

District Planning Committee



MALDON
DISTRICT COUNCIL

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22 September 2026

Agenda Item 6 - Land South of Threeways and 45 The Street, Latchingdon

26/00138/OUTM

Land South of Threeways and 45 The Street, Latchingdon, Essex

Outline planning application with all matters reserved except for means of access, for up to 140 dwellings (Use Class C3), including 40% affordable housing; new site access and internal access roads; a new village centre (Use Class E(a)); flexible employment space (Use Class E); car and cycle parking; landscaping; sustainable urban drainage systems; public open space and footpaths; community woodlands and allotments; together with associated infrastructure.



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Site and Surroundings



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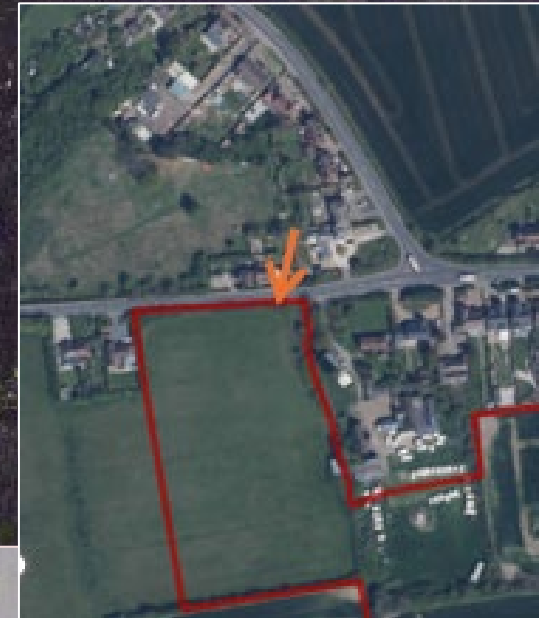
Site and Surroundings



View west towards the site on Cold Norton Road, with access to adjacent Sharps Farm (left left)

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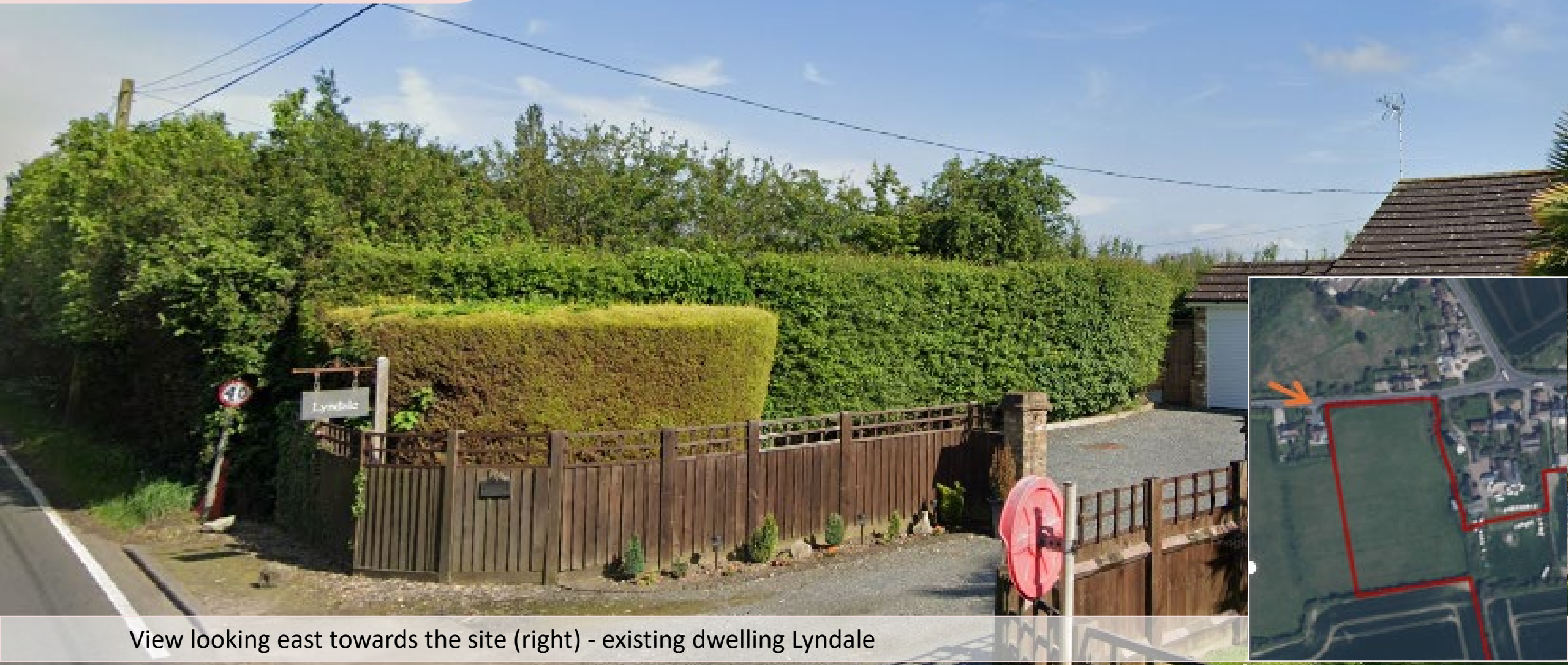
Site and Surroundings



