



**REPORT of
DIRECTOR OF PLACE, PLANNING AND GROWTH**

to
**SOUTH EASTERN AREA PLANNING COMMITTEE
24 JUNE 2026**

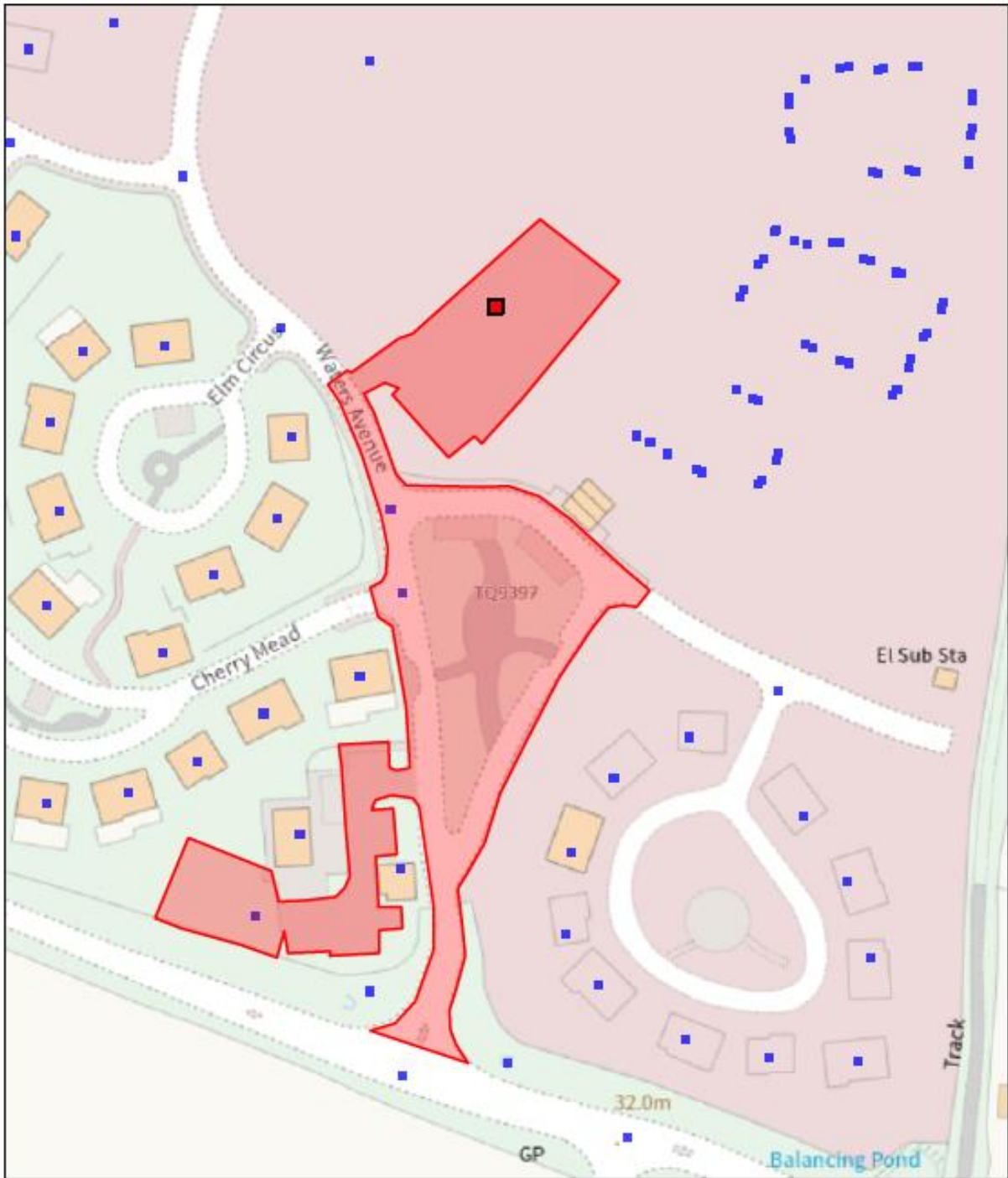
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| Application Number | 25/00484/FUL |
| Location | Burnham Waters Medical Centre 4 Waters Avenue Burnham-On-Crouch Essex |
| Proposal | Erection of medical centre and maintenance building (to swap the approved medical centre and approved maintenance building uses, with associated external alterations to buildings) and provision of additional parking spaces |
| Applicant | Mr Ian Holloway - Burnham Waters Limited |
| Agent | Mr Stewart Rowe - The Planning And Design Bureau Ltd |
| Target Decision Date | 30.06.2026 (Time Extension Agreed with Agent) |
| Case Officer | Chris Purvis |
| Parish | Burnham on Crouch Town Council |
| Reason for Referral to the Committee / Council | Where proposals which, in the opinion of the Director of Service Delivery in consultation with the Chairperson of the appropriate Area Committee or the Chairperson of the District Planning Committee are of significant public interest, would have a significant impact on the environment, or should otherwise be referred to Members. |

1. RECOMMENDATION

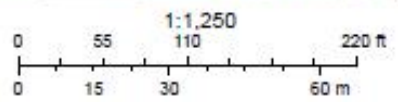
APPROVE subject to the conditions (as detailed in Section 8 of this report).

