



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

to
DISTRICT PLANNING COMMITTEE
15th July 2025

MEMBERS UPDATE

AGENDA ITEM NO: 5

Application Number	25/00160/FULM
Location	Land South of Wycke Hill And Limebrook Way Maldon Essex
Proposal	Construction of 90 dwellings (Use Class C3), open space, landscaping, vehicular and pedestrian infrastructure, sustainable urban drainage and other associated works
Applicant	Crest Nicholson Eastern
Agent	Michael Smith - JCN Design & Planning
Target Decision Date	01.08.2025
Case Officer	Patrick Daly
Parish	MALDON WEST
Reason for Referral to the Committee / Council	Major Development

1. PURPOSE OF MEMBERS UPDATE

- 1.1 This report has been prepared with the purpose of providing Members with an update regarding S106 contributions, relevant consultee comments and to address a discrepancy in the Committee Report. This report is presented having regard to provisions within the Town and Country Planning Act 1990 (as amended), sec 70(2).

2. RELEVANT UPDATES

2.1 Housing Mix Analysis (Paragraph 5.2.3 of Committee Report)

- 2.1.1 Assessing the above housing mix against the needs set out in the Local Housing Needs Assessment (LNHA) paragraph 10.38 (page 134), the scheme would meet the % requirements with the number of two beds (28%) and three beds (43%). The percentages of one bed (9%) and 4 or more beds (20%) are within the ranges set out in the LNHA.

2.2 Additional S106 Contributions (Section 5.11 of Committee Report)

Education

- 2.2.1 The Education Department has responded to the consultation request. The development is expected to generate the need for up to 7.3 early years & childcare (EY&C), 24.6 Primary school, and 16.4 secondary school places. As such, the following contributions would be triggered:

- Early Years Education: £126,056.40 index linked (£17,268 per place);
- Primary Education: £424,792.80 index linked (£17,268 per place); and
- Secondary Education: £389,910 index linked (£23,775 per place).

Libraries

The demand generated by this proposal amounts to a contribution of £77.80 per dwellings, which cumulatively would come to of £7,002 index.

Highways

- 2.2.2 Additional contributions are sought by Essex County Council Highways of £300,000 towards improving public transport links between the site and other local destinations. An annual monitoring fee of £1,817 (index linked) is also sought.

The Applicant's Response

- 2.2.3 The Applicant has been made aware of the above request for contributions and has questioned the amounts tabled, especially given that the wider development has already been implemented, with a nursery and primary school already delivered and operational and highways contributions already secured.
- 2.2.4 The Applicant has indicated that they will be appointing consultants to look at the amounts requested in further detail, looking at pupil numbers and current capacity of schools in the local area. Whilst this may delay the execution of a S106, it is a post-Committee matter that has no bearing on the principle of development and the planning balance; the subsequent agreement of contributions is to mitigate the impacts of the development and must accord with the Community Infrastructure Levy Regulations 2010. As such, Officers are minded to allow for further negotiations post-Committee prior to entering into a S106 Agreement and to bottom out both education and highways contributions.

2.3 Waste Services Comments (Paragraph 5.10.7 of Committee Report)

- 2.3.1 Waste services have responded on the application and have provided some standing advice. They have asked for confirmation regarding plots 395 and 397 to the northeast of the site and the potential accessibility of a refuse vehicle.
- 2.3.2 On review, this road is only accessible for pedestrians. However, there is potential provision for two routes to a refuse collection area to the east from the front and rear of the dwellings, although it appears from the plans that no rear gated access would be provided. Even so, drag distances from the front of the dwellings to the area to the east would be approximately 25m, which is not uncommon. Officers raise no concerns in this respect but a Waste Strategy can be conditioned to request further details if considered necessary.

2.4 Conclusion (Section 5.12 of Committee Report)

- 2.4.1 There is a typo in the last paragraph 5.12.7 and it should read:

"The planning balance is not a mathematical exercise whereby an amount of weights of benefits equals an acceptable scheme, but instead provides a rounded view of the proposals overall. It is important to recognise the benefits of the scheme but also the harms identified with this particular proposal which are of importance to decision making. On the merits of this particular proposal, the benefits clearly outweigh the harms."

2.5 Additional Consultation Responses (Section 7 of Committee Report)

Name of Internal Consultee	Comment	Officer Response
Ecology	No response received	N/A
Environmental Health	No objection subject to conditions in relation to construction management and noise insulation.	Listed as Condition 4 and 6 respectively in Committee Report
Waste Services	No objection but clarification needed regarding plots 395 to 397 and access for vehicles	Noted. Discussed above in Supplementary Report

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Lead Local Flood Authority	No comment received to date following revised drainage calculations.	Discussed above in Supplementary Report
Natural England	Mitigation required in relation to the contributions to RAMS (163.86 per dwelling.)	Discussed in Section 5.9 of Committee Report
Education Department	Contributions triggered towards early years, primary and secondary school education and library provision.	Discussed above in Supplementary Report