



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

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to  
**CENTRAL AREA PLANNING COMMITTEE  
16 NOVEMBER 2022**

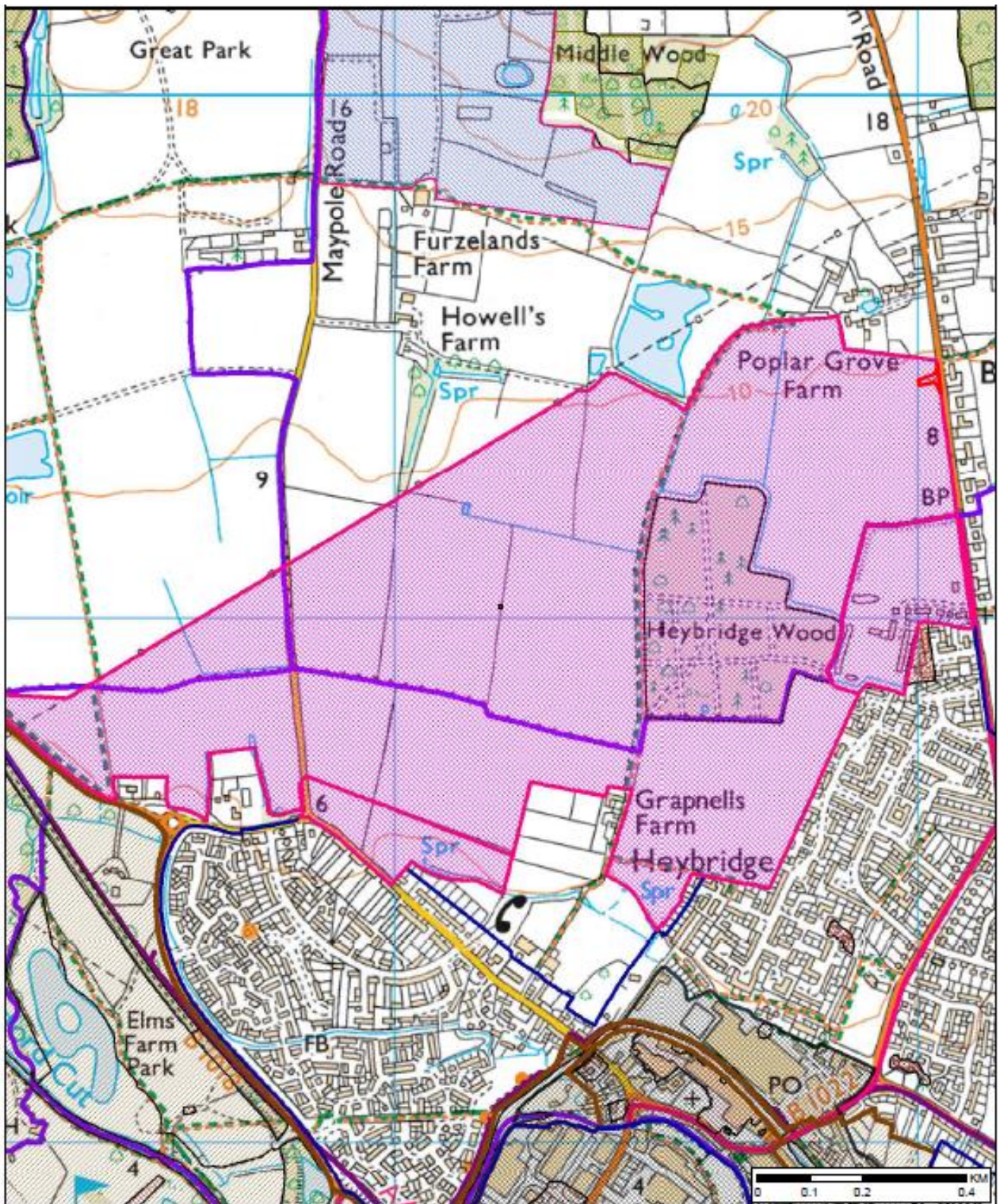
<b>Application Number</b>	<b>22/00983/ADV</b>
<b>Location</b>	Langford Road, Heybridge, Essex
<b>Proposal</b>	Advertisement consent for freestanding pole mounted non-illuminated sign for a temporary period.
<b>Applicant</b>	Mr David Moseley - Countryside Properties (UK) Ltd
<b>Agent</b>	N/A
<b>Target Decision Date</b>	07.11.2022
<b>Case Officer</b>	Anna Tastsoglou
<b>Parish</b>	<b>HEYBRIDGE</b>
<b>Reason for Referral to the Committee / Council</b>	Member Call In – Councillor M R Edwards has called in the application on the basis of Policy D6