2. SITE MAP

Please see below.



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3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

Site Description

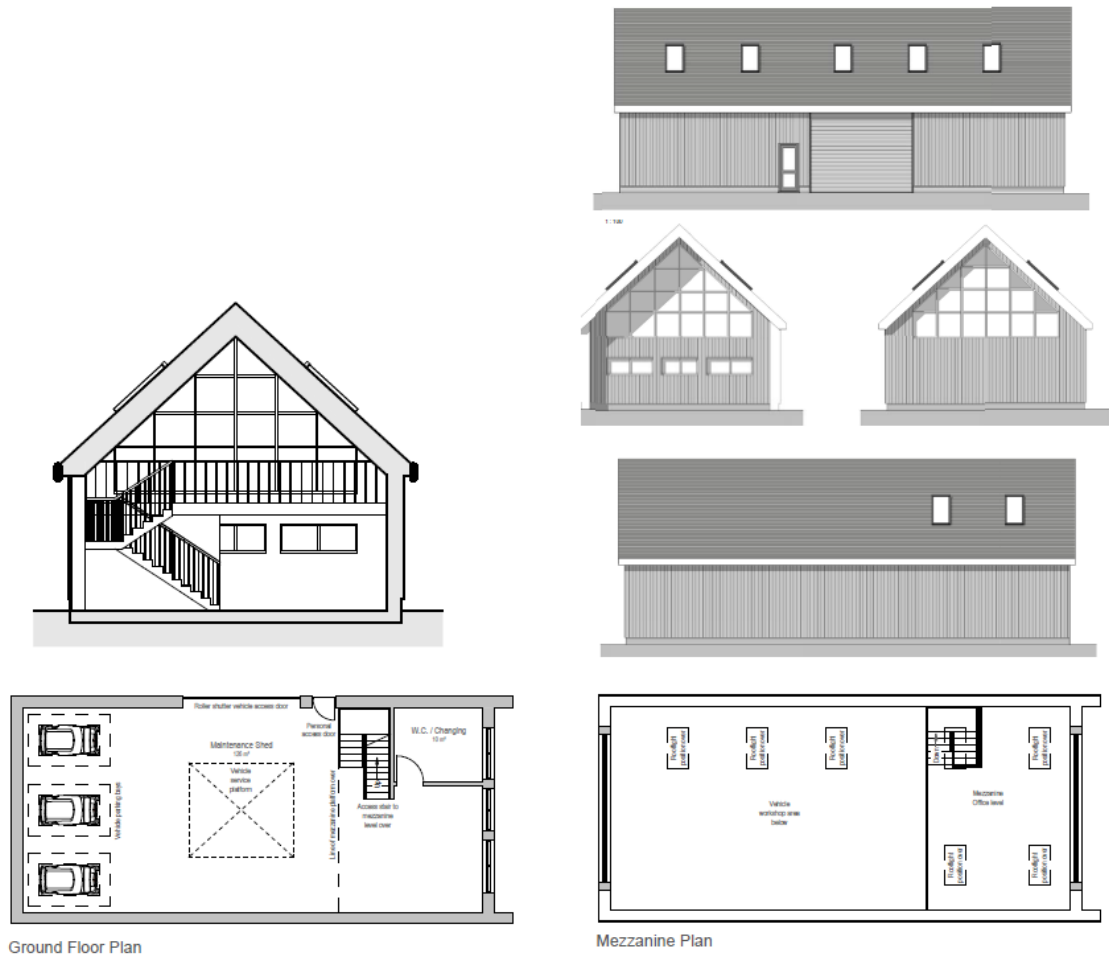
- 3.1.1 The site forms part of the southern end of the Burnham Waters retirement community site and is adjacent to the north side of the B1010 Maldon Road. The site area includes the existing building shown on the plans as the maintenance shed (as site A) and a yet to be developed plot for the approved medical centre (as site B). Both these sites are connected by the existing internal highway network within the site that leads to the B1010 Maldon Road.

Description of the Proposal

- 3.1.2 Planning permission is sought for the erection of medical centre and maintenance building (to swap the approved medical centre and approved maintenance building uses, with associated external alterations to buildings) and the provision of additional onsite parking spaces.
- 3.1.3 This application seeks full planning permission to, in effect transpose the uses in two of the approved commercial buildings on Phase 1 of the Retirement Community: namely the private medical centre and the maintenance building. The applicant has explained that the intention is to deliver the medical centre now before its planning obligation requirement, which requires delivery of the medical centre to be delivered prior to occupation of 80% (132nd unit) of dwellings in Phase 1.

