



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
**DISTRICT PLANNING COMMITTEE
2 FEBRUARY 2023**

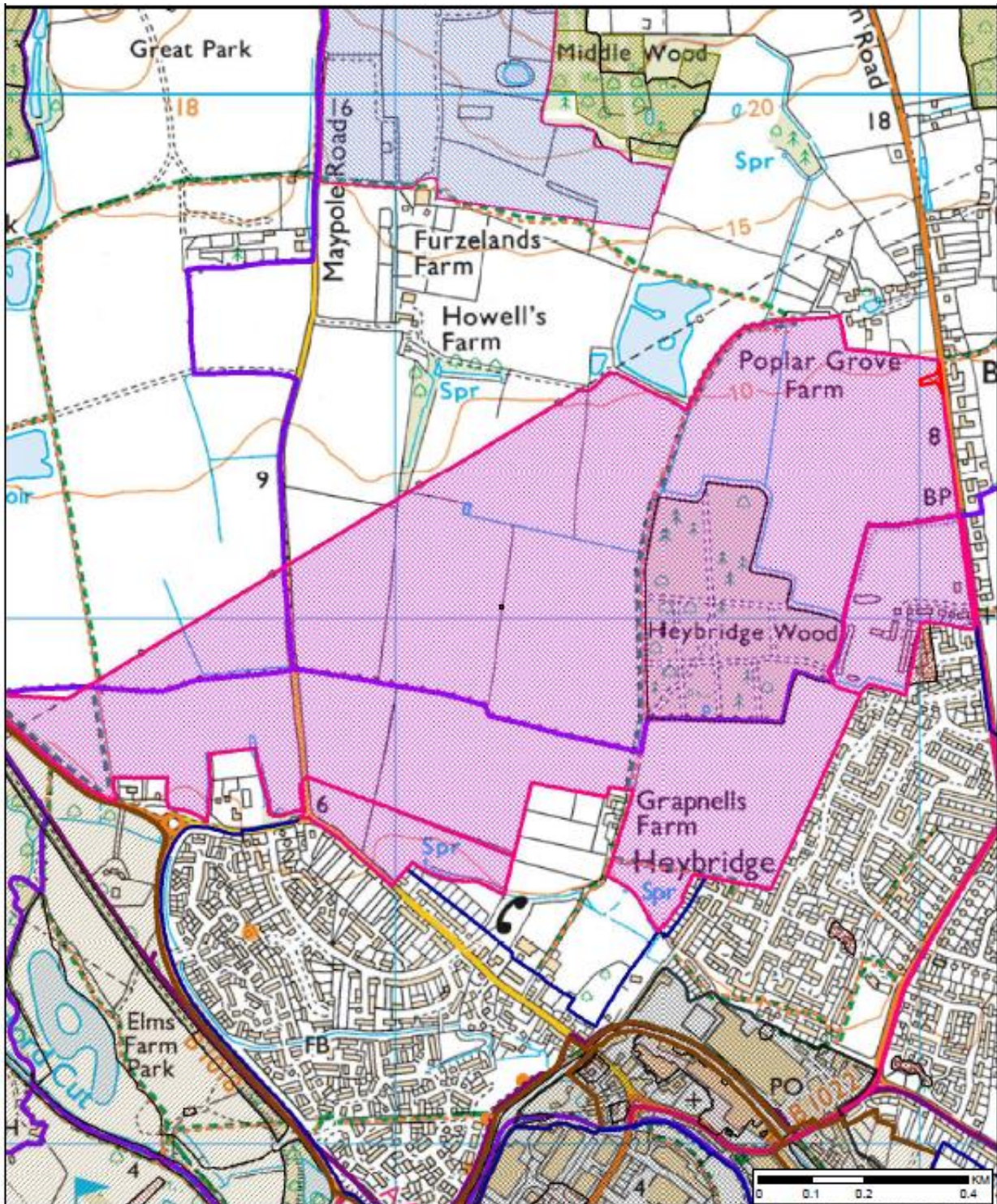
Application Number	22/00289/RESM
Location	Land At Broad Street Green Road, Maypole Road And Langford Road, Heybridge, Essex
Proposal	Reserved Matters application for the approval of access, appearance, landscaping, layout, and scale covering the details of strategic landscaping and infrastructure for Phases 3, 4 and 5 of the approved planning application (15/00419/OUT) comprising: (i) The green corridors, open space, and attenuation features within Phases 3, 4 and 5 including those surrounding Parcels 3, 4, 5, 6, 7 and 9; (ii) Formal play areas, including Local Equipped Areas of Play to the north of Parcel 4 and to the east of Parcel 8 and a Neighbourhood Equipped Area of Play to the east of Parcel 7; (iii) The section of the internal spine road which connects to both the spine road previously approved under the Reserved Matters applications of Phase 1 and 2 and to the approved Relief Road, including details of bus stops; (iv) The internal road to serve Parcel 9, allotments and playing field; (v) Pedestrian and cycle links falling within these phases of the development including Public Rights of Way; (vi) The location and layout of the playing fields south of Parcel 9; (vii) The location and layout of the allotments together with the associated parking, means of access and enclosure; (viii) Proposed pumping station south of parcel 9. Together with details pursuant to Condition 18 (tree protection), Condition 27 (bus stops), Condition 28 (footpaths and cycle routes), Condition 29 (Vehicular Parking) and Condition 31 (Landscaping) of the approved planning application 15/00419/OUT.
Applicant	Mr D Moseley - Countryside Properties (UK) Ltd
Agent	Kevin Coleman - Phase 2 Planning & Development Ltd
Target Decision Date	13.12.2022 (Extension of time agreed:)
Case Officer	Michael Johnson
Parish	GREAT TOTHAM
Reason for Referral to the Committee / Council	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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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	Not Set
	Date:	23/11/2021
	MSA Number:	100018588
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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 Phases 3, 4 and 5 of the approved development and in particular the land that is necessary to provide the strategic landscaping and infrastructure elements, such as roads, paths, open space, sports facilities and Sustainable Drainage System (SuDS) features, for these Phases. The application site is split into two parts, the largest part extends centrally to the approved site under the terms of the hybrid application (15/00419/OUT) and a smaller area is proposed to the south of parcel 5, southwest of the primary school.

3.1.4 It should be noted that the details of the relief road do not form part of the assessment of the current Reserved Matters application, as these were granted detailed consent under the terms of application 15/00419/OUT.

3.1.5 Furthermore, a revised Strategic Phasing Plan was approved on 14 January 2022 under the terms of application 21/05187/DET. The main revision to the previously approved Strategic Phasing Plan was the inclusion of parcel 10 and an area to the north of the proposed Local Centre to allow access to the Local Centre. A subsequent application would have to be submitted to cover the residential parcels within phases 3, 4 and 5. Applications pertaining to the development of the strategic landscaping and infrastructure elements of phases 1 and 2 were previously approved under the terms of applications 21/00384/RES and 21/00961/RES by the District Planning Committee on 30 September 2021 and 3 March 2022, respectively.

