



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

to
DISTRICT PLANNING COMMITTEE
25 June 2026

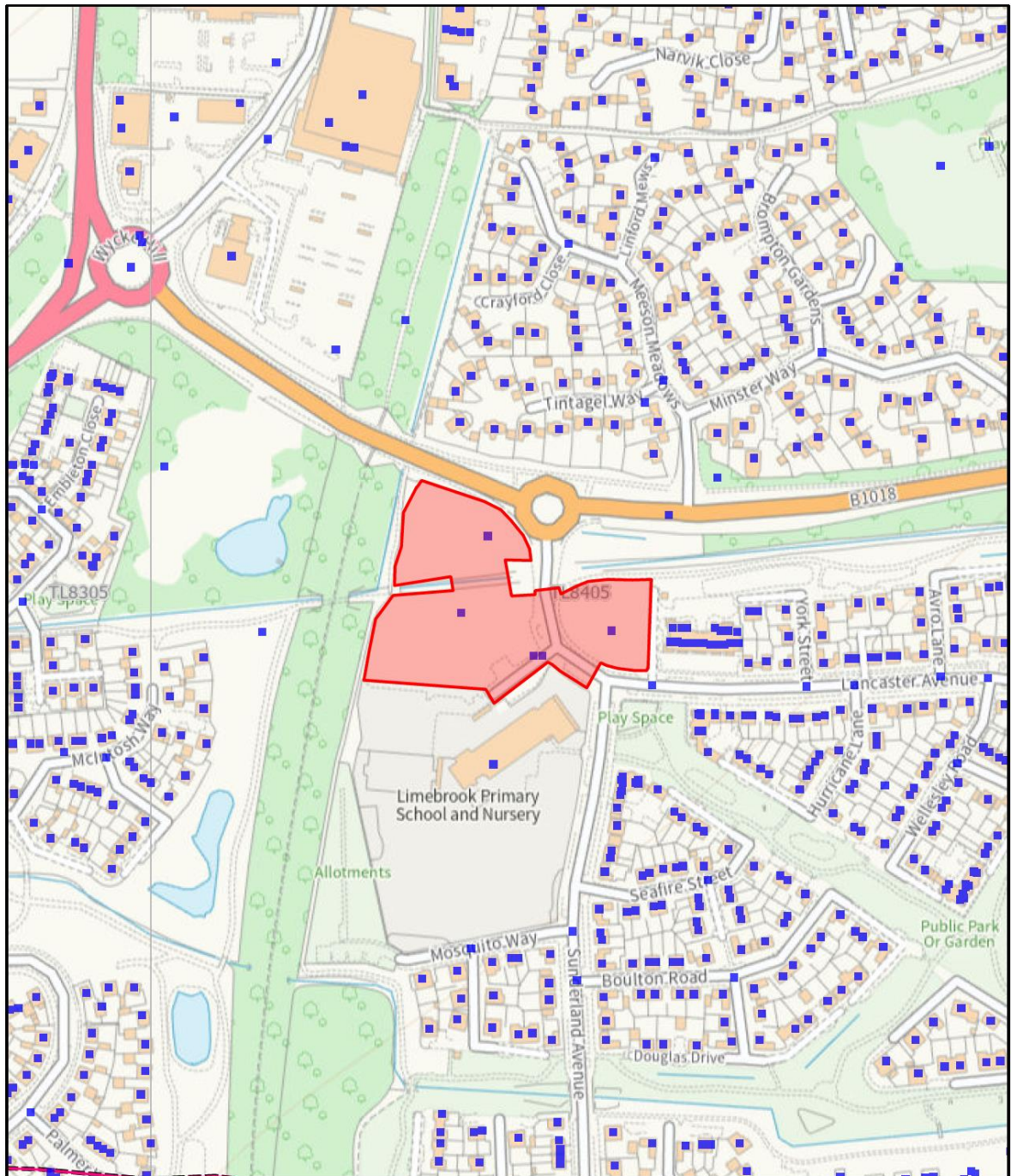
Application Number	25/00482/RESM
Location	Land South Of Wycke Hill And Limebrook Way Maldon Essex
Proposal	Reserved matters application for the approval of access, appearance, landscaping, layout and scale on approved planning application 25/00483/VARM (Variation of conditions 30 and 31 on approved planning permission 22/00393/VARM (Variation of condition 35 (details of employment land) on approved planning permission 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and Sustainable Drainage Systems (SuDs) features, vehicle accesses onto the existing highway network and associated infrastructure.)) Details of Local Centre.
Applicant	HDD Maldon Limited And Taylor Wimpey UK Limited
Agent	James Clark - Pegasus Planning Group
Target Decision Date	2 July 2026 (extension of time agreed)
Case Officer	Gareth Ball
Parish	Maldon West
Reason for Referral to the Committee / Council	Director of Place, Planning and Growth considers in consultation with the Chairperson that the proposal is of particular strategic interest.

1. RECOMMENDATION

APPROVE subject to the conditions as detailed in Section 8.

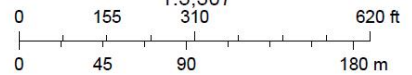
2. SITE MAP

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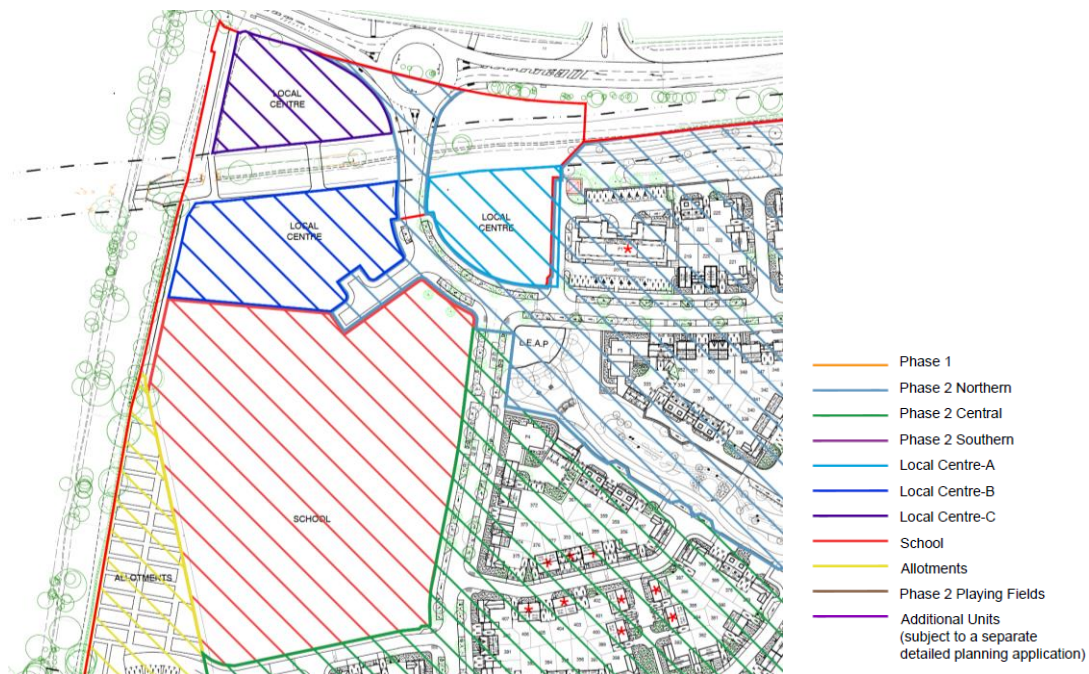
- GMS BLPU Points
- ▭ Parish Polygon
- ▭ Ward Polygon
- ▭ OS Grid Tiles 1km

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

The Application Site

- 3.1.1 The application site (hereon referred to as the “Site”) comprises an area of land located on the southern side of Limebrook Way. The existing Site is open green space, split into three separate parcels due to the Lime Brook running through the centre of the Site east-west and Lancaster Avenue (the previously approved road providing access to the Site, off Limebrook Way) splitting the Site north-south. Lancaster Road provides vehicle access off Limebrook Way.
- 3.1.2 Further background is provided in Section 3.1 of this report, but the Site is a Local Centre phase of development located within the South Maldon Garden Suburb, a strategic urban extension site to the south of Maldon. The Limebrook Primary School and Nursery lies to the south, and three storey residential flats to the east *on the opposite side of Lancaster Avenue), which are both completed developments which were also part of the garden suburb. The Maldon Wick Nature Reserve (a Local Wildlife Site), which is a disused railway line, lies directly to the west of the Site.
- 3.1.3 Condition 7 of the Outline Consent required that “*the eastern parcel shall be carried-out in accordance with the approved Strategic Phasing Plan (application reference 18/05066/DET or as amended 22/00422/NMA)*”. A Non-Material Amendment (NMA) (application ref 22/00422/NMA) was approved in 2022 which amended the approved Strategic Phasing Plan which was secured under Condition 7 of the Outline Permission. The NMA split the Local Centre into three separate sub-phases A, B and C as per the below cut of the plan within that granted NMA:



- 3.1.4 While the Site is itself a phase within a wider strategic outline approval, the sub-phases are required in order to phase the delivery of the Local Centre and trigger conditions appropriately – this report will therefore refer to the plots accordingly.

3.1.5 The site is not the subject of any national or local landscape designations. The Site lies wholly within flood risk zone 1, which is an area of the lowest categorised risk of flooding. The Site is not located in any conservation area, nor does it contain any designated or non-designated heritage assets.

3.1.6 A Public Right of Way (PRoW) (Footpath 8 Maldon) runs down the western side of the Site, outside of the red line currently under consideration.

The Proposed Development

3.1.7 The proposal seeks reserved matters consent for the development of the Local Centre phase of the South Maldon Garden Suburb. The Outline Permission reserved the matters of Appearance, Landscaping, Layout, Scale, which are therefore considerations within this current reserved matters application.

3.1.8 The proposed scheme comprises:

- 78-bed dementia care home, a three-storey brick-finished located in the southwest of the Site.
- One single-storey brick-finished building commercial unit to provide E(b) use - Display or retail sale of goods, other than hot food
- Five commercial units in a single-storey brick-finished buildings, used as flexible use as any of the following Use Classes (as per Outline Permission):
 - E(a) Display or retail sale of goods, other than hot food
 - E(b) Sale of food and drink for consumption (mostly) on the premises
 - E(c)(i) Financial services,
 - E(c)(ii) Professional services (other than health or medical services)
 - E(c)(iii) Other appropriate services in a commercial, business or service locality
 - E(d) Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink,)
 - E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)
 - E(f) Creche, day nursery or day centre (not including a residential use)
 - E(g)(i) Offices to carry out any operational or administrative functions,
 - F1(a) Provision of education
 - F1(b) Display of works of art (otherwise than for sale or hire)
 - F1(c) Museums
 - F1(d) Public libraries or public reading rooms
 - F1(e) Public halls or exhibition halls
 - F1(f) Public worship or religious instruction (or in connection with such use)
 - F1(g) Law courts
 - F2(a) Shops (mostly) selling essential goods, including food, where the shop's premises do not exceed 280 square metres and there is no other such facility within 1000 metres
 - F2(b) Halls or meeting places for the principal use of the local community
 - F2(c) Areas or places for outdoor sport or recreation (not involving motorised vehicles or firearms)
 - F2(d) Indoor or outdoor swimming pools or skating rinks
 - Sui Generis public houses, wine bars, drinking establishments
 - Sui Generis drinking establishments with expanded food provision
 - Sui Generis hot food take-aways (for the sale of hot food where consumption of that food is mostly undertaken off the premises)

- Sui Generis cinemas, concert halls, bingo halls, dance hall
- 3.1.9 The proposal also includes associated parking and landscaping, in addition to pedestrian paths opening the Site onto Limebrook Way and Lancaster Road.
- 3.1.10 The application is supported by a statement from the potential operator, Lovett Care, who are an established operator of over 2,200 care beds across 32 homes.
- 3.1.11 As previously stated, the scheme is bisected by Lancaster Road down the middle and Lime Brook east-west, resulting in the proposal being spread across three phases as per the approved Strategic Phasing Plan:
- Local Centre A (sub-phase A) two commercial units totalling 485.9sqm
 - Local Centre B (sub-phase B) 78-bedroom care home
 - Local Centre C (sub-phase C) four commercial units totalling 529.5sqm

Background / Application History

3.1.12 The Site which forms part of the wider area identified as Strategic Site S2(a) in the Maldon District Local Development Plan (the “Local Plan” or LDP) which originally gained outline planning permission (reference 14/01103/OUT) in December 2016. The Strategic Site has, since the original planning permission was granted, been divided into Eastern and Western Parcels. The wider strategic site is known as the South Maldon Garden Suburb.