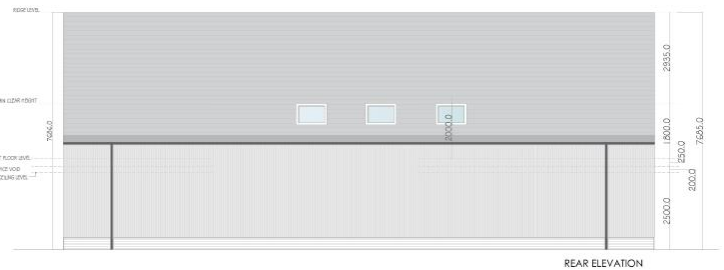
The Medical Centre

- 3.1.4 The proposal would mean the medical centre use can take place first re-using and repurposing the yet to be built approved maintenance building in the location towards the front of the site. The agent has explained that this to help as a sales incentive to potential purchasers of the bungalows as it is hoped to make the development a more attractive choice compared to other retirement home and bungalow choices. The medical centre was approved with the outline planning permission in 2018, but the agent has stated that the original design of the building is too large for the retirement community and its size is in excess what is required for the medical centre on site as explained below. The proposed medical centre through this application is designed to serve 600 homes.
- 3.1.5 The agent has advised that the medical centre is proposed to be a private medical centre with a private health care provider to lease the building and deliver the services for those living on the site instead of this being a public NHS GP service. One GP will be accommodated in the medical centre building and would be available for consultations between 9am and 5pm on working days. The additional facilities within the building includes a room for an optician, a dentist and a pharmacy. It is anticipated that there would be five full-time members of staff in the building at any one time working alongside the three practitioners.
- 3.1.6 The s106 legal agreement to the outline planning permission requires a health payment of £62,0000 for secondary health care such as hospital and community health care services.
- 3.1.7 As approved as the maintenance building:



3.1.8 As proposed for the medical centre:





3.1.9 This part of the site would also provide 32 parking spaces for the three operation buildings (two already built: security office and site office) in this location. The plans show that new soft landscaping would be planted that are accord with the details approved at reserved matters stage and that have since been amended through a minor material amendment permission, but the applicant intends to provide additional soft landscaping.

The Maintenance Building

3.1.10 The approved medical centre would be reduced in size by removal of the rear projection, as shown on the approved plans below. The building would be delivered towards the end of the development of Phase 1 as a building for the maintenance and servicing of groundskeeping and building repair machinery and vehicles used on the site - primarily mechanical repairs and servicing. It would also be utilised for storage of supplies and for general maintenance of equipment and paraphernalia found with the retirement community (all as per the original approval). The approved 15 parking spaces to the front of the building in this location would be provided for this use.

3.1.11 As approved as a medical centre:



Front elevation



North side elevation



Rear elevation

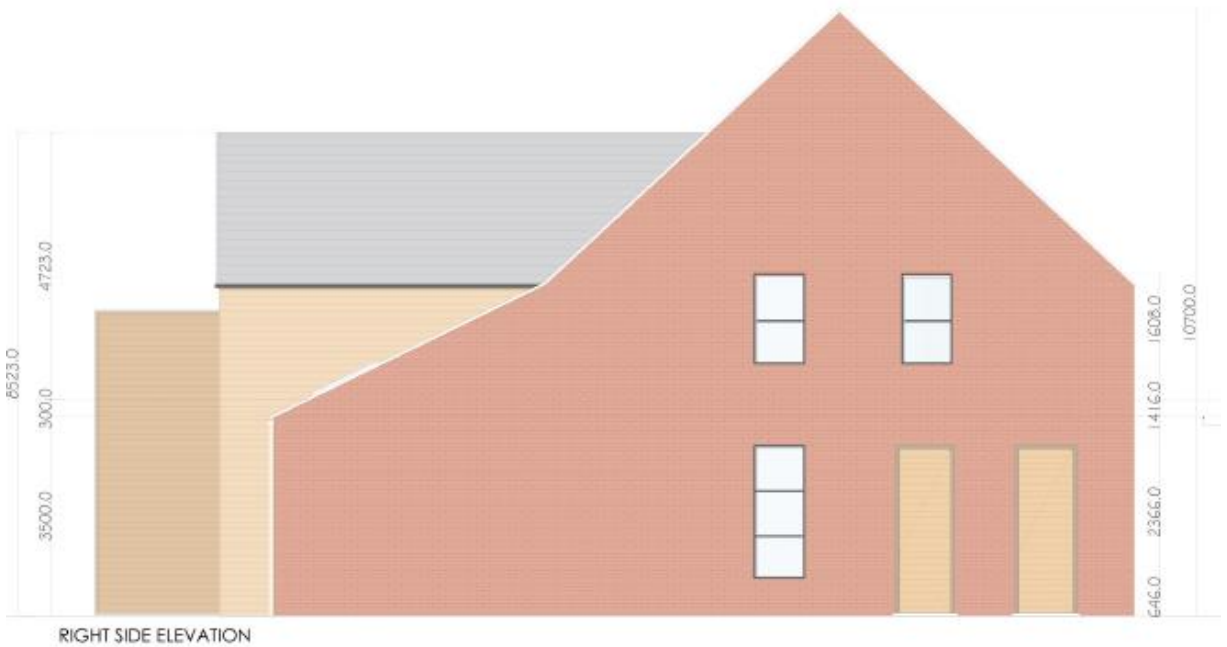
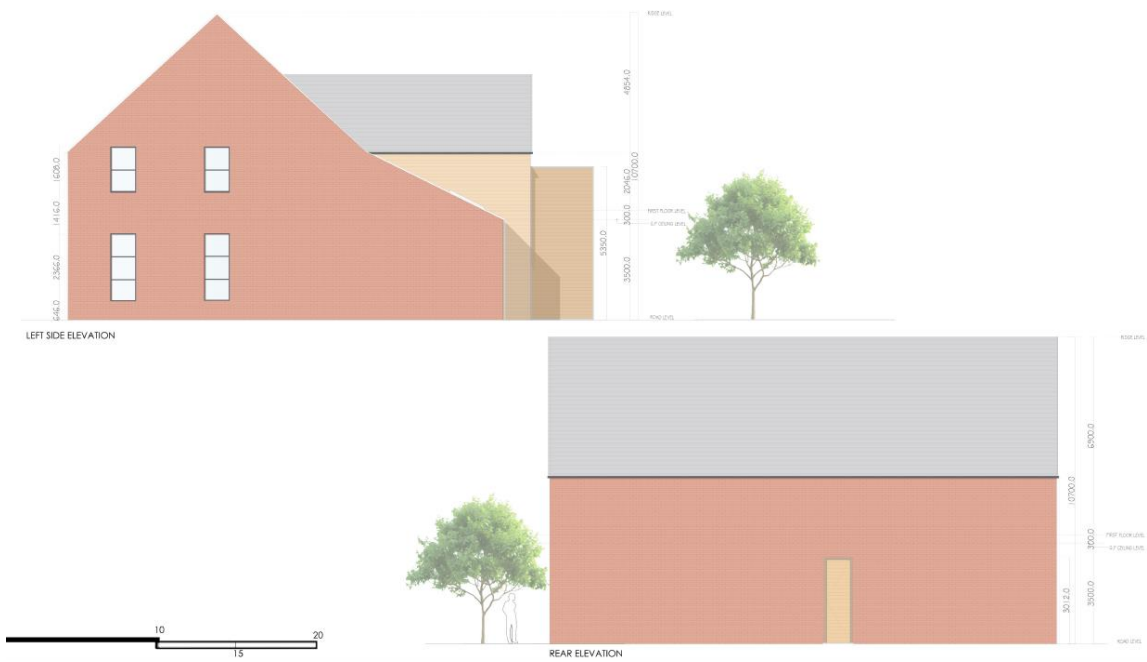


