MINUTES of
DISTRICT PLANNING COMMITTEE
15 OCTOBER 2026

PRESENT

Chairperson	Councillor R G Pratt
Vice-Chairperson	Councillor M E Thompson
Councillors	J R Burrell-Cook, J Driver, A Fittock, A S Fluker, L J Haywood, J C Hughes, A M Lay, C P Morley, M G Neall, N D Spenceley, P L Spenceley, W Stamp, CC, J C Stilts, N J Swindle and L L Wiffen
Officers (Maldon District Council)	Mrs Holmes, Director of Legal and Governance Mr Johnson, Head of Development Management Mr Purvis, Development Management Team Leader Mr Bailey, Principal Planning Officer

1. CHAIRPERSON'S NOTICES

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

2. CHANGE TO THE ORDER OF BUSINESS

In accordance with Procedure Rule 1(4)a, the Chairperson advised that he would be varying the order of business and bringing forward Agenda Item 6, application 26/00066/OUTM - 26/00267/OUTM - Land Adjacent Pump House, Catchpole Lane, Great Totham, Essex to be considered following Agenda Item 4, Declaration of Interests.

3. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M G Bassenger, V J Bell, D O Bown, S J Burwood, S Dodsley, M F L Durham, K Jennings, K M H Lagan, W J Laybourn, S J N Morgan, R H Siddall, U G C Siddall-Norman. E L Stephens and S White.

4. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the District Planning Committee held on 22 September 2026 be approved and confirmed.

5. DISCLOSURE OF INTEREST

There were none.

6. 26/00267/OUTM - LAND ADJACENT PUMP HOUSE CATCHPOLE LANE GREAT TOTHAM ESSEX

Application Number	**26/00267/OUTM**
Location	Land Adjacent Pump House Catchpole Lane Great Totham Essex
Proposal	Outline planning application with all matters reserved except access for up to 150 dwellings (Class C3) including affordable homes, public open space, sustainable drainage systems, landscaping and associated development.
Applicant	Mr Jonny Hill, Burlington UK
Agent	Mrs Kate Sutton - Andrew Martin - Planning
Target Decision Date	EOT sought for 22/10/2026
Case Officer	Gareth Ball
Parish	**GREAT TOTHAM**
Reason for Referral to the Committee / Council	• Departure – Site outside of the settlement boundary. • Greater than 75 dwellings proposed.

The Addendum, circulated prior to the meeting, highlighted some typographical and other updates to the Officers' report, including the receipt of nine further letters of representation.

Following the Officer presentation, the Applicant, Mr Hill, addressed the Committee.

During the lengthy debate that ensued, Members raised a number of questions regarding the application, and the following information was provided by Officers:

- Concerns were raised regarding nearby junctions, particularly in relation to road safety. Members were advised that the Highway Authority had reviewed the applicant's Transport Assessment (TA) and the highway information TA and plans had also been subject to a Road Safety Audit. The Highway Authority was satisfied that the proposed access would not result in an unsafe highway environment, subject to conditions. One of its suggested conditions recommended that a Traffic Regulation Order for Kelvedon Road be secured to reduce the speed limit to 30 miles per hour, thereby further improving safety and this is contained within the recommended list of planning conditions. The Officer explained that the Highway Authority did not identify that the application had a severe impact on the highway network, the Highways Authority was not objecting to the application, subject to conditions and a Section 106 requirement.

- The Officer explained that whilst it would be desirable to have a through route to Catchpole Lane the application, as submitted, was for a cul-de-sac development, and the Committee had to determine the application based on this information.

- In response to a question regarding a footpath connecting with adjacent sites, Members were advised that the plans submitted identified an area where a connection through to the adjoining site could be provided. However, this would be dependent on discussions with the applicant of the adjacent site which was subject to an existing extant planning permission.

