



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

to
**DISTRICT PLANNING COMMITTEE
25 JUNE 2025**

Application Number	25/00131/RESM
Location	Land 250M North Of 16A Maldon Road Burnham-On-Crouch Essex
Proposal	Reserved matters application for the approval of appearance, landscaping and scale from approved planning application reference 21/00075/OUTM allowed on appeal APP/X1545/W/21/3283478 (Outline application with all matters of detail reserved for future determination (except for layout and means of access to the site) to extend approved retirement community to north and east including additional affordable housing : erect 132No. one, two and three-bedroom bungalows, 100No. one, two, and three-bedroom apartments in two-storey buildings , and erect single-storey ancillary multi-use community building. Lay out estate roads, footpaths, vehicle parking and surface water drainage infrastructure including swales and detention basins. Form open spaces and allotments and lay out hard and soft landscaping)
Applicant	Mr Ian Holloway, Burnham Waters 2 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 North
Reason for Referral to the Committee / Council	Major Development

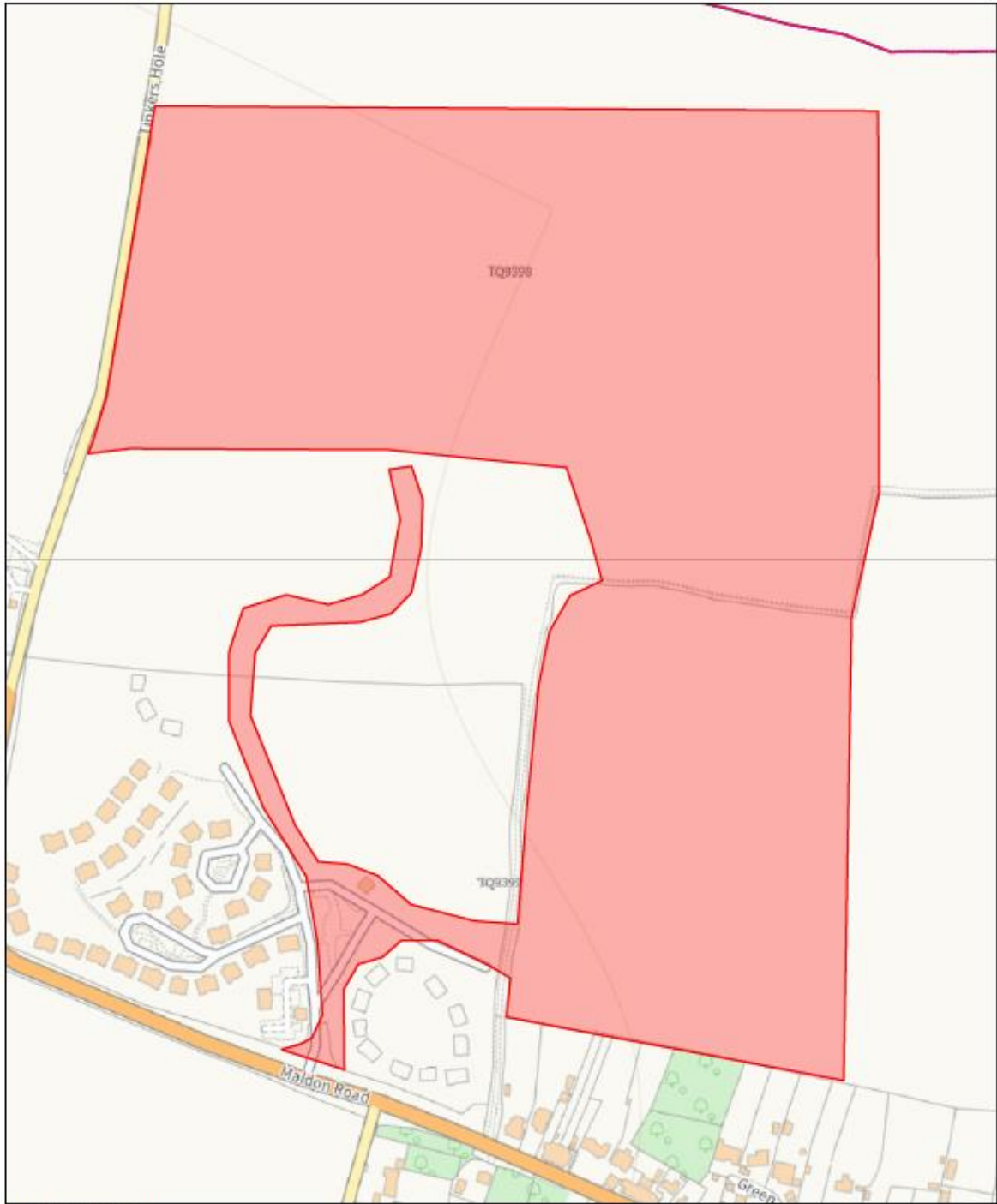
1. **RECOMMENDATION**

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

2. **SITE MAP**

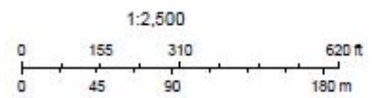
Please see below.