South side elevation

3.1.12 As proposed as a maintenance building:



FRONT ELEVATION

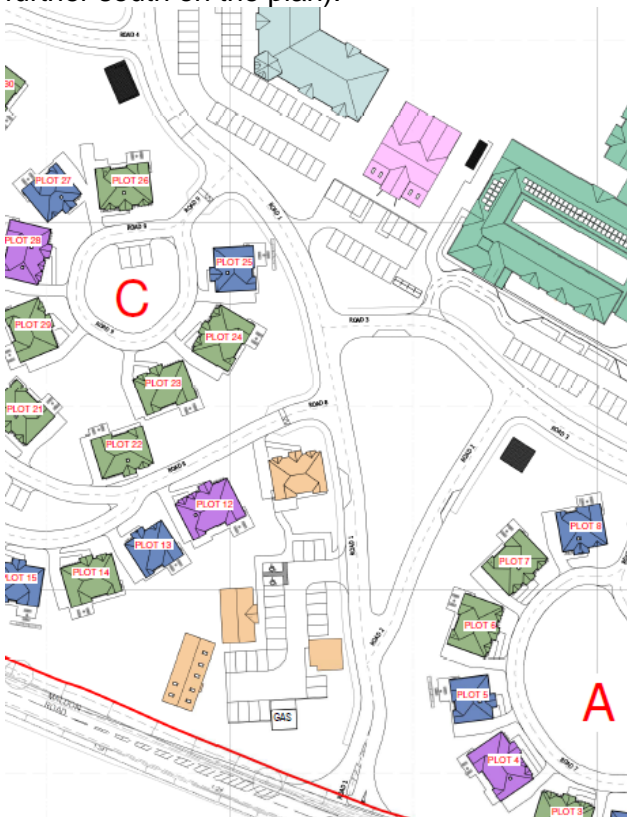


3.1.13 The plans below show the layout changes and evolution of previous permissions and the current proposed plan:

3.1.14 As approved through 20/00846/RES:



3.1.15 An application for a non-material amendment through reference 21/00717/NMA rotated the maintenance building by 30 degrees as shown below (beige building further south on the plan):



3.1.16 Plan below as proposed with this application:



3.2 Conclusion

3.2.1 It is considered that the proposal is acceptable in principle and would not impede, delay or alter any other parts of the consented development from coming forward. The proposal would not have any adverse impacts by reason of its location and design upon the character and appearance of the locality given what has already been consented. The proposal would not have any adverse impact upon the relationship with the nearby existing properties in terms of amenity impacts. In addition, the proposed development does not detrimentally impact on car parking provision or access at the site. It is therefore considered that the proposed development is in accordance with the relevant policies contained within the Local Development Plan (LDP).