3.1.6 The map below shows the agreed Phases 3, 4 and 5 areas in Yellow, Green and Purple, respectively.



3.1.7 The key elements of the strategic landscaping and infrastructure covered in this submission are, as follows:

- The green corridors, open space, and attenuation features within Phases 3, 4 and 5 including those surrounding Parcels 3, 4, 5, 6, 7 and 9;
- Formal play areas, including Local Equipped Areas of Play (LEAP) to the north of Parcel 4 and to the east of Parcel 8 and a Neighbourhood Equipped Area of Play (NEAP) to the east of Parcel 7;
- The section of the internal spine road which connects to both the spine road previously approved under the Reserved Matters applications of Phases 1 and 2 and to the approved Relief Road, including details of bus stops;
- The internal road to serve Parcel 9, allotments and playing field;
- Pedestrian and cycle links falling within these phases of the development including Public Rights of Way (footpaths 17 and 19);
- The layout of the playing fields south of Parcel 9;
- The layout of the allotments to the southeast of Parcel 9 together with the associated parking, means of access and enclosure;
- Proposed pumping station south of parcel 9.
- The proposed pumping station to the north of the playing fields. This would cover an area measuring 13.2 metres deep and 11 metres wide. The area would be enclosed with 1.8 metres high brick walls with galvanised steel gates of the same height;
- A substation to the north of the playing fields. This would measure approximately 3.1 metres site and 3.1 metres deep, with a maximum height of 2.5 metres.
- The LEAP to the east of Parcel 8. This would measure 21.2 metres x 15.6 metres and it would accommodate three types of paying equipment. Benches and litter bins are also proposed to be installed.

- The LEAP to the north of Parcel 4. This would measure a maximum of 25.8 metres x 20.1 metres, it would incorporate six different types of playing equipment, as well as seating area and litter bins.
- The combined NEAP and LEAP to the east of Parcel 7. Following revisions this would include 12 types of playing equipment and a basketball court. Several seating areas are proposed and litter bins throughout the site.
- The proposed bus stops along the spine road between Residential Parcels 4 and 7 would be sheltered. The shelter would measure 2.9 metres wide, 2 metres deep with a maximum height of 2.9 metres

3.1.8 The hybrid planning permission (15/00419/OUT) contains a number of conditions requiring either adherence to matters agreed as part of the outline permission or the submission of further details to be agreed as part of Reserved Matters or Discharge of Conditions applications. This application is seeking permission for the details required by the following conditions imposed on application 15/00419/OUT and requiring approval through subsequent Reserved Matters applications:

- **Condition 18 (Trees and hedgerows)** – This condition requires the protection of all existing trees and hedgerows, with the exception of those already identified for removal as part of the detailed consent for the Relief Road. The current application is accompanied by an updated Arboricultural Impact Assessment Report in relation to condition 18 and in particular in relation to the land included in this Reserved Matters application. It is noted that there are no new impacts to trees from those previously assessed as part of the outline permission 15/00419/OUT. This report provides details of how the trees to be retained will be protected during works by tree protection fencing. Site supervision will take place to inspect tree protection fencing.
- **Condition 27 (Bus stop details)** – The condition requires details where a highway within that phase includes a Bus Stop. This Reserved Matters application for phases 3, 4 and 5 contains two bus stops located on the spine road between parcels 4 and 7, the detail of which is included within the accompanying engineering drawings. Furthermore, detailed drawings of the proposed sheltered bus stops have been submitted with the application. A real time travel time notification board will be included.
- **Condition 28 (Pedestrian and cycle routes)** – This condition requires the submission of a scheme to show the provision of a network of pedestrian and cycle routes in accordance with the Access and Movement design parameter plan. This application includes details of all footpaths and cycle routes within the application area. The application includes details of the position and finishing materials of the Public Rights of Way (PROW) (footpaths 17 and 19). However, it is noted that the details for the completion of the order relating to the footpath diversion would be dealt with separately under the terms of application 22/00324/PROW.
- **Condition 29 (Vehicular Parking)** – This condition requires the submission of the details of all types of vehicle parking proposed, including the number and location. This Reserved Matters application includes the land that is proposed to be used as allotments and the parking areas associated with this use. 17 parking bays are proposed to be provided at the entrance of the allotment area, as well as spaces for cycle parking. The provision of a grasscrete layby is also proposed near the sub-station to the northwest of the sports facilities.
- **Condition 31 (Landscaping)** – This condition requires the submission of the landscaping details with designs and specifications for the associated

Reserved Matters site shall accord with the Design Strategy for the North Heybridge Relief Road (included within the Design and Access Statement) and the endorsed Strategic Design Codes. This application provides the details of the overall landscape strategy (Part 1) but does not seek to discharge the details of the landscape designs and specifications of this phase (Part 2). The revision of the wording of condition 31 was approved under the terms of application 21/00321/NMA. Details relating to part 2 of this condition would have to be discharged under a separate discharge of condition application.

3.1.9 As part of the planning application submission, the following documents were submitted in support of the development proposal:

- RM3 Landscape Statement;
- RM3 Arboricultural Impact Assessment Report;
- RM3 Ecological Conservation Management Plan, alongside the most recent bat and badger survey updates;
- Archaeology update letter.

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 Supplementary Planning Document (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. The granting of 15/00419/OUT therefore establishes that the principle of the development of the site is acceptable.
- 5.1.2 This Reserved Matters application seeks permission for the approval of access, appearance, landscaping, layout and scale covering details of strategic landscaping and infrastructure for Phases 3, 4 and 5 of the development but does not seek permission for the delivery of the residential or commercial elements included within these phases. The proposal also seeks permission for the details of the playing fields and the allotments on the south-eastern part of the application site. It should be noted that the strategic landscaping and infrastructure for phase 1, was previously approved under the terms of application 21/00384/RES and for Phase 2 under the terms of application 21/00961/RES.
- 5.1.3 Therefore, the material considerations 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.

5.2 Design, layout, landscaping and Impact on the Character of the Area

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 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”.

5.2.3 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 Maldon District Design Guide (MDDG) (2017).

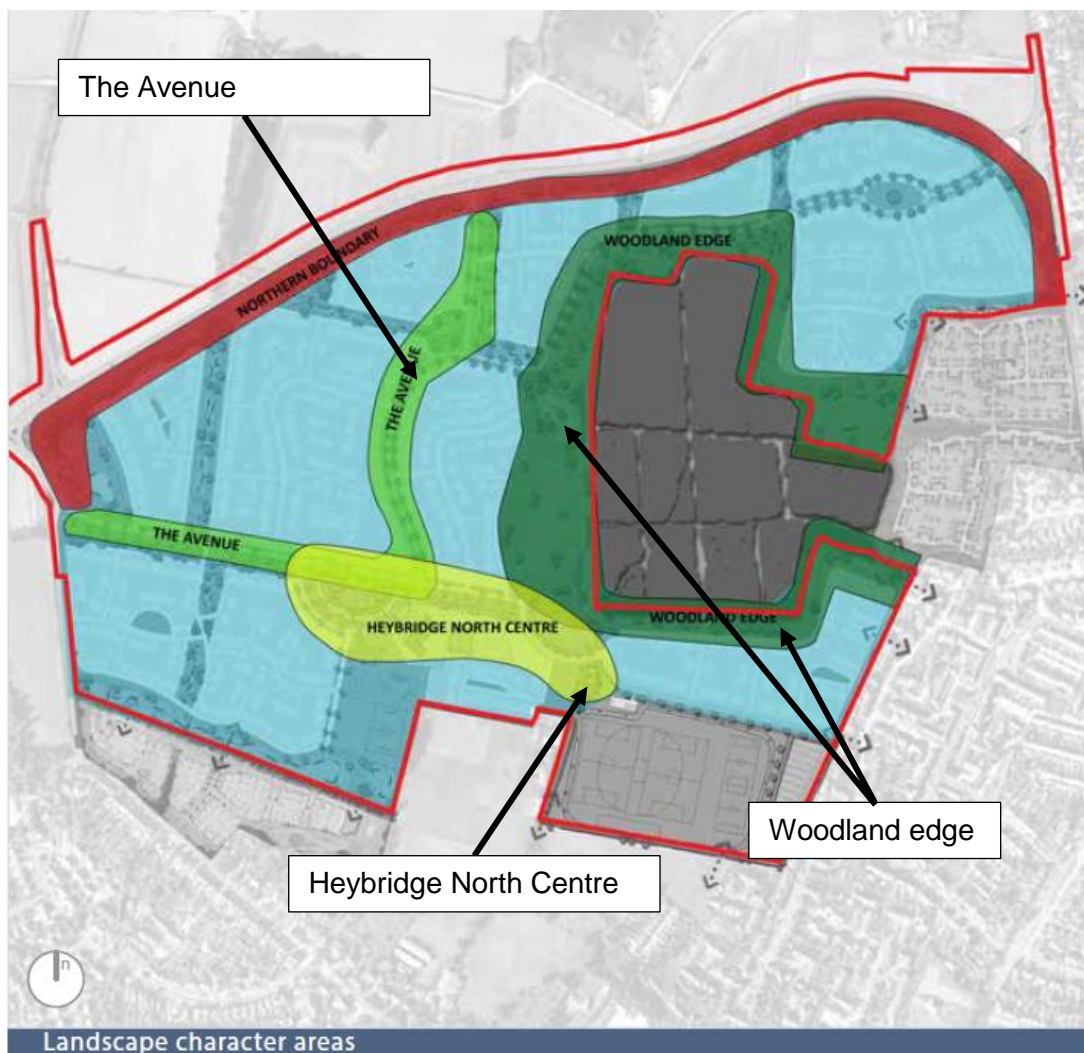
5.2.4 The Council envisaged that the South Maldon and North Heybridge Garden Suburbs (NHGS) would be high quality, vibrant and distinctive neighbourhoods that would complement and enrich the character of the Maldon district and protect and enhance the environmental qualities of the area. The development 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 the Green Infrastructure Parameter Plan, the Land Use Parameter Plan and the Access and Movement Parameter Plan.