- A Local Equipped Area of Play would be provided, along with areas which would have pop-up play features. The proposed orchard would have biodiversity and ecology benefits. However, the Reserved Matters application would provide more detail in respect of these areas as well as landscaping. The provision of play equipment that would be inclusive for all children was also raised.
- In respect of there being no emergency access on the plan, Officers advised that this would have been considered by the Highways Authority, which had not raised any objection. It was a statutory requirement in the UK for road access and layout to be built to accommodate emergency vehicles. As part of the consultation process, the Highways Authority would have consulted with the emergency services, where appropriate. The Fire Service and Essex Police were consulted on the applicant and did not object to the proposal.
- Members were advised that the proposed wording in condition 23, regarding the retention and protection of hedges and shrubs and the requirement for any to be replaced within five years of the completion of the development, had been taken from the national list of model planning conditions, and as such was the national standard approach with regard to the replacement of any trees and shrubs on a development site within a five year period.
- In response to a query regarding the Call for Sites, the Head of Development Management and Enforcement explained that this provided an indication for development, not a template, and did not provide detail on the scale, configuration, house types, etc. The amount of housing on a site was indicative and could increase or decrease. The Call for Sites was only a high-level assessment, not a detailed one and its purpose was to inform the Local Plan process.
- The area of the site within Flood Zone 3 was a small area on the very edge of the site next to Catchpole Brook, and no development was proposed in this area.

The Chairperson then put the Officer's recommendation to the Committee. This was duly seconded, and upon a vote being taken, was agreed.

RESOLVED

(i) That this application be **APPROVED** and authority delegated to the Director of Place, Planning and Growth to grant outline planning permission subject to:

(a) 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 below;

HEADS OF TERMS OF ANY SECTION 106 AGREEMENT

<u>Affordable Housing</u>

- Provision of at least 40 per cent affordable housing with a tenure split of at least 80 per cent rented, 20 per cent intermediate produce within this provision. Provision of at least 75 per cent social rent within the affordable rent portion.
- A tenure layout plan, demonstrating acceptable clustering of affordable units and details of tenure type and unit size.
- Provision of affordable home ownership products in line with policy Affordable units to be delivered by a Registered

Provider/Housing Association recognised and regulated by Homes England.

- Shared Ownership units prevented from obtaining more than 80% ownership in the property, due to the Designated Protected Area location.
- All affordable units to meet Nationally Described Space Standards.
- An Affordable Housing Scheme to be agreed with the Council.
- Housing delivery and monitoring to include notification of the Council upon completion of the first dwelling and an annual build-out report on the completed units that preceding year and anticipated completions for the following year.

Education

The financial contributions below are based on the formula used by Essex County Council's Education team per dwelling. If 150 dwellings were built the financial contributions would be as follows:

- Early years childcare financial contribution of £378,252
- Primary education financial contribution of £945,630
- Education transport contributions of £178,410 for secondary schools
- Libraries financial contribution of £16,543.50, index linked to April 2020
- An Employment and Skills Plan for Post 16 education
- A £700 monitoring fee per obligation

Highways

- Annual Travel Plan monitoring fee of £1,883 (index linked to April 2026) from first occupation until one year after final occupation
- Sunday bus service financial contribution of £400,000 to improve connections of the site with Maldon and Witham

Healthcare Infrastructure

NHS healthcare Primary Care Network infrastructure contribution of £112,500.

Ecology and Biodiversity

Essex Coast RAMS contribution of £175.55 (indexed to April 2026) per dwelling (up to £26,332.50 if all 150 dwellings are constructed) and implementation of mitigation measures including:

- 1.54 ha. of accessible green space within the Site boundary
- Circular dog-walking routes of up to 2.7km utilising land within the Site boundary connected to appropriate existing walking routes.
- Details of dedicated off-lead dog areas and waste bins, signage/information leaflets for future residents to promote the use of these areas over protected sites and a long-term management and maintenance plan.

Monitoring Fees

Maldon District Council Section 106 administration and monitoring fee of £1,638.

Open Space

Maintenance of open space, children's play spaces and the orchard, including management company details.

(b) the planning conditions as detailed below.

1 Outstanding Reserved Matters

The development shall be carried out in accordance with plans and particulars relating to the layout, scale, appearance, and the landscaping of the site (hereinafter called "the reserved matters"), for which approval shall be obtained from the Local Planning Authority in writing before any development is begun. The development shall be carried out fully in accordance with the details as approved.