**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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Scale:	1:10,000
Organisation:	Maldon District Council
Department:	Department
Comments:	Not Set
Date:	23/11/2021
MSA Number:	100018588

### 3. SUMMARY

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

##### Site description

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. The site is located to the north of the Heybridge settlement boundary, west of Broad Street Green Road, east of Langford Road. A hybrid planning consent was granted on appeal on 25 October 2019 under reference 15/00419/OUT for the following development.

*“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).”*

3.1.2 Applications for reserved matters have thereafter been approved on the site for phases 1 and 2. Construction of the approved infrastructure has commenced on site.

3.1.3 The current application relates to one of the three previously approved signs to advertise the development in the North Heybridge Garden Suburb. This sign is located to the north of Langford Road, northwest of the Cottages.

##### Description of proposal

3.1.4 The proposal is retrospective in nature, and it relates to the display of a v shaped freestanding pole mounted non-illuminated sign located on 32 metres away from the carriageway in Langford Road in association with the development approved on site (reference number: 15/00419/OUT). The details of the proposed sign are as follows:

- Two non-illuminated v shaped freestanding pole mounted signs, measuring approximately 6m wide, 5m high and 0.2m deep, containing the words “Westcombe Park, Coming Soon, A new community for Maldon, New Homes and Community Facilities” and details of the website that further details can be found as well as the developer’s logo (Countryside). The sign is finished in white, blue and orange background with white, blue and orange lettering.

3.1.5 It is noted that the current application does not involve the erection of additional signs. The reason for the submission of the application for advertisement consent relates to the positioning of the sign in a different location, further northwest to what was previously approved.

## **3.2 Conclusion**

- 3.2.1 Having taken all material planning considerations into account, it has been found that the currently unauthorised position of the sign to what was previously approved, does not have a detrimental impact on the visual amenity of the surrounding area and, in terms of public safety, would improve sight lines of vehicles using the new round about at Langford Road. Therefore, subject to appropriate conditions, it is considered acceptable and in accordance with the requirements of the National Planning Policy Framework (NPPF) and policies of the Local Development Plan (LDP).

## **4. MAIN RELEVANT POLICIES**

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

### **4.1 The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)**

### **4.2 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
- 126 – 136 Achieving well-designed places

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

- S1 Sustainable Development
- S2 Strategic Growth
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D6 Advertisements
- N3 Open Space, Sport and Leisure
- T1 Sustainable Transport
- T2 Accessibility

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

- Maldon District Design Guide Supplementary Planning Document (SPD) (MDDG)
- Planning Practice Guidance (PPG).

## **5. MAIN CONSIDERATIONS**

### **5.1 Principle of Development**

- 5.1.1 Advertisements are controlled only with reference to their effect on amenity and public safety in accordance with Regulation 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended). The NPPF

and Planning Practice Guidance (PPG) also provide guidance on advertisements, recognising that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment, and on public safety.

5.1.2 Policy D6 of the approved LDP provides the basis for the assessment of application for advertisement consent. Policy D6 stipulates that consent will only be given to signs that respect the interest of public safety and amenity subject to the following criteria:

- 1) *The design, materials and location of the advertisement respects the scale and character of the building in which it is situated, the surrounding areas, and other advertisements within the area;*
- 2) *Any proposals will not result in a cluttered street scene, excessive signage, or proliferation of signs advertising a single site or enterprise;*
- 3) *Consent for signs to be illuminated will be considered in relation to impact on visual amenity, potential light pollution and road safety. Internally illuminated signs will not be permitted where the use and design of illuminated signage would cause harm to the special character and appearance of listed buildings and conservation areas;*
- 4) *Where an advertisement is situated in a location remote from the business being advertised, permission will only be granted where it is demonstrated that there is no unacceptable harm to the amenity of the area.*

5.1.3 Paragraph 136 of the NPPF seeks to ensure that advertisements are appropriate for their setting. It states that control of advertisements should be efficient, effective and simple in operation.

5.1.4 In general, the principle of displaying signs in relation to the marketing of an approved development is considered acceptable. Furthermore, it is noted that the sign was previously assessed and found acceptable. The sole difference from the previously approved application relates to the positioning and not the sign itself, which in design, size and height above the ground, is the same as the approved sign. Other principal material planning considerations in relation to visual amenity and public safety are discussed below.

