



**MINUTES of
CENTRAL AREA PLANNING COMMITTEE
29 JULY 2026**

PRESENT

Chairperson	Councillor P L Spenceley
Councillors	J R Burrell-Cook, S Dodsley, K Jennings, N D Spenceley, J C Stilts and N J Swindle
Officers (Maldon District Council)	Mr Johnson, Head of Development Management and Building Control Ms Beighton, Development Management Team Leader Ms Mumford, Planner

1. CHAIRPERSON'S NOTICES

The Chairperson welcomed everyone to the meeting and went through some general housekeeping arrangements for the meeting.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors S J Burwood, J Driver and K M H Lagan.

3. MINUTES OF THE LAST MEETING

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 15 April 2026 be received.

Minute No. 433 Apologies for Absence

Councillor J R Burrell-Cook advised that he had tendered his apologies for this meeting but they had not been recorded. The Chairperson advised that this would be amended.

RESOLVED

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 15 April 2026 be confirmed.

4. DISCLOSURE OF INTEREST

There were none.

5. **26/00228/OUTM - LAND AT BLACKWATER TRADING ESTATE, THE CAUSEWAY, MALDON, ESSEX**

Application Number	26/00228/OUTM
Location	Land At Blackwater Trading Estate, The Causeway, Maldon, Essex
Proposal	Erection of warehouse units with associated vehicle parking and servicing (Renewal of planning permission OUTM/MAL/21/00540 as modified by VARM/MAL/23/00882).
Applicant	Aquila EHS Ltd
Agent	Aquila EHS Ltd
Target Decision Date	31/07/2026
Case Officer	Charlie Mumford
Parish	Maldon North
Reason for Referral to the Committee / Council	Major Application

The Chairperson drew Members' attention to an Addendum which had been circulated prior to the meeting and provided the following information:

- Any reference within the report to paragraph 4.2.5 should have read 5.2.5
- The Lead Local Flood Authority (LLFA) had been consulted and, following a reassessment of the scheme against updated national and local Sustainable Drainage Systems (SuDS) policies and revised climate change allowances, raised no objection subject to conditions requiring the submission of detailed surface water drainage schemes prior to commencement. Concerns relating to climate change allowances, water quality treatment, and the management of runoff from the warehouse roofs and car parking areas were addressed through the recommended conditions, which ensured appropriate onsite treatment prior to discharge. Officers were satisfied that these requirements could be met via conditions as recommended by the LLFA and there were no further concerns in regard to SuDs.
- There were further amendments to paragraph numbers detailed in section 7.2 of the report.
- Following the further information received from the LLFA an amendment to condition 18 and a new condition 32 were detailed.

Following the Officer presentation, some Members commented on the proposal. In response to a question regarding screening along the side of the site adjacent to the sea wall, the Officer advised that could be considered but would form part of the Reserved Matters application.

The Chairperson then moved the recommendations set out in the report, subject to the amendment to condition 18 and additional condition 32. This was duly seconded and upon a vote being taken was duly agreed.

RESOLVED

- that this application be **APPROVED** subject to 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 and subject to conditions as detailed below.

HEADS OF TERMS OF ANY SECTION 106 AGREEMENT

- A monitoring fee for the Travel Plan of £7,531 (plus the relevant sustainable travel indexation) shall be paid before occupation to cover the five-year period.

CONDITIONS:

- 1 Details of the appearance and landscaping (hereinafter called “the reserved matters”) shall be submitted to and approved in writing by the Local Planning Authority (LPA) before any development begins and the development shall be carried out as approved.

Application(s) for approval of the reserved matters shall be made to the LPA no later than three years from the date of this permission.

The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters to be approved.

- 2 As part of the reserved matters details of the siting, height, design, and materials of the treatment of all boundaries including gates, fences, walls, railings and piers shall be submitted to and approved in writing by the Local Planning Authority. The screening as approved shall be constructed prior to the first use of the development to which it relates and be retained in perpetuity as such thereafter.