3.1.13 The original permission was amended multiple times, with the final amendment (at the time of writing this committee report) was the application hereon referred to as the Outline Permission, a Section 73 ‘minor-material amendment’ application (ref 22/00393/VARM) which was granted consent for:

“Variation of condition 35 (details of employment land) on approved planning permission 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of ‘Access Link Strategy’) on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)”

3.1.14 Condition 6 of the Outline Permission requires any reserved matters application to comply with the approved parameter plans:

- 323 Rev C 'Design Parameter Plan - Land Use'
- 324 Rev B 'Design Parameter Plan - Building Height'
- 325 Rev A 'Design Parameter Plan - Residential Density'
- 326 Rev C 'Design Parameter Plan - Green Infrastructure'
- 327 Rev C 'Design Parameter Plan - Movement and Access'

3.1.15 There are a number of conditions attached to the outline planning permission (reference 22/00393/VARM) which the current reserved matters application would

need to comply with, as listed below. Conditions which require details to be submitted as part of this reserved matters application are assessed within the relevant sections of this committee report where appropriate:

- 23 – footpath and cycle routes
- 44 – Landscaping and trees
- 45 – tree protection measures
- 56 – materials
- 57 – boundary treatments
- 58 – land levels
- 60 – details of hydraulic flood modelling
- 62 – up to date flood risk assessment
- 63 – surface water
- 64 – foul water drainage details
- 65 – car parking
- 66 – details of covered secure bicycle parking
- 70 – Ecological Conservation Management Plan Statement
- 71 – air quality impact
- 72 – Noise Impact Assessment
- 78 – lighting
- 80 – Renewable energy statement
- 82 – waste and recycling facilities

3.1.16 The Outline Permission also placed constraints on the Local Centre through Conditions 28-34. These are addressed later in this committee report.

3.1.17 The Section 106 agreement bound to the original permission contained a clause within Section 15 which also legally binds it to any planning permissions granted through Section 73 applications branching off the original permission. That Section 106 agreement therefore applies to the Outline Permission ref 22/00393/VARM; however, as demonstrated below, none of the planning obligations directly relate to the Local Centre phase:

- Highway and public transport obligations
- Affordable Housing (30% - not less than 70% affordable rented units and not more than 30% intermediate affordable housing units)
- Education (provision of land for and a financial contribution to Essex County Council)
- Healthcare financial contribution
- Provision of an allotment site
- Financial contribution for youth facilities
- A local management organisation to manage and administer the green infrastructure provided
- Children's play areas

3.2 Conclusion

3.2.1 The principle of development was permitted within the Outline Permission, including the appropriateness of the proposed land uses. Officers acknowledge the comments of the urban design officer in relation to the proportion of the Site allotted to the care home; however, no restriction was imposed within the Outline Permission and it cannot lawfully or reasonably be imposed at reserved matters stage. The commercial units are in flexible use, which was conditioned within the Outline Permission and

allows maximum flexibility for the Local Centre to provide services to residents. The applicant has agreed for one commercial unit to be secured as a food and drink retail unit, to ensure that there is provision of at least one local shop. Officers understand that the applicant is in discussions with a national retailer to take up this unit; however, while encouraging, this is not a planning consideration.

- 3.2.2 The impact on the amenities of sensitive receptors, most notably the residential properties to the east, would not be impacted by the scale and layout of the proposal. The development would be subject to the conditions of the Outline Permission which restrict the noise-generation and hours of use of the buildings, in addition to construction management.
- 3.2.3 The proposal aligns with the access restrictions of the Outline Permission, including the link road to the other phases of the strategic site and the limitation of one crossing point over Lime Brook. The development would provide policy-compliant parking for cars and cycles.
- 3.2.4 Following cooperation with the Lead Local Flood Authority (LLFA), the development would comply with the flood risk and drainage requirements of the Outline Permission and the relevant conditions therein.
- 3.2.5 The proposal would have an acceptable impact on European protected ecology sites, with the applicant agreeing to a commuted Recreation Disturbance Avoidance Mitigation Strategy (RAMS) payment in accordance with calculations supplied by Natural England (NE) to equate the care home use to equivalent C3 residential dwellings.
- 3.2.6 In summary, the proposed reserved matters would fall within the parameters of the Outline Permission and its relevant conditions. The additional details within the reserved matters would create a lively and accessible Local Centre for the South Maldon Garden Suburb and existing residents further afield, which would provide a range of accessible amenities for all groups of people, while also providing care home provision in an appropriate location. Officers consider the proposed reserved matters to be policy compliant and therefore recommend that members grant this application seeking reserved matters.

4. MAIN RELEVANT POLICIES

- 4.1 Members' attention is drawn to the list of background papers attached to the agenda.
 - 4.1.1 The Development Plan comprises the Maldon District Local Development Plan (the "Local Plan") and the National Planning Policy Framework (NPPF). The Site does not fall within any neighbourhood plan. The policies most relevant to this application include:
 - 4.2 **National Planning Policy Framework (NPPF) including paragraphs:**
 - 7 Sustainable development
 - 8 Three objectives of sustainable development
 - 10-12 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

- 85-87 Building a strong, competitive economy
- 96 – 108 Promoting healthy and safe communities
- 109-118 Promoting sustainable transport
- 124-130 Making effective use of land
- 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

4.3 Maldon District Local Development Plan (LDP) 2014 – 2029 approved by the Secretary of State:

- S1 Sustainable Development
- S2 Strategic Growth
- S3 Place Shaping
- S4 Maldon and Heybridge Strategic Growth
- D1 Design Quality and Built Environment
- D2 Climate Change & Environmental Impact of New Development
- D3 Conservation and Heritage Assets
- D4 Renewable and low Carbon Energy Generation
- D5 Flood Risk and Coastal Management
- D6 Advertisements
- E1 Employment
- E2 Retail Provision
- E3 Community Services and Facilities
- E6 Skills, Training and Education
- H1 Affordable Housing
- H3 Accommodation for 'Specialist' Needs
- H4 Effective Use of Land
- N1 Green Infrastructure Network
- N2 Natural Environment and Biodiversity
- N3 Open Space, Sport and Leisure
- T1 Sustainable Transport
- T2 Accessibility
- I1 Infrastructure and Services
- I2 Health and Wellbeing

4.4 Relevant Planning Guidance / Documents:

- Maldon District Design Guide Supplementary Planning Document (SPD) (2017) (MDDG)
- Maldon District Vehicle Parking Standards SPD (2018)
- Maldon District Special Needs Housing SPD (2018)
- South Maldon Garden Suburb Strategic Design Code SPD (2016)
- Essex Coast Recreation Disturbance Avoidance Mitigation Strategy (RAMS)

5. MAIN CONSIDERATIONS

5.1 Reserved Matters

5.1.1 Outline Permission Condition 3 required that “*application for approval of the last of the reserved matters shall be made to the Local Planning Authority before the expiration of ten years from the 01 December 2016*”. This submission for reserved matters was submitted on 15/05/2025 and therefore complies with Condition 3.

5.1.2 The current application relates to reserved matters only, which in the case of the Outline Consent were appearance, landscaping, layout and scale. The Town and Country Planning (Development Management Procedure) (England) Order 2015 provides definitions of these reserved matters as follows:

- “**appearance**” means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture
- “**landscaping**”, in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—
 - (a) screening by fences, walls or other means;
 - (b) the planting of trees, hedges, shrubs or grass;
 - (c) the formation of banks, terraces or other earthworks;
 - (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and
 - (e) the provision of other amenity features;
- “**layout**” means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;
- “**scale**” except in the term ‘identified scale’, means the height, width and length of each building proposed within the development in relation to its surroundings;

5.1.3 Matters which fall outside of the above cannot be considered within this reserved matters application.

5.1.4 The Government’s Appeals Planning Practice Guidance (PPG) reminds that “*refusing to approve reserved matters when the objections relate to issues that should already have been considered at the outline stage*” may be considered unreasonable and risk an award of costs.

5.2 Land Use

5.2.1 The Outline Permission was granted permission for:

“Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage

basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.”

5.2.2 The acceptable land uses for the community hub (referred to above as local centre) were also secured through two parameter plans, which dictated the land areas which are appropriate for the approved uses.

5.2.3 Following the Outline Consent being granted, the Town and Country Planning (Use Classes) Order 1987 was updated in September 2020. The Outline Permission was last varied by S73 approval ref 22/00393/VARM; however, the S73 did not amend the use classes referred to in the outline’s description of development. It did however amend the use classes within the conditions. For clarity and to avoid any confusion given the use of the old uses within the Outline Consent, the uses permitted within the community hub are as follows:

Use Description	Current Use Class	Previous Use Class
Display or retail sale of goods, other than hot food	Ea	A1
Sale of food and drink for consumption (mostly) on the premises	Eb	A3
Provision of: E(c)(i) Financial services, E(c)(ii) Professional services (other than health or medical services), or E(c)(iii) Other appropriate services in a commercial, business or service locality	Ec(i-iii)	A2
Public houses, wine bars, or drinking establishments or drinking establishments with expanded food provision	Sui Generis	A4
Hot food takeaways (for the sale of hot food where consumption of that food is mostly undertaken off the premises)	Sui Generis	A5
E(g) Uses which can be carried out in a residential area without detriment to its amenity: E(g)(i) Offices to carry out any operational or administrative functions, E(g)(ii) Research and development of products or processes, E(g)(iii) Industrial processes	Eg(i-iii)	B1a
Residential institutions - Residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres	C2	C2
Dwellinghouses	C3	C3
E(e) Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner) E(f) Creche, day nursery or day centre (not including a residential use) F1 Learning and non-residential institutions F1(a) Provision of education F1(b) Display of works of art (otherwise than for sale or hire) F1(c) Museums F1(d) Public libraries or public reading rooms F1(e) Public halls or exhibition halls F1(f) Public worship or religious instruction (or in connection with such use) F1(g) Law courts	E(e-f), F1	D1
E(d) Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink,) F2(c) Areas or places for outdoor sport or recreation	E(d), F2(c-d)	D2

Use Description	Current Use Class	Previous Use Class
(not involving motorised vehicles or firearms) F2(d) Indoor or outdoor swimming pools or skating rinks		

Table 1 - Land Use Classes

5.2.4 The conditions on the Outline Consent which impact the land uses within this reserved matters application are summarised below:

- Condition 28 requires the **distribution and size of all units** within the use classes Classes E (a-f), E (g)(i), F1, F2 (c-d) and Sui Generis uses including public houses, drinking establishments with expanded food provision, hot food take-aways, cinemas and concert/bingo/dance halls.
- Condition 29 states that there shall be **no amalgamation/sub division** of any units in the uses listed in Condition 28.
- Condition 30 applies the following **hours of use** for any units in the above land uses:
 - Monday to Saturday07:00 to 23:00 hours
 - Sundays and Bank Holidays.....10:00 to 17:00 hours
- Condition 31 restricts **delivery and collection times** to any units in the above land uses to:
 - Monday to Saturday07:30 to 19:00 hours
 - Bank Holidays.....None
- Condition 32 requires **waste management details** to be provided prior to the development of any units within the above uses.
- Condition 33 required details of installation of any **extract ventilation system** prior to the development of any units within the above uses.
- Condition 34 prevents any amplified sound used within any of the above listed uses.

