



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

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to  
**DISTRICT PLANNING COMMITTEE**  
**3 September 2025**

**MEMBERS UPDATE**

**AGENDA ITEM NO: 6**

<b>Application Number</b>	<b>24/01004/OUTM</b>
<b>Location</b>	Land South of Threeways And 45 The Street, Latchingdon, Essex
<b>Proposal</b>	Outline planning application with all matters reserved except for means of access, for up to 140 no. dwellings (Use Class C3) including 40% affordable housing; new site access and internal access roads; a new village centre (Use Class E(a)); flexible employment space (Use Class E); car and cycle parking; landscaping; sustainable urban drainage systems; public open space and footpaths; community woodlands and allotments; together with associated infrastructure.
<b>Applicant</b>	EJ Latchingdon Ltd
<b>Agent</b>	Mr Matthew Driscoll - MJD Planning Ltd
<b>Target Decision Date</b>	24.03.2025
<b>Case Officer</b>	Patrick Daly
<b>Parish</b>	<b>MALDON WEST</b>
<b>Reason for Referral to the Committee / Council</b>	Major application Departure application

**SUMMARY**

(i) Members are advised that an appeal against non-determination of the application has been received. The appeal will be determined by way of a hearing and is scheduled for the 25<sup>th</sup> November 2025 at these Council offices. The appeal consultation letters has already been issued to relevant persons on 20/08/2025.

(ii) Members are advised that the Environment Agency have issued a subsequent response dated 01/09/2025 stating that following their considerations of additional information, they are satisfied that the application can move forward by means of condition. Outline planning permission therefore will only be acceptable if the following planning condition is included: Condition:

*No development approved by this planning permission shall commence until such time as a scheme to demonstrate that the proposed development will not increase flood risk and where possible provide betterment to the surrounding community through the incorporation of appropriate green infrastructure as part of the flood mitigation measures (in line with Policy D5 of the Maldon Local Development Plan) has been submitted to, and approved in writing by, the LPA*

*The following information will be required:*

*Updated modelling based on the final design must be submitted for review. Investigation to determine if the existing culverts on the site could be removed which would provide environmental enhancements and potentially improve flood risk (modelling would need to be supplied to support this).*

*All development will be located outside of the 1% plus climate change extent. There shall be no raising of ground levels in flood zone 3, if there is a need to raise levels in flood zone 3, this shall be mitigated for on a level for level volume for volume basis.*

*The development shall be flood resilient with finished floor levels set 300mm above the 1% plus climate change level for two storey developments of 300mm above the 0.1% plus climate change for single storey developments. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the LPA.*

### **Reason(s)**

*To reduce the risk of flooding to the proposed development and its future users. Although we are satisfied at this stage that the proposed development could be allowed in principle, the applicant will need to provide further information to ensure that the proposed development can go ahead without posing an unacceptable flood risk to wider community.*

In addition to the above we have included some additional flood risk informatives in the appendix at the end of this letter.

**Waste Water Disposal** Unfortunately, we have not yet been able to consider waste water disposal for this application in detail. We are providing the following informative advice, as set out below.

This site falls within the catchment of Latchingdon Waste Water Treatment Works (WWTW). We note Anglian Water Services' (AWS) latest verified 2024 Dry Weather Flow (DWF) data, shows that this works is currently operating in exceedance of its environmental permit for discharge volume.

This measured DWF is known as the Q80. The recently verified 2024 annual compliance data indicates for Q80, that the works is still operating in exceedance of its permitted DWF, and has also now exceeded the Q90 limit for measured discharge volume for 3 out of the previous 5 years. The Q90 is a trigger used by us for enforcement.

The Latchingdon WWTW discharges into the Latchingdon Brook 'Blackwater Water Body', which is classified as 'moderate' ecological status as defined within Water Environment (Water Framework Directive) (England & Wales) Regulations 2017.

We understand that Latchingdon WWTW was not identified within AWS' AMP8 (2025-2030) business plan for investment. Ofwat published their Final Determination (FD) on 19 December 2024, and following the 18 February 2025 deadline to decide whether to accept or challenge it, AWS have announced their board decision requesting Ofwat to refer its PR24 FD to the Competition and Markets Authority (CMA).

Until we have a clear understanding of AWS' plans to accommodate growth within this catchment, we are unable to comment on the impact to the water environment. Capacity at this WWTW could have implications for this development. AWS will be in the best position to advise on establishing a timeline for when delivery of any investment plans will take place in line with the phasing requirements of the development. Your LPA should be satisfied that any growth can be delivered without harm to the water environment.