Compliance with the Design and Access Statement

5.2.5 Condition 31 of the approved hybrid application 15/00419/OUT states that any Reserved Matters application that seeks the approval of landscaping details, shall substantially accord with the details set out within the submitted Design Strategy for the North Heybridge Relief Road (included within the Design and Access Statement (DAS)).

5.2.6 The DAS includes details of the landscape character areas. Three different character areas fall within this phase 2 strategic landscaping and infrastructure Reserved Matters application. These are the Northern Boundary Character Area along the relief road, the Woodland Edge Character Area and the Heybridge North Centre Character Area. The DAS also includes a relief road strategy on page 96.

5.2.7 The extract below shows the relevant landscape character areas taken from the approved DAS.

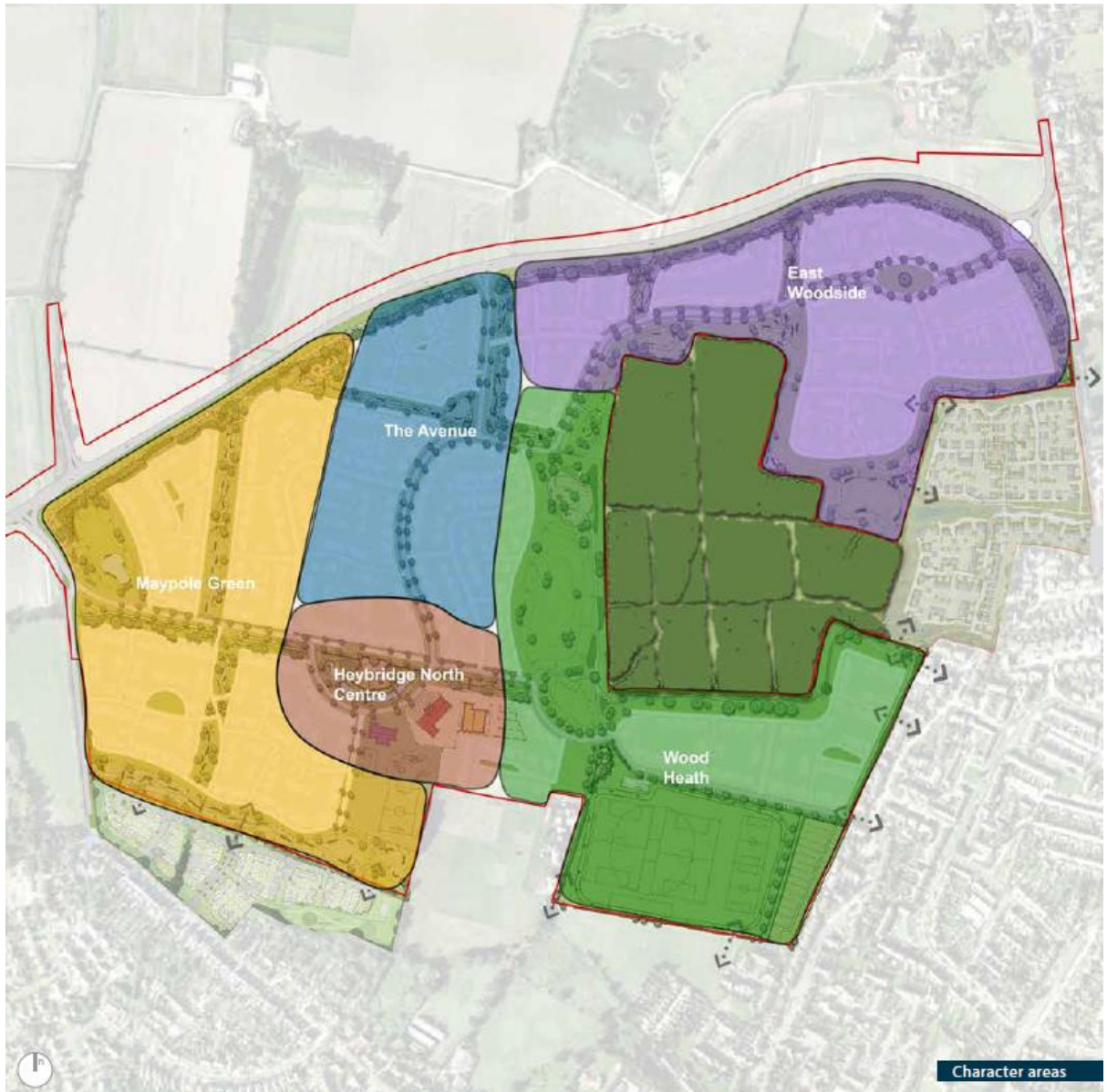


5.2.8 The following criteria are set within the DAS for the landscape character areas:

- **Woodland Edge:** The woodland edge would create a buffer (minimum of 15 metres) between Heybridge Wood and the proposed development. The density of proposed planting would reflect the transition from woodland to residential development. Predominantly native planting is expected in this area. Play areas would contain natural play equipment. Richer grassland would be included closer to the woods and shorter closer to the residential areas. A naturalistic network of drainage features would connect to the wider SuDS system.
- **Heybridge North Centre:** Heybridge North Centre forms the core of the development. A formal tree structure would be used where possible to unify the space and complement the Avenue characteristic. The open space would create a bookend. High quality public realm materials should be used.
- **The Avenue:** Essential to the proposed character of these streets is their scale. Wide verges will allow for a formal green approach, with rows of large trees and hedgerows framing views down the road and providing a sense of enclosure for road users and residents. Avenues of trees will help provide a green connection between key open spaces including the Crescent open space and Heybridge Wood.

5.2.9 The DAS also details the character areas. In terms of the area subject to this Reserved Matters application, the site falls mainly within The Avenue and Wood

Heath. Two smaller areas fall within Maypole Green The extract below shows the relevant character areas taken from the approved DAS.