25/00131/RESM



11/17/2025, 4:54:41 PM

- Parish Polygon
- Ward Polygon
- OS Grid Tiles 1km



3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

The Site

- 3.1.1 The c.20 hectare (ha) application site is located within the countryside adjacent to but beyond any settlement boundary. Burnham-on-Crouch's settlement boundary is located around 50m to the south of the application site at its closest point.
- 3.1.2 The land is bounded to the south and west by a site known as Burnham Waters which is currently being developed as a retirement community providing homes for residents over 55 (application references 18/00443/OUT approved in September 2019 and 20/00846/RES approved in October 2020), this is known as Phase 1 of the development. That development would consist of bungalows organised in cul-de-sac communities, with additional assisted living apartment blocks. A range of healthcare and leisure facilities would be included. This retirement community is being constructed on land on the north side of the B1010 Maldon Road on the north-western edge of the settlement of Ostend (located to the north-west of Burnham-on-Crouch). Some of the units in Phase 1 are completed and occupied.
- 3.1.3 To the south and east of the site are a collection of existing properties fronting Maldon Road, Green Lane and Mangapp Chase. The houses along Maldon Road are particularly close to the southern boundary of the application site. Land immediately to the north and east of the site is currently in use for arable farming, with fields separated by tree lines, hedgerows, and drainage ditches. This includes Pannel's Brook, a small stream that runs adjacent to a Public Right of Way (PRoW). To the south-east is the settlement of Ostend, which includes the recently built Grangewood Park development of new homes.
- 3.1.4 There are multiple PRoWs within the landscape. PRoW 242 runs along but beyond the western boundary of the south-eastern part of the site. An east-west section of this PRoW is located within the application site and is shown to be retained between the flats and the bulk of the bungalows proposed. The footpath then runs along the eastern site boundary for a short distance before turning eastwards across neighbouring fields.
- 3.1.5 The L-shaped site slopes gently upwards from east to west. The northern boundary of the site falls from Tinkers Hole (to the west) to the site's north-eastern corner by around 5.1m. Ground levels fall from south to north across the site by around 0.9m. Along the southern boundary, the difference in ground levels east-west is around 3.2m.
- 3.1.6 The site is currently agricultural land used for arable farming within two fields bisected east-west by a hedge and ditch with an adjacent PRoW (no.242). The ditch is understood to be hydraulically linked to Pannel's Brook located 250m to the northeast. The site is located within Flood Zone 1 (low probability).
- 3.1.7 The majority of the site's eastern and northern boundaries are currently undefined being within an existing arable field.
- 3.1.8 There is an existing gas pipe along the northern section of the western boundary, adjacent to Tinker's Hole, with a 6m easement. There is also an existing water pipe along the southern-most section of southern boundary with an 8m easement. This same section of the southern boundary adjoins the rear garden

Background Information

- 3.1.9 The outline planning permission for Phase 2 was for all matters of detail to be reserved for future determination except for layout and means of access to the site. The permission is to extend the approved retirement community (Phase 1) to the north and east including additional affordable housing and the erection of 132No. one, two and three-bedroom bungalows, 100No. one, two, and three-bedroom apartments in two-storey buildings, and erect a single-storey ancillary multi-use community building. The permission also allows for the laying out of estate roads, footpaths, vehicle parking and surface water drainage infrastructure including swales and detention basins. The permission also allows the formation of open spaces and allotments and the laying out hard and soft landscaping.
- 3.1.10 The plan below shows the extent of the outline permission for Phase 2 as well as the Phase 1 development and the access arrangements through Phase 1 to access Phase 2, as shown in the red line route through Phase 1.



What has already been approved

- 3.1.11 Means of Access – The positions, alignments and overall design of the means of access to the site were approved as part of the outline planning permission. The primary site access for both pedestrians and vehicles is from two points from where the spine road in Phase 1 leads into the Phase 2 part of the development. Secondary pedestrian, equestrian, and cycle only accesses to the site from the Phase 1 development were also approved. This application does not seek to change the

position or hierarchy of any accesses into the application site. There are no access arrangements onto Tinkers Hole road to the west of the site.

