



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

to
**NORTH WESTERN AREA PLANNING COMMITTEE
8 OCTOBER 2025**

MEMBERS' UPDATE

AGENDA ITEM NO. 5

Application Number	25/00473/OUTM AND 25/00474/OUTM
Location	Land Adjacent Westerings, Purleigh
Proposal	Outline planning application for proposed residential development of up to 55 dwellings and associated infrastructure with all matters reserved except for access.
Applicant	Rosconn Group
Agent	Mrs Samantha Stephenson - Phase 2 Planning
Target Decision Date	25/00473/OUTM appealed due to non-determination 25/00474/OUTM 14.10.2025 (Extension of time agreed)
Case Officer	Fiona Bradley
Parish	PURLEIGH
Reason for Referral to the Committee / Council	Departure from the local plan Major Application

5 MAIN CONSIDERATIONS

5.11 Planning Balance and Conclusion

Bullet point one in section 5.11.5 of the report gives significant weight to conflict with the Local Plan as a harm. Further consideration has been given to this weighting, taking into account recent appeal decisions, APP/X1545/W/25/3367409 (Glebe Meadow, Southminster) and APP/X1545/W/24/3351697 (Tillingham Road, Southminster), where Inspectors attributed limited and very limited weight to conflict with the Local Plan in the context of the lack of 5 Year Housing Land Supply. Accordingly, the correct weighting should be limited weight.

7 CONSULTATIONS AND REPRESENTATIONS RECEIVED (PAGES 25 – 33)

7.3 Internal Consultees (*summarised*)

A revised consultation response, dated 2 October 2025, has been received from Place Services (Ecology) as follows:

Name of Internal Consultee	Comment	Officer Response
Ecology	We reviewed the submitted information, including the information submitted relating to mandatory biodiversity net	The LPA's Habitats Regulations Assessment - Appropriate Assessment is

Name of Internal Consultee	Comment	Officer Response
	<p>gains. We are satisfied that there is sufficient ecological information available to support determination of this application. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.</p> <p>No further bat, reptile or Great Crested Newt surveys are required.</p> <p>The LPA should also provide a Habitats Regulations Assessment - Appropriate Assessment to set out how the mitigation measures will avoid an adverse effect on site integrity.</p> <p>No objection subject to: RAMS contribution secured via S016 agreement; Conditions regarding: Development in accordance with the ecological appraisal recommendations; Construction Ecological Management Plan (CEMP) for biodiversity; Biodiversity enhancement strategy; Wildlife sensitive lighting design scheme; Habitat management and monitoring plan; Biodiversity Net Gain</p>	<p>included in the Committee report.</p> <p>The recommended conditions were included in the Committee report (Conditions 23 – 27) however some minor amendments are proposed, as set out below, to conditions 23 and 25. The recommendation includes a RAMS contribution to be secured via a S106 agreement.</p>

Amended condition 23:

All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Impacts Assessment (RammSanderson, August 2025) and Preliminary Ecological Appraisal (RammSanderson, April 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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.

Amended condition 25:

Prior to occupation, a “lighting design strategy for biodiversity” in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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.

7.5 Representations received from interested parties (*summarised*)

There are a total of **98** letters of representation in total in response to application 25/00473/OUTM and **104** letters of representation in response to 25/00474/OUTM. A petition has been submitted, signed by **175** residents objecting to the proposal. The reasons for objection are summarised below:

Objection comment	Officer Response
Conflict with the Local Development Plan: The Planning Officer acknowledges that the site lies outside the defined settlement boundary and is therefore contrary to the Maldon Local Development Plan (LDP). Heavy reliance has been placed on the Council’s current shortfall in five-year housing land supply and “tilted balance”, but this proposal represents unplanned, unjustified growth that fundamentally undermines the Council’s spatial strategy	Noted. This is discussed in section 5.1 of the report and 5.11.5 above in terms of appropriate weighting, taking into account appeal decisions.
Sustainability: The report describes Purleigh as a sustainable location, citing the presence of a shop, school, pub, church, and bus stops. However, it does not account for the infrequent bus services, absence of continuous footpaths, and lack of safe cycle routes. These factors mean the location fails to meet the definition of sustainable development set out in the National Planning Policy Framework (NPPF), particularly for working-age residents who must travel for employment.	This is discussed in section 5.1 of the report. It is acknowledged that bus services are limited. However there are hourly services (Monday to Saturday) linking the village to Maldon and Southminster Railway Station for example. Whilst these do not necessarily meet the needs of commuters they do provide a choice of transport. Other services provide a school service and fortnightly service.

<p>Harm to Landscape and Village Character:</p> <p>The proposed development would cause unacceptable harm to the rural landscape, established wildlife habitats, and the distinct character and identity of Purleigh. The applicant's Landscape and Visual Impact Assessment (LVIA) underestimates this harm, as highlighted by the independent landscape consultants review. Furthermore, the Biodiversity has not been secured at this time. The proposal therefore fails to comply with relevant LDP policies and the NPPF.</p>	<p>Noted.</p> <p>See updated Place Services Ecology response, as set out in 7.3 above, regarding BNG.</p>
<p>Highway and Safety Concerns:</p> <p>While the report acknowledges the limited road infrastructure in and around Purleigh, it overlooks serious local highway safety issues as observed by the councils own planning officer, particularly around the primary school at drop-off and collection times. The reliance on the ECC report is misplaced, as it has not been properly tested against local conditions. We believe the development poses unacceptable risks to highway and pedestrian safety, which cannot be adequately mitigated through construction management plans and would create lasting safety issues post-development.</p>	<p>Noted. In the absence of an objection from the Highway Authority Officers do not consider an objection on highway safety grounds could be substantiated.</p>
<p>Infrastructure capacity:</p> <p>The report acknowledges local pressure on schools, health services and utilities but assumes Section 106 payments will resolve these issues. There is no evidence that these contributions would offset the impact on already stretched rural infrastructure.</p>	<p>Section 106 agreements are only permitted when the obligations are necessary to make development itself acceptable and cannot be used to offset existing capacity concerns.</p>