OUT allowed on appeal APP/X1545/W/19/3230267 (Part outline/part detailed (hybrid) application for mixed use development - Condition 10 - Drainage management – Cleared – 05.11.2021.
- **21/05125/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 9 - Drainage details – pending consideration.
- **21/05129/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 18 - Tree protection – Cleared – 18.11.2021.
- **21/05134/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 7 - Construction management plan. – Cleared - 22.10.2021.
- **21/05135/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 15 - Broadband. – Cleared - 11.01.2022.
- **21/05147/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 8 - Archaeological assessment. – Cleared - 09.11.2021.
- **21/05162/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 13 - Ecological Conservation Management Plan ECMP in relation to Phase 2 of the development only. – Cleared - 29.11.2021.

- **21/05185/DET** – Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 17 - Utilities and arboricultural implications – Cleared - 13.01.2022.
- **21/05187/DET** – Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 11 - Strategic phasing plan – Cleared - 14.01.2022.
- **21/00961/RES** – Reserved Matters application for the approval of access, appearance, landscaping, layout, and scale covering the details of strategic landscaping and infrastructure for Phase 2 and part of Phase 4 of the approved planning application (15/00419/OUT) comprising:
  - (i) The landscaping surrounding the eastern section of the Relief Road, and Broad Street Green Roundabout;
  - (ii) The internal spine road, from Broad Street Green Road to the north-eastern corner of Heybridge Wood (including bus stops);
  - (iii) The green corridors that surround Parcels 10, 11 and 12;
  - (iv) The second phase of the acoustic barrier;
  - (iv) The play area (LEAP) that lies south of Parcel 12;
  - (v) The internal road and associated attenuation basins to the north of Parcel 8 that serves the Local Centre;
  - (vi) The proposed pumping station;
  - (vii) Pedestrian and cycle links falling within this phase of the development.
 Together with details pursuant to Condition 18 (tree protection), Condition 19 (acoustic barrier), Condition 27 (bus stops) and Condition 28 (footpaths and cycle routes) of the approved planning application 15/00419/OUT. – pending consideration.
- **22/05005/DET** – Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 7 - Construction Environmental Management Plan (Part (g) in relation to Phase 2) – Cleared – pending consideration.

## 7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

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

<b>Name of Parish / Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
Great Totham Parish Council	No objection.	Noted.

### 7.2 **Statutory Consultees and Other Organisations** (*summarised*)

<b>Name of Statutory Consultee / Other Organisation</b>	<b>Comment</b>	<b>Officer Response</b>
Lead Local Flood Authority (LLFA)	Having reviewed the Landscape Strategy and the associated documents which accompanied the planning application, the LLFA do not object to the granting of Reserve Matter application reference 21/00752/RES.	Comments noted and addressed in section 5.8 of the report.

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Essex County Fire and Rescue Service	<p>Essex County Fire and Rescue Service is not satisfied with the proposals, as turning circles are required within the area of buildings referenced, H419 OPP, HT28 W, and plots 85/86, as fire service appliances would be required to reverse for more than 20m in order to gain access to these buildings. A table has been provided for information on turning circle requirements. More detailed observations on access and facilities for the Fire Service will be considered at Building Regulation consultation stage.</p>	<p>Comments noted. It should be noted that these comments were received prior to the final amendments incorporated to the proposed development. Confirmation has been sought from the Applicant regarding compliance of the development with the set requirements.</p> <p>It should be also noted that these are matters that addressed at Building Regulations stage; however, an informative will be added as a reminder for the Applicant.</p>
Archaeology	<p>The archaeological evaluation in response to the conditions imposed to the outline permission (15/00419/OUT) has been completed and a number of areas requiring open area excavation have been identified. The current reserved matters application will not impact this work and the original archaeological condition on the 15/00419/OUT application should remain in place until all phases of the archaeological fieldwork has been completed.</p>	<p>Comments noted.</p>
Anglian Water	<p>No comments.</p>	<p>Noted.</p>
Design Out Crime	<p>Whilst there are no apparent concerns with the layout, Design Out Crime would require the finer details, such as the proposed lighting, boundary treatments, physical security measures and specifically in relation to the flats the proposed access control, visitor entry system and mail delivery provision.</p>	<p>Comments noted. It is noted that details of lighting was secured through condition 31 imposed to the approved application 15/00416/OUT and subsequently revised under the terms of application 21/00321/NMA. Therefore, assessment of the lighting scheme will be subject to the submission of a separate application.</p> <p>The details of the boundary treatment have been submitted as part of the current reserved matters application.</p>

