



**REPORT of
ASSISTANT DIRECTOR: PLANNING AND IMPLEMENTATION**

to
**CENTRAL AREA PLANNING COMMITTEE
18 DECEMBER 2024**

Application Number	24/00613/FULM
Location	Brewster House, Oak Road, Heybridge, Maldon, Essex CM9 4AX
Proposal	Demolition of existing carehome and erection of new-build 74 bed carehome with associated vehicle parking, amenity space, and detached bin store.
Applicant	Runwood Homes
Agent	Mr Barry Mullen - Connect Space
Target Decision Date	06.11.24
Case Officer	Lisa Page
Parish	HEYBRIDGE WEST
Reason for Referral to the Committee / Council	Major application

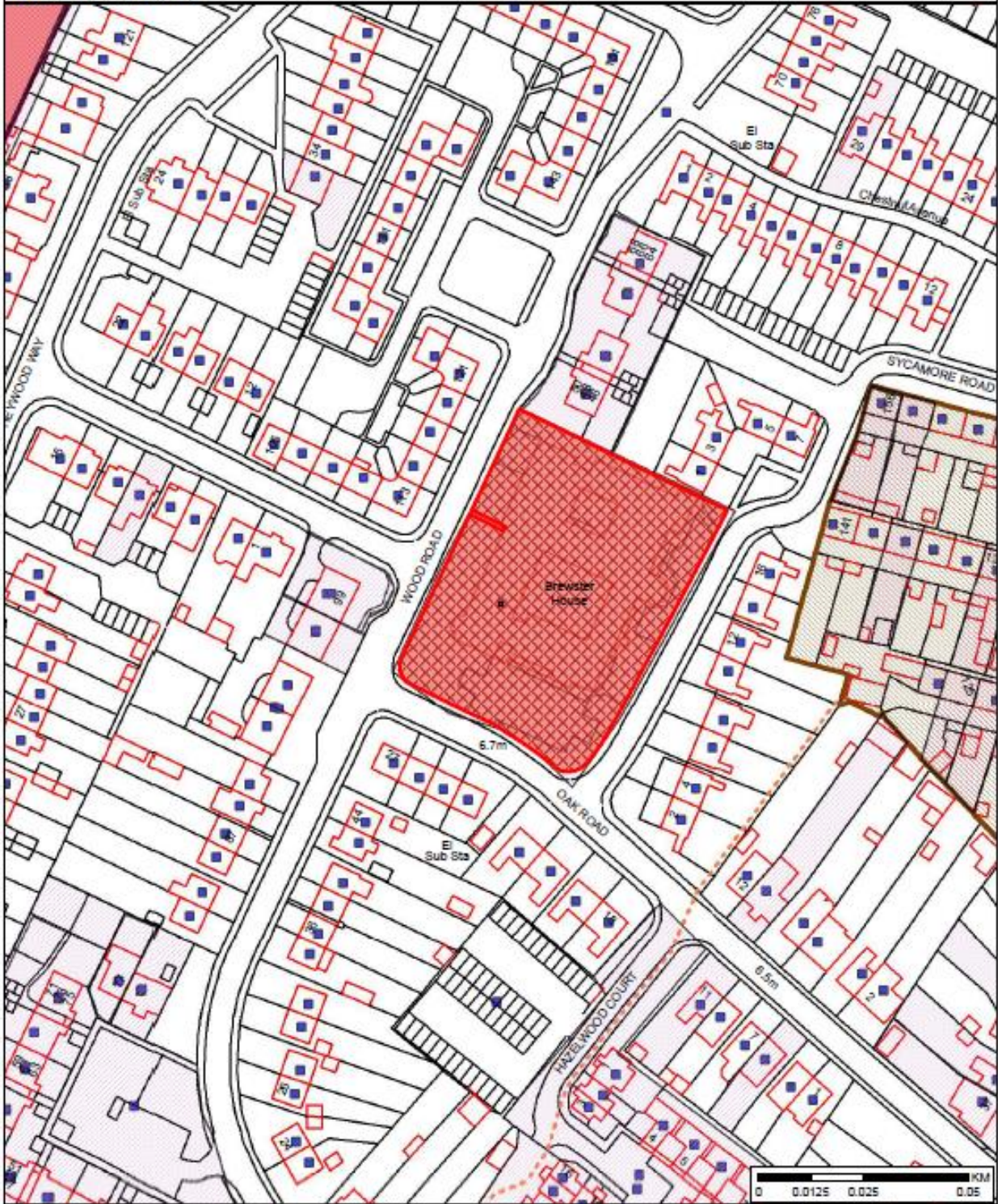
1. RECOMMENDATION

APPROVE subject to the conditions as set out within Section 8 of this report.

2. SITE MAP

Please see below.