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework including paragraphs:

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 11-14 Presumption in favour of sustainable development
- 39 Decision-making
- 48-51 Determining applications

- 56-59 Planning Conditions and Obligations
- 85-89 Building a strong, competitive economy
- 96-108 Promoting healthy and safe communities
- 109-118 Promoting sustainable transport
- 124-127 Making effective use of land
- 129-130 Achieving appropriate densities
- 131-141 Achieving well-designed places
- 161-186 Meeting the challenge of climate change, flooding, and coastal change
- 187-201 Conserving and enhancing the natural environment

4.2 Maldon District Local Development Plan 2014 – 2029 approved by the Secretary of State:

- S1 Sustainable Development
- S7 Prosperous Rural Communities
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- E1 Employment
- E3 Community Services and Facilities
- H3 Accommodation for 'Specialist Needs'
- H4 Effective Use of Land
- N2 Natural Environment, Geodiversity and Biodiversity
- T1 Sustainable Transport
- T2 Accessibility
- I1 Infrastructure and Services
- I2 Health and Wellbeing

4.3 Relevant Planning Guidance / Documents:

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

4.4 Burnham-on-Crouch Neighbourhood Development Plan (2017)

- CS.2 – Community Facilities
- HO.3 – Housing for Retired and Elderly Persons

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The planning history shows the evolution of the development, and this includes the two buildings subject of this application. The principle of their uses and built form has already been considered acceptable having been assessed with current LDP policies S1, S8, E3, H3 and I2 during the outline planning permission (18/00443/OUT) and reserved matters (20/00846/RES) applications along with policy HO.3 from the Burnham-on-Crouch Neighbourhood Development Plan.

- 5.1.2 The proposal involves changes as set out in the Proposal section of this report and is assessed below. Both the uses of the medical centre and the maintenance building form part of the wider development of this specific care and retirement community. The medical centre is therefore connected to the sustainability of the site (policy S1 and the National Planning Policy Framework(NPPF)) by providing an on-site facilities for existing and future residents.
- 5.1.3 Given the site's history and extant permissions there are no objections to the principle of the development.

5.2 Design and Impact on the Character of the Area

- 5.2.1 Policy D1 seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution and is subject to various criteria. The NPPF also promotes good design which is fundamental to high quality new development and its importance is reflected in the NPPF.
- 5.2.2 The proposed medical centre building towards the front of the site would be sited slightly further west and would involve some minor fenestration changes but the overall proposed built form of the building would be very similar to the approved maintenance building in this location.
- 5.2.3 The proposed maintenance building would be reduced in size, when compared to the approved medical centre in this location, through removal of the rear projection, which reduces the scale and bulk of this building.
- 5.2.4 The changes are relatively minor when taken in the context of the overall development consented for this site. The changes are not considered to have any adverse impact upon the approved development or wider area in terms design and layout terms. The proposal would not lead to any policy conflicts with policy D1 or any paragraphs in the NPPF.

5.3 Access, Parking and Highway Safety

- 5.3.1 Policy T1 of the approved LDP seeks to create additional sustainable transport opportunities. 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.
- 5.3.2 Access to both the buildings subject of this application would remain the same as approved through the outline, reserved matters approvals, and has since amended through 22/01007/VARM. Essex County Council Highways have no objections to the application.
- 5.3.3 The Council's adopted Vehicle Parking Standards SPD (2018) (VPS) contains the parking standards which are expressed as minimum standards. This takes into account Government guidance which encourages the reduction in the reliance on the car and promotes methods of sustainable transport.
- 5.3.4 For the medical centre there is a requirement one space per full-time staff member and two spaces per consulting room. The applicant's Planning Statement explains that there would be a need for 11 parking spaces and the site plan shows a total 32

spaces (including two disabled spaces) but then this parking area is to also cater for the site office (and its temporary permission 24/00667/FUL as a shop and café use) and security office buildings that are already built in this location adjacent to the location of the proposed medical centre. It is considered that there is sufficient parking to meet the needs of the medical centre and in combination with the uses of the other buildings in this location.

- 5.3.5 For the maintenance building the former B1(c) use standard in the VPS applies, which requires 1 space per 50sqm. The gross floorspace of this building would be 369sqm and would therefore generate a need for eight parking spaces. The proposal would provide an overprovision of 15 parking spaces including two disabled spaces.
- 5.3.6 It is considered that there is sufficient off street parking provision to meet the needs of the development.
- 5.3.7 On the basis of the above, it is considered that the proposal is acceptable with respect to access, parking and highway safety, in compliance with Policy T2 of the LDP.

5.4 Ecology and Biodiversity

- 5.4.1 Policy N2 states that, any development which could have an adverse impact 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. Where any potential adverse effects to the conservation value or biodiversity value of designated sites are identified, the proposal will not normally be permitted.
- 5.4.2 The site has been subject to surveys and ecological mitigation through the outline planning application. The applicant's Planning Statement explains the northern part of the site has no material biodiversity because it has been prepared for redevelopment, and the southern part is being developed in accordance with the planning permission. The Biodiversity Net Gain Assessment has been undertaken using the approved phase 1 (as amended by application 22/01007/VARM) planting scheme. For this application the applicant is proposing to plant five small trees in the locations shown on the landscape plan (drawing 11). This would be in addition to the landscaping as approved through the reserved matters. A native hedgerow has already been planted along the southern site boundary. The approach to landscaping is to reflect that already approved.
- 5.4.3 Place Services Ecology raise no objections subject to an informative for biodiversity net gain and another for good general practice to avoid ecological impacts during the construction phase.