- 3 The landscaping details referred to in Condition 1 shall provide full details and specifications of both hard and soft landscape works, which shall be submitted to and approved in writing by the Local Planning Authority. Such details shall be submitted concurrently with the other reserved matters. These landscaping details shall include the layout of the hard landscaped areas with the materials and finishes to be used together with details of the means of enclosure, car parking layout, vehicle and pedestrian accesses.

The details of the soft landscape works shall include schedules of shrubs and trees to be planted, noting the species, stock size, proposed numbers / densities and details of the planting scheme's implementation, aftercare and maintenance programme.

The hard landscape works shall be carried out as approved prior to the beneficial first use of the development hereby approved unless otherwise first agreed in writing by the Local Planning Authority.

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development, unless otherwise first agreed in writing by the Local Planning Authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place.

- 4 Prior to the commencement of development, details of the existing and proposed ground levels together with proposed finished floor levels shall be submitted to and be approved in writing by the Local Planning

Authority. The development hereby permitted shall then be constructed in accordance with the approved ground and finished floor levels.

- 5 Prior to their use in the construction of the development, product details and high-quality photographs or samples of all materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be carried out using the materials and details as approved.
- 6 No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:
 - a. the parking of vehicles of site operatives and visitors
 - b. loading and unloading of plant and materials
 - c. storage of plant and materials used in constructing the development
 - d. wheel and underbody washing facilities
 - e. working hours
 - f. noise control measures
 - g. dust suppression measures
 - h. complaints procedures
- 7 The development hereby approved shall not be occupied until such time as the vehicle parking and turning area indicated on planning application drawing number 21/02/03 REV B, has been hard surfaced, sealed and marked out in parking bays. The parking spaces shall have dimensions in accordance with the current parking standards. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.
- 8 Cycle parking shall be provided prior to the first use of the development hereby approved in accordance with Maldon District Council's adopted standards. The approved facility, which details shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved, shall be secure, convenient, covered and retained in perpetuity.
- 9 Prior to first occupation of the development, the Developer shall submit a workplace travel plan to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall be actively implemented for a minimum period of 5 years. It shall be accompanied by a monitoring fee of £7,531 (plus the relevant sustainable travel indexation) to be paid before occupation to cover the five-year period.
- 10 No building hereby permitted shall be used until details of the number and location of electric car charging points in accordance with the adopted Vehicle Parking Standards Supplementary Planning Document (SPD) (2018) have been submitted to and approved in writing by the local planning authority. The charging points shall be provided in accordance with the approved details prior to the commencement of the beneficial use of the parking space within which they would be located.

- 11 No building hereby permitted shall be used until details of the number and location of car parking spaces for disabled people in accordance with the adopted Vehicle Parking Standards SPD (2018) have been submitted to and approved in writing by the local planning authority. The parking spaces for disabled people shall be provided in accordance with the approved details prior to the commencement of the beneficial use of the parking space within which they would be located.
- 12 The hours of operation of the B8 units hereby permitted shall be between:
- Monday to Saturday 0700 hours until 2300 hours only
- 13 No external plant or machinery shall be used unless and until details of the equipment have been submitted to and approved by the local planning authority. Any measures required by the local planning authority to reduce noise from the plant or equipment shall be completed prior to the plant being brought into use and retained as such thereafter.
- 14 The applicant/occupier is required to have in place a flood action plan to respond to any flood warnings issued by the Environment Agency. Details of the flood evacuation plan shall previously have been submitted to and agreed in writing by the Local Planning Authority, in consultation with the Environment Agency, prior to first occupation of the development hereby permitted.
- 15 Prior to occupation, a “lighting design strategy for biodiversity” in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.
- All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme.
- 16 The premises shall only be used for storage and distribution purposes which are defined within Class B8 of the Schedule to the Town & Country Planning Use Classes (Amendment) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order) and for no other purpose.
- 17 No buildings or fixed above ground structures shall be placed within 20.5 metres of the landward toe of the defence, as detailed on drawing 21/02/03 revision B, dated Apr 21, provided within Appendix B of the Flood Risk Assessment Addendum No.2, dated January 2022.
- 18 No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage

principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- Limiting discharge rates to Greenfield runoff rates for all storm events up to and including the 1 in 100 year rate plus 45% allowance for climate change. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 45% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 45% climate change critical storm event OR demonstrate that features are able to accommodate a 1 in 10 year storm event within 24 hours of a 1 in 30 year event plus 45% climate change.
- Where the discharge is to a watercourse, the outfall should be above the 1 in 100 plus climate change level or alternatively the effect of surcharging of the outfall should be modelled and appropriate measures should be put in place.
- Final modelling and calculations for all areas of the drainage system. The calculations should use a MADD Factor of 0.
- The appropriate level of treatment for all runoff leaving the site (including roofs, car parking areas etc), in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753. A sufficient treatment train of SuDS components should be provided to mitigate the sites High Pollution Hazard Level, with a minimum of two stages of treatment prior to discharge to be provided. Above ground SuDS features are preferable, and justification should be provided where not proposed.
- If gravity discharge is not possible, sites using a pumping system should demonstrate the risk associated with pump failure/blockage, including mitigation against pollution and flooding.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.

The scheme shall subsequently be implemented prior to occupation. It should be noted that all outline applications are subject to the most up to date design criteria held by the LLFA.

Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

- 19 No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

- 20 Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, shall be submitted to and agreed, in writing, by the Local Planning Authority.
- 21 The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.
- 22 No development, including ground works or demolition, shall take place during prolonged periods of cold weather between October - March inclusive. In the event of a works suspension due to prolonged cold weather, work can resume after three days of thaw. After a continuous week of cold weather (i.e. frozen conditions for seven consecutive days), advice should be sought from the Site Ecologist or Ornithologist who shall base their guidance on the advice contained within the website of the Joint Nature Conservation Committee regarding a "Scheme to reduce disturbance to waterfowl during severe winter weather" or any other advice amending or revoking that advice.
- 23 No development, including ground works or demolition, shall commence until a Construction Environmental Management Plan and an Operational Environmental Management Plan have been submitted to and approved in writing by the Local Planning authority.
- 24 All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Crossland Ecology, March 2026), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. The development hereby approved shall operate in accordance with the approved mitigation measures in perpetuity.

This may include the appointment of an appropriately competent person e.g. an Ecological Clerk of Works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

- 25 Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Preliminary Ecological Appraisal (Crossland Ecology, March 2026), shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and

- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

- 26 No development including any site clearance or groundworks of any kind shall take place within the site until the applicant or their agents; the owner of the site or successors in title submits a programme of archaeological investigation has been secured in accordance with a Written Scheme of Investigation (WSI) which has been submitted by the applicant, for approval by the Local Planning Authority. The development shall be carried out in a manner that accommodates such approved programme of archaeological work.
 - 27 No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the WSI defined in 24 above, and any subsequent mitigation has been agreed.
 - 28 The applicant will submit a final archaeological report or (if appropriate) a Post Excavation Assessment report and/or an Updated Project Design for approval by the Local Planning Authority. This shall be submitted within six months of the date of completion of the archaeological fieldwork.
 - 29 Noise from plant and equipment shall not exceed the existing background sound level (LA90) at the nearest noise-sensitive receptors, in accordance with BS4142.
 - 30 A post-installation noise assessment shall be undertaken to demonstrate compliance with the above criteria, with mitigation implemented if required.
 - 31 No development shall commence until a phased land contamination assessment (Phase 1, Phase 2 if required, remediation and verification) has been completed and approved.
 - 32 The development hereby permitted shall not be commenced until the existing pipes within the extent of the site, which will be used to convey surface water, are cleared of any blockage and are restored to a fully working condition.
- (i) That if the Section 106 legal agreement was not completed within six months of the date of this District Planning Committee (or a longer timeframe if agreed by the Director of Place, Planning and Growth) then the planning application would be **REFUSED** under delegated powers, subject to the referral of the case to the Secretary of State for a period of at least 21 days, who may opt to call-in the decision as per the Town and Country Planning (Consultation) (England) Direction 2026.

There being no other items of business the Chairperson closed the meeting at 7.48 pm.

P L SPENCELEY
CHAIRPERSON