24/00613/FULM
Brewster Carehome



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 Maldon District Council 100018588 2014


 MALDON DISTRICT COUNCIL
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Scale:	1:1,250
Organisation:	Maldon District Council
Department:	Department
Comments:	Heybridge
Date:	02/12/2024
MSA Number:	100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

Site description

- 3.1.1 The application site extends to approximately 0.38 hectares and comprises an existing 74 bedroom care facility known as 'Brewster House'. The building is a 2-storey in scale, brick building with timber cladding to the bays, with a pan-tiled pitch roof. In addition to the carehome use, the site also provides a private external amenity areas for residents by way of an inner courtyard, landscaped amenity areas which include a number of established trees. The existing care home includes a primary parking area for 22 vehicles, with a secondary parking area to the east of the site accommodating a further two informal spaces.
- 3.1.2 The site is located to the north-east of Heybridge within the defined settlement boundary. The immediate area primarily consists of residential use, though in addition to the existing carehome there is a small parade of shops. The scale of development nearby varies from single storey bungalows, 2-storey dwellings, commercial units, and 3-storey flats.
- 3.1.3 The site is located outside of a Conservation Area and there are no listed buildings nearby. It is within Flood Zone 1 as identified in the Environment Agency's (EA's) Flood Map and therefore has a low probability of flooding from rivers and the sea.

Description of proposal

- 3.1.4 The application seeks the demolition of the existing carehome building and erection of a new, purpose built 74 bed carehome. The existing carehome provides dementia and residential care and this is also how the proposed carehome would operate.
- 3.1.5 In addition, to the 74 en-suite bedrooms, the building would provide a number of dayrooms / lounges, assisted bathrooms, a hairdressers and a cinema room. The ground floor accommodates the back of house facilities in the form of kitchen, laundry, and staff room. 2no. lifts would be provided within the building.
- 3.1.6 The building is designed as 3-storeys with a pitched roof, constructed in a mix of materials to include brick, render and light coloured boarding, with a slate or slate effect roof tile. An inner courtyard would provide external amenity space for residents with landscaped amenity areas to the perimeter of the site. An external detached bin store is proposed.
- 3.1.7 Brewster House currently operates with 24 members of staff on site at any one time. The proposed development is proposed to operate with the same number of staff.
- 3.1.8 The access arrangements from Oak Road and Sycamore Road would not alter. The application seeks to alter the parking layout, with a total of 19no. spaces proposed. In addition, 12no. staff cycle parking is provided, with a separate cycle provision of 6no. for visitors.

3.2 Conclusion

- 3.2.1 The site is located within the defined settlement boundary of Heybridge wherein the principle of development is supported in accordance with Policies S1, S2 and S8 of the Local Development Plan (LDP). Further support is attributed to Policy H3 of the LDP which supports accommodation for 'specialist' needs. The proposal would

replace an existing carehome and is designed to support and meet the needs of its target residents.

- 3.2.2 The proposal would deliver 74no. en-suite bedrooms fully compliant with the National Care Standards Act 2000, with well laid out and generous internal communal and recreational spaces. Externally, residents would benefit from a landscaped amenity area (the courtyard) with outlook and access out onto amenity spaces.
- 3.2.3 The layout follows that of the carehome to be replaced, and the overall size, scale and detailed design would result in a high quality development that would positively contribute to the character and appearance of the locality.
- 3.2.4 The development would be taller in height than the building it replaces but given the mix of heights of buildings within the locality, this would be acceptable. There would be no unacceptable impacts to neighbouring amenity.
- 3.2.5 In terms of highways matters, the development would not have an adverse impact upon local highway safety and the Highway Authority has no objections from a highway and transportation perspective. The vehicle parking provision would fall below the adopted standards, however the carehome operates successfully on a similar provision, and there is good public transport provision in the area. Overall, Officers are content that the parking provision would be acceptable for staff, future occupiers and visitors. Electric Vehicle (EV) charging provision would be provided (to be secured via condition). A condition is also imposed to secure the delivery of the cycle storage provision to encourage sustainable patterns of travel for staff and visitors.
- 3.2.6 Matters in relation to landscape and ecology are satisfactory. In addition, the development would be acceptable in terms of flood risk and drainage.
- 3.2.7 On the basis of the above, this application is acceptable and in accordance with the aims of the Development Plan, and thus, it is recommended that planning permission be granted subject to the conditions as detailed in Section 8 of this report.

4. MAIN RELEVANT POLICIES

4.1 Maldon District Local Development Plan (2017)

- S1 Sustainable Development
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D2 Climate Change and Environmental Impact of New Development
- D5 Flood Risk and Coastal Management
- H3 Accommodation for 'Specialist' Needs
- H4 Effective Use of Land
- N1 Green Infrastructure Network
- N2 Natural Environment, Geodiversity and Biodiversity
- T2 Accessibility
- I2 Health and Wellbeing

4.2 **National Planning Policy Framework (2023) 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
- 54-58 Planning Conditions and Obligations
- 6-68 Delivering a sufficient supply of homes
- 123-127 Making effective use of land
- 131-141 Achieving well-designed places
- 180-194 Conserving and enhancing the natural environment

4.3 **Relevant Planning Guidance / Documents:**

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- Maldon District Vehicle Parking Standards Supplementary Planning Document (SPD) (2018)
- Maldon District Design Guide (MDDG) (2017)

5. **MAIN CONSIDERATIONS**

5.1 The main issues which require consideration as part of the determination of the application are the principle of the development; the impact of the development on the character and appearance of the area; the quality of the amenity to be provided for future occupiers; impact on the amenity of neighbouring residents; highway safety / access / parking matters; landscape and ecology; and matters of flood risk and drainage.