5.5 Impact on Neighbouring Amenity

- 5.5.1 The basis of policy D1 in 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.
- 5.5.2 The location of the medical centre at the front of the site would be within the proximity of plots 12 – 15 on the approved plan but the separation distance is very similar (marginally closer) to the already consented maintenance building originally proposed in this location. These plots have bungalows that have now been constructed and appear to be occupied. The proposed changes to this building and

its alternative use as a medical centre in this location would not lead to any adverse impact upon nearby residents in terms of its built form and proximity to these bungalows in regard to privacy considerations. From a use perspective the medical centre is likely to cause less noise and disturbance than the previous maintenance shed building in this location, although the maintenance shed was considered acceptable in this location in regard to the proximity of these bungalows.

- 5.5.3 The location of the maintenance shed would be located between two future approved residential uses being a care home to the west and independent living blocks to the east. The building is very similar to the consented medical centre previously proposed in this location, but the proposed maintenance building in this location would be smaller in size as it does not include the two storey rear projection, therefore from a built form perspective the proposal would not lead to any adverse impact upon the future occupiers of the care home to the west and independent living blocks to the east. The use is different to a medical centre so could potentially give rise to potential noise and disturbance. The application includes a noise assessment which concludes that subject to specific construction methods (sound insulation of the walls, windows and roof) and operating practices, the two can co-exist without harm to the living conditions of future residents. The Council's Environmental Health Officer has no objection subject to a condition requiring the implementation of the mitigation identified in the applicant's noise assessment.
- 5.5.4 Outside of the site the nearest residential properties are located along Maldon Road and Ferry Road that are more than 100m away from the nearest of the buildings, the medical centre. To the west Elm Farmhouse is approximately 200m away from the nearest building, also the medical centre. The occupiers of these properties would not be adversely affected by the built form of the proposed buildings nor their uses, which already have permission albeit for alternative locations in the Burnham Waters site.
- 5.5.5 On the basis of the above, it is considered that the proposal would not materially harm the amenity of the occupiers of existing residential properties, in compliance with the NPPF and Policy D1 of the LDP.

5.6 Other Matters

- 5.6.1 In regard to the complex planning history of this site this proposal would not impede, delay or alter any other parts of the consented development from coming forward.

6. ANY RELEVANT SITE HISTORY

- 6.1 Relevant planning history.

| Ref | Proposal | Decision |
|--------------|--|---|
| 18/00443/OUT | Create retirement community consisting of 103No. one, two and three-bedroom bungalows (class C.3), 70 bedroom two-storey care home building (class C.2) and 55 bedroom two-storey assisted living apartment building (class C.3) including affordable housing. Erect ancillary community centre, 8No. shops (class A.1) with 8No. key workers apartments over in two-storey building, two-storey medical centre (GP, dental, optician, and dispensing chemist), and construct single-storey office and Maintenance Buildings. Lay Out Amenity and Sports Facilities Including Outdoor Swimming Pool, tennis courts, allotments and open spaces. Lay out estate | Approved at full Council on 13.09.2019 and subject to conditions and s106 |

| | | |
|---------------|--|------------------------|
| | roads, footpaths and surface water drainage infrastructure including swales and detention Basin. Form vehicular and pedestrian accesses onto B1010 Maldon Road and Tinkers Hole, and create associated hard and soft landscaping | |
| 20/00846/RES | Reserved matters application for the approval of appearance, scale & landscaping on approved planning application 18/00443/OUT (Create retirement community consisting of 103No. one, two and three-bedroom bungalows (class C.3), 70 bedroom two-storey care home building (class C.2) and 55 bedroom two-storey assisted living apartment building (class C.3) including affordable housing. Erect ancillary community centre, 8No. shops (class A.1) with 8No. key workers apartments over in two-storey building, two-storey medical centre (GP, dental, optician, and dispensing chemist), and construct single-storey office and Maintenance Buildings. Lay Out Amenity and Sports Facilities Including Outdoor Swimming Pool, tennis courts, allotments and open spaces. Lay out estate roads, footpaths and surface water drainage infrastructure including swales and detention Basin. Form vehicular and pedestrian accesses onto B1010 Maldon Road and Tinkers Hole, and create associated hard and soft landscaping) | Approved 14.10.2020 |
| 21/00717/NMA | Application for non-material amendment following grant of Planning Permission 18/00443/OUT (Create retirement community consisting of 103No. one, two and three-bedroom bungalows (class C.3), 70 bedroom two-storey care home building (class C.2) and 55 bedroom two-storey assisted living apartment building (class C.3) including affordable housing. Erect ancillary community centre, 8No. shops (class A.1) with 8No. key workers apartments over in two-storey building, two-storey medical centre (GP, dental, optician, and dispensing chemist), and construct single-storey office and Maintenance Buildings. Lay Out Amenity and Sports Facilities Including Outdoor Swimming Pool, tennis courts, allotments and open spaces. Lay out estate roads, footpaths and surface water drainage infrastructure including swales and detention Basin. Form vehicular and pedestrian accesses onto B1010 Maldon Road and Tinkers Hole, and create associated hard and soft landscaping. Amendment sought: Rotate maintenance building through 30 degrees (anti-clockwise) and extend driveway. | Approved 03.08.2021 |
| 22/01007/VARM | Variation of conditions 15 (site access construction),16, (site access layout), 17 (new footpaths) and 31 (approved drawings) on approved planning permission 18/00443/OUT (Create retirement community consisting of 103No. one, two and three-bedroom bungalows (class C.3), 70 bedroom two-storey care home building (class C.2) and 55 bedroom two-storey assisted living apartment building (class C.3) including affordable housing. Erect ancillary community centre, 8No. shops (class A.1) with 8No. key workers apartments over in two-storey building, two-storey medical centre (GP, dental, optician, and | Approved 09.03.2023 |