3.1.12 Layout - The layout of the site has also been approved through the outline planning permission. The current layout plans reflect the approved outline planning permission layout with only refinements to the shape of the approved buildings having been made as a normal part of the evolution of the 'scale', 'appearance' and 'landscaping' reserved matters. The layout plan shows the layout of the land parcels 'K' to 'V' which are circular crescent shaped developments. Five apartment blocks are identified as 'A' to 'E' and are located in the southern part of the site along with a lake and parking provision. The most southerly building would be the community hall building.

3.1.13 Dwelling numbers, Mix and Affordable Housing – The number of dwellings in the development is fixed by the description of development in the approved outline planning permission as being 232 dwellings and an ancillary multi-use community building. Control over the mix of units is established by the particulars of the outline planning permission and through condition 22, which requires the following mix and type of dwellings as follows:

- 33 one-bedroom bungalows;
- 64 two-bedroom bungalows;
- 35 three-bedroom bungalows;
- 32 one-bedroom flats;
- 46 two-bedroom flats; and,
- 22 three-bedroom flats.

3.1.14 The accommodation summary schedule is below:

Accommodation Summary Schedule		
Bunaglows		
Name	Occupancy	Quantity
Affordable Type 1A	1B2P	17
Affordable Type 2C	2B3P	3
Bungalow Type 1AP	1B2P	9
Bungalow Type 1BP	1B2P	7
Bungalow Type 2AP	2B4P	35
Bungalow Type 2BP	2B4P	26
Bungalow Type 3AP	3B6P	35
Total:		132
Apartments		
Name	Occupancy	Quantity
1B Apartment	1B2P	32
2B Apartment	2B3P/2B4P	46
3B Apartment	3B5P	22
Total:		100
Overall Total:		232

3.1.15 Vehicle Parking - Condition 6 of the outline planning permission requires details of hard landscaping which would include car parking layouts.

3.1.16 All bungalows in Phase 2 (i.e. each of the 132No. one, two and three-bedroom units) are provided with two parking spaces, at least one of which meets disabled bay design standards. Visitor parking would be provided within the central communal space, at the rate of (or exceeding) one space per four dwellings in the cul-de-sac. Each bungalow will be provided with a cycle locker located adjacent to the rear patio

or driveway (combined with the refuse and recycling store) that can accommodate up to four cycles.

- 3.1.17 For the apartments, vehicle parking would be provided on an unallocated basis at the rate of one space per one-bedroom dwelling and two spaces for two and three bedroom units, with one visitor space per four units, all provided within the five parking courts shown to accord with the layout plans for the outline permission. Cycle parking is provided in secure internal cycle store rooms in each of the five apartment buildings at the rate of one space per one-bedroom unit and two spaces per two and three bedroom unit.
- 3.1.18 For the Multi Use Community Building, 20 parking spaces are proposed. For cycle parking in Sheffield stands are proposed to be sited adjacent to the entrance of the building.
- 3.1.19 In addition to the principle of the development, the 'means of access' and 'layout', all material considerations were considered and determined including sustainability, impact upon services, affordable housing provision, housing mix, impact upon residential amenity, highway impact and parking, flood risk and drainage, nature conservation and archaeology. Where necessary planning conditions and obligations are included in the outline planning permission and some of the material considerations listed here are also relevant to the reserved matters and considered in the assessment section of this report.

The Proposal

- 3.1.20 The proposal seeks approval for the reserved matters application of 'appearance', 'landscaping' and 'scale' from the approved outline planning application reference 21/00075/OUT, which was allowed on appeal (APP/X1545/W/21/3283478) on 21 March 2022. The details below explain what is for consideration and determination:
- 3.1.21 Scale – The development includes bungalow as single storey buildings up to 5.8m high and apartments that would be two storey development ranging between 9.9m to 12.4m high with all measurements taken from ground level to ridge height. The single storey community hall would be up to 6.2m high.
- 3.1.22 Appearance – The proposed design approach reflects a continuation of Phase 1 of the development to the south and west of the Phase 2 area. Materials to be used include slate roofs, horizontal timber cladding, red face brickwork, stone fenestration framing oak posts and aluminium louvres. As part of the 'appearance' requirements condition 5 of the outline permission requires details of the fencing and means of enclosure, the only fencing included is a 0.9m high finished black recycled plastic with a timber effect surface and a single gate around each patio area to each bungalow which is the same approach undertaken in Phase 1.
- 3.1.23 Landscaping – Both hard and soft landscaping are for determination. Conditions 5 and 6 of the outline planning permission identify this requirement for the reserved matters. The plans show details of hard surfacing materials and their locations, boundary treatments, tree, shrub and plant species, plant sizes, heights, densities and maintenance schedules are to be provided.