5.2 **Principle of Development**

5.2.1 The Council is required to determine planning applications in accordance with its adopted Development Plan unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004), Section 70(2) of the Town and Country Planning Act 1990 (TCPA1990)) and through Government policy at paragraph 47 of the NPPF.

5.2.2 The site is located within the defined settlement boundary of Heybridge wherein the principle of development is supported in accordance with Policies S1, S2 S8 of the LDP which seek to direct growth to the Districts main settlements as they constitute the most suitable and accessible locations in the District.

5.2.3 The application seeks the demolition of the existing building which is of a standard appearance and has a neutral impact upon the character and appearance of the locality. There is no objection in principle to its demolition and replacement with a high quality building to positively contribute to the locality.

5.2.4 Further support for the principle of the development is attributed to Policy H3 of the LDP which supports accommodation for 'specialist' needs. Whilst it is noted that this replaces an existing carehome and does not extend the number of bedrooms provided, it would provide an improved quality in such provision, with the development designed to support and meet the needs of its target residents.

5.3 **Layout, design and impact on the character and appearance of the area**

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

5.3.2 This principle has been reflected in the approved LDP, primarily with policy D1 which seeks to ensure that all development will respect and enhance the character and local context. Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG.

5.3.3 As noted above, there is no objection to the demolition of the existing building that does not positively contribute to the character and appearance of the locality. In terms of a layout and footprint, the proposed building would generally follow the same layout as the existing. The building has a frontage with three roads (Wood Road, Oak Road and Sycamore Road) and this replication in siting would ensure that the building line does not alter, and thus the siting and relationship to the street scene remains acceptable. Replicating the siting of the building also ensures that trees within the site would be unaffected (as discussed later in this report).

5.3.4 The proposed building would be 3-storey in height, with a small amount of 2-storey and single storey to the north-eastern corner (the building would be 4 metres higher than the existing). The height of buildings in the locality varies, with single storey bungalows to the north-east, east and south, whilst 2-storey and single storey built form lies to the west, with 3-storey blocks to the north-west. Although the building would in the main be taller than surrounding buildings (and marginally taller than the 3-storey block of flats), it would have a comfortable relationship with surrounding development, with the interest in the elevations breaking up its scale and mass.

5.3.5 The building would include projecting gables of differing widths on all of the road frontages, variation in the size and pattern of fenestration, and a mix of materials, which cumulatively would add interest to building. The ridge height of the building is at its lowest to the Sycamore Road elevation, which then also steps down to a 2-storey element, and further to a single storey scale where it adjoins neighbouring single storey development. Overall, the building would not appear unduly prominent or harmful within any of the street scenes.

5.3.6 In terms of materials the building would be constructed in brick, with a white render and light coloured boarding, with a slate or slate effect roof tile. Buildings within the locality are constructed in brick and render with tiled roofs, and although boarding is not a prevalent material in the immediate locality, its light colour would relate well to the render on adjacent buildings, and this third wall material would be appropriate.

5.3.7 The main entrance is situated at the front of the care home, to the Oak Road street scene, facing into the car park and vehicle and pedestrian access into the site. The reception area would be a welcoming space for residents and visitors and would provide natural surveillance, along with the main offices, for people entering and leaving the site. The layout of the parking relates well to the proposed building and

would be overlooked by the offices and reception, increasing security as well as being practical and convenient in terms of the day to day operation of the carehome.

- 5.3.8 The layout of the development also notes that a landscaped setting is an important aspect of the external environment of a care home. The proposed internal courtyard would incorporate a hard and soft landscaping scheme which includes planters and sensory planting, with external seating. To the Wood Road frontage, the existing hedgerow would be retained (to be retained and protected via condition) and this amenity area supported with 5no. tree and shrub planting. To the Oak Road frontage the existing trees to the south-western corner would be retained, and additional planting in the form of shrubs, 2no. trees and a 52-metre length of hornbeam hedge would be planted. To Sycamore Road, the existing hedge would be retained, and additional planting incorporated in the form of 1no. tree with shrub and groundcover.
- 5.3.9 Overall, the proposal is of a layout, scale, design and appearance that would result in a high quality development that would be appropriate for its context and would follow the good design principles set out in adopted development plan policies and the MDDG SPD.

5.4 Amenity of future occupiers

- 5.4.1 In terms of amenity for future occupiers, the care home has been designed to meet the provision of the Care Standards Act (the last relevant legislation which stipulated room sizes). All bedrooms would be a minimum of 12m² - excluding en-suites. Two lifts are provided within the carehome.
- 5.4.2 The building includes a number of dayrooms (including for dining provision), together with a hairdressers and cinema room. The siting of the lounges within the carehome enable outlook onto the perimeter amenity areas, and this arrangement is designed to provide a continuation of the indoor and outdoor amenity areas to promote wellbeing and contributing to the character of the home.
- 5.4.3 As noted above, a landscaped setting is an important aspect of the external environment of a care home and can make a significant contribution to the overall quality of the living environment for future residents. In this respect, the principal external amenity space for residents would be the internal courtyard which provides mainly hard surfacing broken up with planters and sensory planting, with external seating. There would also be outlook and some opportunity for use of the external amenity areas, although these would not provide private amenity areas.
- 5.4.4 Overall, in terms of future occupiers' amenity, the development would deliver a good quality of life with high quality internal and external amenity provision.