Proposed Commercial Units

5.2.5 The six commercial units are proposed as flexible use within the mix of commercial uses supported within the Outline Permission and noted in Paragraph 3.1.8 of this committee report. This is supported – the flexible use will provide maximum vitality and viability to occupiers, allowing the units to flexibly adapt to the required facilities of the area. Officers consider the proposal to comply with Outline Permission 28.

5.2.6 The scale of the units is considered to be acceptable, ranging from c. 70sqm to c. 204sqm for the five smaller units, and a larger c. 393sqm unit on the eastern Phase A. The scale of the units is protected by Outline Permission Condition 29, which prohibits any amalgamation of sub-division of the uses. The scale and distribution are considered to be acceptable to allow the units to function, in accordance with Condition 28 of the Outline Permission.

5.2.7 Officers recommend a condition on the care home to restrict it's use to Class C2 care home – if this larger three-storey building was allowed flexible use, it may trigger significant policy implications, such as large scale edge of settlement retail.

Proposed Care Home Use

5.2.8 The outline permission does not: in any way:

- Restrict or cap a specific number of beds or floorspace of C2 units

- Require a scale/quantum, mix or proportion of other supported uses within the Local Centre
- Set out the spatial location of the uses within the Local Centre site

- 5.2.9 The land use parameter plan also acknowledges the use, with the 'key' defining the mixed use local centre as "*Mixed Use: Local Centre, to include employment, retail and community uses, primary school, early years facility, residential and infrastructure uses*".
- 5.2.10 The appropriateness of the C2 use for the local centre was also noted through the approved land use parameter plan, which identified the "Mixed Use: Local Centre" (it should be noted that this encompassed the Local Centre area as well as land to the south, where the new school has been built) to include employment, retail and community uses, primary school, early years facility, residential and infrastructure uses.
- 5.2.11 Officers note that Condition 28 requires details of the distribution and size of proposed commercial units in order to ensure vitality to the Local Centre; however, this is detached from the care home use and cannot be applied to the care home. Further, the condition relates to the size and distribution of the commercial units to assess whether their design is appropriate to the use, rather than providing a basis for requiring a certain quantum or type of commercial use on the Site.
- 5.2.12 The applicant has taken legal advice, noting multiple examples of caselaw and stated that reassessing the principle of development that was decided in the Outline Permission may be considered unlawful and even unreasonable decision making.
- 5.2.13 The Local Planning Authority (LPA) has sought its own legal opinion on the matter, which advised that "*a restriction on the C2 use would need to be by way of condition at the outline stage. I can't see any of the matters that are the subject of reserved matters approve could restrict the C 2 use other than the scale of the building. Naturally too high or out of character with the area then you could refuse reserved matters but that is an indirect control on numbers of beds as refusal must strictly be on the grounds of design and appearance*". The design of the care home building will be assessed later in this committee report, but regardless of that assessment, the current consideration of land use is made standalone and unaffected by design considerations.
- 5.2.14 Offers acknowledge that a reserved matters application is limited to the detailed design of those reserved matters only – in this case that is appearance, landscaping, layout, and scale. Objecting to, or limiting the number of beds within the C2 use would be introducing substantive limitations which were not imposed on the outline permission
- 5.2.15 The LPA also has no way of controlling the general scale of the care home use by condition. Paragraph 025 of the Use of Planning Conditions PPG states:
- "The only conditions which can be imposed when the reserved matters are approved are conditions which directly relate to those reserved matters. Conditions relating to anything other than the matters to be reserved can only be imposed when outline planning permission is granted."*
- 5.2.16 Notwithstanding the above considerations, Essex County Council (ECC) Adult Social Care (ASC) have commented on the current application, stating that the scale of the proposal is in excess of the existing need for dementia care home beds and may impact on the viability of the proposal or existing care homes to operate. This notes a

c. 20 per cent occupancy rate in local care homes. ECC ASC have provided a condition that they request be placed on the permission if granted.

5.2.17 The applicant has done an assessment within a 3-mile catchment radius and found that there is no sufficient existing need, in line with the ECC position.

5.2.18 While there may not be sufficient need at present, officers note the position in terms of revisiting the principle of development and the recently published Local Housing Needs Assessment (LHNA) (2025), which identifies a nursing care net need of 91 by 2034 and 148 beds by 2044. The proposal would be set to fill the identified future need. Paragraph 8.3.8 of the LHNA states:

“It is noted that a negative need in modelling results does not necessarily imply that there is no need for new-build provision. There may be some existing stock which has become outdated and requires replacement or remodelling (such as studio or 1-bed sheltered units, and residential care bedspaces without en-suite facilities). The ESSHANA notes that some current non-ensuite room beds may be taken out of the market as some care home operators, typically smaller ones, exit the market over the next 10-15 years.”

5.2.19 The Lovett Care letter (from the proposed operator of the care home) notes that they have undertaken an analysis of local facilities in a three-mile catchment area, noting that only one offers wet-room facilities and only 145 en-suite rooms are built. Further, the homes are largely built prior to 1990 and therefore lack modern design to help assist dementia patient management. They have highlighted in relation to the 20 per cent vacancy rate noted by ECC ASC, that this is likely due to a large amount of the existing stock failing to meet the expectations of families or the clinical requirements of high-dependency residents.

5.2.20 Taking into account the scope of considerations which the decision maker is permitted to consider under this reserved matters application and noting the lack of any restrictions on the supported land uses within this phase, officers advise that the care home use cannot be resisted on the Site and is an acceptable use of the Local Centre. Notwithstanding this, officers still conclude that the Local Centre would provide a varied and good quality provision of commercial units while providing care home beds for a much-needed future shortfall.

5.2.21 Officers have had regard to the Appeals PPG, which states in Paragraph 049:

“What type of behaviour may give rise to a substantive award against a local planning authority?... refusing to approve reserved matters when the objections relate to issues that should already have been considered at the outline stage”

Quality of Proposed Care Home Facilities

5.2.22 The supporting letter written by Lovett Care states that:

“The proposed Maldon home will deliver residential care, nursing care, dementia care, complex dementia care, respite and palliative care. The building has been designed to contemporary best-practice standards, including dementia-friendly principles consistent with EADDAT guidance and ASC expectations.

All 78 bedrooms are en-suite wet-rooms and designed to support both clinical and accessibility requirements. Specialist communities within the home will allow residents with differing levels of need—particularly those requiring nursing or behavioural support—to be cared for safely and appropriately.

Communal facilities include lounges, dining rooms, activity spaces, a hair salon, café and secure landscaped gardens, all designed to promote wellbeing, independence and meaningful engagement.”

5.2.23 The submitted plans show that the layout would provide sufficient space and natural light to bedrooms, while corridors and elevators allow for good accessibility around the building. Ample communal space is also provided. The proposal is considered to provide good quality of care home facilities.

5.3 Layout, Design and Landscape / Townscape Impact

Policy and Constraints from the Outline Consent

- 5.3.1 Appearance, layout and scale were all reserved matters and must therefore be considered in their entirety within the current application. The Outline Consent dictated the general principles through the approved Design Code SPD and multiple conditions.
- 5.3.2 Condition 6 of the Outline Consent required compliance with the approved parameter plans in relation to land use, building height, residential density, green infrastructure and movement and access.
- 5.3.3 Design Codes were secured under Condition 8. The design code is contained within the subsequently published South Maldon Garden Suburb Strategic Design Code SPD (the “Design Code”). The Site is within the Garden Suburb North character area within the design code SPD. The core objectives of this area are bringing the physical qualities of the wider garden suburb into this northern area to reflect its proximity with Maldon Centre, in an urban character; and providing gateways into the garden suburb which includes public realm and key buildings to signify arrival in the garden suburb.
- 5.3.4 The Design Code also classifies various built edges. The western portion of the current Site’s boundary onto Limebrooke Way is classed as built edge BE01: Limebrook Way Adjacent to Local Centre. The code states the core functions as:
- Define the importance of frontage to existing routes, public and private space.
 - To provide pedestrian access along the site.
 - To provide perimeter blocks and active development frontage between the development and existing site edges and roads.
- 5.3.5 Design direction is also provided through the MDDG, which provides general guidance but can be applied to this application.

Layout and Scale

- 5.3.6 The “urban form” of this Design Code character area relates largely to residential development; however, does note that it should be structured around strong natural features and the adjacent road network.
- 5.3.7 The layout of the Site is largely dictated by the Site’s constraints. In particular, the vehicle access points (which were approved under the Outline Consent and other reserved matters approvals), the need for frontage onto Limebrook Way and the avoidance of the Lime Brook running through the Site, which has a 5m standoff on all sides as well as a restriction of a single vehicle crossing point over the Lime Brook within this development parcel.

- 5.3.8 The general layout fits well within the wider garden suburb, with streets and building lines aligning with the wider site which has been constructed.
- 5.3.9 The proposed retail units would be sized and sited in a manner which allows for sufficient internal space but also allows the commercial phases to be permeable to pedestrians, presenting many routes through or into the Local Centre and avoiding large blank elevations. The single storey scale also complies with the Design Codes BE01 criterion to use building height to “create a human scale of development whilst providing appropriate levels of enclosure in keeping with surrounding urban form”. The proposed 2-5m set back from Limebrook Way also accords with the design criteria.
- 5.3.10 The care home would be well placed within its plot, towards the south and set back from the boundary with Limebrook Way and Lancaster Avenue, allowing smaller buildings and landscaping to provide open buffers on these important public routes. The horseshoe shape of the building is common for care homes and provides good design qualities in defensible space for residents while maintaining good levels of fenestration to internal rooms. Officers acknowledge that the proposed three-storey height of the care home presents a larger built form than some of the residential development parcels; however, the principle of three-storey height was established through the building heights parameter plan and there are three-storey flats (approved and built as part of the garden suburb) of a similar massing directly adjacent to the east of the Site.
- 5.3.11 The layout and scale complies with the constraints of the Outline Permission and would create an accessible and welcoming environment for residents to use and enjoy. Officers are supportive of the proposed layout and scale reserved matters.