3.2 Conclusion

- 3.2.1 The reserved matters of 'appearance', 'landscaping' and 'scale' are considered acceptable for this Phase 2 development having regard to the material considerations of their visual impact upon the character and appearance of the area,

neighbouring amenity, heritage, waste management and energy, subject to conditions were identified in section 8 of this report, and with regard to the relevant policies of the Local Development Plan (LDP), BNP and guidance and paragraphs of the National Planning Policy Framework (NPPF) and Planning Policy Guidance (PPG).

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
- 61-84 Delivering a sufficient supply of homes
- 85-89 Building a strong, competitive economy
- 108-117 Promoting sustainable transport
- 123-127 Making effective use of land
- 128-130 Achieving appropriate densities
- 131-141 Achieving well-designed places
- 157-175 Meeting the challenge of climate change, flooding, and coastal change
- 180-194 Conserving and enhancing the natural environment

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

- S1 Sustainable Development
- S2 Strategic Growth
- S6 Burnham on Crouch Strategic Growth
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- D2 Climate Change and Environmental Impact of New Development
- D4 Renewable and Low Carbon Energy Generation
- D5 Flood Risk and Coastal Management
- E1 Employment
- E2 Retail Provision
- E3 Community Services and Facilities
- E6 Skills, Training and Education
- H1 Affordable Housing
- H2 Housing Mix
- H3 Accommodation for 'Specialist Needs'
- H4 Effective Use of Land
- N1 Green Infrastructure Network
- N2 Natural Environment, Geodiversity and Biodiversity
- N3 Open Space, Sport and Leisure
- T1 Sustainable Transport

- T2 Accessibility
- I1 Infrastructure and Services
- I2 Health and Wellbeing

4.3 Adopted Burnham-on-Crouch Neighbourhood Plan (BOCNP):

- Policy S1 – Strategic Housing Growth
- Policy EN.2 – New Development and Flood Risk
- Policy HO.2 – Range and Type of New Residential Development
- Policy HO.3 – Housing for Retired and Elderly Persons
- Policy HO.4 – Affordable Market Housing
- Policy HO.8 – Housing Design Principles

4.4 Relevant Planning Guidance / Documents:

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (PPG)
- Essex Design Guide Supplementary Planning Document (SPD)
- Maldon District Design Guide (MDDG) (2017) SPD
- Maldon District Vehicle Parking Standards SPD
- Maldon District Special Needs Housing SPD (2018)

5. MAIN CONSIDERATIONS

5.1 Principle of Development

5.1.1 Outline planning permission was granted on appeal on 21 March 2023 through reference (21/00075/OUTM). The outline planning permission approved the overall development including the principle of the development, the 'means of access' to the site and the 'layout' of the development.

5.1.2 Therefore, this application is to consider the reserved matters of 'scale', 'appearance', 'landscaping' and any other requirements for consideration with a reserved matters application as required through the planning conditions to the outline planning permission.

5.2 Visual Impact and Impact on the Character of the Area

5.2.1 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.

5.2.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The NPPF states that:

“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents”.

5.2.3 The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution in terms of:

- a) Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;
- b) Height, size, scale, form, massing and proportion;
- c) Landscape setting, townscape setting and skylines;
- d) Layout, orientation, and density;
- e) Historic environment particularly in relation to designated and non-designated heritage assets;
- f) Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
- g) Energy and resource efficiency.

5.2.4 Policy H4 states that “all development will be design-led and will seek to optimise the use of land having regard to the following considerations:

- 1) The location and the setting of the site;
- 2) The existing character and density of the surrounding area;
- 3) Accessibility to local services and facilities;
- 4) The capacity of local infrastructure;
- 5) Parking standards;
- 6) Proximity to public transport; and
- 7) The impacts upon the amenities of neighbouring properties.”

5.2.5 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDG (2017).

5.2.6 The housing design principles for Burnham-on-Crouch are also identified in Appendix 2 of the Burnham-on-Crouch Neighbourhood Development Plan.