- **Maypole Green:** A couple of smaller areas of the site that falls within this character area. These are an area of landscaping to the south of parcel 5 and a rectangular area to the north of parcel 4. Larger areas of landscaping exist at this character area.
- **The Avenue:** The central spine road section falls within this part of the character area. The Avenue is the main north to south connection through the site linking Heybridge North Centre with the site's northern edge and gateway. The aim for this section of the road is to have wide verges and rows of large trees and hedgerows framing views down the road and providing a sense of enclosure for the road users.
- **Wood Heath:** The part of the application site that falls within this character area is all the land to the west and south of Heybridge Wood, as well as the land reserved for playing fields. This public open space would be landscaped to provide for a range of users. The Wood Heath character area is defined through its close proximity and wrapping around the western and southern edges of Heybridge Wood. Play areas would contain natural play equipment such as play trees, boulders and grassland.

5.2.10 The Inspector determining the approved hybrid application 15/00419/OUT considered that the need for the Reserved Matters to be carried out substantially in accordance with the DAS is imprecise and unnecessary. Therefore, the character areas set out above are to be considered as guidance only for the assessment of the current Reserved Matters application.

Compliance with the Parameter Plans

5.2.11 Condition 6 attached to 15/00419/OUT requires development to be carried out in accordance with the approved parameter plans. The relevant parameter plans for this submission are:

- PRM-01 Rev R – Design Parameter Plan – Land Use;
- PRM-02 Rev W – Green and Blue Infrastructure; and
- PRM-03 Rev P – Access and Movement

5.2.12 In relation to the land use parameter plan, the submission conforms with all areas shown for green infrastructure, as well as for primary vehicular route corridors, including the central section of the spine road.

5.2.13 The Green and Blue Infrastructure parameter plan details all of the open space, SuDS features, primary vehicular routes through the development, noise attenuation bunds, buffer zone around the woodland area and the indicative location of LEAPS and the NEAP. A 15 metres buffer area is proposed around Heybridge Wood, comprised of species rich grass (special general-purpose meadow). The submission conforms with this parameter plan in terms of the location and extent of open space. This is with the exception of the position of the LEAP of Parcel 8, which instead of being positioned adjacent to the sports facilities and to the east of the ditch that runs north to south parallel to the western boundaries of Heybridge Wood, it would be located to the west of the ditch. The other two LEAPs and the NEAP within this section of the strategic landscaping and infrastructure are positioned in the location agreed in the parameter plan. It is considered that the slight variation in the position of the LEAP to the east of the ditch would not materially impact upon the landscape character of the area or the accessibility of the play area. The LEAP would still be located in an area that was secured for landscaping only; thus, it would not impact upon the provision of flood attenuation infrastructure, it would be adjacent to the residential Parcel 8 and the public footpath and it would be linked with the playing fields to the east via a bridge for pedestrians. Therefore, the details submitted for phases 3, 4 and 5 of the landscaping strategy and infrastructure accord with the requirements set out in the Green Infrastructure parameter plan.

5.2.14 A number of requirements are set in the Access and Movement parameter plan that are relevant for the phases currently being assessed under this Reserved Matters application. The development would comply with all primary vehicular and pedestrian / cycle routes as indicated in the Access and Movement parameter plan. Pedestrian links connecting the application site with S2(e) allocated site to the east are proposed as required in the Access and Movement Parameter plan. It is noted that the site shows a diversion of footpaths 17 and 19 in accordance with the approved parameter plan. However, it should be noted that the PROW diversion order will be assessed separately. An application in that respect has been received and the reference number is 22/00324/PROW.

5.2.15 In light of the above, it is clear that the proposed development would conform with the details included in the approved parameter plans.

Compliance with the NHGS Strategic Masterplan Framework (SMF) and the NHGS Strategic Design Code

5.2.16 The hybrid planning consent granted had regard to the NHGS SMF in terms of the DAS and overall approach to the development. This Reserved Matters submission follows the same principles outlined in the approved DAS and parameter plans. The NHGS strategic design codes are most relevant for this submission as they set out the detailed rules or requirements to guide the physical development of the site; that being the strategic design codes that relate to main infrastructure elements that pass through and influence the development. The relevant design codes for this submission are as follows:

- Primary Street Code;
- Green Edge Code;
- Green Space Code;
- Built Edge Code.

5.2.17 Each design code includes specific criteria, including street dimensions, design criteria and materials and landscaping to be used. In accordance with condition 31 of the 15/00419/OUT the detailed landscaping strategy and infrastructure should broadly accord with those criteria with a level of relaxation, wherever necessary (para 53 of the appeal decision refers).

Primary Street Code – PS01, PS02 and PS03

5.2.18 The underlying principle of the code for the primary street is to immediately establish the garden suburb identity. It is a unifying feature which requires continuity of character and identity across plot boundaries. The key characteristics of this design code are:

- Consistent landscape strips with formal tree planting parallel on both sides of the street to create an Avenue;
- Parallel pedestrian and cycle access provided;
- Pedestrian and cycle access separated from the carriageway by a landscape strip or a verge which also accommodates parallel or bay parking;
- A flexible strip adjacent to the carriageway which must be included as either parking, bus layby, additional lane on approach to junctions or extension of the landscape strip.

5.2.19 This Reserved Matters application includes a section of the spine road. This section falls within codes PS01, PS02 and PS03 of the NHGS Strategic Design Code. The submitted details show that a tree lined spine road will be formed, with a carriageway 6.75m wide, linking the already approved section of the spine road onto Board Street Green Road with Maypole Road, running in a northeast southwest direction. A formal 3.5 metres wide footway / cycleway runs along one side of the spine road, connecting to the wider network of pedestrian, cycle routes and the formal Public Rights of Way. A 2 metre wide footpath is proposed to be formed along the other side of the road. A small section of the spine road between parcels 3 and 7 will be served by 3.5 metres wide footway /cycleway on either side of the road. Grass verges are proposed on either side of the highway and an additional 1 metre reinforced grass on either side of the footpaths has been introduced to accord with the Highways Authority requirements. Although the latter was not envisaged at outline stage, no objection is raised to the provision of a wider landscaped section.

5.2.20 This was also considered acceptable along the spine road falling within Phases 1 and 2 previously approved. Therefore, appropriate pedestrian and cycle access is

shown, which are separated from the main carriageway by a landscape strip. The landscaping along the street would be more formal with even tree spacing, to accord with the Primary Street Code requirements. This will also assist in establishing the garden suburb identity and sense of enclosure. Appropriate crossing points are shown to allow for linkages north and south into the residential parcels and public open space.

- 5.2.21 With regard to the section of the spine road falling within PS03 code, it is noted that a minimum of 15 metres landscaped gap would be maintained between the road and Heybridge wood. A landscaped attenuation basin intervenes between the woodland and the spine road, and additional planting including shrubs and trees has been incorporated. This would further enhance the landscape character of the garden suburb and assist in the transition between the woodland and the infrastructure associated with the approved development. Whilst the section of the Primary Road between parcels 3 and 6 does not include formal tree planting evenly spaced out as proposed along the spine road, it is noted that landscaping is proposed, as well as trees in groups. Overall, the proposed primary streets within this phase would accord with the NHGS strategic design code.
- 5.2.22 Two sheltered bus stops are proposed to be positioned in this section of the spine road between parcels 4 and 7, of which the design and appearance are considered appropriate and would not detract from the character of this primary street. The design and appearance of the bus shelters would be the same as those approved in the previous phases and therefore, it is considered that maintaining consistency throughout the site would be acceptable in design terms.