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Natural England	Contingent upon the application aligning with the recreational disturbance mitigation package outlined in the HRA dated 15/08/2019, natural England would have no objection to this Reserved Matters application.	Comment noted.
Highway Authority	Further to the receipt of the amended drawings, from a highway and transportation perspective, the Highway Authority has no objections to make on this proposal.	Comments noted and addressed in section 5.5 of the report.
NHS	It is noted that this is an application for the approval of reserved matters relating to planning permission 15/00419/OUT. The S106 agreement attached to the grant of planning permission 15/00419/OUT includes delivery of a healthcare centre and a healthcare contribution of £430,000. On the basis that this obligation remains, the CCG and HCP have no further comments to make at this time.	Comments noted.
Environment Agency	No comments.	Noted.
Sports England	The proposed development does not fall within either the statutory remit or non-statutory remit of Sports England; therefore Sport England has not provided a detailed response in this case.	Noted.
Ecology Consultant	Having reviewed the site design the Ecology Consultant notes that the scheme has been carefully designed to respect the existing hedgerow & trees along Maypole Road & entrance gateway, retaining a soft green edge and existing habitats. The existing trees & hedgerows will be protected throughout the construction of the development. Furthermore, the Ecology Consultant is satisfied that new habitats will be created with the planting of hedgerows (to	Comments noted and discussed in section 5.7 of the report.

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	<p>include suitable native species such as Field Maple, Common Hawthorn, Native Dogwood, Common Hazel, Common Hawthorn, Spindle Bush, Holly, Common Privet, Honeysuckle, Dog Rose, Common Elder, Guelder Rose), with trees &amp; diverse grassland pockets to the eastern boundary. Furthermore, we note Hedgehog holes will be incorporated in fencing according to the Construction and Ecological Management.</p>	
Tree Consultant	<p>The species of trees and shrubs proposed to be used is acceptable. However, the plan states 'tree locations subject to services and visibility splays', therefore what has been produced could change. There is a need to see where the trees are proposed to be planted to offer softening of the urban landscaping, in case the species in these positions might cause conflict as they mature and this can be addressed at a design stage.</p> <p>In principle the set out is acceptable, but more tree planting to utilise locations such as in between plots 61 and 62, at the side of plot 72 and front of plot 42 could be introduced. It would be also beneficial if some trees strategically placed within residential gardens to help soften views across gardens.</p>	Comments noted and discussed in section 5.7 of the report.

### 7.3 Internal Consultees (*summarised*)

Name of internal Consultee	Comment	Officer Response
Environmental Health Specialist	No objection.	Comment noted.



Name of internal Consultee	Comment	Officer Response
Housing Specialist	In this Phase 1 of development the Applicant is developing 160 residential units in total and are providing a mixture of 1 and 2 bed flats and 2 and 3 bed houses for affordable housing provision. The total number of Affordable units in this phase is 48 which meets the requirement of 30% affordable housing provision. The Affordable units meet Nationally Described Space Standards. Strategic Housing Services is in agreement with the layout of the Affordable units in Parcels 1A and 1B of this Phase 1.	Comments noted and discussed in section 5.2 of the report.

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

7.4.1 No representations have been received at the time of writing the report.

### 8. **PROPOSED CONDITIONS**

- 1 The development hereby permitted shall be begun before the expiration of two years from the date of this permission.  
REASON To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended).
  
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:  
SL.01 REV F  
ML.01 REV D  
AHL.01 REV C  
AML.01 REV D  
SHL.01 REV C  
RS.01 REV C  
CSL.01 REV F  
SS.01 REV C  
SS.02 REV C  
SS.03 REV B  
HT.2B-AFF.pe REV C  
HT.2B-AFF-1.pe REV D  
HT.2B-AFF-2.pe REV B  
HT.3B-AFF.pe REV B  
HT.3B-AFF-1.pe REV B  
HT.BUNG.pe REV B  
HT.202.pe REV C  
HT.202-1.pe REV B  
HT.202-2.pe REV B  
HT.202-3.pe REV B  
HT.301.p REV C