Scale and Appearance

5.2.7 ‘Scale’ is a reserved matter and condition 26 of the outline planning permission restricts the bungalows and the community facility building to be ‘no greater than single storey in height’ and the apartment blocks to be ‘no greater than two storeys in height’. All buildings are shown to include a traditional pitched roof designs. The proposed bungalows would range in height between 5.7m and 5.8m high from ground to ridge level. The proposed community building would be a maximum of 6.3m high from ground to ridge level. The proposed apartment blocks range from 9.9m to 12.4m high from ground to ridge level. Overall, the scale of the buildings comply with condition 26 of the outline planning permission and represents a continuation of similar building heights from Phase 1 so are acceptable in this location and for these reasons.

- 5.2.8 'Appearance' is a reserved matter and the appearance of the buildings for this Phase 2 development of Burnham Waters would include red face brickwork, horizontal cladding, slate roofs, oak posts for entrance canopies and aluminium louvers for the proposed bungalows. For the proposed apartment blocks similar materials would be used but extra detailing is proposed in the form of stone fenestration framing and 45-degree brick detailing features. For the community building, again all the same materials would be used and would include the addition of timber effect cladding. All the materials and the design approaches taken for all buildings in Phase 2 would represent a continuation of similar building appearances as approved for Phase 1. This helps to create and maintain the continuous character and built form approach that integrates into the wider development but is also sympathetic to its setting, based on the building heights and appearance which border the open rural countryside, which is adjacent to majority of areas around the site.
- 5.2.9 Condition 5 of the outline planning permission requires all details of boundary treatments to be approved through the reserved matters. As the applicant explains Burnham Waters Retirement Community was conceived as a low density open plan estate so the intention is to have little in the way of boundary treatments and means of enclosure associated with a traditional housing estate. From occupation of the bungalows in Phase 1 it has been recognised that residents have pet dogs and seek a low fence around their patio so like in Phase 1 a pet fence design is included and would be a fence that would be 0.9m high that would be finished in block recycled plastic with timber effect and include a single gate. Other forms of boundary treatment are those that form part of the hard and soft landscaping.
- 5.2.10 Whilst layout was approved with the outline planning permission the individual layout of each dwelling wasn't provided at that stage but is provided with the reserved matters and is considered as part of the 'appearance' considerations with this application. There are no objections to the layout of each dwelling unit.
- 5.2.11 The density of the proposed development, as approved with the outline planning permission, is low density at 11.5 dwellings per hectare which is similar to Phase 1 which is 12 dwellings per hectare. As stated in the report from the outline planning permission for Phase 2, whilst low density, the proposed density was considered to be appropriate for this semi-rural site that would abut the countryside and given the nature of the residential accommodation proposed. The density requirements cannot be changed as the description of the development to the outline planning permission has already 'fixed' the dwelling numbers for this site.
- 5.2.12 The 'scale' and 'appearance' of the proposed development represents the continuation of the Phase 1 development and is acceptable with regard to its impact upon the rural countryside in this location and nearby existing development.

Landscaping and Trees

- 5.2.13 'Landscaping' is a reserved matter and condition 5 of the outline planning permission requires hard and soft landscaping details to be approved at the reserved matters stage. The application includes details of soft landscaping in the form of tree, shrub and plant species, plant sizes, heights, densities and maintenance schedules in the landscaping drawings. The application also includes a Landscape Specification and Maintenance Plan. The landscaping has been developed to a semi-Arcadian approach comprising of thick and well vegetated borders running the entire length of the site's eastern and northern boundaries. Additional strategic planting is also shown along the southern boundary of the northern limb of the development site – this complementing the approved new hedgerow planting for Phase 1. New tree lines

and hedgerows are proposed to demark the routes of roads and footpaths, and each land area where the bungalows and apartments would be sited.