Architectural Appearance

- 5.3.12 The Design Code dictates a use of varied building materials which predominantly include render, brick and timber.
- 5.3.13 Six commercial units of varying layouts are proposed. In the northwest of the Site, four units (in three buildings) would be located near the boundary onto Limebrook Way. The design was amended to push the units out onto the public realm, with footpaths punching through the soft landscaping four locations onto Limebrook Way / Lancaster Avenue (in addition to an access path onto PRow 8, which runs north-south down the western boundary of the Site). The soft buffer between the units and Limebrook Way would utilise a hedgerow, low-level timber fence and dispersed tree planting, allowing for intervisibility while still creating a formal but attractive boundary. The amended design also pushes the car parking, access and turning areas centrally within the Site rather than having large areas of hardstanding onto the public realm as originally proposed.
- 5.3.14 The eastern parcel contains Unit 6 (the biggest of the commercial units) behind a soft landscaping buffer onto the east-west public footpath providing access to the other areas of the garden suburb’s eastern parcel. The two retail units were separated in the amended design, to reduce the length of the north-facing wall. Retail Unit 5 was altered to provide the glazed frontage northwards, thereby creating natural surveillance and visual interest onto that area of the Site.
- 5.3.15 The six commercial units would be of the same design – single storey with a mono-slope roof, using red bricks and timber cladding on the external elevations. Glazing would be floor to ceiling, with dark frames to match the wider design. This approach

would provide a modern, attractive local centre which clearly reads as commercial use, signposting the use of the units to the public, and provides an open and inviting location for the public to access the onsite facilities. Elevations would be given interest through the use of different brick shades, brick courses and through recessed areas to provide articulation and interest in addition to the varied palette of materials. The plans have indicative locations for advertising fascia – this will require advertisement consent approval and is not considered in the current application.

- 5.3.16 The proposed care home would be three storeys in height, which complies with the building heights parameter plan, in a crescent shape located in the southwest part of the Site. The treatment of the building's frontages accords with the MDDG's emphasis on creating active and engaging elevations. The proposal provides strong frontage definition, frequent and well-sized window openings and clearly identifiable entrances which create a sense of place within the Local Centre and provide directional cues to pedestrians.
- 5.3.17 The larger unit secured as retail use in the northeast would have a large elevation onto the public footpath to the north, which connect the Local Centre to the wider strategic site via the main northern access. The applicant has agreed to a condition to secure public art on this elevation, to improve the visual aspect.
- 5.3.18 Officers acknowledge that there is a significant amount of hardstanding on the Site; however, this is partially due to the constraints as well as the need to provide sufficient parking to the various uses. The impact would be offset with the high level of soft landscaping and the active ground floor frontages, which collectively create a positive relationship with surrounding streets and spaces both within the South Maldon Garden Suburb site and onto existing public realm.
- 5.3.19 The proposed materials would be of high quality, complementing the good design and reflecting the material palette within the Design Code. Officers are satisfied that the architectural design of the proposed buildings, as part of the reserved matter of appearance, is acceptable. A condition is recommended to secure compliance with the proposed materials.

Boundary Treatment

- 5.3.20 The submission is supported by a boundary treatment plan. The design code provides minimal direction on this Site, relating largely to residential properties within this character area. The scheme would utilise the following boundary treatments:
- Phase A (western Limebrook Way site) utilises a 450mm timber knee rail on the onto Lancaster Avenue and a short run of timber acoustic fencing of 4m high is provided to the east of the service yard to protect the residential amenity of the adjacent residential development. The plant equipment is enclosed with a 1.8m hit and miss timber fence.
 - Phase C in the east would have a 450mm timber knee rail on the boundaries and 1.8m timber boarded fences surrounding the service elements.
 - Phase B (care home) would have a 1.2m high metal estate fence is proposed to the eastern boundary fronting onto Lancaster Avenue and the access road to the south. The care home garden would be bounded by a 1.8m close boarded timber fence and a 1.2m high hoop top fence is provided to the northern boundary with the Lime Brook.
- 5.3.21 The boundary treatments are considered acceptable. The timber knee rails have been implemented and it can be seen how open it retains the Site, which is good. Where taller elements are proposed, they are justified – acoustic fencing to mitigate

noise and higher fences to screen the visually unappealing servicing elements or provide security to vulnerable persons in the care home.

Layout, Design and Landscape / Townscape Impact Summary

5.3.22 Overall, when considered in the framework of the Design Code, Local Plan and the parameters of the outline permission, officers are satisfied that the layout, scale and appearance of the proposed reserved matters would provide a development that is visually attractive, sympathetic to local character and well-detailed. The design encourages activity and visual interest at street level, reinforcing the Local Centre objective of creating attractive, well-defined public environments.

5.4 Landscaping

5.4.1 Landscaping was a reserved matter on the Outline Permission and must be considered within this reserved matters application. Condition 44 of the Outline Permission required landscaping details, to substantially accord with those in the original Design and Access Statement and those within the Design Code secured by Condition 8. The Design Code expects formal wide tree-lined avenues with landscape strips to establish the character of the area, in addition to areas of formal ornamental planting to reflect the more urban character of this area.

5.4.2 The South Maldon Garden Suburb Strategic Design Code SPD (the Design Code) did not provide a large amount of site-specific guidance for the Local Centre phase, which is included within the 'Garden Suburb North' character area. Much of the guidance relates to residential development, but the planting strategy does require:

"Formal wide tree lined avenues - single species of trees. (Acer Platanoides 'Emerald Queen', Tilia 'Brabant' or Tilia Cordata) are some recommendations, with landscape strips to establish the character of this area.

Areas of formal ornamental planting to reflect the more urban character of this area. Respects and enhances existing natural features, meadows, wildlife areas and water features."

5.4.3 The Local Centre does not have any wide street avenues, but the gap on Lancaster Avenue, the main access road into the Eastern Parcel, is a very important area of the wider development. The proposal was amended multiple times in consultation with planning officers in order to improve the landscaping of the Site. This resulted in pushing back and reorientating the commercial units in the northwest, to provide frontage and landscaping onto the street scene and increasing greening within the Site. The amended design also established tree-lined edges onto the main access.

5.4.4 The northern edge (fronting onto Limebrook Way) is the most prominent area of the Site. As previously stated, the proposal complies with the Design Code's 2-5m landscape strip, although BE01 acknowledges the adjacent public realm will vary.

5.4.5 Officers consider the proposed landscaping to be high quality, meeting the needs of this gateway phase of the strategic site and providing an appealing setting for residents to use in the Local Centre. The proposed landscaping is acceptable in terms of the submission of reserved matters and complies with LDP Policies D1, N2, N3 and H4.

5.5 Heritage Impact

- 5.5.1 The nearest designated heritage assets to the Site are the grade II listed Brookhead Farmhouse (c. 700m to the west and separated by the entire western parcel of the garden suburb) and the grade II listed Seeley House Farmhouse (c. 760m to the north east, separated by the residential development of the western parcel and parts of south Maldon).
- 5.5.2 The heritage impact was considered at outline stage, informing the constraints of the approved parameter plans which the current proposal falls within. Officers have again considered impact and note the significant amount of intervening distance and existing development, concluding that there would be no impact on the setting or significance of any designated or non-designated heritage asset.
- 5.5.3 The current proposal does not deviate from the potential built area that was considered within the Outline Permission. Condition 68 of that permission prohibits any development prior to archaeological work being carried out in accordance with the details approved in discharged of conditions notice 18/05078/DET (for the eastern parcel). An ECC historic environment consultant has commented on this proposal, noting that the archaeological fieldwork for the development area has been completed and the report submitted and approved.
- 5.5.4 The proposal would not unacceptably impact the special interest or setting of any heritage assets.

5.6 Impact on Residential Amenity

- 5.6.1 The basis of policy D1 of 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.
- 5.6.2 The Local Centre is located away from residential areas except the eastern parcel, which adjoins existing three-storey flats which were built as part of the garden suburb approval. The north adjoins a main road, Limebrook Way, the west adjoins the 'green spine' of the garden suburb which has no sensitive receptors and the south adjoins the school plot.

Privacy and Overlooking

- 5.6.3 The MDDG states that "*where new development backs on to the rear gardens of existing housing, the distances between buildings are set out in the Essex Design Guide to a minimum of 25m*".
- 5.6.4 While the development would not be located near any rear gardens, officers note that the nearest proposed building would be located c. 17.5m from the three-storey flats to the east. The unit only has ground floor windows and there are no windows on the eastern elevation. There would be no overlooking.
- 5.6.5 The proposed care home would have windows across three storeys; however, it's nearest elevation would be located c. 110m from the nearest residential property. There is a school to the south; however, neither the school nor the proposed commercial buildings are considered sensitive receptors to overlooking, particularly noting the distance to the former.

Daylight, Sunlight, Outlook and Visual Impact

- 5.6.6 The Building Research Establishment document 'Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice' is an industry standard document which provides guidance on daylight, sunlight and overshadowing matters for development. The guidance suggests that if a 25-degree (above level) line drawn from the midpoint of an existing window would not be intercepted by proposed development, it is unlikely that there would be any noticeable impact on the existing building's level of daylight or sunlight. The proposal would comply with this rule.
- 5.6.7 Commercial units 1-5 would be sufficiently distanced from the nearest residential properties to relieve any concerns of impact. Commercial unit 6 is proposed to be c. 17.5m from the nearest residential three-storey flats, but the proposed unit is moderate in height and sufficiently distanced, at an oblique angle, to mitigate any potential impact on outlook. Officers also note the east-west relationship that Unit 6 would have with flatted block, which further negates potential for any impact on the arc of the Sun.

Noise

- 5.6.8 In relation to the operational phase, the proposed care home is not considered to be a substantial noise-generating use; however, the six commercial units do have the potential to generate significant levels of noise. The flexible use of commercial units within the Local Centre was considered in the Outline Permission, which regulated potential noise by imposing the following conditions:
- Condition 31 controls the timing of deliveries. It covered all the permitted commercial uses for the flexible use units (ie not including the care home) and restricted deliveries to between 07:30-19:00 Monday to Saturdays, and at no time on Sundays or Bank Holidays.
 - Opening times for commercial uses within the Local Centre to within 07:00 to 23:00 Monday to Saturday and 10:00 to 17:00 on Sundays and Bank Holidays.
 - Condition 34 prohibits any amplified sound in any units within the commercial uses.
- 5.6.9 In addition to this, the application is supported by an updated Noise Impact Assessment which has been reviewed and supported by an Environmental Health Officer. This addresses the requirements of Outline Permission Condition 72, which requires that ambient noise levels do not exceed acceptable levels.
- 5.6.10 Subject to the above conditions, officers are satisfied that there would be no unacceptable noise or disturbance.

Light Spill

- 5.6.11 The objection relating to light spill is noted; however, it relates to public street lighting. The proposed lighting would be contained largely within the Site. The submitted lux contour plans show that the light spill would also be kept largely within the Site, but almost entirely away from any sensitive receptors. There would be a small amount of light spill at c. 2 lux near the residential flats to the east, but this level would not be noticeable even at night-time. Officers are satisfied that there would be no unacceptable light pollution.