5.5 Impact on Neighbouring Residential Amenity

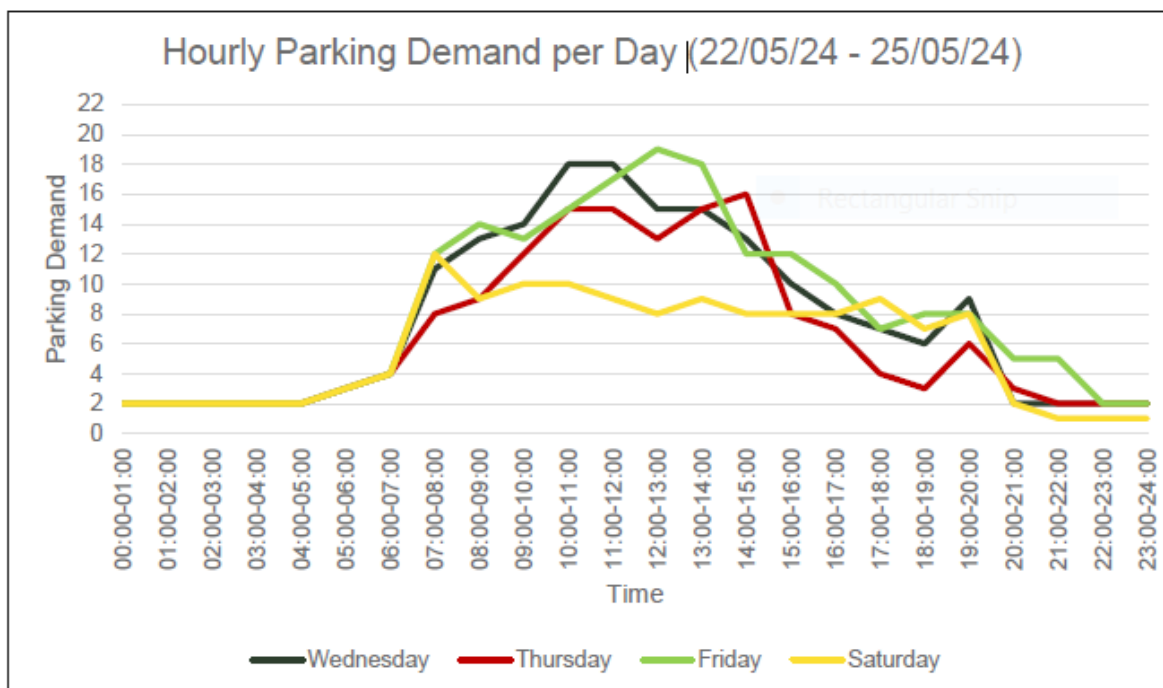
- 5.5.1 The site is surrounded by existing residential use to all sides. The demolition of the existing building therefore has the potential to impact upon neighbours amenity in terms of noise disturbance, traffic movements with removal of material, together with dust and air quality. Similar matters would arise during the construction period. A condition is to be imposed to require the submission of a Construction Management Plan (CMP) (to also include the demolition aspect), which would also cover issues including delivery and storage of materials and hours of working. Subject to compliance with this, impacts to neighbours during the demolition and construction period would be carefully managed and would be acceptable.

- 5.5.2 In terms of impact to neighbours relating to the operation of the use once constructed, as there is no change to the number of bedrooms or staffing levels (or indeed no change to the general day to day operations of the carehome), there would be limited change in terms of general noise disturbance or similar.
- 5.5.3 Although the carehome would be higher than the existing building, given the distances with neighbours which does not alter given that the proposed building is on the same general footprint (the distances are 20 metres from the front elevation of dwellings to the east, 30 metres to dwellings to the south, 22 metres to dwellings to the west, with 10 metres to the flat block to the north and 4 metres to No. 1 Sycamore Road to the north) and due to the relationship and siting of windows, there would not be any unacceptable overlooking. In addition, due to these distances, the development would not result in harm to outlook or loss of light. The building at the closest point to neighbours at No.1, is only single storey in scale.
- 5.5.4 The proposed kitchen for the carehome would be sited at the northern end of the building. This is the same siting of the existing kitchen. Given the relationship with neighbours, it is not considered this would result in any adverse impact to their amenity from noise or odour. A condition is imposed to require details of extraction, ventilation and similar, prior to installation and prior to first use. The refuse store in the existing building is adjacent to No. 1 Sycamore Road, but this is proposed to be re-sited to the Wood Road side, and thus would be further from neighbours, such that any impacts from coming and goings would be improved.
- 5.5.5 Overall, the development would comply with policies D1 and H4 of the LDP and section C07 of the MDDG, which seek to ensure that development will protect the amenities of neighbouring properties.