Green Edge Code – GE02 and GE03

- 5.2.23 This section of the code is to be applied to all areas where development meets the woodland buffer or the transition with open countryside and Heybridge Wood. Phases 3, 4 and 5 fall within codes GE02 and GE03 of the NHGS Strategic Design Code.
- 5.2.24 Code GE02 relates mainly to the 15 metres buffer around the ancient woods. No footpaths or cycle paths should be created within this zone. As noted above, a 15 metres buffer would be retained around the ancient woodland. All attenuation basins and footpaths are outside this 15 metres buffer, which purpose is to protect the ancient woodland and it will comprise of species rich grass. It is noted that minimal intervention is proposed along the buffer. This is to encourage the creation of a natural woodland edge and provide a varied mosaic of habitats. It is therefore, considered that the proposal would accord with design code GE02.
- 5.2.25 Code GE03 requires overlooking of the sports pitches and allotments through the provision of a shared access way alongside the green edge. The submitted plans show that a road would be formed with a footway / cycleway along the southern boundary separated by the main road by a strip of landscaping. A footpath would also run along the eastern boundary of the LEAP to the west of the sports fields providing surveillance, encouraging activity in the area, as required by the Design Code.

Green Space Code – GS01, GS02 and GS 03

- 5.2.26 Within the NHGS Strategic design codes it is stated that “*Green Infrastructure in the North Heybridge Garden Suburb needs to fulfil many important roles; it is essential for expressing the physical design principles of Garden Suburbs and providing new residents contact with nature. It will provide a buffer to residential areas and busy*

transport corridors, meet the majority of the recreational needs of new residents as well as providing opportunities for increased biodiversity, water management, amenity and shelter. In order to achieve these functions strategic green infrastructure corridors are identified in the North Heybridge SMF, set out in the Structuring Plan and approved within the parameter plans”.

- 5.2.27 For GS01 code the NGHS design code states that this greenway is to be a multi-functional green corridor with a minimum width of 25m, with shared streets to both sides. The greenway may accommodate a number of uses and functions including accessible greenspace, planting, pedestrian and cycling routes, play space, SuDS and wildlife corridors. Planting is to incorporate existing trees and hedges and maintain and enhance biodiversity. Within Phases 3, 4 and 5 GS01 code relates to land southeast of Heybridge Wood, on the north-eastern part of parcel 9. A 15 metres gap would be maintained between the land that is adjacent to Heybridge Wood and the proposed footpath and landscaping. The overall width of this corridor would not be less than 25 metres. Trees and amenity grass are also proposed to be planted and a footpath would run along the boundary with parcel 9. Therefore, this corridor would be in compliance with the requirements of design code GS01
- 5.2.28 For the GS02 code the NHGS design code states that this green finger is to be a multi-functional green corridor with a minimum width of 16m (min. 13 where no SuDS / swale), with shared streets to both sides. The green finger may accommodate a number of uses and functions including accessible greenspace, planting, pedestrian and cycling routes, play space, existing watercourses, SuDS and wildlife corridors. The green fingers provide a second tier to the linear multifunctional space. The landscape will provide ecological enhancements and contain a significant proportion of native planting.
- 5.2.29 There is one green corridor within phases 3, 4 and 5 that fall under GS02 design code; between parcels 3 and 4. This green corridor would involve widening the existing deep ditch. This would afford shallower sides to the ditch. The land to the south of the ditch would be landscaped with trees and amenity grass. A footpath would be formed along the boundary with parcel 4 to provide pedestrian access between the relief road and spine road and then further east to the woodland area. The native planting along the corridor would assist in the wildlife movement. It is therefore considered that this green corridor would be in compliance with the requirements of GS02 design code.
- 5.2.30 The green corridor between parcel 7 and the local centre would mainly be occupied by two landscaped attenuation basins to the north and south of the road, including footpaths on either side. This would be a small corridor between the two crescent shaped open spaces and would allow movement from the local centre to the eastern parcels and Heybridge Wood. SuDS can be multi-purpose areas, that could be used as green space but also as play space. Therefore, no objection is raised in terms of the landscape character of this corridor, which would still accord with the GS02 design code criteria.
- 5.2.31 The corridor that falls under GS03 is that to the south of parcel 5 and the Primary School. Similar to GS02 this green corridor is to be multi-functional green corridor with a minimum width of 16m (min. 13 where no SuDS / swale), with shared streets to both sides. The green finger may accommodate a number of uses and functions including accessible greenspace, planting, pedestrian and cycling routes, play space and SuDS. The landscape will provide ecological enhancements and contain a significant proportion of native planting.

5.2.32 This green corridor, in accordance with the requirements set out in the Design Codes, would include several SuDS features (attenuation basins), landscaping including trees and amenity grass, as well as footpaths connecting the largest site of the North Heybridge Garden Suburb with the S2(e). Therefore, it is considered that the proposal would be in compliance with this design code.

Built Edge Code – BE02

5.2.33 For BE02 code the NHGS design code states that this section runs along the east boundary of the site; residential development is located adjacent to existing housing that backs onto the site. The minimum back-to-back distances between existing rear elevations and proposed housing should be a minimum of 20m, with rear gardens located along the boundary to minimise overlooking and loss of privacy for both new and existing properties.

5.2.34 This corridor would allow an approximate 10 metres gap to be created between the housing development and the existing housing and Heywood Way. Although the details of the housing development are not part of this application, it is considered that the proposed gap would assist in meeting the required 20 metres back to back distance between houses. The corridor would be landscaped with trees, shrubs and amenity grass. Ecological features, such as hibernaculas and bee banks are also proposed. It is therefore, considered that the proposal would accord with the requirements of this code.

LEAPs - NEAP

5.2.35 In accordance with the Green Infrastructure Strategy the LEAP should accord with the following standards:

- *Five play types, including a safer surface;*
- *Fencing complete with two pedestrian gates;*
- *Minimum activity zone of 400m²;*
- *Seating, litter bins and notices.*

5.2.36 In accordance with the Green Infrastructure Strategy the NEAP should accord with the following standards:

- *Located within a walking time of 15 minutes from home;*
- *Eight play types, including safer surface;*
- *Provision of a Multi-Use Games Area / Skate Park;*
- *Fencing complete with two pedestrian gates;*
- *Minimum activity zone of 1,000sqm;*
- *Seating, litter bins and a notice should be provided.*

5.2.37 The proposed LEAP to the west of parcel 3 would measure around 425sqm, it would incorporate six different types of play areas. Natural play equipment would be used, as suggested in the DAS. The LEAP to the east of the neighbourhood centre would measure approximately 400sqm, incorporating five different types of playing equipment, all made of natural materials, as required.

5.2.38 The development also includes a combined LEAP / NEAP area, almost centrally to the wider application site, to the west of Heybridge Wood. This would include eleven different types of playing equipment and also a full-sized basketball pitch. The combined LEAP / NEAP would be larger than 1,500sqm in size and within walking distance from the wider application site.

- 5.2.39 No details in relation to litter bins or notices at the entrances of the LEAPs and NEAP have been provided or the types of fencing to be used to protect it. However, it is considered that the submission of these details would be able to be secured by the imposition of an appropriately worded condition.
- 5.2.40 In light of the above, it is considered the LEAPs and NEAP have been appropriately designed and they would create an accessible and usable focal point for the residents of North Heybridge Garden Suburb.
- 5.2.41 A pumping station will be located to the north of the playing fields and a sub-station to the northeast of the site reserved for the sports and youth facilities. Although it is not ideal that these structures will have to be located in close proximity to the area reserved for sports facilities, the pumping station will be enclosed by a high brick wall and sub-station will be within a small building. Furthermore, it should be acknowledged that the position of such structures is normally dictated by the position and capacity of existing infrastructure and therefore, on balance, no objection is considered reasonable to be raised in that respect.