HT.301-1.p REV A  
HT.301.e REV B  
HT.301-1.e REV B  
HT.301-2.e REV A  
HT.301C.p REV C  
HT.301C-1.p REV A  
HT.301C.e REV C  
HT.301C-1.e REV B  
HT.301C-2.e REV A  
HT.308.p REV B  
HT.308.e REV C  
HT.301C.p REV C  
HT.301C.e REV C  
HT.301C-1.e REV B  
HT.323-1.p REV A  
HT.323-2.e REV A  
HT.404.p REV B  
HT.404-1.p REV B  
HT.404.e REV B  
HT.404-1.e REV B  
HT.404-2.e REV B  
HT.405.p REV B  
HT.405-1.p REV B  
HT.405.e REV B  
HT.405-1.e REV B  
HT.405-2.e REV B  
HT.405-3.e REV B  
HT.435.p REV C  
HT.435.p REV C  
HT.435.p REV A  
HT.435-1.e REV C  
HT.435-2.e REV B  
HT.435-3.e REV A  
HT.419.p REV B  
HT.419.e REV B  
HT.500.p REV B  
HT.500.e REV B  
HT.500-1.e REV B  
HT.BLY.p REV B  
HT.BLY.e REV B  
HT.305.p REV B  
HT.305.e REV B  
Ht.305-1.e REV B  
HT.305-2.e REV B  
F.203.p REV C  
F.203-1.p REV C  
F.203-2.p REV C  
F.203.p REV C  
F.203-1.p REV C  
F.203-2.p REV C  
M2.01.2.p REV C  
M2.01.2.e REV D  
HT.VIL.pe REV C  
HT.VIL-1.pe REV C  
HT.VIL-2.pe REV C  
PT146-156.p1 REV C

PT146-156.p2 REV C  
PT146-156.p3 REV C  
PT146-156.e1 REV B  
PT146-156.e2 REV B  
PT146-156.e3 REV C  
GAR.01 REV B  
GAR.02 REV B  
GAR.03 REV B  
GAR.04 REV B  
CB.01 REV B  
CB.02 REV B  
CB.03 REV B  
BS.01 REV B  
BS.02 REV C  
N00234\_L\_XX\_PL\_001 PL5  
N00234\_L\_XX\_PL\_002 PL5  
Landscape Management Plan, Phase 1, Heybridge  
(N00234\_L\_XX\_SPE\_001 PL4)  
Planning Statement, June 2021, Ref: C17040  
Design Compliance Statement, June 2021  
Phase 1 Affordable Housing Scheme, 21-06-2021  
REASON To ensure that the development is carried out in accordance with the details as approved.

3 The development shall be implemented in accordance with the dwelling mix hereby approved, which is as follows:

- Market housing
  - 2 no. one-bedroom units
  - 21 no. two-bedroom units
  - 54 no. three-bedroom units
  - 29 no. four-bedroom units
  - 3 no. five-bedroom units
- Affordable housing
  - 15 no. one-bedroom units
  - 28 no. two-bedroom houses
  - 5 no. three-bedroom houses

REASON In order to ensure that an appropriate housing mix is provided for the proposed development taking into account the objective of creating a sustainable, mixed community contained in Policy H1 of the approved Maldon District Development Local Plan and the guidance contained in the National Planning Policy Framework.

4 The external finishing materials for the development hereby permitted shall be carried out in accordance with the details and with materials as shown on plan ML.01 REV D prior to the occupation of any of the dwellings.

REASON In the interest of the character and appearance of the area in accordance with policy D1 of the approved Maldon District Local Development Plan and guidance contained within the National Planning Policy Framework.

5 The boundary treatments for the development hereby permitted shall be carried out in accordance with the details and with materials as shown on plan ML.01 REV D prior to the occupation of any of the dwellings.

REASON In the interest of the character and appearance of the area and to protect the amenity of the neighbouring residential properties in accordance with Policy D1 of the approved Maldon District Approved Local Development Plan.

- 6 Notwithstanding condition 5 regarding the development being carried out in accordance with the submitted boundary treatments, details of the hard and/or soft landscaped boundary treatment within the communal gardens adjacent to the ground floor flats shall be submitted to and approved in writing by local planning authority, prior to the occupation of the development hereby approved. The development shall be implemented in accordance with the approved details and retained as such in perpetuity.

REASON To protect residential amenity and quality of life of the future residential occupiers of the ground floor flats in accordance with Policy D1 of the approved Maldon District Approved Local Development Plan.

- 7 Notwithstanding the details included within the submitted Landscape Strategy Layout (N00234\_L\_XX\_PL\_001 PL5), Landscape Management Responsibilities Plan (N00234\_L\_XX\_PL\_002 PL5) and Landscape Management Plan, Phase 1, Heybridge (N00234\_L\_XX\_SPE\_001 PL4) hereby approved, full details of the provision and subsequent retention of soft landscape works on the site shall be submitted to and approved in writing by the local planning authority prior to any works occurring above ground level at the application site. These details shall include:

- 1) Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers/densities.
- 2) 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.
- 3) 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.

REASON To protect the character of the area in accordance with policy D1 of the Maldon District Approved Local Development Plan.