5.6 Access, Parking and Highway Safety

- 5.6.1 The application is submitted with a Transport Statement which sets out a review of the accessibility and sustainable transport options for the site and reviews the impact of the proposed development site on the surrounding highway network.
- 5.6.2 In terms of trip generation, the proposed scheme would not result in an increase in the quantum of beds or staffing numbers, and as such there would be no uplift in the number of trips. These trips are currently existing on the local highway network, and therefore do not create an additional impact. The Highway Authority is content that the development would not result in adverse impacts from a highway transportation perspective.
- 5.6.3 In regard to deliveries, these would be undertaken via the main site access, as is currently the case. Refuse would be accessed via Wood Road (wherein the bin store is sited). It is anticipated that there will be no increase in the volume of goods or waste, as the number of residents and staff are proposed to remain the same. The building has a large laundry room, and there would be no vehicle movement associated with this element.
- 5.6.4 The access arrangements from Oak Road and Sycamore Road would not alter and remain acceptable. Within the site, 19no. parking spaces would be provided. This is a reduction of three spaces from the existing provision. The Vehicle Parking SPD states that for care homes and nursing homes one space per residential staff, one space per two other staff, and one space per 3-bedrooms should be provided. It is anticipated that there would be a maximum of 24 members of staff present on site at any one time, due to the shift pattern and staggered shift changes. On this basis, the development would require a total of 37 parking spaces (rounded up).

5.6.5 The justification for the level of parking proposed, as presented within the Transport Statement, relates to the existing demand at the carehome. A parking survey was undertaken between 22.05.24 to 25.05.24 with monitoring of arrivals and departures at the site, along with the level of parking. The survey days are considered to provide a representation for a typical weekday and weekend movements, and therefore offers a realistic understanding of trip generation and parking utilisation associated with the site. The survey date is shown in the table below.



5.6.6 The survey demonstrates a maximum parking demand of 19 spaces out of the existing 22 spaces which equates to an 86% utilisation rate. This level of use occurred for a very short period between 12:30-13:00 on the Friday, however, the average number of occupied parking spaces over the four survey days is six, equating to 27% of the total spaces being in use. whilst demand peaked at 19 spaces for 30 minutes on the Friday survey, parking demands at the site were generally less than this.

5.6.7 In addition, the site is in an area that is relatively well served by public transport (bus provision), which is a factor which can justify a reduction in parking provision. The table below sets out the bus frequencies and demonstrates that travelling via a sustainable mode of transport is a realistic alternative to the private car for staff and visitors to the proposed development.

OPERATOR	NO.	ROUTE	NUMBER OF WEEKDAY SERVICES (bus/hour)				
			AM Peak	Inter-Peak	PM Peak	Sat	Sun
Essex First Bus	75	Colchester–Tiptree–Brewster House–Maldon	1 per hour	1 per hour	1 per hour	1 per hour	6 services
		Maldon–Brewster House–Tiptree–Colchester	1 per hour	1 per hour	1 per hour	1 per hour	6 services
Stephensons of Essex	90 Black Water Link	Witham–Brewster House–Maldon	1 per hour	2 per hour	2 per hour	1 per hour	No service
		Maldon–Brewster House–Witham	1 per hour	2 per hour	2 per hour	1 per hour	No service

- 5.6.8 Overall, Officers are content that the 19no. parking spaces would be acceptable to meet with the parking demands at the site. EV charging provision would be secured via condition. The site layout also provides an informal area for dropping off and ambulance parking.
- 5.6.9 In terms of mobility scooter provision, the Vehicle Parking Standards SPD sets out that in new specialist housing developments secure, undercover parking and electric charging points for mobility scooters should be provided. Ownership of mobility scooters is hard to predict but the maximum provision in accordance with the standards is for one 10-scooter store. There is not a separate area for mobility scooters shown on the plans but there is some provision within the reception area for the storage of a couple of mobility scooters, however given the nature of the use which includes dementia care, it is not expected that there would be a high demand for mobility scooter use.
- 5.6.10 In terms of cycle parking provision, staff cycle parking for 12no. is provided adjacent to the refuse store, whilst 6no. visitor cycle spaces are provided close to the main entrance of the carehome. A condition is imposed to ensure this is provided prior to the first use of the development, and this would lend some weight to the justifying the reduced parking provision, as well as assisting with encouraging sustainable patterns of travel.

5.7 **Impact on Ecology, Biodiversity and Landscape**

- 5.7.1 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, whilst Policy S2 requires development proposals to be accompanied by a comprehensive and detailed ecological survey.
- 5.7.2 Policy D1 requires that, amongst other things, all development must respect and enhance the character and local context and make a positive contribution in terms of the natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value.
- 5.7.3 Policy N1 states that open spaces and areas of significant biodiversity or historic interest will be protected. There will be a presumption against any development which may lead to the loss, degradation, fragmentation and/or isolation of existing or proposed green infrastructure. Whilst Policy N2 seeks to deliver net biodiversity gain and sets out that 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.

Ecology

- 5.7.4 The application is submitted with a Preliminary Ecological Appraisal (Ridgeway Ecology, June 2024), Statutory Biodiversity Metric – Calculation Tool and Condition Sheets (Russ, August 2024) and the relevant plans relating to the likely impacts of development on designated sites, protected and priority species and habitats and identification of proportionate mitigation and mandatory Biodiversity Net Gains. Sufficient ecological information is available for determination of the application, and which provides certainty for the Local Planning Authority (LPA) of the likely impacts on designated sites, protected and priority species and habitats.