Conclusion

- 5.2.42 In light of the above, it is considered that the landscape approach taken is reflective of the garden suburb character and approach that the Council envisaged when allocating this site as part of the NHGS. It is also considered that these 3rd, 4th and 5th phases of strategic landscaping and infrastructure proposal set out a well-designed framework of green spaces and linkages that will ensure the development as a whole delivers the high quality, vibrant and distinctive neighbourhoods that the site aims to achieve. The proposal accords with The North Heybridge Strategic Masterplan Framework, the NHGS Strategic Design Code, the approved Parameter Plan, and broadly with the Design and Access Statement submitted with the approved hybrid application (15/00419/OUT). The proposal also accords with the relevant LDP policies and guidance contained within the NPPF and the Green Infrastructure Strategy.

5.3 Impact on Residential Amenity

- 5.3.1 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 MDDG (2017).
- 5.3.2 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 NHGS (S2(d) allocated site) and therefore, the resultant impact, in terms of noise, activity and position, has, in principle been appraised and agreed as part of the approved hybrid application 15/00419/OUT.
- 5.3.3 The site is primarily centrally located within S2(d), abutting the dwellings along Heywood Way and Everest Way to the east and south, as well as S2(f) site to the north. Part of the site would also abut the S2(e) site to the south, part of it would be adjacent to S2(f) site to the east, as well the residential properties along Heywood Way, Everest Way and Wood Lane.
- 5.3.4 Although the development would be immediately adjacent to several dwellings within the recently built schemes within the allocated sites, S2(e) and S2(f), together with the existing properties along Heywood Way, Everest Way and Wood Lane, it is noted

that the elements adjacent to these dwellings are mainly landscaping and SuDS features, public open space and sports fields. Given that no built form would be located near these properties, it is not expected that the development would result in a materially harmful impact on residential amenity, by way of loss of light or overbearing impact.

- 5.3.5 A minimum of a 17 metres landscaped buffer will intervene between the dwellings within the recently erected development at S2(f) allocated site and the application site. The proposal would involve the formation of sports fields in this location, including football and rugby pitches. Although noise levels and activity arising from these facilities is expected to be higher than other types of public open space, due to the nature of the facility, it is not considered that the proposed location of the playing fields would result in a detrimental impact on residential amenity. Most importantly, the position of the sports facilities was previously approved as part of the Green and Blue Infrastructure parameter plan. Therefore, it would have been unreasonable for an objection in relation to the position and impact of the sports facilities to be raised at this Reserved Matters stage.
- 5.3.6 With regards to the impact on the recently erected development at the S2(e) it is noted that only landscaping and SuDS features are proposed adjacent to this site and therefore, it is not considered that the development would give rise to any unacceptable impact on residential amenity.
- 5.3.7 The rest of the proposed development would be contained primarily within the application site and therefore, it will not result in a greater impact on residential amenity.
- 5.3.8 Three LEAPS and a NEAP are proposed within the application site, which will be located in close proximity to residential parcels within the application site. It is considered that the impact from increased noise and activity in those areas of play to future occupiers was previously assessed and found acceptable, given that their position was agreed as part of the approved parameter plans under the terms of hybrid application, 15/00419/OUT.
- 5.3.9 In light of the above, it is not considered that the development would have a detrimental impact on residential amenity of the neighbouring occupiers or the future occupants of the approved development within phase 2.

5.4 Access, Parking and Highway Safety

- 5.4.1 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.
- 5.4.2 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*".
- 5.4.3 It is noted that this Reserved Matters submission involves the design of the central part of the spine road. The submission also covers the pedestrian and cycleway linkages within these phases (3, 4 and 5) of the development. The development also

includes details of the parking spaces to be provided for the allotments on the south-eastern corner of the site.

- 5.4.4 The submitted plans show that the proposed spine road would have a 6.75 metres width which will link the previously approved section of the spine road, one connected to Broad Street Green Road and the other one of Maypole Road. This would accord with the details included in the NHGS Strategic Design Codes. It is noted that the alignment shown on the submitted plans accord with the approved parameter plans. Furthermore, the position of the vehicular access points onto the residential parcels have been shown on the submitted plans. The proposal also involves a small section of a secondary road between parcels 3 and 6 and that between the Sports facilities and parcel 9. This is a lesser width road than the spine road; however, this is in conformity with the details included in the NHGS Strategic Design Codes.
- 5.4.5 With regard to pedestrian and cycle routes, one side of the spine road would be served by a 2 metre wide footpath, whilst on the other side of the spine road the foot path would be wider over 3.5 metres providing a pedestrian / cycle route. Similar arrangement with two footpaths (one wider and one narrower) on either side of the road have been incorporated on the part of the development between parcels 3 and 6m, as well as between parcel 9 and the sports facilities. Therefore, the proposal would comply with the details included in the NHGS Strategic Design Codes. The proposed pedestrian and cycle network would also accord with the approved Access and Movement parameter plan and will create a good internal network of pedestrian and cycle paths. As noted above, pedestrian / cycle links would be created to the northeast of parcel 9 with the existing development within the S2(f) allocated site, another two to the south of parcel 5 and the primary school with the S2(e) allocated site and one connecting Wood Lane with the land to the rear of the dwellings along Everest Way. The proposal would therefore accord with the approved Access and Movement parameter plan.
- 5.4.6 The Highways Authority has been consulted and stated that from a highway and transportation perspective the Highways Authority has no comments to make on this proposal as it is not contrary to the Highways Authority's Development Management Policies.
- 5.4.7 In terms of parking and as noted above, the proposal would involve allotment provision with associated vehicle and cycle parking. The Vehicle Parking Standards SPD does not set specific minimum parking standards for allotments, 20 allotment plots are proposed to be provided within the site and two plots for community space planting beds, 17 parking spaces are proposed to be provided near the entrance of the site and 5 Sheffield cycle racks, which can provide cycle parking for 10 bicycles. Taking into account that it would be unlikely that all allotment owners / users would be visiting the allotments at the same time of the day and also considering that some of them would be cycling or walking to the allotment area, it is considered that the proposed parking provision would be sufficient to meet the needs of future owners / users of this element of the development, without resulting in parking on street. As a result, no objection is considered reasonable to be raised in relation to the parking provision for the allotments. With regards to cycle parking it is noted that in accordance with the Vehicle Parking Standards SPD, parking for cycles must be secure, weatherproof and accessible. The proposed cycle parking would be secured and accessible; however, no details of a structure to cover the cycle racks has been submitted with the application. A condition is therefore, considered reasonable to be imposed for those details to be agreed in writing with the Local Planning Authority (LPA), to ensure compliance with the requirements set out in the SPD.

5.5 Flood Risk and Sustainable Drainage

- 5.5.1 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.
- 5.5.2 This submission relates to phases 3, 4 and 5 strategic landscaping and infrastructure and provides details of the size, location and gradients of the surface water attenuation basins and drainage network within this phase of the development. The submission complies with the approved parameter plans which set out the outline stage of the development as well as the overall agreed drainage strategy. 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 (22/05075/DET), which is currently under consideration.
- 5.5.3 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 drive ways, swales, ponds and attenuation basins.
- 5.5.4 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.
- 5.5.5 The Lead Local Flood Authority (LLFA) was consulted and having reviewed the Strategic Infrastructure Landscape plans the associated documents which accompanied the planning application, they do not object to the granting of this planning application.
- 5.5.6 It is therefore concluded that this submission is acceptable from a flood risk and drainage perspective. The key drainage features shown in the submitted plans accord with the approved drainage strategy and approved parameter plans. The technical detailed drainage design and approval process is being dealt with through assessment of details to discharge condition 9 imposed to 15/00419/OUT application.

5.6 Ecology and Biodiversity

- 5.6.1 The Paragraph 174 of the NPPF states that "*Planning policies and decisions should contribute to and enhance the natural and local environment by; (amongst other things) minimising impacts on and providing net gains for biodiversity*". Furthermore paragraph 180 of the NPPF states that "*if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused*".
- 5.6.2 Strategic LDP policy S1 includes a requirement to conserve and enhance the natural environment, by providing protection and increasing local biodiversity and geodiversity, and effective management of the District's green infrastructure network.
- 5.6.3 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”.