Odour and Air Quality

- 5.6.12 The care home is sufficiently distanced to not create concerns of odour impact. The six commercial units are flexible and have multiple potential uses which includes uses that have the potential to result in odour or fumes. Condition 33 of the Outline Permission requires the submission of “*details of installation of any extract ventilation system, compressors, generators, refrigeration equipment, and any other fixed plant*”. The details are not required as part of this reserved matters application but prior to the development of a commercial unit within the Local Centre. Officers have no concerns that there would be any unacceptable impacts of odour or pollution.
- 5.6.13 The Construction Management Plan condition on the Outline Permission would control any impacts arising from the construction period.
- 5.6.14 Outline Permission Condition 71 requires details relating to mitigation and offsetting of impacts on local air quality. The applicant has submitted an Air Quality Assessment (AQA) which considered impacts on NO₂ and particulate matters PM₁₀ and PM_{2.5}. The document concludes that all three would be below objective levels and the impacts of the proposal would be negligible and would not cause a significant adverse effect on air quality. In relation to construction, it identifies that mitigation measures should be put in place for air quality impacts – these are secured by the relevant conditions on the Outline Permission. The AQA has also been reviewed by the Council’s environmental health team, who have no objection.

Impact on Residential Amenity Summary

- 5.6.15 Subject to the conditions on the Outline Permission and the conditions recommended in the above section, officers are satisfied that the proposed development would not unacceptably impact on the residential amenity of any existing dwelling or sensitive receptor. This complies with the requirements of LDP Policy D1.

5.7 Transport And Accessibility

- 5.7.1 While the means of accessibility were permitted at outline, the layout of the Site (including the onsite roads and parking places) must be assessed under the reserved matters, which included layout.
- 5.7.2 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.
- 5.7.3 Paragraph 111 of the NPPF states that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

Details of the Outline Permission

- 5.7.4 The construction period highways impact was considered in the discharge of Condition 81 under ref 19/05020/DET, which secured the submission and compliance of a Construction Environmental Management Plan.
- 5.7.5 A PRoW Maldon Footpath 8 was redirected as part of the Outline Permission to run north-south, adjacent to the western Site boundary. There would be no unacceptable

impact on the operation of the PRoW – the visual amenity of users would be protected (as discussed in other sections of this report) and a connection point provided onto the northwest commercial area.

Onsite Access

- 5.7.6 As previously stated, the Site has a constrained layout. This affects the potential onsite routes. A road through the western area is required, due to servicing and parking requirements in the northern area (as a connection is not possible to Limebrook Way) which must enter from the southern area. The proposal would have good access to all three sub-phases and the submitted Transport Statement contains swept path analysis showing that a 12m rigid vehicle can safely access and egress each parking/servicing area in first gear.
- 5.7.7 The Highways Authority (ECC) have commented on the proposal, stating that they are supportive subject to two conditions requiring access points and vehicle turning and parking areas to be implemented prior to use, which have been added to the recommendation.

Car Parking

- 5.7.8 Outline Permission Condition 65 required details of all vehicle parking, including five per cent being reserved for people with disabilities, and secures the parking being laid out and made available before any dwelling/building is occupied or used.
- 5.7.9 The Vehicle Parking Standards SPD (2018) requires different levels of parking for different land uses. The six proposed commercial units are flexible use within a mix of commercial uses.
- 5.7.10 Officers have considered the SPD requirement of 0 restaurant parking (called A3/A4 within the SPD) in town centres, compared to a very high requirement of one space per 5sqm for out-of-town centre locations. The Local Centre is an irregular case, given that it is effectively providing a new town-centre location to the garden suburb. It is of comparable size to some town centres outside of Maldon Town within the plan area. The Local Centre would be within a ten minute walk from the vast majority of dwellings within the Eastern Parcel of the garden suburb, in addition to a ten minute walk for a large number of existing dwellings on the northern side of Limebrook Way. The intention of it being a walkable facility was noted at Outline Stage. The use of the out-of-town one space/5sqm parking rate within the SPD would result in over 200 spaces being required between the two commercial sub-phases, which is unreasonable and unachievable on the Site. Taking the location, nature and walkable nature of the Local Centre, officers have adopted a one space/20sqm parking requirement. This blended rate is considered more than reasonable, especially considering that many of the approved uses require significantly under half of the one space/20sqm requirement or none at all.
- 5.7.11 The parking is further complicated by the inclusion of land uses within the flexible use of the Site which base parking requirements on site-specific details such as the number of staff or visitors. These cannot be calculated on the submitted information and it would not be reasonable to require the applicant to explore detailed internal layouts for each commercial unit in each land use. As such, the applicant has agreed to a planning condition which requires the submission of a parking management plan, should any unit be brought into use classes E(f), F1, F1a, F1b, F1c, F1d, F1e, F1f, F1g, Ed, F2c, F2d. While the parking layout would be approved, the Parking Management Plan would provide an assessment on whether the scale of unit

proposed can be supported by the approved parking and introduce measures to mitigate potential capacity issues.

5.7.12 The below table contains the ranges of required parking spaces – providing upper and lower limits depending on the variation of land uses where flexible uses are permitted under the Outline Permission with reference to the adopted rates in this report and noting that some uses would be subject to a Parking Management Plan.

Area	Required	Proposed
Care Home	39	37 (2)
Northern Retail Area (Units 1-4)	26	29 (2)
Eastern Retail Area (Units 5&6)	25	26(3)
TOTAL	90 (5)	92 (7)

Table 2 - Car Parking Spaces (accessible spaces shown in brackets)

5.7.13 The submitted Transport Statement advises that there would be no resident staff, 25 other staff and 78 beds within the care home, resulting in a requirement of 39 car parking spaces. The proposal contains 37 spaces. A parking assessment has been undertaken using the TRICS database for similar development. TRICS is an industry standard trip generation model. The assessment projects a peak number of onsite vehicles associated with the care home of 17 midweek and 20 on a Saturday. This falls significantly below the 31 spaces proposed. In addition, the applicant has stated that the three phases will in many ways work as one, with overspill parking in one area being able to provide for another – the three phases of the local centre Site are considered to sufficiently accommodate the calculated requirement. It should also be noted that many vehicle trips to the Site will be multi-use, such as a visitor to the care home while visiting one of the commercial units beforehand. Phases B and C would overprovide car parking even when considering a worst-case scenario of land use requirements. The total number of parking spaces on the Site phase exceed the required taking into account officers' calculations. Noting this and all other considerations relating to the flexible use and submitted modelling, officers are satisfied that adequate car parking has been provided.

Cycle Parking

5.7.14 Outline Permission Condition 66 required details of cycle parking facilities.

5.7.15 The proposal complies with the Vehicle Parking Standards SPD as shown below:

Area	Required	Proposed
LC Phase A Eastern Retail Area (Units 5&6)	7 to 19	10
LC Phase B Care Home (78 beds)	21	28
LC Phase C Northern Retail Area (Units 1-4)	8 to 21	24
TOTAL	36 to 61	62

Table 3 - Cycle Parking Spaces

5.7.16 As above, the applicant states that cycle parking across the three phases will in many ways work as one, with overspill in one area being able to provide for another and multi-use trips accommodating different phases. Phase A would underprovide; however, it is noted that the Site as a whole would overprovide. Further, the

maximum requirement is calculated by assuming a high number of restaurant uses, which have a particularly high requirement. Cycle parking has the same stipulation as car parking for that land use, where no parking is required for units below 500sqm within town and district centres. As discussed in relation to car parking, the nature of the Site falls somewhere in between and therefore the “maximum” cycle requirements are not considered to be representative of the situation. Irrespective, the scheme would have an overall overprovision of cycle parking, which encourages sustainable travel and complies with Local Plan Policy D1.

5.7.17 All proposed units would have acceptable cycle parking storage.

Transport and Accessibility Summary

5.7.18 The impact of the proposal on the transport network was approved in the Outline Permission. While the number of beds within the care home was not explicitly controlled, caselaw has shown that transport impact cannot be used to control the scale of a use at reserved matters stage.

5.7.19 The current application has demonstrated an acceptable level of internal accessibility, including servicing access, and parking for vehicles and bicycles. The proposal would have an acceptable impact on transport and accessibility, in accordance with Local Plan Policies T1 and T2.

5.8 Flood Risk and Drainage

5.8.1 Policy D5 of the LDP sets out the Council’s approach to minimising flood risk. Policy S1 requires that new development is either located away from high-risk flood areas or is safe and flood resilient when it is not possible to avoid such areas.

5.8.2 Conditions 60, 62 and 63 are being discharged as part of this reserved matters application. The applicant submitted additional technical information following initial concerns from the LLFA in relation to attenuation tank drainage, which has allowed the LLFA to support the proposal.

5.9 Biodiversity and Ecology

5.9.1 Paragraph 170 of the NPPF states that *“planning policies and decisions should contribute to and enhance the natural and local environment by: (amongst other things) minimising impacts on and providing net gains for biodiversity”*.

5.9.2 Strategic LDP Policy S1 includes a requirement to conserve and enhance the natural environment, by providing protection and increasing local biodiversity and geodiversity, and effective management of the District’s green infrastructure network.

5.9.3 Policy N1 of the LDP states that open spaces and areas of significant biodiversity or historic interest will be protected. There will be a presumption against any development which may lead to the loss, degradation, fragmentation and/or isolation of existing or proposed green infrastructure. Policy N2 of the LDP 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.

European Protected Sites

- 5.9.4 The European designated sites within Maldon District Council (MDC) are as follows: Essex Estuaries Special Area of Conservation (SAC), Blackwater Estuary Special Protection Area (SPA) and Ramsar site, Dengie SPA and Ramsar site, Crouch and Roach Estuaries SPA and Ramsar site. The combined recreational 'Zones Of Influence' (Zoi) of these sites cover the whole of the Maldon District.
- 5.9.5 The Site falls within the evidenced recreational Zoi. The Essex Coast RAMS Habitats Regulations Assessment Strategy document is an adopted SPD which sets out the approach to mitigation. The document sets out planning use classes which are covered by the Essex Coast RAMS in Table 3.2, which includes C2. The table does however note in relation to residential care mes that "*care homes will be considered on a case-by-case basis according to the type of residential care envisaged*". The SPD further elaborates on this point in Paragraph 3.10, stating:
- "As included above, C2 Residential Institutions and C2A Secure Residential Institutions are notionally included within the scope of the RAMS and tariff payments. This is due to an increase in population that would arise from any such developments, in the same vein as any other new residential development. It is proposed however that consideration as to whether such developments qualify for the full extent of tariff payments should be done on a case-by-case basis. This is because some C2 and C2A proposals may provide a specific type of accommodation that would not result in new residents visiting the coast."*
- 5.9.6 The application is reserved matters and this was considered in the Outline Permission; however, officers note findings of the Supreme Court case C.G. Fry & Son Limited v SoS & Somerset Council UKSC 35, which established that these matters can be reconsidered at reserved matters stage if there are significant material changes at reserved matters stage which could potentially impact on protected sites. The current proposal clarifies that a care home would be provided within the range of supported flexible uses in the Local Centre. The proposed care home would be predominantly providing dementia and palliative care; however, the applicant has stated that there may be a smaller element of normal care provision, which may introduce residents who are more able than the majority. Therefore, the applicant has agreed to pay a RAMS contribution of £5,793.15 (secured through a Unilateral Undertaking which the applicant has submitted to the Council's legal services), which equates to all units within the care home, to ensure that there is no possibility of the statutory duty not being met.
- 5.9.7 To accord with NE's requirements and standard advice an Essex Coast RAMS Habitat Regulation Assessment (HRA) Record has been completed to assess if the development would constitute a 'Likely Significant Effect' (LSE) to a European site in terms of increased recreational disturbance. The findings from the HRA Stage 1: Screening Assessment are listed below:

HRA Stage 1: Screening Assessment – Test 1 - the significance test

Is the development within the Zoi for the Essex Coast RAMS with respect to the below sites? **Yes**

Does the planning application fall within the specified development types? **Yes – The proposal is for a net increase of care home units, which can be equated to relevant C3 residential dwellings**

HRA Stage 2: Appropriate Assessment - Test 2 - the integrity test

Is the proposal for 100 houses + (or equivalent)? **No**

Is the proposal within or directly adjacent to one of the above European designated sites? **No**

Summary of Appropriate Assessment

- 5.9.8 Having undertaken an Appropriate Assessment, the development is considered to provide sufficient onsite measures to mitigate any adverse effects on the protected sites through increased recreational use resulting from the proposed development, through payments of a RAMS contribution.
- 5.9.9 The RAMS contribution was calculated in line with NE guidance, whereby the total number of 78 rooms is divided by 2.4 (to make it C3 equivalent), rounded up to 33 C3 units and then multiplied by the £175.55 current RAMS fee (which is indexed and therefore may be subject to change).