- 5.7.5 The mitigation measures identified in the Preliminary Ecological Appraisal is to be secured by a condition of any consent and implemented in full which is necessary to conserve and enhance protected and Priority species particularly bats, nesting birds, and mobile mammals. Support is also given to the proposed reasonable biodiversity enhancements, which have been recommended to secure net gains for biodiversity. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and are also to be secured via condition.
- 5.7.6 The site is considered suitable for foraging and commuting bats. Therefore, if any external lighting is to be proposed, it is advised that a sensitive lighting scheme is developed to minimise any impacts to foraging and commuting bat habitat. A condition is imposed to ensure that any lighting proposed is sensitive.

Ecology regarding development within the Zone of Influence (Zol) for the Essex Coast Recreational Avoidance Mitigation Strategy (RAMS)

- 5.7.7 The application site falls within the Zol for one or more of the European designated sites (The European designated sites within Maldon District Council (MDC) are as follows: Essex Estuaries Special Area of Conservation (SAC), Blackwater Estuary Special Protection Area (SPA) and Ramsar site, Dengie SPA and Ramsar site, Crouch and Roach Estuaries SPA and Ramsar site). The combined recreational Zol of these sites cover the whole of the Maldon District.
- 5.7.8 Whilst C2 Residential institutions are not excluded from the Essex Coast RAMS, there is a need for these applications to be considered on a case-by-case basis by the LPA on whether the proposals are likely to contribute to increased recreational disturbance at the coastal Habitats sites. Given the level of care proposed within the development, it is unlikely that there will be recreational impacts in combination with other plans and projects. As a result, no further information is required to demonstrate compliance under the Conservation of Habitats and Species Regulations 2017 (as amended) with regard to Habitats sites.

Biodiversity Net Gain (BNG)

- 5.7.9 With regard to mandatory BNGs, the details contained within the submitted Statutory Biodiversity Metric – Calculation Tool and Condition Sheets is supported. BNGs is a statutory requirement set out under Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990 and we are satisfied that submitted information provides sufficient information at application stage.
- 5.7.10 An informative is imposed to secure a biodiversity gain condition as a pre-commencement requirement. (The biodiversity gain condition has its own separate statutory basis, as a planning condition under paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990). The biodiversity gain condition should secure the provision of a Biodiversity Gain Plan, as well as the finalised full Statutory Biodiversity Metric – Calculation Tool.
- 5.7.11 As no significant on-site enhancements is proposed a Habitat Management and Monitoring Plan is not required for on-site enhancements. However, one will still be required as part of off-site enhancements (to be arranged by the off-site provider) to deliver measurable biodiversity net gains. This will be secured via the biodiversity gain plan.

Landscape

- 5.7.12 A Tree Survey and Arboricultural Impact Assessment (AIA) and Tree Survey and Constraints Plan (Haydens May 2024) has been provided in support of this application. The AIA sets out that 3no. silver birch trees would be removed (2no. Category U trees and 1no. Category C tree). The reasoning for the loss of the majority of these trees relates to the siting of the building (existing and proposed) and the poor quality categorisation of the trees.
- 5.7.13 The application includes the planting of 8no. new trees, which would assist in mitigating the loss of these poor quality trees, and which would be better sited to ensure their viability, which would add to the quality of the development and the character and appearance of the locality.
- 5.7.14 The wider landscaping proposals include a high quality hard and soft landscaping proposal for the inner courtyard amenity area, with additional soft planting to the outer amenity areas which would include a 52-metre length of hornbeam hedge, together with shrub and groundcover planting. The approach to landscaping is appropriate for the development and is supported.

5.8 Flood Risk and Drainage

- 5.8.1 The application site is located within Flood Zone 1 on the EA's Flood Map and therefore has a low probability of flooding. Due to the scale of the development, the application is required to be submitted with a Flood Risk Assessment (FRA).
- 5.8.2 The Lead Local Flood Authority (LLFA) has been consulted. The LLFA advises that the development will have no implications for flood and drainage considerations, and thus this would not be a constraint to development. The proposal is thereby considered acceptable in relation to flooding and drainage.

6. RELEVANT SITE HISTORY

- **11/00730/FUL** - Single storey extension to facilitate creation of 7 new bedrooms. Granted.
- **04/01008/FUL** - First floor addition and emergency escape staircase to existing elderly persons home. Approved.
- **03/01137/FUL** – Erection of conservatory. Granted.
- **01/00894/FUL** - Erect single storey extension to form day care lounge. Granted.
- **01/00229/FUL** - Proposed erection of single storey extension to Wood Road elevation to enlarge residents lounge and first floor extension to Sycamore Road elevation to form seven additional bedrooms and dayroom. Granted.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Heybridge Parish Council	No comments received	

7.2 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Highways Authority	Advise that from a highway and transportation perspective the impact of the proposal is acceptable subject to a condition to secure a CMP.	Noted, addressed in section 5.6 of this report.
LLFA	No objections subject to conditions.	Noted, addressed in section 5.8 of this report.
Essex Fire and Rescue	Made comments in relation to access, Building Regulations, Water Supplies and Sprinklers.	Noted. Access matters addressed in section 5.6 of this report. Other matters fall to Building Regulations.
Anglian Water	<p>In regard to wastewater (foul drainage), advise that the site is in the catchment of Maldon Water Recycling Centre that will have available capacity for these flows.</p> <p>In regard to the used water network, advise that the sewerage system at present has available capacity for these flows.</p> <p>In regard to surface water disposal advise that the preferred method would be to a Sustainable Drainage System (SuDS) with connection to sewer as the last option.</p>	
Natural England	No objections.	Noted
Essex Police – Designing out Crime	Neither object nor support this application. Would be willing to assist the developer in complying with Secured by Design.	