Existing access to site on Cold Norton Road

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Site and Surroundings



View looking east towards the site (right) - existing dwelling Lyndale

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Site and Surroundings



View south across the site from the land to the rear of 45C The Street

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Site and Surroundings



Looking north across the site to the rear of properties on The Street

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Site and Surroundings



View south from the land to rear of 57 and 59 The Street, pedestrian access is proposed

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Site and Surroundings



Looking northeast towards existing treeline of site's southern boundary

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Site and Surroundings



View northwest from land to rear of Jacks Centre – rear of houses on The Street visible

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Proposed Scheme

Site Layout Concept Plan



- Proposed Village Centre
- Proposed Paths
- Proposed Employment
- Proposed Housing
- Proposed Allotment
- Proposed Species Rich Native Hedge
- Proposed Native Woodland Planting
- Proposed Natural Grassland with Scattered Trees
- Proposed Ditch / Pond
- Existing Ditch
- Existing Pond
- Existing Hedges
- Existing Trees
- New Footpath to connect with Village Hall
- Existing Public Footpaths

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Proposed Scheme

Illustrative Masterplan



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Proposed Scheme

Illustrative Aerial View



Planning Context - Appeal Decision

Summary

- Appeal on materially identical scheme dismissed, 21 January 2026
- Inspector found limited localised landscape harm
- No undue harm to Latchingdon's identity
- Location accessible on balance; no severe highway impact
- Foul drainage, infrastructure and most S106 matters capable of resolution

Outstanding Issues

- Dismissal reasons were limited to:
 - Habitats Regulations evidence / functionally linked land
 - Flood-risk Sequential Test scope and robustness
- Both matters have been revisited with new evidence
- Foul water controlled by a pre-commencement condition
- S106 obligations and conditions to be secured

Ecology

Appeal Decision

- Appeal evidence could not exclude functionally linked land for qualifying coastal birds
- A lawful Appropriate Assessment could not then be completed
- Potential effects on the Crouch and Roach Estuaries SPA and Ramsar site remained unresolved
- This was a principal reason for dismissal

Revised Application

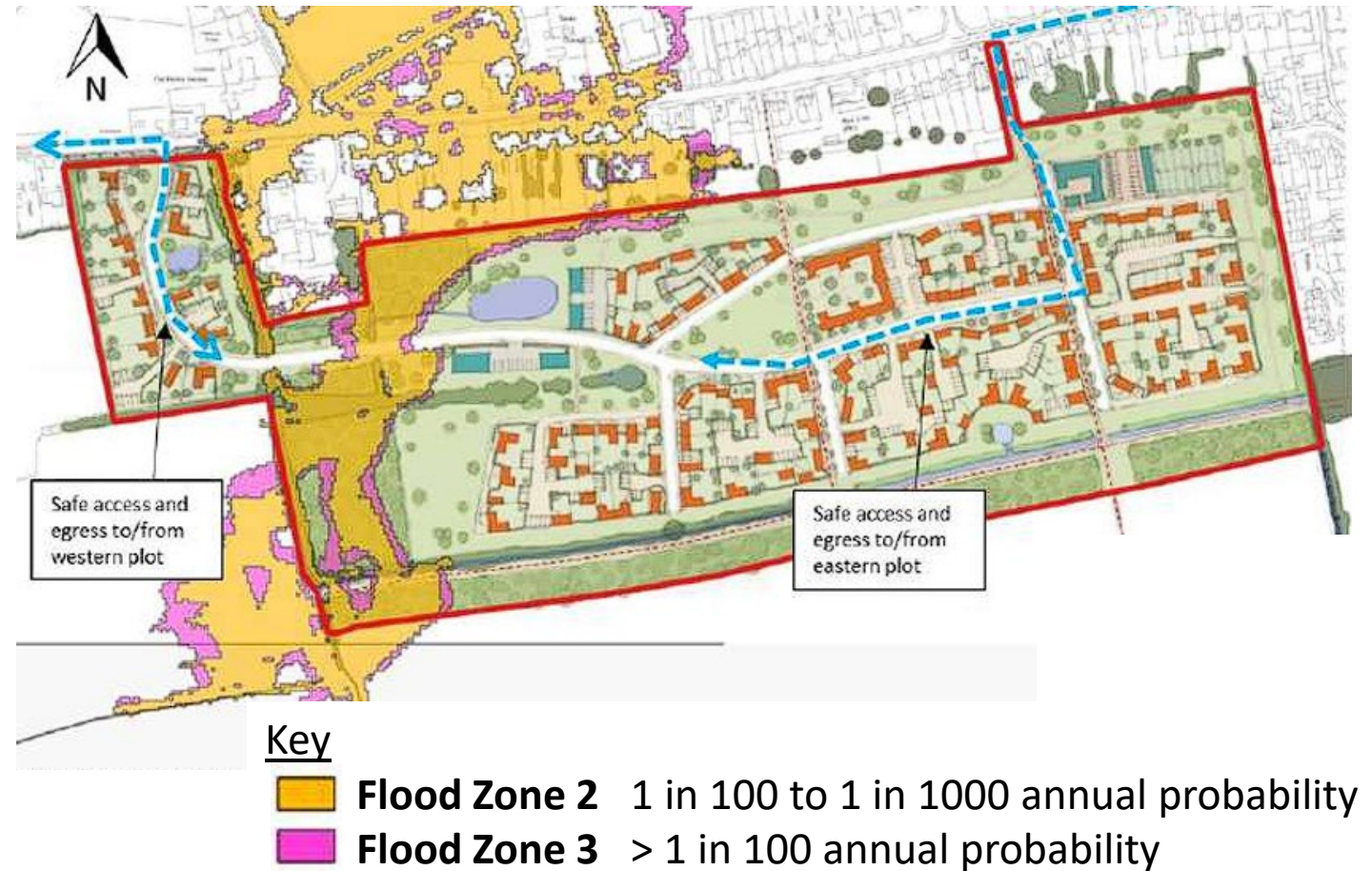
- Updated wintering and breeding bird surveys submitted
- Updated walkover, river condition assessment and shadow HRA
- Place Services: no qualifying coastal bird features recorded on site
- No functionally linked land identified; ecology objection withdrawn
- Natural England raises no objection, subject to mitigation