5.6.4 Policy D2 seeks all development to minimise its impact on the environment by incorporating measures to minimise all forms of possible pollution including air, land, water, odour, noise and light. Any detrimental impacts and potential risks to the human and natural environment will need to be adequately addressed by appropriate avoidance, alleviation and mitigation measures.

5.6.5 The application is supported by an Ecological Conservation Management Plan for Reserved Matters 3, dated August 2022, a Badger Technical Note and a Bat Survey 2021 and 2022. These documents include mitigation and enhancement of ecological measures, a management strategy and monitoring during construction and annual and long terms reviews.

5.6.6 Mitigation actions would include:

- Protection of retained trees, woodland and hedgerow through installation of protective fencing.
- Review of the detailed design to determine the requirement for removal / partial removal of trees and the need for further survey.
- Felling of trees and/or works to trees with suitability for bats to be conducted under a safe working Method Statement to avoid harm or death to bats.
- Bat sensitive lighting scheme.
- Installation of protective, fencing around retained features of value to bats.
- Pre-construction surveys to search for new or previously undetected badger setts.
- A minimum 20m buffer will be provided around all retained badger setts.
- No works will take place before dawn or after dusk during the summer and adequate lighting will be used to enable workers to spot any active Badgers.
- All pits, excavations or tanks will be securely covered overnight.
- Installation of badgers tunnels under new roads (if required).
- Installation of wildlife tunnels to maintain connectivity.
- Reptile translocation destructive search exercise to avoid harm or death to reptiles.
- Natural England licence.

5.6.7 Enhancement measures would include:

- Landscaping will be introduced to retain existing habitats and to create new habitats.
- The landscape scheme will include new planting across the Site (and details of natural regeneration and management immediately adjacent to Heybridge Wood). Green infrastructure will be created and will include new native tree and hedgerow planting, wildlife grassland and swales.
- Bee banks will also be included in the green infrastructure areas, especially in that area around Heybridge Wood.
- The tree species planted on the Site must be varied to ensure diversity and be suitable for the local climatic conditions and geology.
- Native hedgerow will be planted within the Site, including an extensive native mixed species hedgerow to the north of the relief road.

- To provide habitat connectivity, a mixture of native plant species will be planted in scattered areas.
- Extensive areas of species-rich grassland / wildflower meadow will be created within the designated green infrastructure open space areas.
- New ponds will be created, which will not be part of the SuDS scheme. All the new ponds will be designed to provide habitat for amphibians, although other animals and plants will also benefit. The SuDS will provide additional basins and swales.
- Habitat creation within the green infrastructure open space areas, including hedgerows and buffer zones around Heybridge Wood, will have a positive impact on bats including Common Pipistrelle.
- The provision of planting, including fruit bearing trees, will provide new foraging and nesting resources for a wide variety of birds, including Song Thrush and Starling.
- Swift bricks will be provided in each of the land parcels, according to the approximate mix below:
 - Parcel 3: 25 Swift bricks across c. 56 units;
 - Parcel 4: 100 Swift bricks across c. 227 units;
 - Parcel 5: 50 Swift bricks across c.110 units;
 - Parcel 6: 35 Swift bricks across c.70 units
 - Parcel 7: 60 Swift bricks across c.120 units; and
 - Parcel 9: 55 Swift bricks across c.117 units.
- Cut logs and stems of any trees that are felled will be left to decay within suitable locations on the Site within the edge habitat that will provide beneficial improvements of the Site for invertebrates.

5.6.8 The Ecological Conservation Management Plan includes details in relation to the management of trees, hedgerows, grassland, ponds and ditches.

5.6.9 The Ecology Consultant supports the Ecological Management Plan (EPR, August 2022), highlighting the use of a Construction Environmental Management Plan which has already been secured by condition 7 of the outline permission (15/00419/OUT). The proposed reasonable biodiversity enhancements, which have been recommended by the EPR August 2022 to secure net gains for biodiversity, as outlined under Paragraph 174d of the NPPF (2021) are also supported.

5.6.10 In light of the above, it is considered that the necessary mitigation measures would be in place to ensure that the impact of the development on habitats and wildlife will be secured. Furthermore, the development would provide a number of enhanced ecological measures as discussed above. Recommendations are also included to ensure that protected species are protected and their habitats are enhanced.

5.7 Other Matters

Sports Facilities

5.7.1 Sports pitches are proposed as part of this Reserved Matters application on the south-eastern part of the application site in accordance with the approved parameter plans. The submitted plans show that the proposal would accommodate three 11-a-side football pitches, two rugby pitches overlapping with two of the football pitches and one mini soccer pitch. It is noted that concerns in relation to the types of pitches

were initially raised by Sport England, particularly in relation to the quantum and layout of provision of the playing fields and the lack of a cricket square and outlet.

5.7.2 The Section 106 (S106) agreed under the terms of the hybrid application 15/00419/OUT states that Sports Facilities mean:

- *Three eleven-a-side football pitches;*
- *Two rugby pitches;*
- *Two mini-soccer pitches.*

With associated facilities and changing rooms of a specification in accordance with the Sports Facilities Specification, or such other type or configuration or pitches as agreed between the Owners and the District Council to be provided on the Sports Facilities Site.

5.7.3 The definition specifies the types and number of pitches proposed; however, the wording below the three points states '*or such other type or configuration of pitches as agreed between the Owners and the District Council to be provided on the Sports Facilities Site*'. Hence, the proposed facilities should be provided within the site, which size was agreed within the S106 (as part of the definition for the Sports Facilities Site which means the area of land within the Site of 4.97 hectares forming the area for formal recreation as shown on the approved 'Green and Blue Infrastructure Parameter Plan' referred to in planning conditions) and its position as part of the approved parameter plans. Therefore, it would be unreasonable to ask for a larger site to provide all of the facilities referred to in the three points. Furthermore, it is considered that the wording (as drafted in the S106) offers flexibility to the type and configuration of the pitches and thus, different types of pitches from those stated above could be provided subject to agreement with the Council. The applicant has submitted plans showing that a different configuration can be achieved, if required in the future, including a cricket square and outlet. However, it is noted that the S106 did not make reference to the requirement for the provision of a cricket square, as it was not considered being a requirement at the time and therefore, it would be unreasonable for one to be requested to be provided at this Reserved Matters stage.

5.7.4 Following consultation with Sport England it has been confirmed that the indicative playing pitch layout shown on the submitted drawings would meet the definition of the S106. In relation to the cricket square, it is noted that the sports pitch feasibility study, that will be subsequently prepared to meet the requirements of condition 39 of the outline planning permission, should future proof the design and construction of the playing field to allow a cricket square to be installed at a later date. Furthermore, it is advised that the proposed basketball court in the combined NEAP / LEAP is welcomed as this would provide opportunities for informal sport to take place within the development. In light of the above, the originally registered objection has been withdrawn and there is no objection to the application being approved.

5.7.5 It is therefore considered that the proposed position, size, quantum and layout of proposed playing fields is acceptable and accords with the approved parameter plans and the requirement of the S106 agreement of the hybrid application 15/00419/OUT.

Impact on Trees and Hedgerows and Landscaping Scheme

5.7.6 The application is supported by an Arboricultural Impact Assessment, dated September 2022. This report provides details required for condition 18 for the outline consent (15/00419/OUT) for this part of the development (phases 3, 4 and 5). The report provides an update to the DFC AIA in relation to the trees. It is stated that no

changes to the tree impacts from those detailed in the report (SHA 1012 Heybridge North Cnd 17 Trees & services Rev C) submitted under the terms of application 22/05014/DET are proposed. The trees to be retained will be protected by tree protection fencing as shown on the tree protection plan. The tree protection fencing would be inspected before works commence.