| | | |
|--------------|---|------------------------|
| | dispensing chemist), and construct single-storey office and Maintenance Buildings. Lay Out Amenity and Sports Facilities Including Outdoor Swimming Pool, tennis courts, allotments and open spaces. Lay out estate roads, footpaths and surface water drainage infrastructure including swales and detention Basin. Form vehicular and pedestrian accesses onto B1010 Maldon Road and Tinkers Hole, and create associated hard and soft landscaping) (as amended by 22/00807/NMA) to accommodate amendment to site access | |
| 24/00667/FUL | Temporary period to use site office as site office and community hub: to include use as shop and cafe, with associated external alterations, and use of approved parking spaces as temporary outdoor seating area | Approved 24.10.2025 |

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

7.1 **Representations received from Parish / Town Councils**

| Name of Parish / Town Council | Comment | Officer Response |
|--------------------------------------|--|--|
| Burnham on Crouch Town Council | Recommend refusal as it is essential for the development to retain the existing plan to ensure the provision of medical facilities for a suitable size | Noted but the proposal seeks to bring forward the medical centre first and the planning assessment demonstrates that this approach is acceptable |

7.2 **Statutory Consultees and Other Organisations** (*summarised*)

| Name of Statutory Consultee / Other Organisation | Comment | Officer Response |
|---|---|--|
| Essex County Council Highways | No objection | Noted |
| Place Services - Ecology | No objection subject to an informative for biodiversity net gain and another for good general practice to avoid ecological impacts during the construction phase. | Informatives to be included and assessment contained within the ecology section 5.4 of the 'Main Considerations' section |

7.3 **Internal Consultees** (*summarised*)

| Name of Internal Consultee | Comment | Officer Response |
|-----------------------------------|---|--------------------------------------|
| Environmental Health | No objection subject to the recommendations in the noise assessment being implemented | A planning condition can be included |

7.4 Site Notice/Advertisement

- 7.4.1 The application was advertised by way of a site notices posted on the 13 June 2025 (with expiry date for comments by 4 July 2025). The site notices were affixed at eye level to street furniture in the immediate vicinity of the site.
- 7.4.2 Notice was also given by way of newspaper advertisement posted in the Maldon and Burnham Standard on 5 June 2025, published on the (with expiry date for comments by 26 June 2025).

7.5 Representations received from Interested Parties (*summarised*)

- 7.5.1 **1 objection** to the application and the reasons for objection are summarised as set out in the table below:

| Subject | Comment Summary | Officer Response |
|---|--|---|
| Misuse of Drop In classification | Misuse of legal case and relocating and reconfiguring the approved two-storey medical centre - which was a critical justification for granting development outside the settlement boundary - jeopardises the integrity of the wider scheme, especially if the essential services (such as full GP access) are weakened or delayed | The proposal seeks to bring forward the medical centre first and only swaps the uses of the two buildings to do so. |
| NPPF conflicts | Conflicts with paragraph 8 (b), 92 (c) and 93. The medical centre is not an ancillary feature, it was fundamental to making the development sustainable | Addressed through the 'Main Considerations' section of the report in regard to applying local and national planning policy. |
| Contrary to LDP | <p>The proposal undermines key policies, including:</p> <ul style="list-style-type: none"> - Policy S2 - The site lies outside the Burnham-on-Crouch settlement boundary; approval was contingent on delivering public benefit. - Policy I2 - Healthcare services must be proportionate and accessible. - Policy D1 and T2 - Poor design integration, inadequate parking, and compromised access raise safety and amenity concerns. | |
| Inappropriate proximity to bungalows and Maldon Rad | The newly proposed location places the medical centre immediately next to a residential bungalow, causing likely visual intrusion, activity disturbance, and loss of privacy. | The 'Main Considerations' section considers the impact upon nearby existing properties |

| | | |
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| | Furthermore, the building will be highly visible from the B1010 (Maldon Road), raising legitimate concerns about driver distraction due to increased signage, movement, and vehicle activity near the carriageway. This undermines both residential amenity and highway safety. | |
| Inconsistent with Burnham on Crouch Neighbourhood Plan | The proposal conflicts with: - Policy HC.1 - Calls for strengthened [not degraded] healthcare provision. - Policy TR.1 - Raises parking and transport safety concerns. - Policy EN.2 - Undermines coherent and locally sensitive planning. | Policy HC.1 is for shopfront design so it not relevant. TR.1 – no such policy EN.2 for new development and flood risk but there is no flood risk issue at this site |
| Risk to Public Trust | The application fails to reaffirm or secure services of a GP 5 days a week plus optical and dental services | Not a material planning consideration |

8. **PROPOSED CONDITIONS**

Start within 3 years

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended).