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Flood Risk - Background

Background

- LDP Policy D5 and NPPF F4–F8: direct development to areas of lowest flood risk
- Residential development parcels lie within Flood Zone 1
- Sharps Farm Brook and the access/watercourse corridor include Flood Zones 2 and 3
- Sequential Test is therefore required
- Test must show no reasonably available, lower-risk alternative suitable for the development



Flood Risk - Appeal Decision

Inspector Conclusions

- Sequential Test required because parts of the access and watercourse corridor lie within Flood Zones 2 and 3
- Previous assessment considered alternatives, but did not robustly assess potentially suitable HEELA sites
- Land could not be excluded simply because another landowner or developer promoted it
- Inspector's concern related to the scope of the alternatives assessment
- Inspector did not find that Sharps Farm could not be made safe from flooding

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Flood Risk - Sequential Test Addendum

Representation Comments	Addendum Response
Artificial 5-20 hectare filter excluded potentially relevant sites	Filter removed. Assessment now considers all relevant Latchingdon HEELA sites and site capacity.
Sites LD5 and LD12 were not clearly assessed	Steeple Road proposal expressly assessed - does not provide a sequentially preferable alternative
Need was defined too narrowly by requiring all scheme components	Assessment now focuses on meeting the housing need, rather than replicating all mixed-use elements.
Some planning history references and conclusions inaccurate	References updated to Sept 2026
Insufficient comparison of future flood risk, including climate change	Comparative modelling now considered

Foul Water Drainage

Appeal Issues

- Anglian Water identifies insufficient foul water network and Water Recycling Centre capacity
- Recommends refusal – yet provides condition wording if permission is granted
- Previous Inspector found foul drainage capable of resolution by condition

Condition 15 – Strategic foul water strategy

- No development shall commence until a foul-water strategy is approved
- Strategy must identify the receiving works and network, upgrades, phasing, delivery body and programme
- Must provide a lawful alternative if network improvements are unavailable
- No dwelling or building may be occupied until serving infrastructure is complete
- Written confirmation of capacity and connection required before occupation

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Planning Balance

Identified Benefits

Social

- Delivery of 140 dwellings **Substantial**
- 40% Affordable Housing **Substantial**
- Public open space, amenity space and allotment space for existing and future residents **Limited**

Economic

- Job creation **Moderate**
- Use of local facilities **Moderate**

Environmental

- Improvements to pedestrian links and railway crossing improvements **Moderate**
- Pedestrian, cycle and footpath improvements **Limited**

Identified Harms

- Location outside settlement boundary (conflict with policy S8) **Limited**
- Introduction of new built form on a greenfield site, with adverse effect on close landscape and visual receptors before planting matures **Moderate**
- Loss of agricultural land **Limited**
- Construction impacts **Limited**

Recommendation

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

- (i) the applicant entering into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the compliant Heads of Terms set out in Section 8 of this report;
- (ii) 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 an extended time period as agreed between the applicant and the Council, then delegate authority to the Director of Place, Planning and Growth to **REFUSE** the planning application

End of Presentation

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