2 Reserved Matters Time Limit

Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

3 Outline Permission Commencement Time Limit

The development hereby permitted shall be begun within two years from the date of the final approval of the reserved matters. The development shall be carried out as approved.

4 Approved Plans and Parameter Plans

The reserved matters submitted pursuant to Condition 1 of this permission shall be submitted in accordance with the details set out in the following approved plans:

- Location Plan LP-01 Rev C
- Land Use and Access Parameter Plan PP-01 Rev E
- Green and Blue Infrastructure Parameter Plan PP-02 Rev D
- Building Heights Parameter Plan PP-03 Rev D
- Development Framework Plan DFP01 Rev G
- Proposed Site Access Arrangement and Highway Improvements 25-342-T-001Rev G
- Highway Improvements 25-342-T-004 Rev B
- Proposed Layout Swept Path Analysis 10m refuse vehicle 25-342-T-005 Rev B

5 Housing Unit Size Mix

The dwelling mix for the development hereby approved shall be agreed as part of the reserved matters application(s) and shall have regard to 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, has been submitted to and approved in writing by the Local Planning Authority.

6 Soft and Hard Landscaping Scheme

The reserved matters for ‘landscaping’ pursuant to Condition 1 of this permission 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. These details shall include:

(a) Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers/densities.

(b) Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes, seeding rates, planting methods, mulching, plant protection, staking and/or other support.
(c) Details of the aftercare and maintenance programme.

The hard landscape works shall be carried out as approved prior to the beneficial occupation of the development hereby approved and shall be retained in accordance with the approved details thereafter.

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the occupation of any part of the development hereby approved unless otherwise 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, uprooted, 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, unless the Local Planning Authority gives its written consent to any variation.

7 Site Levels

No development (excluding preliminary groundworks and site preparation) shall commence until details of existing ground levels and proposed finished ground levels, and their relationship to the adjoining land, and floor levels, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and maintained as such for the duration of the development.

8 Construction Environmental Management Plan

No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall contain and address the following matters:
(a) Hours of use for the construction of the development
(b) Hours and duration of any piling operations
(c) Vehicle haul routing in connection with construction, remediation and engineering operations
(d) Wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off site
(e) Details of construction of any access or temporary access, and details of temporary parking requirements
(f) Location and size of on-site compounds (including the design layout of any proposed temporary artificial lighting systems)
(g) Loading and unloading of plant and materials locations
(h) Details of any temporary hardstandings
(i) Details of temporary hoarding
(j) Details of the method for the control of noise with reference to BS5228 together with a monitoring regime
(k) Measures to reduce vibration and mitigate the impacts on sensitive receptors together with a monitoring regime

(l) Measures to reduce dust including dust suppression, control and containment of air emissions incorporating Best Practice Means along with air quality mitigation and monitoring
(m) For dust and air quality management and mitigation:
    i. The identification of all dust-generating activities and sensitive receptors
    ii. The specific mitigation measures to be implemented across all phases (demolition, earthworks, construction, and trackout) including water suppression, haul-road speed limits, vehicle/wheel washing facilities, and covering of material transport/stockpiles
    iii. Procedures for visual daily/weekly site inspections, dust monitoring (where deemed high risk), and clearly defined trigger/action levels
(n) Measures for water management including wastewater and surface water discharge
(o) A method statement for the prevention of contamination of soil and groundwater and air pollution, including the storage of fuel and chemicals
(p) Details of a procedure to deal with any unforeseen contamination, should it be encountered during development
(q) A Site Waste Management Plan
(r) For ecology and biodiversity:
    i. Risk assessment of potentially damaging construction activities
    ii. Identification of “biodiversity protection zones”
    iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
    iv. The location and timing of sensitive works to avoid harm to biodiversity features
    v. The times during construction when specialist ecologists need to be present on site to oversee works
    vi. Responsible persons and lines of communication
    vii. The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person
    viii. Use of protective fences, exclusion barriers and warning signs
(s) Details of security lighting layout and design, and
(t) Contact details for site managers including information about community liaison including a method for logging, handling and monitoring complaints.