Biodiversity Net Gain (BNG)

- 5.9.10 All major development proposals submitted as of 12/02/2024 are required to deliver a mandatory 10 per cent Biodiversity Net Gain (BNG). The BNG Planning Practice Guidance (PPG) sets out how mandatory biodiversity net gains should be applied through the planning process. Permissions granted for applications made before 12/02/2024 are not subject to the mandatory 10 per cent BNG.
- 5.9.11 The Outline Permission was made on prior to 12/02/2024 and the mandatory BNG therefore does not apply.

Protected Species, Habitats

- 5.9.12 Outline Permission Condition 70 requires the submission of an Ecological Conservation Management Plan Statement that demonstrates how it accords with the aims and objectives of the Outline Permission's Ecological Conservation Management Plan. Place Spaces Ecology have advised that they did not request that condition, but that upon review, the submitted Ecological Assessment and Management Plan Statement for the Commercial Plots Rev.E (SES, May 2025) does provide sufficient information for the commercial Phases A and C.
- 5.9.13 The Environment Agency have reviewed the application and responded with no objection but request an informative advising the applicant of potential requirement of a Flood Risk Activity Permit. This falls outside planning legislation.
- 5.9.14 Outline Permission Condition 78 requires that a lighting strategy be submitted with any reserved matters application. This submission is supported by a strategy which has been supported by ecology.

Trees and Hedgerows

- 5.9.15 There are no onsite trees or hedgerows subject to Tree Preservation Orders (TPOs) or protected through virtue of being within a conservation area.
- 5.9.16 Outline Permission Condition 45 required details of proposed tree works and tree protections methods to be submitted as part of any reserved matters application. The Council's arboricultural team have reviewed the Site and the submission, stating that they have no objection and concluding that "*there appear to be no significant*

arboricultural features within the influencing distance of the proposed development. However, mature trees located off-site may be impacted by development activity if appropriate tree protection is not installed and maintained in accordance with BS 5837”.

- 5.9.17 The arboricultural team have requested that if this reserved matters application is approved, a condition be placed on the permission securing details of fencing and ground protection in relation to hedges and shrubs that are being retained. This has been included within the recommendation in this committee report.
- 5.9.18 The longevity of tree planting is protected by Outline Permission Condition 46, which requires that any tree or plants in the landscaping scheme which die within five-years of planted must be replanted.

Biodiversity and Ecology Summary

- 5.9.19 Subject to the conditions and planning obligations secured on the Outline Permission, or those recommended within this report, the details within the submitted reserved matters would not have an unacceptable impact on any ecology, in accordance with Policy N2 of the Local Plan.

5.10 Waste Management

- 5.10.1 Outline Permission Condition 32 requires details of the means of commercial refuse/recycling storage, including details of any bin stores to be provided prior to the development of any commercial units within the supported flexible uses.

5.11 Energy and Sustainability

- 5.11.1 Condition 80 of the Outline Permission requires the submission of a renewable energy statement to include total predicted carbon emissions to be reduced through the implementation of on-site renewable energy sources.
- 5.11.2 This reserved matters application is supported by an Energy Statement produced by EPS Group. The statement advises that Air Source Heat Pumps across all three sub-phases and 100sqm of photovoltaic panels will be utilised on the care home. This would achieve a 14.66% reduction in CO2 emissions above Building Regulations Approved Document L requirements, which is welcomed. The Outline Permission did not state a specific level to be attained, nor a requirement for Building Research Establishment Environmental Assessment Method or other accreditation. Noting the scale of the Site and proposed sustainable measures, officers are satisfied that the development would acceptability employ sustainable measures and therefore the requirements of Condition 80 have been met.

5.12 Land Contamination

- 5.12.1 Matters relating to land contamination have been addressed through Condition 74 of the Outline Permission, which was discharged in relation to the Eastern Parcel within discharge of condition reference 18/05078/DET. The current proposal would be required to be carried out in accordance with the approved contamination land assessment.

5.13 Crime and Safety

- 5.13.1 NPPF Paragraph 96b states that *“planning policies and decisions should aim to achieve healthy, inclusive and safe places which...are safe and accessible, so that*

crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas”.

5.13.2 The layout of the proposed commercial units and care home would provide a high amount of glazing at ground floor level, located on elevations facing many different directions, thereby providing a high level of overlooking and natural surveillance into the Site and onto adjoining land. This benefit would be greatly felt on Limebrook Way, which has no existing overlooking.

5.13.3 The proposed layout includes multiple areas of public space, designed to encourage residents to use. This does give way to potential for anti-social behaviour or crime. Officers do not consider the location or height of planting on the submitted landscaping to create any areas of limited visibility or dark spots that encourage crime or antisocial behaviour. The layout lends itself to openness and safety, providing natural surveillance from commercial units and noting that commercial units will be installing their own safety measures. Taking this into account, officers are satisfied the proposal would create a safe environment and would not encourage crime.

5.14 Planning Balance and Conclusion

5.14.1 The key priority within the NPPF, is the provision of sustainable development. This requires any development to be considered against the three dimensions within the definition of ‘sustainable development’ providing for an economic, social and environmental objective as set out in the NPPF.

5.14.2 Condition 1 of the Outline Permission requires the submission of the reserved matters with any reserved matters application. These are:

- Appearance
- Landscaping
- Layout
- Scale

5.14.3 In addition to the above reserved matters, this submission also seeks to discharge the following conditions on the Outline Permission which were triggered to be discharged concurrently with the reserved matters submission:

- 1 – Reserved Matters Details
- 23 – Onsite Access Arrangements
- 28 – Size and Distribution of Commercial Units
- 44 – Landscaping Scheme
- 57 – Boundary Treatment
- 60 – Hydraulic Flood Modelling
- 62 – Updated Flood Risk Assessment
- 64 – Foul Water Drainage
- 65 – Car Parking
- 66 – Cycle Storage
- 70 – Ecological Conservation Management Plan Statement
- 71 – Air Quality
- 72 – Noise Assessment
- 78 – Lighting Strategy
- 80 – Renewable Energy

- 82 – Recycling Facilities

5.14.4 Officers are satisfied that the submitted plans, documents and other details have successfully met the Outline Permission's requirements for this submission of reserved matters to be supported. The proposal also complies with the constraints laid out by the approved Design Code and the site-specific Design and Access Statement where relevant to this phase.

5.14.5 The proposed details of the Local Centre would create a vibrant and accessible location for residents of the South Maldon Garden Suburb while providing additional care home beds within the district. While the number of beds provided is higher than the projections of the LHNA, officers have had regard to the lack of a restriction on the Outline Permission and also note that the LHNA provides a base guide rather than an upper limit.

5.14.6 Officers conclude that the proposal is of a good design quality and complies with the relevant policies of the development plan. Subject to the conditions recommended in this report, the securing of the RAMS payment, and the conditions/planning obligations in the Outline Permission, officers recommend approval of this reserved matters application and the discharge of the conditions listed earlier in this section of the committee report.

6. ANY RELEVANT SITE HISTORY

6.1 The relevant planning history is set out below

Application Number	Description	Decision
14/01103/OUT	Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure	Approved, following completion of a Section 106 Agreement, 01.12.2016.
16/01454/FUL	Variation of conditions 5, 13 & 14 on approved planning permission 14/01103/OUT (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)	Approved 16.02.2017 - Deed of variation subsequently completed 26.02.2018.

Application Number	Description	Decision
16/01458/FUL	Variation of condition 11 and removal of condition 12 on planning permission 14/01103/OUT (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)	Approved 16.02.2017
17/00396/FUL	Variation of condition 27 on approved application 14/01103/OUT (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)	Approved 24.07.2017 - Deed of variation subsequently completed 26.02.2018.
18/00070/FUL	Variation of condition 7 on approved application 17/00396/FUL (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)	Approved 13.04.2018.
18/00071/FUL	Variation of conditions 5,13,21,25,43,53,55,61, 63,67,68,69,74,81,84 on approved application 14/01103/OUT (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years	Approved 13.04.2018

Application Number	Description	Decision
	and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)	
19/00101/MLA	Application for a modification to Section 106 legal agreement executed under planning application 16/01454/FUL	Deed of Variation completed.
19/01093/FUL	Full planning application for infrastructure works, including: foul and surface water drainage, provision of highways; site levelling and associated works for the Western Parcel of planning permission FUL/MAL/18/00071.	Approved 04.02.2020
19/01097/RES	Reserved matters application for the approval of appearance, landscaping, layout and scale for Phase 1 of the Western Parcel of planning permission 18/00071/FUL (Variation of conditions 5,13,21,25,43,53,55, 61,63,67,68,69,74,81,84 on approved application 14/01103/OUT (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure) comprising 106 residential dwellings (Use Class C3), new public open space and car parking.	Approved 19.03.2020
19/01134/FUL	Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67,68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and	Approved 27.03.2020

Application Number	Description	Decision
	SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)	
20/00074/FUL	Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.))	Approved 19.06.2020
20/00294/FUL	Variation of condition 2 (approved drawings) and removal of condition 4 (vehicle link to western boundary) of planning permission 19/01093/FUL (Full planning application for infrastructure works, including: foul and surface water drainage, provision of highways; site levelling and associated works for the Western Parcel of planning permission FUL/MAL/18/00071.)	Approved 09.06.2020
20/00697/FUL	Variation of condition 1 on approved planning permission 19/01097/RES (Reserved matters application for the approval of appearance, landscaping, layout and scale for Phase 1 of the Western Parcel of planning permission FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67,68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the	Approved 07.10.2020

Application Number	Description	Decision
	existing highway network and associated infrastructure) comprising 106 residential dwellings (Use Class C3), new public open space and car parking.)	
20/05037/DET	Compliance with conditions notification 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)) Condition 15 - specification and design of junction for Access 4. Condition 18 - Phased provision of a new passenger transport service.	Approved 11.11.2020
20/05045/DET	Compliance with conditions notification for application 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)) Condition 12 - Junction for access works. Condition 13 -	Approved 07.07.2020