7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Ecology	No objection and satisfied that there is sufficient ecological information available for determination of this application	Noted, addressed in section 5.7 of this report.
Environmental Health	Note the submitted noise assessment. Recommend a condition in regard to noise from all fixed plant and machinery.	Noted, addressed within section 5.5 of this report.
Tree Officer	No objections subject to conditions for the submission of an Arboricultural Method Statement and Tree Protection Plan.	Noted, addressed within section 5.7 of this report.

7.4 Representations received from Interested Parties

- 7.4.1 The application was advertised by way of 3no. site notices erected on Sycamore Road, Oak Road and Wood Road. No letters of representation have been received.

8. PROPOSED CONDITIONS

- 1 The development hereby permitted shall commence not later than three years from the date of this decision.
REASON To comply with Section 91(1) of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out in accordance with the approved plans as shown on the decision notice.
REASON In the interest of proper planning and for the avoidance of doubt as to what is permitted.
- 3 No development shall commence until the following information has been submitted to and approved in writing by the local planning authority:
 - A full topographical site survey showing existing levels including: the datum used to calibrate the site levels; levels along all site boundaries; levels across the site at regular intervals;
 - Full details of the proposed finished floor levels of all buildings, proposed garden levels, proposed levels along all site boundaries, and proposed levels for all hard and soft landscaped surfaces.

The development shall only be carried out in accordance with the approved details.

REASON To avoid the excessive raising or lowering of ground levels and therefore any buildings within the site which may lead to unneighbourly development with problems of overlooking and loss of privacy, and to ensure that the development does not prejudice the appearance of the locality, in accordance with policy D1 of the Maldon District Local Development Plan 2017. The levels information is required prior to the commencement of development to ensure that the correct site levels are achieved from the outset of the construction phase.

4. No development above ground level shall take place until a schedule of the external material or samples of materials, to be used in the development, have been submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details.
REASON In the interest of the character and appearance of the area in accordance with policy D1 of the Maldon District Local Development Plan 2017 and guidance contained within the National Planning Policy Framework.
5. Prior to installation, details of all windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Development shall only be implemented in accordance with the approved details and permanently retained as such.
REASON To enhance the appearance of the development and ensure it does not prejudice the appearance of the locality and in accordance with policy D1 of the Maldon District Local Development Plan 2017 and guidance contained within the National Planning Policy Framework.
6. The scheme of landscaping as detailed upon the approved plan shall be implemented in full prior to the first occupation or use of the development hereby permitted. Any trees or plants which die, are removed or become seriously damaged, or diseased within a period of five years from the

completion of the development shall be replaced in the next planting season with others of a similar size and species.

REASON To enhance the appearance of the development and in the interests of amenity and privacy of future occupiers and in accordance with policy D1 of the Maldon District Local Development Plan 2017 and guidance contained within the National Planning Policy Framework.

7. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) and the following mitigation measures detailed within the FRA:

- Infiltration testing in line with BRE 365. If infiltration is found unviable the run-off rates from the site should be limited to 9l/s.
- Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of 45% climate change.
- The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective treatment of surface water runoff to prevent pollution and in accordance with policy D5 of the Maldon District Local Development Plan 2017 and guidance contained within the National Planning Policy Framework.

8. Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies on each parcel, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

REASON To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

9. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

10. The development hereby permitted shall not be commenced until the existing pipes within the extent of the site, which will be used to convey surface water, are cleared of any blockage and are restored to a fully working condition.

REASON To ensure that drainage system implemented at the site will adequately function and dispose of surface water from the site. Failure to carry out the required maintenance before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

11. All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Ridgeway Ecology, June 2024). This may include the appointment of an appropriately

competent person e.g., an Ecological Clerk of Works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

REASON To conserve protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and in accordance with policy N2 of the Maldon District Local Development Plan 2017 and guidance contained within the National Planning Policy Framework.

12. Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
- a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) Detailed designs or product descriptions to achieve stated objectives;
 - c) Locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans;
 - d) Timetable for implementation;
 - e) Persons responsible for implementing the enhancement measures;
 - f) Details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to the first occupation or use of the development and shall be retained in that manner thereafter.

REASON To enhance protected and Priority species and habitats and allow the Local Planning Authority to discharge its duties under the National Planning Policy Framework and s40 of the NERC Act 2006 (Priority habitats & species). and in accordance with policy N2 of the Maldon District Local Development Plan 2017 and guidance contained within the National Planning Policy Framework.

13. Prior to the first occupation or use of the development, 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 plans, 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 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 allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species), and in accordance with policy N2 of the Maldon District Local Development Plan 2017 and guidance contained within the National Planning Policy Framework.