Works on site shall only take place in accordance with the approved CEMP.

9 Construction Groundwater Sourcing

Prior to the commencement of the development hereby approved, details of the source of water for construction purposes have been submitted to, and approved in writing by, the Local Planning Authority. The submitted details shall include:

- All proposed sources for water supply for construction activities
- Details of any temporary connections to the public water network or alternative sources such as deliveries or onsite abstraction

- Mitigation measures to minimise the use of water and prevent adverse impacts on the public network.

The approved details shall be implemented and complied with for the duration of the construction phase.

10 Site Access

Prior to the first occupation of the development hereby permitted, the site access as shown in principle on plan reference no '25-342-T-001 Rev G' shall be fully installed and operational. The access shall be maintained in accordance with the hereby approved plan for the lifetime of the development.

11 Public Footpath Improvements

Prior to the first occupation of the development hereby permitted, as per approved drawings '25-342-T-001 Rev G' and '25-342-T-004 Rev B' the developer shall provide a 2 metre pedestrian footway on Kelvedon Road (with localised narrowing where constrained by the highway boundary) together with appropriate dropped kerb and tactile paving crossings which shall also include Kelvedon Road on the north side of its junction with Great Totham Road and Walden House Road. The Catchpole Road pedestrian / cycle access shall similarly be provided with an appropriate dropped kerb and tactile paving crossing. The pedestrian footway shall be completed prior to the first occupation of the development.

12 Bus Stop Improvements

Prior to occupation of the proposed development, the two existing bus stops nearest to the proposed pedestrian / cycle access on Catchpole Lane shall be upgraded. The northeast-bound stop shall be provided with a timetable information case, and the southeast-bound stop shall be provided with raised kerbs and timetable information case. The bus stop improvements shall be completed prior to the first occupation of the development.

13 Traffic Regulation Order

Prior to occupation of the proposed development, the developer shall pay (through the Highway legislation requirements) for a Traffic Regulation Order together with the provision of associated signage to reduce the speed limit on Kelvedon Road to 40mph between the existing 30mph limit approximately 160m to the north of the proposed access and the junction with Maypole Road and Prince of Wales Road to the south.

14 Travel Plan

Prior to the first occupation of the proposed development, the Developer shall submit an updated residential Travel Plan to the Local Planning Authority for approval in consultation with Essex County Council. The approved Travel Plan shall then be actively implemented for a minimum period from the first occupation of the development until 1 year after final occupation.

15 Residential Travel Packs

Prior to the first occupation of the development, the applicant or developer shall be responsible for the provision and

implementation of a Residential Travel Information Pack for sustainable transport to each dwelling upon occupation of the dwelling with details to be submitted and approved in writing by the Local Planning Authority (to include six one day travel vouchers for use with the relevant local public transport operator). The Residential Travel Information Pack shall be made available for use following the written approval of the Local Planning Authority.

16 External Materials

The reserved matters for the approval of layout and appearance shall include details of all proposed external finishing materials to be used in the development and a materials site plan demonstrating the site-wide layout of the external finishes.

No development above ground level shall commence until details or samples of all external finishing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and be retained as such in perpetuity.

17 Boundary Treatment

The reserved matters for the approval of layout shall include details of the proposed boundary treatment to the development.

Prior to the first occupation of any dwelling hereby approved, details of the siting, height, design and materials of the treatment of all boundary treatments including gates, fences, walls, railings and piers shall be submitted to, and approved in writing by, the Local Planning Authority.

The approved boundary treatments shall be constructed prior to the first occupation of the dwelling to which it relates, or first use of adjoining land, and be retained as such thereafter for the duration of the development.