- 8 Prior to the occupation of the development the vehicle parking shall be hard surfaced, sealed and marked out in parking bays and the approved garages shall be erected in accordance with the plans and details hereby approved. The vehicle parking area and associated turning area shall be retained in this form in perpetuity. The vehicle parking and garages shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority. REASON To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking

is provided in accordance with policies D1 and T2 of the approved Local Development Plan.

- 9 No dwelling hereby permitted shall be occupied until details of the number and location of electric car charging points in accordance with the adopted Vehicle Parking Standards SPD (2018) have been submitted to and approved in writing by the local planning authority. The charging points shall be provided in accordance with the approved details prior to the commencement of the beneficial use of the parking space within which they would be located. REASON To comply with the adopted Vehicle Parking Standards SPD (2018) in accordance with Policies D1 and T2 of the approved Maldon District Local Development Plan.
- 10 The dwellings not provided with a garage or car port hereby permitted shall not be occupied until secure and weather protected storage for bicycles has been provided for the occupiers of these dwellings and visitors to the wider site in accordance with details which shall have been submitted to and approved in writing by the local planning authority. The bicycle storage shall be retained as approved in perpetuity. REASON To comply with the adopted Vehicle Parking Standards SPD (2018) in accordance with Policies D1 and T2 of the approved Maldon District Local Development Plan.
- 11 The development shall be completed in accordance with the approved Construction and Ecological Management Plan in respect of Condition 7(g) – Phase 1 (dated 14th January 2021, ref: 20/01-4C), Ecological Conservation Management Plan in Respect of Condition 13 – Phase 1 (dated 14th January 2021, ref 20/01-3C), Badger Technical Note: Survey Results and Recommendations (document revised date 9th July 2021) and Bat Technical Note: Survey Results and Recommendations (document revised date 30th June 2021). The proposed integrated bird and bat boxes shall be provided in accordance with the approved details before the relevant dwellings, which are to include these ecological enhancements, are occupied. These ecological enhancements shall be retained as approved in perpetuity. REASON To ensure that the approved measures are fully implemented in the interests of nature conservation in accordance with Policies S1, D1, N2 of the Maldon District Approved Local Development Plan and the NPPF.
- 12 The development shall be completed in accordance with the approved Noise Mitigation for Phase 1, March 2021 submitted with the approved application 21/00384/RES. The proposed acoustic mitigation recommended on section 7 of the Noise Mitigation for Phase 1 shall be implemented prior to the relevant dwellings, which are to include these mitigation measures, are occupied. These acoustic mitigation measures shall be retained as approved in perpetuity. REASON To protect residential amenity and quality of life of the future residential occupiers in accordance with Policy D1 of the approved Maldon District Approved Local Development Plan.
- 13 Notwithstanding the provisions of Class A, B, C, D, and E of Part 1 of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no garages, extensions or separate buildings shall be erected within the site without planning permission having been obtained from the local planning authority.

REASON In the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance with the requirements of policies D1 and H4 of the Maldon District Local Development Plan and the provision and guidance as contained within the National Planning Policy Framework.

- 14 The first floor windows on the side elevations of those properties that have a flank to back wall relationship with the neighbouring sites shall only be glazed in obscure glass (the glass to be obscure to at least Level 4 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing with the local planning authority) and fixed shut, except for any top hung fan light which shall be a minimum of 1.7 metres above internal floor level unless otherwise agreed in writing by the local planning authority. In the case of multiple or double-glazed units at least one layer of glass in the relevant units shall be glazed in obscure glass to at least Level 4.  
REASON To protect the privacy and environment of people in neighbouring residential properties, in compliance with the National Planning Policy Framework (2018) and policies D1 and H4 of the approved Local Development Plan and the guidance contained in the Maldon District Design Guide SPD.
- 15 The residential units on plots 90, 95 and 147 shall not be occupied unless details of noise, vibration and odours mitigation has been submitted to and approved in writing by the local planning authority. These mitigation measures shall be retained as approved in perpetuity.  
REASON To protect residential amenity and quality of life of the future residential occupiers in accordance with Policy D1 of the approved Maldon District Approved Local Development Plan.

## **INFORMATIVES**

- 1 Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to [suds@essex.gov.uk](mailto:suds@essex.gov.uk).
- 2 Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
- 3 Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- 4 It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
- 5 The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
- 6 We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

- 7 You are advised that initial concerns in relation to access have been raised by Essex County Fire and Rescue Service. Please note that these should be considered and addressed at Building Regulations State.
- 8 There is clear evidence that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire & Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can reduce the risk to life, business continuity and limit the impact of fire on the environment and to the local economy.

Even where not required under Building Regulations guidance, ECFRS would strongly recommend a risk-based approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. We also encourage developers to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met.