

**CIRCULATED
BEFORE THE
MEETING**



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

**to
DISTRICT PLANNING COMMITTEE
2 SEPTEMBER 2026**

ADDENDUM

AGENDA ITEM NO. 6

Application Number	26/00018/FULM
Location	Land West of Edmond Street and Newman Drive and Benson Close, Burnham-on-Crouch, Essex
Proposal	Hybrid planning application for a residential-led development comprising full planning permission for the construction of 170 dwellings (including market and affordable homes) (Use Class C3), vehicular access points, public open space, sustainable urban drainage systems (SuDS), and associated infrastructure; and outline planning permission (with all matters reserved, apart from access) for the construction of up to 190 dwellings (Use Class C3), public open space, and associated infrastructure; and retention of the employment land within Use Classes E(g), B2, and B8.
Applicant	BDW Trading Limited and Burwest LLP
Agent	Miss Guoda Vaitkeviciute – Lanpro
Target Decision Date	4 September 2026 (with EoT agreed to 14 December 2026 to allow for S106 completion in the event of resolution to grant permission)
Case Officer	Matt Bailey
Parish	Burnham-on-Crouch North
Reason for Referral to the Committee / Council	Major Application

CONSULTATION RESPONSES

Subsequent to the publication of the committee report, ECC Highways have provided a further consultation response confirming that, following submission of further details and proposed mitigation measures, the scheme is considered acceptable from a highway and transportation perspective subject to a number of conditions. The relevant sections of the report have therefore been updated as set out below.

Anglian Water have also provided an updated response confirming their position that the scheme is acceptable subject to conditions requiring compliance with the submitted drainage strategy (already included within the original report).

Two further letters of objection have been received – raising issues relating to ecology, amenity, highways, and local infrastructure. Officers can confirm that the issues raised within these letters have already been considered within the main report.

MAIN CONSIDERATIONS

5.9 Transport, Access and Highway Safety

5.9.2 ECC Highways had originally objected to the proposals – in terms of technical details at the main junction with Maldon Road, and the potential impact of the development taking into account other development and cumulative impacts along Lower Burnham Road to the west of Burnham-on-Crouch. Following a number of meetings and discussions between the applicant and ECC Highways, an additional technical note has been submitted seeking to address the technical details, and to propose junction improvements at Lower Burnham Road/Fambridge Road. ECC Highways have now confirmed that the schemes for each junction are considered acceptable, subject to the proposed junction improvements/ mitigation measures, to be secured by way of condition along with other standard highways requirements. A contribution of £925,000 has also been sought towards bus service improvements, to be secured as part of the proposed S106 agreement – this amount is subject to provision of a satisfactory justification for the contribution from ECC Highways (to be confirmed during S106 drafting).

7.2 Statutory Consultees and Other Organisations (summarised)

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
ECC Highways	No objection subject to appropriate conditions and provision of mitigation at the B1010/1B10/12 junction at North Fambridge and at the junction of Maldon Road/ Church Road.	Noted – detailed conditions as set out at section 8.2 of the report
Anglian Water	Confirmed no objection subject to compliance with approved drainage strategy	Noted – detailed conditions as set out at section 8.2 of the report

PLANNING OBLIGATIONS

The table at section 8.1 of the report has been updated to take into account the ECC Highways consultation response as well as providing some clarifications in relation to other contributions.

8.1 SECTION 106 HEADS OF TERMS

Item	Provision / Purpose
Affordable housing	40% on-site provision: 68 of 170 full-phase homes and up to 144 across 360 homes; overall mix to have regard to TAN and Local Housing Needs Assessment (overall scheme wide); social-rent, standards, transfer, nomination, clustering and occupation controls.
Early years and childcare	£836,814, indexed from Q1 2025, subject to the final mix and ECC formula.
Primary education	£2,092,035, indexed from Q1 2025, subject to the final mix and ECC formula.
Healthcare	Awaiting confirmation from NHS – anticipated £252,400 (to be confirmed during S106 drafting)
SEND	£665,374, indexed from Q1 2025, subject to the final mix and ECC formula.
Essex Coast RAMS / HRA	Current per-dwelling RAMS tariff plus the on-site greenspace, Riverside Park loop, information/signage, dog facilities and long-term management relied upon in the Appropriate Assessment.
Highways	The applicant shall be required to enter into a Section 278 under the Highways Act for works and/or proportionate contributions for the agreed junction works, zebra crossing. PRoW route 3 improvements and Travel Plan package. Bus Service Improvements £925,000 (to be confirmed subject to CIL compliance)
Railway crossing improvements	Miniature stop light design, installation, operation, renewal and maintenance package at Creeksea Place crossing. Contribution of £325,500 (to be confirmed during S106 drafting subject to CIL compliance)
Open space, play and landscape	Provision, public access, transfer/management, early structural planting, greenway, play, SuDS amenity and HRA landscape features across both phases.
Biodiversity net gain / ecology	Legal security for significant on-site habitats or off-site units not adequately secured by condition/conservation covenant; 30-year HMMP and monitoring.
Employment and skills	Construction Employment and Skills Plan with agreed targets, reporting and monitoring.
Monitoring	Maldon and ECC Monitoring fees

CONDITIONS

Following review of the proposed conditions as set out at section 8.2 of the report, a further clarification has been added at section 5.17 of the report to confirm that the proposed pre-commencement conditions have been accepted in principle by the applicant. A minor amendment to condition 11 has also been added in light of the updated NPPF and recent appeal decisions (and associated condition wording).