18 Surface Water Drainage Scheme

No development 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:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753. If infiltration is viable, an infiltration drainage scheme should be prioritised in accordance with the Drainage Hierarchy.
- Limiting discharge rates to 1:1 Greenfield runoff rates for all storm events up to and including the 1 in 100-year rate plus 45% allowance for climate change. The discharge rate should be limited to 1.4l/s for Parcel A, 1.3l/s for Parcel B, and 1.7l/s for Parcel C for all storm events up to

and including the 1 in 100 year plus 45% allowance for climate change storm event. 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.
- Provision of 10% urban creep allowance applied to the impermeable areas used to calculate the required storage, in accordance with BS8582.
- As the site is within a Critical Drainage Area, each property should be fitted with a water butt.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753. Surface water from the main spine road will require a minimum of two stages of treatment prior to discharge.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, Finished Floor Level (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 the first occupation of any dwelling hereby permitted. It should be noted that all outline applications are subject to the most up to date design criteria held by the LLFA.

19 Offsite Flooding

No development 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 development shall be implemented in accordance with the approved scheme, with any prevention or mitigation measures in place at all times as required.

20 Surface Water Drainage Maintenance Scheme

Prior to the first occupation of any dwelling hereby approved, a maintenance plan detailing the maintenance arrangements of the hereby approved surface water drainage system, including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies,

shall have been submitted to, and agreed in writing by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided. The development shall be carried out and maintained in accordance with the approved details.

21 Surface Water Drainage Maintenance Logs

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 Tree Retention and Protection

Prior to the commencement of any development hereby permitted, details shall be submitted to, and approved in writing by, the Local Planning Authority in accordance with the requirements of BS5837:2012 in relation to tree retention and protection as follows:

- Tree survey detailing works required
- Trees to be retained
- Tree retention protection plan
- Tree constraints plan
- Arboricultural implication assessment
- Arboricultural method statement (including drainage service runs and construction of hard surfaces)

The tree protection measures shall be carried out in accordance with the approved details and any protective fencing and ground protection shall be implemented prior to the commencement of construction works and retained until all equipment, machinery and surplus materials have been removed from the site. If within five years from the completion of the development an existing tree is removed, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, a replacement tree shall be planted within the site of such species and size and shall be planted at such time, as specified in writing by the Local Planning Authority.

23 Hedges and Shrubs Retention and Protection

Prior to the commencement of any development hereby permitted, details relating to fencing/ground protection to protect the hedges/shrubs to be retained in accordance with BS5837:2012 shall be submitted to, and approved in writing by, the Local Planning Authority.

The protective fencing shall be erected in accordance with the approved details 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 and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. 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 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 the site of such species and size and shall be planted at such time, as specified in writing by the Local Planning Authority.

24 Archaeology Phased Programme – Pre Excavation

No development or preliminary groundworks of any kind shall take place until:

- Part 1 - A programme of archaeological investigation into trial trenching and geophysical survey has been secured in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
- Part 2 - The completion of the programme of archaeological evaluation identified in the WSI defined in Part 1 and has been confirmed in writing by the Local Planning Authority's archaeological advisors.
- Part 3 - A mitigation strategy detailing the excavation / preservation strategy has been submitted to and approved in writing by the Local Planning Authority following the completion of the archaeological evaluation.
- Part 4 - The satisfactory completion of fieldwork, as detailed in the mitigation strategy in Part 3 has been submitted to and approved in writing by the Local Planning Authority.

25 Archaeology Phased Programme – Pre Excavation

Prior to the first occupation of the development, the following details shall be provided

- Part 1 - A post excavation assessment which has been submitted to and approved in writing by the Local Planning Authority. This shall be done within 6 months of the date of completion of the archaeological fieldwork.
- Part 2 – Suitable provision has been made for the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report with details of this to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.

26 Phase 2 Contaminated Land Investigation

No development shall commence until a Phase 2 intrusive site investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority. The investigation shall assess the nature and extent of contamination and ground gas risks and include appropriate recommendations.

27 Remediation Strategy

Where contamination is identified, no development shall take place until a remediation strategy has been submitted to and approved in writing by the Local Planning Authority and implemented in full.

If contamination not previously identified is found during development, works shall cease and a remediation strategy shall be submitted to and approved in writing by the Local Planning Authority prior to recommencement.

28 Verification Report

Prior to the first occupation of any dwelling hereby approved, a verification report shall be submitted to and approved in writing by the Local Planning Authority, confirming that any approved remediation works have been satisfactorily completed.