## **5.2 Visual amenity**

5.2.1 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.

5.2.2 The 2007 Regulations state that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.

5.2.3 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 quality and character of places can suffer when advertisements are poorly sited and designed.”*

5.2.4 In assessing the impacts of visual amenity, the Local Planning Authority must assess the visual and aural amenity in the immediate locality of an advertisement or site for the display of advertisements, where residents or passers-by will be aware of the advertisement. In assessing amenity, the Local Planning Authority must consider the

local characteristics of the neighbourhood and whether the proposed advert is in scale and in keeping with the character and appearance of the area.

5.2.5 Policy D6, referred to above, sets out criteria for the consideration of advertisements in relation to amenity, which are as follows:

- 1) *The design, materials and location of the advertisement respects the scale and character of the building in which it is situated, the surrounding areas, and other advertisements within the area;*
- 2) *Any proposals will not result in a cluttered street scene, excessive signage, or proliferation of signs advertising a single site or enterprise;*
- 3) *Consent for signs to be illuminated will be considered in relation to impact on visual amenity, potential light pollution and road safety. Internally illuminated signs will not be permitted where the use and design of illuminated signage would cause harm to the special character and appearance of listed buildings and conservation areas;*
- 4) *Where an advertisement is situated in a location remote from the business being advertised, permission will only be granted where it is demonstrated that there is no unacceptable harm to the amenity of the area.*

The freestanding pole mounted sign is non-illuminated and is of a typical design displayed to housing or mixed-use developments prior to their erection to advertise the development to be built. Its size is of a similar scale and design to those displayed at the South Maldon Garden Suburb and it is not considered unreasonable to be comparably larger from traditional signs marketing businesses. Furthermore, although the sign is currently located within an agricultural field, planning permission has been granted for development to which it relates, including a significant scale of associated infrastructure. Therefore, it is not considered that the positioning of this sign has any more impact than the consented sign; in fact, its location further satisfies the visual amenity and public safety aspects of the advertisement regulation criteria than the consented sign and furthermore, it is a temporary structure which is time bound by the legislation for the length of time it can remain in place.

5.2.6 As noted above, the current application has been submitted to regularise the position of the sign. The same sign was previously approved along Langford Road under the terms of application 21/00945/ADV. The sign was thereafter installed 39 metres north-west of the consented location. The sign is visible from Langford Road as it is located currently within an open field. However, the sign would be positioned further away from the location of the previously approved sign and a minimum of 85 metres away from the nearest residential properties. Therefore, it would result in a similar if not a lesser visual impact from public vantage points in comparison to the consented signage. Therefore, taking into consideration the nature of the proposed sign, its design, appearance, and position, it is not considered that it would result in a detrimental impact on the visual amenity of the area.

### **5.3 Impact on Public Safety**

5.3.1 Policy D6 of the LDP states that consent will only be given to signs that respect the interest of public safety.

5.3.2 Considerations of public safety are defined as matters having a bearing on the safe use and operation of any form of traffic or transport, including the safety of pedestrians. The vital consideration in assessing an advertisement's impact is whether the advertisement itself, or the exact location proposed for its display, is

likely to be so distracting, or so confusing, that it creates a hazard to, or endangers, people in the vicinity who are taking reasonable care for their own and other's safety.

- 5.3.3 All advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety. If it can be demonstrated that signs would be confused with traffic or directional signals or the visibility of drivers is impaired, an application may be refused.
- 5.3.4 The proposed freestanding pole mounted sign is visible from the public highway; however, due to its design, non-illuminated nature and set back from the highway, it is not considered that it results in a detrimental impact on the highway or pedestrian safety. Although no response has yet been received from the Highways Authority in relation to the current application, no objection was previously raised by them for the three consented signs, which were located nearer to the highway subject to the imposition of a condition securing the ease of passage over public footpath no. 30 (Heybridge) and that it is maintained free and unobstructed at all times. Therefore, given that the size and type of sign has not changed, together with the sign being located further away from the highway, the development would accord with the requirements of policy D6 of the LDP.