In accordance with the approved plans

2. The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.
Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the details as approved with regard to policy D1 of the Maldon District Local Development Plan.

Material details to be provided

3. No development shall commence until written details or samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out using the materials and details as approved.
Reason: In the interests of visual amenity and to ensure that the proposed development is integrated with its surroundings in accordance with policy D1 of the Maldon District Local Development Plan.

Details of Boundary Treatment

4. No development shall commence until details of the siting, height, design and materials of the treatment of all boundaries including gates, fences, walls, railings and piers have been submitted to and approved in writing by the local planning authority. The screening as approved shall be completed prior to the first use/occupation of the development and shall be retained and maintained as such thereafter.

Reason: In the interests of the visual amenity of the area as required by policy D1 of the Maldon District Local Development Plan.

Parking to be provided as per the approved plans

5. The development hereby permitted shall not be first occupied until such time as the vehicle parking area shown on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out as shown on the approved plans/in parking bays. The vehicle parking area(s) shall be retained in this form at all times thereafter. The vehicle parking area(s) shall not be used for any purpose other than the parking of vehicles that are related to the use of the approved development.

Reason: In the interests of highway safety and to ensure that adequate car parking provision is available in accordance with policies D1 and T2 of the Maldon District Local Development Plan.

Cycle parking provision

6. Prior to the occupation of the development hereby approved details of the number, size, location, design and materials of secure and weather protected cycle parking/powered two wheelers' facilities to serve the buildings hereby permitted shall be submitted to and agreed in writing with the local planning authority. The agreed facilities shall be installed on site prior to the first occupation of the buildings hereby permitted] and shall thereafter be permanently retained for sole use as cycle parking/powered two wheelers' facilities for the users and visitors of the development.

Reason: To reduce reliance on the use of private cars, in the interests of sustainability, highway safety and amenity in accordance with policies D1 and T2 of the Maldon District Local Development Plan.

Noise Mitigation requirements

7. Prior to the occupation of the development hereby approved the maintenance building subject of this application shall implemented in accordance with the recommendations as set out in the Sharps Acoustics letter dated 7 January 2025 at all times.

Reason: To safeguard the amenities of nearby residents and the surrounding area from any noise and disturbance arising from the maintenance building in accordance with policies D1 and D2 of the Maldon District Local Development Plan.

Hours of Use

8. The uses hereby permitted shall only be undertaken between 07:00 hours and 18:00 hours on weekdays and between 07:00 hours and 13:00 hours on Saturdays and not at any time on Sundays and Public Holidays.

Reason: To safeguard the amenities of nearby residents and the surrounding area as required by policies D1 and D2 of the Maldon District Local Development Plan.

Restriction on outside storage

9. No goods, materials, plant, machinery, skips, containers, packaging or other similar items shall be stored or kept outside of the building.

Reason: To safeguard the amenities of nearby residents and the surrounding area as required by policies D1 and D2 of the Maldon District Local Development Plan.

No activity outside of the maintenance building

10. No repairs or maintenance works relating to the maintenance building shall be undertaken outside of the building.

Reason: To safeguard the amenities of nearby residents and the surrounding area in accordance with Policies S1, D1 and D2 of the approved Local Development Plan.

Use of the maintenance building

11. The maintenance building shall be used for purposes ancillary to the wider retirement community hereby approved and for no other business purpose that is not part of this site.

Reason: In the interests of neighbouring amenity in accordance with Policies S1, D1 and D2 of the approved Local Development Plan.

Informatives

Biodiversity Net Gain

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
- b) 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.

General good practice mitigation to avoid ecological impacts during the construction phase

To avoid killing or injuring small animals which may pass through the site during the construction phase, it is best practice to ensure the following measures are implemented:

- a) Trenches, pits or holes dug on site should be covered over at night. Alternatively, ramps (consisting of a rough wooden plank) or sloped/stepped trenches could be provided to allow animals to climb out unharmed;

- b) materials brought to the site for the construction works should be kept off the ground on pallets to prevent small animals seeking refuge;
- c) rubbish and waste should be removed off site immediately or placed in a skip, to prevent small animals using the waste as a refuge; and
- d) should any protected species or evidence of protected species be found prior to or during the development, all works must immediately cease, and a suitably qualified ecologist must be contacted for further advice before works can proceed.

All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

APPLICATION PLANS / DOCUMENTS:

Application plans:

- 01 – Site Location Plan
- 03 – Medical Centre Floor Plans
- 04 – Medical Centre Floor Plans
- 05 – Side & Rear Elevations
- 06 – Section A-A & B-B
- 07 – MB Roof & Ground Floor Plan
- 08 – MB First Floor & Front Elevation
- 09 – Side & Rear Elevation
- 10 – Side Elevation & Section A-A
- 11 – Bio-Diversity Net Gain — Updated Landscape Plan
- Baseline Habitats Plan
- Block & Roof Plan 2A — Site A & B
- Block & Roof Plan 2B — Site A & B

Application supporting documents:

- Planning Statement
- Acoustic Assessment
- Biodiversity Net Gain ('BNG') documents