5.17 Other Matters

Pre Commencement Conditions

5.17.2 A number of pre-commencement conditions are proposed, relating to Construction Stage Drainage, provision of a Construction Environmental Management Plan (CEMP), Archaeological Investigations, tree protection and provision of a site wide Biodiversity Net Gain Plan.

5.17.3 Pre-commencement conditions relating to the construction stage are considered necessary to protect the amenities of surrounding occupiers and to ensure highway safety during the construction process. Archaeological investigation prior to commencement is necessary on the ground that the site is located within an area likely to contain archaeological remains which should be assessed prior to ground works taking place. Tree protection measures are fundamental to the acceptability of the scheme given the amount of existing trees at the site and proposed retention across both phases. A site-wide Biodiversity Net Gain Plan is necessary prior to development to ensure that the scheme will as a whole provide the necessary gains required by legislation and is advanced in accordance with an agreed framework.

5.17.4 In short, these matters are considered so fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission if agreement were not obtained. The applicant has been advised of the requirement for these pre-commencement conditions and has confirmed in writing that there is no objection to the imposition of the suggested conditions.

8.2 PROPOSED CONDITIONS

11. Housing Unit Size Mix

Notwithstanding the approved Phase 1 housing mix, the reserved matters for Phase 2 shall provide a housing unit size mix that shall have regard to the Maldon District Technical Advice Note - Housing Mix Position (November 2025), Local Housing Needs Assessment (2025) or any subsequent update, and the policy requirements within Policy H08 of the National Planning Policy

Framework. The housing unit size mix as set out in the reserved matters shall be implemented as approved. .

REASON: In order to ensure that an appropriate housing mix is provided for the proposed development taking into account the objective of creating a sustainable, mixed community contained in Policy H2 of the approved Maldon District Development Local Plan and the guidance contained in the National Planning Policy Framework.

OTHER MATTERS

Correspondence has been received from Burnham on Crouch Town Council in relation to the employment allocation at the site and discussions with the applicant - whilst these discussions do not directly relate to the application proposals, some additional information has been inserted for information:

5.17 Other Matters

Town Council Discussions

5.17.5 Whilst the proposed scheme does not include any provisions for allocated employment area to the south-eastern corner, Burnham-on-Crouch Town Council has written to the Council to confirm that discussions have taken place with the applicant regarding the potential future use of part of the employment land at the Corinthian site, including the possibility of land being transferred for Town Council use, potentially for community or recreation use. The Town Council has indicated that it intends to undertake further work in respect of these discussions, including the preparation of a business case and consideration of funding and public consultation.

5.17.6 These discussions are separate from the current planning application and any change of use or development of this part of the site of the site would require separate planning permission. The application as submitted does not make provision for the transfer, sale or alternative use of any part of the site – however the ongoing discussions are noted for completeness.

RECOMMENDATION

A minor amendment is proposed to the recommendation as set out at section 1 of the report, which takes into account the resolved highways consultation response, but makes provision for further clarification of the associated obligations relating to ECC Highways and Network Rail:

1. RECOMMENDATION

APPROVE and delegate authority to the Director of Place, Planning and Growth to grant planning permission subject to:

- a) the Director of Place, Planning & Growth being satisfied (in consultation with the Chair of the District Planning Committee and Ward Members) that the proposals are acceptable following receipt of final consultee responses from

- confirmation of Place Services Ecology and Active Travel England consultee responses and formal agreement of the railway crossing contribution;
- b) the applicant entering into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the planning obligations set out in this report. This may include any additions, amendments or deletions agreed by the Director of Place, Planning & Growth where necessary to ensure the development is acceptable and satisfies the CIL Regulation tests, following discussions with the Highways Authority and Network Rail; and
- c) subject to the planning conditions as detailed in Section 8 of this report.

If the Section 106 legal agreement is not completed within three months of the date of this District Planning Committee (or a longer period if agreed by the Director of Place, Planning & Growth) then **REFUSE** the planning application under delegated powers. This is subject to first referring the planning application to the Secretary of State for a period of at least 21 days, who may choose to call in the decision under the Town and Country Planning (Consultation) (England) Direction 2026.