- 5.2.14 In addition, as a pre-commencement condition, condition 12 of the outline planning permission requires an Arboricultural Method Statement and Arboricultural Supervision Schedule to be provided and the information assesses the existing trees and hedgerows on the site. The information demonstrates that existing hedgerows and trees along the site's two western boundaries and along the east-west axis in the south eastern third of the site would all be retained and enhanced.
- 5.2.15 Place Services Tree Consultant has no objection subject to a planning condition requiring tree protection measures to be put in place.
- 5.2.16 Each bungalow would have a small patio enclosed with ornamental shrub planting but with no formally defined boundaries, fencing or means of enclosure, other than the pet fencing, which also follows the approach taken in Phase 1. Each bungalow would have a driveway, path and planting beds along with refuse, recycling and recycling storage areas. Between the bungalows communal areas of grass, trees and shrub planting would be maintained by the community's management company. The land around the bungalows would be private amenity space land and the other land would be public open space land as shown on the plan within section 11.2 of the applicant's Design and Access Statement. The central shared space for each land area of where the bungalows would form an already approved crescent layout and this would include raised planters for allotment purposes; pergolas seating and meeting spaces; visitor parking and a range of planting. The section 106 legal agreement to the outline planning permission shall secure local open space and its management, which is separate to this reserved matters application.
- 5.2.17 Although still to be discharged as a requirement of condition 18 of the outline planning permission a surface water drainage scheme has been designed amongst the landscaping as a feature for landscape, visual and ecological benefits. The proposed surface water drainage scheme would provide open grass swales and drain to a detention basin sited in the south eastern part of the site.
- 5.2.18 In terms of hard landscaping, the materials to be used include grey tarmacadam for the roads, concrete block paving to each land area and vehicle parking spaces, recycling rubber and stone for the pedestrian pathways.
- 5.2.19 When considered against the Phase 1 development this Phase 2 landscaping proposal represents the continuation of the hard and soft landscaping materials and plant species used for that Phase. This is important for the continued landscaping, ecological and appearance of the overall Burnham Waters development.

Conclusion to this section

- 5.2.20 Overall, it is considered that the 'scale', 'appearance' and 'landscaping complies with the relevant conditions of the outline planning permission and would create a continuation of the Phase 1 as part of the overall Burnham Waters development which now forms part of the character and appearance of this location. There would be no conflicts with the requirements of policies D1 and H4 of the LDP, the MDDG (2017), the design principles in Appendix 2 of the Burnham-on-Crouch Neighbourhood Development Plan and the NPPF.

5.3 Impact on Neighbouring Amenity

- 5.3.1 The basis of policies D1 and H4 of the approved LDP seek 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 (2017).
- 5.3.2 It was established as part of the outline permission that the proposed use of the application site was acceptable in terms of residential amenity and noise. Furthermore, it was considered that the proposed layout would not result in demonstrable harm in terms of loss of light, dominance, sense of enclosure or overlooking, nor that the increased use of the existing public footpath would result in harmful impacts to neighbouring occupiers. Therefore, as part of this reserved matters application it is only necessary to consider whether the details relating to appearance, scale and landscaping would have any material impacts on residential amenity.
- 5.3.3 The nearest properties are those to the southern site boundary that front onto Maldon Road and have deep rear gardens that back onto this part of the site. The majority of these properties are in residential use with the exception of one building which has a commercial restaurant use. The application site boundary is located around 60m from the rear elevations of these residential properties at its closest point. The nearest building would be the community hall at 7.4m from the boundary but the siting of this building and the overall site was approved through the outline planning permission through the approved 'layout' considerations. The only considerations are the arrangement of windows and doors in the 'appearance' and the 'scale' of the buildings as 'layout' and the use of the buildings has already been approved.
- 5.3.4 As already identified the community hall and the bungalows are single storey buildings, which would have windows and doors facing towards the neighbouring boundary to the south and given that this is the case there would not be any adversely impact upon amenities of the occupiers of these properties nor conflict with policy D1 of the LDP.
- 5.3.5 It should be noted that outside of the considerations to this reserved matters application planning conditions were imposed on the outline planning permission with regard to external lighting, (condition 15) and limiting the hours of use of the community hall (condition 25) to 07:30 to 23:00 Monday to Saturday and 08:00 to 22:00 on Sundays and Public Holidays. It should also be noted that condition 25 states that 'no customers or visitors shall be present upon the premises outside the permitted hours of use'.

5.4 Heritage Assets and Archaeology

- 5.4.1 In considering the reserved matters of 'scale', 'appearance', 'landscaping' there are no designated assets located within or the immediate vicinity of the application site. As a pre-commencement condition, condition 13 of the outline planning permission requires an archaeological assessment to be submitted and approved to establish the archaeological significance of the site. To date no application to discharge this condition has been received and it is likely to be submitted after the reserved matters application has been determined.

5.5 Waste management

- 5.5.1 Condition 23 of the outline planning permission requires a waste management plan to be submitted as part of the 'appearance' and/or 'landscaping' reserved matters

application. Both 'appearance' and 'landscaping' are for determination through this reserved matters application.