Application Number	Description	Decision
	Specification and design for the access works.	
20/05070/DET	Compliance with conditions notification 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)) Condition 17 - Provision of a bus layby and stop on A414 [Phase 1 of the Western Parcel]	Approved 21.10.2020
20/05071/DET	Compliance with conditions notification 22/00393/VARM (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67,68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)) Condition 21 - Public footway diversion. [Western Parcel]	Approved 22.12.2022
20/05072/DET	Compliance with conditions notification 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access	Approved 20.08.2020

Application Number	Description	Decision
	Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)) Condition 56 - Materials [Phase 1 of Western Parcel]	
20/05133/DET	Compliance with conditions notification FUL/MAL/20/00074 (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)) Condition 10. Speed review strategy [Eastern Parcel]	23.12.2020
21/00889/RES	Reserved matters application for the approval of appearance, landscaping, layout & scale for Phase 2 of the Western Parcel of outline planning permission 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67,	Approved 28.01.2022

Application Number	Description	Decision
	68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)) comprising the construction of 210 residential dwellings (Use Class C3), new public open space and car parking.	
21/05046/DET	Compliance with conditions notification 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.))) Condition 50 - Playing field provision.	16.05.2022
21/05068/DET	Compliance with conditions notification 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8	Approved 22.07.2021

Application Number	Description	Decision
	uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.))) Condition 24 - Travel Information Pack - Western Parcel	
21/05076/DET	Compliance with conditions notification 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)) Condition 10 - Speed review strategy.	Approved 30.06.2021
21/05086/DET	Compliance with conditions notification 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable	Approved 08.11.2021

Application Number	Description	Decision
	drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.))) Condition 22 - Upgrading public footpath.	
21/05110/DET	Compliance with conditions notification 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)) Condition 56 - Samples of external surfaces (revised)	Approved 20.08.2021
21/05136/DET	Compliance with conditions notification 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)) Condition 16 - Detail specification and design of the junction for access works. Condition 20 -	Approved 28.01.2021

Application Number	Description	Decision
21/05151/DET	<p>pedestrian and cycle crossing details.</p> <p>Compliance with conditions notification 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.))) Condition 56 - Materials. [Part of Phase 1 of Western Parcel]</p>	Approved 10.12.2021
22/00422/NMA	<p>Application for non-material amendment following grant of Planning Permission 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.) Amendment sought: amended wording of condition 7 (Strategic Phasing Plan)</p>	Approved 09.05.2022
22/00393/VARM	Variation of condition 35 (details of employment land) on approved planning	Approved 12.08.2022

Application Number	Description	Decision
	<p>permission 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.))</p>	
22/05022/DET	<p>Compliance with condition notification 22/00393/VARM (Variation of condition 35 (details of employment land) on approved planning permission 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)) Condition 35 - Employment Land</p>	Refused 07.09.2023
23/05108/DET	<p>Compliance with conditions notification 22/00393/VARM (Variation of condition 35 (details of employment land) on approved planning permission 20/00074/FUL (Variation of condition 10 (speed review</p>	Approved 30.08.2023

Application Number	Description	Decision
	<p>strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)) Condition 76 - Remediation of potential contamination. [Western Parcel]</p>	
24/05046/DET	<p>Compliance with conditions notification 22/00393/VARM (Variation of condition 35 (details of employment land) on approved planning permission 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.))) Conditions 35 - Employment Land</p>	Approved 15.05.2024
24/05167/DET	<p>Compliance with conditions notification 22/01256/RESM (Reserved matters application for the approval of appearance, landscaping, layout and scale of Phase 3 of</p>	Refused 02.12.2024

Application Number	Description	Decision
	<p>the Western Parcel (comprising 78 residential dwellings (Use Class C3), new public open space and car parking) of approved planning application 22/00393/VARM (Variation of condition 35 (details of employment land) on approved planning permission 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.))) Condition 5 - scheme of boundary treatment and landscaping, Condition 7 - communal amenity space details.</p>	
25/00165/NMA	<p>Application for non-material amendment following grant of Planning Permission 22/00393/VARM (Variation of condition 35 (details of employment land) on approved planning permission 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports</p>	Granted 21.03.2025

Application Number	Description	Decision
	playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)) Amendment sought: Change the wording of condition 33.	
25/05067/DET	Compliance with conditions notification 22/00393/VARM (Variation of condition 35 (details of employment land) on approved planning permission 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.))) Condition 28 - Details of distribution and and size of local centre units. Condition 32 - Commercial refuse and recycling storage. Condition 33 - Plant and Equipment. Condition 45 - Tree Protection. Condition 56 - External materials. Condition 70 - Ecological conservation management plan.	Pending consideration
25/00482/RESM	Reserved matters application for the approval of access, appearance, landscaping, layout and scale on approved planning application 22/00393/VARM (Variation of condition 35 (details of employment land) on approved planning permission 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application	Pending consideration

Application Number	Description	Decision
	OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)) Details of Local Centre.	
25/00483/VARM	Variation of conditions 30 and 31 on approved planning permission 22/00393/VARM (Variation of condition 35 (details of employment land) on approved planning permission 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.))	Pending consideration
25/00483/VARM	Variation of conditions 30 and 31 on approved planning permission 22/00393/VARM (Variation of condition 35 (details of employment land) on approved planning permission 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67,	Approved 12.02.2026

Application Number	Description	Decision
	68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.))	
25/05152/DET	Compliance with conditions notification 22/00393/VARM (Variation of condition 35 (details of employment land) on approved planning permission 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.))) Condition 45 - Replacement trees or plants. Condition 56 - Details or samples of all materials.	Approved 02.02.2026
26/00105/NMA	Application for non-material amendment following grant of Planning Permission 25/00483/VARM (Variation of conditions 30 and 31 on approved planning permission 22/00393/VARM (Variation of condition 35 (details of employment land) on approved planning permission 20/00074/FUL (Variation of condition 10 (speed review strategy) and 20 (pedestrian/cycle crossing of Limebrook Way) on approved application 19/01134/FUL (Removal of condition 11 (details of 'Access Link Strategy') on	Pending Consideration

Application Number	Description	Decision
	approved planning application FUL/MAL/18/00071 (Variation of conditions 5,13,21,25,43,53,55,61,63,67, 68,69,74,81,84 on approved application OUT/MAL/14/01103 (Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure.)) Amendment sought: Wording on Conditions 60, 62, 64 in relation to amended triggers.	

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Maldon Town Council	<u>17 June 2025</u> Support	Noted

7.2 Statutory Consultees and Other Organisations (*summarised*)

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Active Travel England	<u>2 June 2025</u> No comments.	Noted
Archaeology	<u>2 June 2025</u> No Comments on the proposal.	Noted
Ecology (Place Services)	<u>10 July 2025</u> Object due to unsatisfactory impact on protected species sites and no RAMS mitigation for the care home. <u>30 January 2026</u> For a care home providing support to dementia patients and palliative care, I do not consider these residents are likely to visit the coastal Habitats sites and therefore not likely to result in any recreational disturbance.	This matter is assessed in the Biodiversity and Ecology section of this committee report.
ECC Fire & Rescue	<u>30 May 2025</u>	Noted

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Service	Comments provided and noted that it will be assessed in more detail as part of building regulations.	
ECC Adult Social Care	<u>17 June 2025</u> Objection as there is no need for a care home of this size. <u>22 December 2025</u> Objection as previous. Access and parking should be assessed, noting the reduction in parking spaces.	Noted and response provided in the Land Use and Car Parking sections of this committee report.
Environment Agency	<u>18 June 2025</u> No objection, informative requested.	Noted, informative added.
Highways Authority	<u>5 September 2025</u> No objection, subject to the following conditions (plus some informatives requested): <ul style="list-style-type: none"> • Implementation of plot c access arrangements. • Parking, vehicle and cycle and turning areas implemented. 	Noted, conditions and informatives added
Lead Local Flood Authority (ECC)	<u>24 April 2026</u> No objection to the discharge of Conditions 60, 62 and 63 of application 14/01103/OUT. <u>13 February 2026</u> Holding objection due to the modelled drainage rates of storage.	Noted.
Natural England	<u>11 June 2025</u> Objection due to a lack of mitigation for impact on European protected sites and the requirement for a circular pedestrian route around the Site. <u>30 January 2026</u> A RAMS payment would not be required if the care home is for dementia and palliative care. This would require a condition to ensure there are no other bed types. Otherwise, a formula for Essex Coast RAMS should be calculated using the provided formula.	This matter is assessed in the Biodiversity and Ecology section of this committee report.

7.3 Internal Consultees (*summarised*)

Internal Consultee Name	Comment	Officer Response
Design Officer	<u>8 July 2025</u> Object. The uses in Parcels A and C are supported but the layout has to be	Revised plans were sought in response to these comments. The

	<p>revised to avoid frontage being dominated by car parking, acoustic fences and high close-boarded fencing adjacent to the Bridleway.</p> <p>I object to the scale of the Care Home C2 use within the local centre as it takes up too much land in the Local Centre. I acknowledge there is an element of C2 granted via OUT but equally C3, D1, D2, A1-A5 are also acknowledged that could carry a use as large as the C2 unit proposed (hotel, pub, restaurant, gym etc) that would integrate with the 'local centre' vision. The care home is likely to visually and functionally dominate but add nothing to the activity and vibrancy expected.</p>	<p>design officer is no longer at the council for re-consultation. The scale of the care home is discussed within the Land Use section of this committee report.</p>
Environmental Health	<p><u>17 June 2025</u></p> <p>I have reviewed the noise assessment, phase I and Phase II ground condition reports and air quality report. I have no objections or further comments.</p>	Noted
Tree Consultant - Place Services Arboriculture	<p><u>13 June 2025</u></p> <p>No objection, subject to a condition securing shrub/hedge protection fencing.</p>	Noted, condition added.

7.4 Site Notice / Advertisement

- 7.4.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015, a press notice was issued and site notices (3x) were displayed.
- 7.4.2 Following the submission of revised plans, the LPA re-advertised the application through a press notice issued and site notices being displayed on 12 November 2025 for a period of 14-days. The re-consultation period expired on 26 November 2025.

7.5 Representations Received from Interested Parties

- 7.5.1 **One** letter has been received **objecting** to the application and the reasons for objection are summarised as set out in the table below:

Objection Comment	Officer Response
<p>Residential Amenity</p> <ul style="list-style-type: none"> My only comment would be regarding light pollution in the direction of our property. The new roundabout lights have massively affected the light levels within our house at night. This was never an issue with the previous sodium lights prior to development. 	<p>This comment relates to public street lights, which are not proposed in the current application. Private lighting is proposed and the submitted light spill plans demonstrate that there would be no unacceptable impact. This is discussed in the Residential Amenity section of this committee report.</p>
Procedure	

Objection Comment	Officer Response
<ul style="list-style-type: none"> Planning notices only appeared the recently (stated on 05/11/2025) and were undated. 	<p>Blue site notices, which are used for amended plans, were placed in four locations adjacent to the Site on 12/11/2025 and were dated. Public consultation was undertaken in accordance with statutory requirements.</p>

8. **PROPOSED CONDITIONS, INCLUDING HEADS OF TERMS OF ANY SECTION 106 AGREEMENT**

HEADS OF TERMS OF ANY SECTION 106 AGREEMENT

- Signing of a Unilateral Undertaking to secure a RAMS contribution of £5,793.15 which equates to the equivalent of 33 C3 units (as per Natural England guidance). The sum is payable prior to the occupation of the first care home room.
- No other new planning obligations are required – the appropriate obligations were secured through the Section 106 legal agreement bound to the Outline Permission.