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

6.1 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:
  - (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).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)

- (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 - 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;
- (v) The play area (LEAP) that lies south of Parcel 12;
- (vi) The internal road and associated attenuation basins to the north of Parcel 8 that serves the Local Centre;
- (vii) The proposed pumping station;
- (viii) 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. Approved

- **21/00752/RES** – 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)
  - (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 (vii) above), footpath and cycle links, on-site drainage, and infrastructure works (Outline.)
 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 – 29.06.2022.
- **22/05109/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 17 - Details of position of excavation trenches and means of installation for all services in relation to retained trees – Pending consideration.
- **22/05014/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 – 29.06.2022

- **22/05021/DET**- Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 31 - Landscaping scheme – Cleared – 01.08.2022.
- **22/05054/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 31 - Landscaping scheme – Pending consideration.
- **22/05058/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 9 - Surface water drainage scheme (Revised 06/05/22) – Cleared – 14.10.2022.
- **22/05061/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 8 - Archaeology (Addendum to the approved Written Scheme of Investigation) – Pending consideration.
- **22/05075/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 9 - Drainage details (Phases 3-5) – Pending consideration.
- **22/05076/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 16 - Foul drainage details (Phases 1,2,3 and 4 (Drainage phases 1 and 2)) – Pending consideration.
- **22/05081/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 13 - in respect of Phases 3-5 of the approved phasing plan (and which therefore completes the discharge of Condition 13, following the previous approvals for Phases 1 and 2) - Ecological Conservation Management Plan dated 08/08/22, Heybridge North Badger Technical Survey Note (updated 05/08/22), Heybridge North Bat Technical Survey Note (updated 05/08/22) – Pending consideration.
- **22/05082/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 6 - Hard and soft landscaping for communal gardens. Condition 7 - Provision and retention of soft landscaping – Pending consideration.
- **22/05095/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 9 - Drainage Details – Pending consideration.
- **22/05101/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - condition 4 – Materials – Pending consideration.
- **22/05108/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - condition 7 - Construction Method Statement – Pending consideration.
- **22/05110/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 19 - Acoustic barrier details– Pending consideration.
- **22/05113/DET** - Compliance with conditions notification 15/00419/OUT (Part outline/part detailed (hybrid) application for mixed use development - Condition 7 - Construction and Environmental Management Plan – Pending consideration.
- **22/00523/RESM** Reserved matters application for the approval of access, appearance, landscaping, layout & scale for the construction of 262 residential units with associated access, parking, servicing and landscaping

(Phase 2 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) – Pending consideration.

- **21/00945/ADV** - Advertisement consent for 3No. freestanding pole mounted non-illuminated signs located on the site's frontage to Broad Street Green Road, Maypole Road and Langford Road in connection with the development of the site. Approved 17.11.2021.

## 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>
Heybridge Parish Council	No comment	Noted
Great Totham Parish Council	No comment	Noted

### 7.2 **Representations received from Interested Parties**

7.2.1 One letter of objection has been received.

<b>Objection Comment</b>	<b>Officer Response</b>
Unacceptable impact on visual amenity.	Addressed in section 5.2 of the report.
The sign is located close to listed buildings	The nearest listed building to the sign is approximately 150 metres away from the sign. Further distance is maintained between the sign and other listed buildings.
The sign is not located near the land that is going to be developed for housing.	Although the sign is not located near the land to be developed for housing, it is located near significant consented infrastructure, namely the Langford Road roundabout. Further matters in relation to the visual impact of the development are addressed in section 5.2 of the report.

## 8. **PROPOSED CONDITIONS**

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 2085/010 Rev Q; WP-Loc1; Site Plan - Langford Road; Site Plan - Maypole Road; Site Plan - Broad Street Green Road; Billboards - Colours, materials & overall dimensions; Billboards - Individual sizes of text, logos and features; Billboards - Framework structure and foundation details and the details included in the accompanied application form.

REASON To ensure that the development is carried out in accordance with the details as approved.

2. The express consent hereby granted shall be for a period of 5 years beginning from the date of permission 21/00945/ADV.
3. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
4. No advertisement shall be sited or displayed so as to:
  - a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); or
  - b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
  - c) hinder the operation of any device used for the purposes of security or surveillance or for the measuring the speed of any vehicle.
5. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
6. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
7. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

REASON 2 – 7 These conditions are imposed pursuant to Schedule 2 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

8. The public's rights and ease of passage over public footpath no 30 (Heybridge) shall be maintained free and unobstructed at all times.

REASON To ensure the continued safe passage of the public on the definitive right of way and accessibility in accordance National Planning Policy Framework and policies N3 and D4 of the Maldon District Local Development Plan.