- 5.5.2 Section 11.4 of the applicant's Design and Access Statement identifies the refuse strategy for the site with individual bungalows having on plot refuse storage that would be picked up by a kerbside collection. The apartment buildings would have communal bin stores centrally located within the buildings. A bin store is also proposed for the community hall building.
- 5.5.3 The application includes two vehicle tracking plans showing that refuse vehicles can safely manoeuvre around the site for waste collection purposes.
- 5.5.4 Although no comments have been received from the Waste Officer, given that the application suitably demonstrates that waste vehicles can be sufficiently and safely accommodated within the site and there was no objection raised as part of the outline permission in relation to the proposed refuse strategy it is considered that the submitted details as shown in section 11.4 of the Design and Access Statement is sufficient to comply with condition 23 of the outline planning permission.

5.6 Energy

- 5.6.1 In considering the reserved matters of 'scale' and 'appearance', section 11.7 of the applicant's Design and Access Statement identifies how the building would be highly insulated and that renewable energy sources would be used including photovoltaic panels and air source heat pumps. Details of this equipment shall need to be secured through a planning condition to this application. Electric charging points would also be installed for each dwelling, although such provision is now secured through the Building Regulations rather than through a planning condition.

5.7 Removal of Permitted Development Rights

- 5.7.1 It is noted that given the limited size of the plots and their relationship with neighbouring occupiers, any alterations / extensions to the dwellings or erection and installation of fencing and hardstanding may result in an unacceptable appearance of the proposed development. Furthermore, the living conditions of the future occupiers could be adversely affected by rear extensions or outbuildings if they reduced the back to back distances between dwellings. For these reasons it is considered reasonable that permitted development rights for the proposed dwellinghouses are removed for Schedule 2, Part 1 classes A, B, C, D, E, F and H and Schedule 2, Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). It is also reasonable and necessary to impose a condition requiring that one master antenna is installed on the roof of each apartment block, rather than separate satellite dishes and antenna for each flat, to protect the character and appearance of the area.

6. ANY RELEVANT SITE HISTORY

6.1 The relevant planning history is set out below

Application Ref	Proposal	Decision
18/00443/OUT Phase 1	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 at full Council on 13.09.2019 and subject to conditions and section 106
20/00846/RES Phase 1	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
21/00075/OUTM Phase 2	Outline application with all matters of detail reserved for future determination (except for layout and means of access to the site) to extend approved retirement community to north and east including additional affordable housing : erect 132No. one, two and three-bedroom bungalows, 100No. one, two, and three-bedroom apartments in two-storey buildings , and erect single-storey ancillary multi-use community building. Lay out estate roads, footpaths, vehicle parking and	Council refused on 10.06.2021 For character and appearance reason. Allowed on

Application Ref	Proposal	Decision
	surface water drainage infrastructure including swales and detention basins. Form open spaces and allotments and lay out hard and soft landscaping.	Appeal on 21.03.2022 Costs awarded against the Council
22/00887/OUTM Phase 3	Outline Application with all Matters of Detail Reserved for Future Determination (Except for Layout and Means of Access to the Site) to Extend Approved Retirement Community to North and East Including Additional Affordable Housing: Erect 203 Dwellings Comprising 143No. One, Two and Three-Bedroom Bungalows, 60No. One, Two, and Three-Bedroom Apartments in Two-Storey Buildings. Lay Out Estate Roads, Footpaths, Vehicle Parking and Surface Water Drainage Infrastructure Including Swales and Detention Basins. Form Public Open Spaces Including Greenway, Orchards and Allotments and Lay out Hard and Soft Landscaping	Approved 01.09.2023

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

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

Name of Parish / Town Council	Comment	Officer Response
Burnham Town Council	No objection to this application	No response required

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

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Anglian Water	No comments to make	Noted
Active Travel England	No objection subject to standing advice and active travel and sustainable development being promoted	Noted
Essex County Council Flood and Water Management Team (SUDS)	This application does not relate to drainage and drainage shall be reviewed through conditions 10 and 18 of the outline permission	This will be dealt with through a separate application process to discharge planning conditions
Essex County Council Highways	No objection subject to a condition requiring the raised table arrangement to cross the public footpath details being agreed	This shall be covered in a planning condition
Essex County Council Public Rights of Way Officer (PROW)	No response	Noted

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Essex Police Architectural Liaison Officer	No objections subject to provision of lighting, EV charging points, safe design of public realm spaces and the need for security measures	Noted
Essex Fire and Rescue	No objection as access is satisfactory and other requirements regarding fire safety are covered under the Building Regulations. Fire hydrants would need to be installed within the curtilage of the site	Noted
Essex and Suffolk Water	No response	Noted
Place Services - Archaeology	No objection as the outline permission includes archaeology conditions	This will be dealt with through a separate application process to discharge planning conditions
Place Services - Ecology Officer	No response	Noted
Places Services – Tree Consultant	No objection subject to conditions requiring tree protection measures	This shall be covered in a planning condition

7.3 Internal Consultees (*summarised*)

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No comments to make	Noted
Housing Officer	Supports the proposal	Noted
Waste Services	No response	Noted

7.4 Representations received from Interested Parties (*summarised*)

7.4.1 No comments have been received from third parties during the specified consultation period, nor subsequently during the application process.