CONDITIONS:

1 Approved Plans

The development shall be carried out in accordance with the following approved plans:

- 23469 - 0330 Rev P-07 - Proposed Phasing Plan
- 23469-0100 Rev P-01 - Site Location Plan
- 23469-0300 Rev P-30 - Proposed Overall Site Plan
- 3804-HIA-01-XX-DR-A-0101 - Proposed Site Plan P10
- 23142 - 010 Proposed site access parcel B
- 23142 - TR001 Swept path analysis refuse vehicles
- 23142 - TR002 Swept path analysis FTA Design 10m rigid vehicle
- 23142 - TR003 Proposed site layout care home swept path analysis 7.5 tonne box van
- 23142 - TR004 Proposed site layout parcel C Swept path analysis 12m Rigid Vehicle
- 23142 - TR005 Proposed site layout parcel C swept path analysis refuse vehicle
- 23469 - 0320 Rev P-09 Proposed Boundary Treatment Plan
- 23469 - 0325 Rev P-11 Pedestrian & Cycle Route Access Plan
- 23469 - 0350 Rev P-02 Bin & Cycle Store Details
- 23469 - 0401 Rev P-01 Block 1 - Proposed Elevations
- 23469 - 0402 Rev P-01 Block 2 - Proposed Elevations
- 23469 - 0403 Rev P-01 Block 3 - Proposed Elevations
- 23469 - 0404 Rev P-01 Block 4 - Proposed Elevations
- 23469 - 0405 Rev P-01 Block 5 - Proposed Elevations
- 23469 - 0411 Rev P-02 Block 1 - Proposed Floor & Roof Plan
- 23469 - 0412 Rev P-02 Block 2 - Proposed Floor & Roof Plan
- 23469 - 0413 Rev P-02 Block 3 - Proposed Floor & Roof Plan
- 23469 - 0414 Rev P-00 Block 4 - Proposed Floor & Roof Plan

- 23469 - 0415 Rev P-00 Block 5 - Proposed Floor & Roof Plan
- 3804-HIA-01-00-DR-A-0201 Rev P6 Proposed Ground Floor Plan
- 3804-HIA-01-01-DR-A-0211 Rev P6 -Proposed First Floor Plan
- 3804-HIA-01-02-DR-A-0221 Rev P6-Proposed Second Floor Plan
- 3804-HIA-01-XX-DR-A-0301 Rev P3-South & East Elevations
- 3804-HIA-01-XX-DR-A-0302 Rev P3-North & West Elevation
- 3804-HIA-01-XX-DR-A-2701-Rev P2 Roof Plan
- 3804-HIA-XX-00-DR-A-0102-Rev P2 Boundary Treatment Plan
- GTC-E-SS-0012_R2-2_1_of_1 Close Coupled Substation pyramid roof detail general arrangement
- LL1784-001 Rev C - Street Lighting Layout - Private
- LL1784-002 Rev A - Street Lighting Layout - Private
- LPME-BSP-ZZ-XX-DR-C-0210 Rev P05 - Proposed Levels
- LPME-BSP-ZZ-XX-DR-C-0240 Rev P06 - Proposed Drainage Layout
- P23-2037 EN_0001_S1_REV C Detailed Soft Landscape Proposals (Retail Units 1-4)
- P23-2037 EN_0002_S1_REV A Detailed Soft Landscape Proposals (Retail Unit 5)
- P23-2037 EN_0003_S1_REV E Detailed Soft Landscape Proposals (Care Home)
- Z5112-001 Rev P4 - Limebrook Local Center Culvert Crossing
- 23469-0330 Proposed Use Class Plan

REASON To ensure that the development is carried out in accordance with the details as approved.

2 Shrub/hedge Protection

No development within each phase of the development shall commence until fencing/ground protection to protect the hedges/shrubs to be retained within that phase of the development has been erected in accordance with BS5837:2012, details of which shall have been submitted to the LPA for written approval for that phase of the development. The protective fencing shall be erected before the commencement of any clearing, demolition and building operations and shall be retained until all equipment, machinery and surplus materials have been removed from the site for that phase of the development

The protective fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site for that phase of the development. Within the fenced protection zone nothing shall be stored or placed, no fires lit, no vehicle shall gain access, ground levels shall not be altered, no excavation shall be made and no structure shall be erected. If within five years from the completion of each phase of the development a retained shrub or hedge is removed, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, a replacement shrub or hedge shall be planted within that phase of the development of such species and size and shall be planted at such time, as specified in writing by the local planning authority.

REASON To secure the retention of appropriate landscaping of the site in the interests of visual amenity, the character of the area and for biodiversity value in accordance with policies S3, D1, N1 and N2 of the Approved Maldon District Local Development Plan, the South Maldon Garden Suburb Strategic Masterplan Framework Supplementary Planning Document, NPPF and PPG.

3 Care Home Access

Prior to the first occupation of Parcel C the access arrangements, as shown in principle on Connect Consultants drawing no. 23142-010, shall be fully implemented and retained as such for the life of the development. Reason: To ensure that appropriate and safe access is provided.

REASON To ensure sufficient parking and vehicle access infrastructure is provided and in the interests of highway safety, in accordance with policies H3, D1, T1 and T2 of the Approved Maldon District Local Development Plan and the Vehicle Parking Standards SPD.

4 Access Provision

Prior to the first occupation each phase, the parking, vehicle and cycle, and turning areas for that phase, as indicated on the approved plans, shall be provided and retained as such for the life of the relevant phase of development.

REASON To ensure sufficient parking and vehicle access infrastructure is provided and in the interests of highway safety, in accordance with policies D1, T1 and T2 of the Approved Maldon District Local Development Plan and the Vehicle Parking Standards SPD.

5 Care Home Use

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) Order (2015) (as amended), the building annotated as "Care Home" on the hereby approved "23469-0330 Proposed Use Class Plan" shall be used solely as a 'residential care home' or 'nursing home' under Use Class C2 (residential institutions) and for no other purposes whatsoever.

REASON To ensure the proposed development does not have an unacceptable impact on the vitality of other retail/employment locations, to ensure sufficient parking is provided and to protect neighbouring amenities, in accordance with Policies S2, S4, D1, E1 and E3 of the approved Maldon District Local Development Plan and the South Maldon Garden Suburb Strategic Masterplan Framework Supplementary Planning Document.

6 Retail Unit Use

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) Order (2015) (as amended), the building annotated as "Retail Unit 6" on the hereby approved "23469-0330 Proposed Use Class Plan" shall be used solely as a 'retail unit' within Use Class E(a) and for no other purposes whatsoever.

REASON To provide sufficient local services, ensure the proposed development does not have an unacceptable impact on the vitality of other retail/employment locations, to ensure sufficient parking is provided and to protect neighbouring amenities, in accordance with Policies S2, S4, D1, E1 and E3 of the approved Maldon District Local Development Plan and the South Maldon Garden Suburb Strategic Masterplan Framework Supplementary Planning Document.

7 External Materials

Prior to the commencement of any development above ground level for each phase of development, an updated materials plan and samples of all external facing materials to be used, including glazing (no glazing sample required), shall be submitted to, and approved in writing for that phase of development by, the Local Planning Authority. The details shall be generally in accordance with the submitted 'External Materials Schedule'. The hereby approved works

must then be carried out strictly in accordance with the approved details with that phase of development.

REASON In the interest of the character and appearance of the area in accordance with policy D1 of the approved Maldon District Local Development Plan and guidance contained within the National Planning Policy Framework.

8 Acoustic Fence

Prior to the first use of any hereby approved commercial unit within the Phase 5 area of the indicative submitted plan 'PROPOSED PHASING PLAN 23469-0330 P-05', details of the required acoustic fence to be provided along the eastern boundary of the service yard of Phase 5 (as shown on 'Phasing Plan 23469-0330 P-05') shall be submitted to, and approved in writing by, the Local Planning Authority. The approved acoustic fencing shall be implemented in accordance with the approved details prior to the first use of any commercial unit within Phase 5, and retained in accordance with the details for the duration of the development.

REASON To protect the amenity of nearby properties in accordance with policies D1 and D2 of the Approved Maldon District Local Development Plan, the South Maldon Garden Suburb Strategic Masterplan Framework Supplementary Planning Document, NPPF and PPG.

9 Public Art

Notwithstanding the submitted plans and prior to the commencement of any above ground development within Phase 5 (as shown on 'Phasing Plan 23469-0330 P-05') details of the Decorative Feature Panel on the northern elevation of Unit 6 shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to Unit 6 being opened to the public and retained for the life of Unit 6 unless otherwise agreed in writing by the Local Planning Authority.

REASON In the interest of the character and appearance of the area and to achieve good design, in accordance with policy D1 of the approved Maldon District Local Development Plan and guidance contained within the National Planning Policy Framework.

10 Parking Management Plan

Prior to the occupation of any use falling within Use Classes E(f), F1, F1a, F1b, F1c, F1d, F1e, F1f, F1g, Ed, F2c or F2d as defined within the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) Order (2015) (as amended), within any phase of development hereby approved, a Parking Management Plan demonstrating suitable and sufficient car parking for that use, including any measures required to mitigate parking stress, shall be submitted to and approved in writing by the Local Planning Authority. Any measures required in any approved Plan shall be implemented prior to the occupation of the relevant building and retained as such for the duration of that use.

REASON In the interest of the character and appearance of the area and to achieve good design, in accordance with policy D1 of the approved Maldon District Local Development Plan and guidance contained within the National Planning Policy Framework.

INFORMATIVES

1. This Reserved Matters approval must be read in conjunction with outline planning permission ref 22/01174/OUTM and the conditions attached thereto.
2. The Environment Agency advise that the applicant may need an environmental permit for flood risk activities if they want to do work in, under, over or within 8 metres (m) from a fluvial main river and from any flood defence structure or culvert or 16m from a tidal main river and from any flood defence structure or culvert. Application forms and further information can be found at: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. Anyone carrying out these activities without a permit where one is required, is breaking the law. Changes to the way we manage flood risk activity permit applications The Environment Agency are moving the management of flood risk activity permit (FRAP) applications from local area teams into the National Permitting Service (NPS). This change is happening in stages and applications previously managed in Essex, Norfolk, Suffolk area are now being managed in NPS. FRAP applications for activities that take place in this area should be sent to: flood.permitting@environment-agency.gov.uk
3. ECC Highways advise that (i) ECC has not undertaken an assessment of the parking provision as Maldon District Council have their own adopted parking standards. (ii) Any trees and non-standard materials/equipment proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for a period of 15 years following construction. (iii) All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org iv. The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design checks, safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required. v. Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the Essex Climate Action Commission proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the Essex Developers' Group Climate Charter [2022] and to view the advice contained in the Essex Design Guide. Climate Action Advice guides for residents, businesses and schools are also available.