14. No development shall commence until an Arboricultural Method Statement (including drainage service runs and construction of hard surfaces) has been submitted to and approved in writing by the Local Planning Authority. The tree and hedge protection measures shall be carried out in accordance with the approved detail and shall be retained until all equipment, machinery and surplus materials have been removed from the site.

- REASON In the interests of amenity of the locality and in accordance with policies D1, S1 and N2 of the Maldon District Local Development Plan 2017 and guidance contained within the National Planning Policy Framework.
15. The rating level of the noise emitted from all fixed plant and machinery located at the site shall not exceed those in in paragraph 5.2 of the Plant Noise Assessment 24-0015-R1 produced by by Acoustics, at any premises used for residential purposes surrounding the site when assessed in accordance with BS 4142:2014+A1(2019).
- REASON To ensure that the amenities of occupiers of other premises in the vicinity are protected and in accordance with policy D1 and H4 of the Maldon District Local Development Plan 2017 and guidance contained within the National Planning Policy Framework.
16. Prior to the first occupation or use of the development, the secure cycle parking facilities shall be provided in accordance with the approved details and thereafter retained.
- REASON To ensure appropriate bicycle parking is provided in accordance with policy D1, H4 and T2 of the Maldon District Local Development Plan 2017 and guidance contained within the National Planning Policy Framework.
17. No above ground development shall commence until an Electric Vehicle Charging Strategy has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation or use, and thereafter retained.
- REASON In the interest of securing sustainable development and contributing to reduce carbon emissions and in accordance with policy T2 of the Maldon District Local Development Plan 2017 and guidance contained within the National Planning Policy Framework.
18. No development shall commence, including any works of demolition, until a Demolition and Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Demolition and Construction Management Plan shall include the following details:
- A scheme to control the emission of dust, dirt and mud during demolition;
 - A scheme to control noise during the construction period;
 - The provision of parking for operatives and contractors within the site;
 - Safe access in / out of the site;
 - The storage of plant and materials used in constructing the development;
 - The storage of top soil;
 - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - Wheel washing and underbody washing facilities;
 - Measures to control the emission of dust, dirt and mud during construction;
 - A scheme to control noise and vibration during the construction phase, including details of any piling operations;
 - Details of how the approved plan will be implemented and adhered to, including contact details for individuals responsible for ensuring compliance;
 - Contact details for Site Manager and details of publication of such details to local residents.

The approved Demolition and Construction Management Plan shall be adhered to throughout the construction period for the development.

REASON In the interests of neighbouring amenity, highway efficiency and the environment, and in accordance with policies S1, D1 and H4 of the Maldon District Local Development Plan 2017 and guidance contained within the National Planning Policy Framework.

19. Prior to the first occupation or use of the development, details of a strategy for refuse facilities and deliveries to the carehome, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained.

REASON In the interests of neighbouring amenity and highway and in accordance with policies S1, D1 and H4 of the Maldon District Local Development Plan 2017 and guidance contained within the National Planning Policy Framework.

20. Prior to the erection of any extraction, filtration, ventilation or similar mechanism to serve the kitchen and laundry room, full details of the equipment shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details, and the approved details shall be retained as such.

REASON In the interests of neighbouring and visual amenity and in accordance with policies S1 and D1 of the Maldon District Local Development Plan 2017 and guidance contained within the National Planning Policy Framework.

INFORMATIVES

1. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:
- a Biodiversity Gain Plan has been submitted to the planning authority, and
 - the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Maldon District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

2. In accordance with Schedule 7A (13) of The Town and Country Planning Act 1990 no development shall commence until a Biodiversity Gain Plan has been submitted to the planning authority, and the planning authority has approved the plan. In order to formally submit the Biodiversity Gain Plan to Maldon District Council please submit a Discharge of Conditions application. It is recommended that you complete and submit the template on the following link as part of your Biodiversity Gain Plan:

<https://www.gov.uk/government/publications/biodiversity-gain-plan>

A Biodiversity Gain Plan submission should include the following (where relevant):

- a) The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values
- b) Pre and post development plans drawn to an identified scale and showing the direction of North
- c) Legal agreement
- d) Commitment to deliver and maintain BNG for a minimum of 30 years from the date of completion of the development (for onsite) or from the date that BNG has been completed (offsite)
- e) Habitat Management and Monitoring Plan (HMMP) in line with the HMMP template or HMMP checklist, concurrent with planting plans or other landscape management plans.
- f) Compensation plan (if affecting irreplaceable habitats)
- g) BNG register reference numbers (if using off-site units)
- h) Proof of purchase (if buying statutory biodiversity credits)

If you are carrying out a phased development the following applies:

- a) A statement showing how the development will proceed in phases must be submitted alongside an Overall Biodiversity Gain Plan before any development can commence.
 - b) No development can then commence within each specified phase until a Phase Biodiversity Gain Plan for that phase has been submitted and approved.
3. You are advised that this application does not granted advertisement consent for any new signage at the site or on the building, which will require the submission of a separate advertisement consent application.

Approved Plans

Location Plan, PA01, PA02, PA03, PA04, PA05, PA06 REV A and 001.