8. **PROPOSED CONDITIONS**

- The development shall be carried out in accordance with the approved plans listed on the decision notice.
REASON To ensure that the development is carried out in accordance with the details as approved.
- The materials to be used on the external surfaces of the development hereby approved shall be match those as detailed in the Design and Access Statement document Rev P3.
REASON In the interest of the character and appearance of the area and to reflect the continuation of the earlier development approved at the Burnham

Waters site, in accordance with policy D1 of the approved Maldon District Local Development Plan.

3. Notwithstanding the provisions of Class A, B, C, D, E and F of Part 1 of Schedule 2 and Class A of Part 2 Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order), and with the exception of the pet fences and gates as shown on approved drawing 2039-WWA-XX-XX-D-L-0504 and the approved Pet Fence Detail drawing, no garages, extensions, separate buildings, gates, walls, fencing or hardstanding shall be erected within the site without planning permission having been obtained from the local planning authority.
REASON In the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance with the requirements of policies D1 and H4 of the Maldon District Local Development Plan and the provision and guidance as contained within the National Planning Policy Framework.
4. Prior to the occupation of a dwelling or building hereby permitted the vehicle parking spaces associated with that dwelling or building shall be hard surfaced, sealed, and marked out in parking bays and available for use in accordance with the plans and details hereby approved. The vehicle parking areas shall be retained in this form in perpetuity. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.
REASON To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with policies D1 and T2 of the approved Local Development Plan.
5. Prior to the occupation of the development or buildings hereby permitted details of the proposed raised table arrangement to cross the public footpath shall be submitted to and approved by the local planning authority. The proposed raised table arrangement shall be installed as approved and shall be maintained and retained in this form at all times thereafter.
REASON To ensure the continued safe passage of the public on the definitive right of way and in the interests of accessibility, in accordance with policies D1 and T2 of the approved Local Development Plan.
6. Prior to the occupation of a dwelling or a building the refuse, recycling, cycle storage and air source heat pumps to serve the development together with details of the means of access shall be installed in accordance with the details approved within the application's Refuse, Recycling, Cycle Storage and Airsource Heat Pumps document dated February 2025. The refuse, recycling, cycle storage and air source heat pumps to serve the development shall be permanently maintained and retained at all times thereafter.
REASON To ensure that refuse, recycling, cycle storage and air source heat pumps to serve the development are provided in the interests of visual amenity of the area, to promote sustainable transport modes and to provide energy efficient heating in accordance with policies D1, D2 and T2 of the approved Maldon District Local Development Plan.
7. No development shall commence until details of existing and finished site levels and finished external surface levels, the levels of the surrounding area and adjoining buildings where applicable and the finished floor level of the building(s) hereby permitted have been submitted to and approved by the local planning

authority. The development shall be implemented in accordance with the agreed details.

REASON In order to safeguard the amenities of neighbouring occupiers and in the interests of visual amenity of the area in accordance with policy D1 of the approved Maldon District Local Development Plan.

8. No more than one Master Antenna/satellite dish shall be provided on the roof of each of the apartment blocks. No individual satellite dishes or antenna shall be provided per flat.

REASON In order to protect the character and appearance of the area in accordance with Policy D1 of the approved Maldon District Local Development Plan.

9. With the exception of access routes through field boundaries, all trees, shrubs and hedgerows to be retained on the site shall be protected by chestnut paling fencing for the duration of the construction period at a distance equivalent to not less than the spread from the trunk. Such fencing shall be erected prior to the commencement of any works on the site. No materials, vehicles, fuel or any other ancillary items shall be stored or buildings erected inside this fencing; no changes in ground level may be made or underground services installed within the spread of any tree or shrub (including hedges).

REASON: To secure appropriate landscaping of the site in the interests of visual amenity and the character of the area in accordance with Policy D1 of the approved Maldon District Local Development Plan.

10. No development shall commence until details of the allotments and raised planters including a specification for their implementation have been submitted to and agreed in writing by the local planning authority. The allotments and raised planters shall be installed in accordance with the agreed details and specification.

REASON In the interests of visual amenity of the area in accordance with policy D1 of the approved Maldon District Local Development Plan.