- 5.7.7 The Council's tree consultant has raised no objection to the content of the arboricultural impact assessment report and comments that the types of landscaping are acceptable; however, details of the species, sizes and quantities would have to be agreed. It is noted that the details and specification of trees are to be assessed under Part 2 of condition 31.
- 5.7.8 In light of the above, no objection is raised to the impact of the development on existing vegetation and also the proposed landscaping scheme would be able to complement the existing landscape and provide ecological enhancement.

Archaeology

- 5.7.9 The submission of details in relation to the archaeological assessment have been secured through the imposition of condition 8 to the approved application (15/00419/OUT). These details were approved under the terms of applications 21/05054/DET, 21/05147/DET and 22/05061/DET. The Historic Environment Officer has advised that the archaeological fieldwork for this scheme has been completed and the post-excavation phase is underway. Therefore, no objections are raised to this application.

Waste

- 5.7.10 Although no response from the waste services has been received, the submitted refuse vehicle tracking plans show that large refuse vehicles would be able to access and drive in and out of each parcel. This application relates to the landscaping strategy and infrastructure for phases 3, 4 and 5 and not the residential development within the individual parcels. Any subsequent residential Reserved Matters submission would require consideration of waste management access to individual houses and/or communal collections points.

6. ANY RELEVANT SITE HISTORY

- 6.1 The relevant planning history is set out 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

Name of Parish / Town Council	Comment	Officer Response
Great Totham Parish Council	<p>No objection is raised; however, the following comments are made:</p> <ul style="list-style-type: none"> Highlighted that absence of doctors and Dentists' surgeries in the area. 	<p>Noted. However, it should be raised that the current application only relates to the approval of the landscape strategy and infrastructure of phases 3, 4 and 5 of the approved application 15/00419/OUT. the proposal does not involve the provision of new housing. The mixed- use development was previously approved and the impact from the development on health care facilities had mitigated through planning obligation which are secured through a S106 agreement.</p>

7.2 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Highways Authority	<p>From a highway and transportation perspective the Highways Authority has no comments to make on this proposal as it is not contrary to the Highways Authority's Development Management Policies.</p>	<p>Comments noted.</p>
Archaeology	<p>The archaeological fieldwork for this scheme has been completed and the post-excavation phase is underway. Therefore, no further recommendations are made with regard to this application.</p>	<p>Comments noted.</p>
Tree Consultant	<p>No objection raised. Based on the information provided, it is considered that the layout would be</p>	<p>Comments noted and addressed within section 5.7 of the report.</p>

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	acceptable. Further details of species, sizes and quantities would be required to be submitted.	
Ecology Consultant	The Ecology Consultant raised no objection and supports both proposed mitigation and enhancement measures the proposed through the Ecological Management Plan (EPR, August 2022).	Comments noted and addressed in section 5.6 of the report.
Natural England	Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.	Comments noted.
Essex Fire and Rescue Service	<p>Access for Fire Service is considered satisfactory subject to fire brigade access and water supplies for firefighting purposes to the proposed development being fully compliant with Building Regulations.</p> <p>The applicant is reminded that additional water supplies for firefighting may be necessary for this development.</p> <p>Essex County Fire and Rescue Service urge building owners and developers to consider the installation of Automatic Water Suppression Systems.</p>	Comments noted. It should be noted that these issues are addressed under separate regulation to planning.
Environment Agency	No objection.	Noted.

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Lead Local Flood Authority (LLFA)	Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, no objection is raised to the granting of planning permission based on the submitted documents	Comments noted.

7.3 Internal Consultees

Name of internal Consultee	Comment	Officer Response
Environmental Health Specialist	No objection	Noted.
Conservation and Heritage Officer	The proposals will have no impact on the setting or significance of any nearby designated heritage assets.	Comments noted.

7.4 Representations received from Interested Parties

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 carried out in accordance with the following approved plans and documents:
 - DR-0071-S4-P3
 - DR-0070-S4-P3
 - DR-0072-S4-P3
 - DR-0073-S4-P4
 - DR-0074-S4-P3
 - DR-0075-S4-P4
 - DR-0076-S4-P3
 - DR-0077-S4-P3
 - DR-0078-S4-P4
 - DR-0079-S4-P2
 - 1217 P2
 - 1320 P1
 - 1321 P2
 - 1322 P3
 - 1330 P2
 - 1331 P2
 - 1332 P3
 - 1333 P2
 - 1334 P1
 - 1340 P1

1341 P1
 1342 P2
 F00134-RJL-NA-NA-DR-C-1360 P1
 F00134-RJL-NA-NA-DR-C-1361 P2
 F00134-RJL-NA-NA-DR-C-1362 P1
 1383 P1
 1384 P1
 1385 P1
 1387 P1
 1386 P1
 1720 P2
 1721 P1
 1722 P1
 1723 P1
 2580 P1
 1390 P1
 1391 P1
 1392 P2
 1618
 1716 P1
 1717 P1
 1717 P1
 1719 P1
 031A
 Beaulieu style bus shelter plan
 2841 DR-0077 Version - S4-P3
 2841-5-1 DR-0079 Version - S4-P4
 GTC-E-SS-0010_R2-1_1_of_1
 GTC-E-SS-0002_R3-4_1_of_1
 2841-5-2 DR-0074 Version S4-P4
 2841-5-2 DR-0075 Version S4-P5
 F00134-RJL-NA-NA-DRC-2577
 Arboricultural Impact Assessment Report – Sharon Hosegood Associates –
 SHA 1012, dated September 2022
 Ecological Conservation Management Plan– Reserved Matters 3, dated 08
 August 2022
 Technical Survey Note: Bat Survey 2021 and 2022 – EPR
 Badger Technical Note: Survey Results and Recommendations – EPR
REASON To ensure that the development is carried out in accordance with
 the details as approved.
 2 All mitigation and enhancement measures and/or works shall be carried out in
 accordance with the details contained in the Ecological Conservation
 Management Plan– Reserved Matters 3, dated 08 August 2022, Technical
 Survey Note: Bat Survey 2021 and 2022 – EPR, Badger Technical Note:
 Survey Results and Recommendations – EPR as already submitted with the
 planning application and agreed in principle with the local planning authority.
REASON To ensure that the development of the site conserves and
 enhances ecology in accordance with policy N2 of the Approved Maldon
 District Local Development Plan, the endorsed North Heybridge Garden
 Suburb Strategic Masterplan Framework, and the guidance contained in the
 NPPF.
 3 Prior to the installation of any lighting on site a lighting design scheme for
 biodiversity shall be submitted to and approved in writing by the local planning
 authority. The scheme shall identify those features on site that are particularly
 sensitive for bats and that are likely to cause disturbance along important
 routes used for foraging; and show how and where external lighting will be

installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON To ensure that the lighting of the development is sensitive to the wildlife interests of the site and adjacent areas in accordance with policies D1 and N2 of the approved Maldon District Local Development Plan, the endorsed North Heybridge Garden Suburb Strategic Masterplan Framework, and the guidance contained in the NPPF.

- 4 Prior to the installation of the Local Areas of Play (LEAP) and Neighbourhood Area of Play (NEAP) hereby approved, details of the fencing surrounding the LEAP and litter bins to be instanced within it shall be submitted to and approved in writing by the local planning authority. The development shall then be implemented in accordance with the approved details.

REASON To ensure that sufficient equipment is provided within the Local Area of Play (LEAP) as required by the Greenspace Standards in accordance with the Green Infrastructure Strategy for Maldon District.

- 5 Prior to the use of the allotments hereby approved, details of weather protected storage of bicycles 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.