29 Public Open Space Provision

A scheme for the proposed area of public open space shall be submitted to the Local Planning Authority concurrently with the reserved matters submitted pursuant to Condition 1 of this permission. The development shall be carried out only in accordance with the approved details.

30 Children's Play Equipment

Prior to the first occupation of any residential unit hereby permitted, details of children's play space equipment specifications, layout and safety features shall be submitted to, and approved in writing by, the Local Planning Authority. The details shall ensure that a range of play equipment is provided, which is designed to be accessible and inclusive to children of all abilities and needs. The design of the play areas shall ensure that access is level and that any routes, surfacing or gradients are appropriate for wheelchair users or people with mobility impairments.

The play space equipment shall be implemented prior to the occupation of any residential unit hereby permitted and retained in accordance with the approved details for the lifetime of the development.

31 Sustainability and Renewable Energy

The reserved matters for the approval of layout and appearance shall include details of energy efficient and renewable energy installations for each dwelling.

The energy efficient and renewable energy installations as approved shall be provided prior to the first occupation of each dwelling they serve and shall be permanently maintained and retained at all times thereafter.

32 Waste Management Plan

A Waste Management Plan shall be submitted to the Local Planning Authority concurrently with the reserved matters submitted pursuant to Condition 1 of this permission. The Waste Management Plan shall provide details including the number, size, location, design and materials of bin and recycling stores to serve the development, together with details of the means of access to bin and recycling stores for residents and refuse operatives, including collection points and bin drag distances if necessary. No development shall commence until the Waste Management Plan has been approved in writing by the Local Planning Authority. The bin and recycling stores as approved

shall be provided in accordance with the approved details prior to the first occupation of each dwelling and permanently retained at all times thereafter.

33 Biodiversity Enhancement Strategy

A Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist, shall be submitted to the Local Planning Authority concurrently with the reserved matters submitted pursuant to Condition 1 of this permission.

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

- Purpose and conservation objectives for the proposed enhancement measures;
- detailed designs or product descriptions to achieve stated objectives;
- locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- persons responsible for implementing the enhancement measures; and
- details of initial aftercare and long-term maintenance (where relevant).

The Biodiversity Enhancement Strategy shall have been approved in writing by the Local Planning Authority prior to the commencement of any development hereby approved. The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

34 Habitat Management and Monitoring Plan (HMMP)

Prior to first occupation of the development, a Habitat Management and Monitoring Plan (HMMP) for significant on-site enhancements, prepared in accordance with the approved Biodiversity Gain Plan shall be submitted to and approved in writing by the local authority, this shall include:

- the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- the planned habitat creation and enhancement works to create or improve habitat to achieve the on-site significant enhancements in accordance with the approved Biodiversity Gain Plan;
- the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
- the monitoring methodology in respect of the created or enhanced habitat to be submitted to the Local Planning Authority; and
- details of the content of monitoring reports to be submitted to the LPA including details of adaptive management which will be undertaken to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

Notice in writing shall be given to the Council when the:

- initial enhancements, as set in the HMMP, have been implemented; and

- habitat creation and enhancement works, as set out in the HMMP, have been completed after 30 years.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP. Monitoring reports shall be submitted in years 1, 2, 5, 10, 15, 20, 25, and 30 to the Council, in accordance with the methodology specified in the approved HMMP.

35 Wildlife Sensitive Lighting Scheme

Prior to the first occupation of any residential unit hereby permitted, 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:

- 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
- show how and where external lighting will be installed 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. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

36 Fixed Plant Noise

Any externally mounted plant, pumps, extraction systems, air source heat pumps, substation equipment or other fixed mechanical plant serving the development shall be designed and operated so that the rating level of noise emitted does not exceed the existing background sound level (LA90) at the nearest noise-sensitive receptor when assessed in accordance with BS4142:2014+A1:2019.

37 Pumping Station Buffer

No dwelling or any other development sensitive to noise, odour or maintenance disturbance shall be located within 15m of the boundary of the existing sewage pumping station. The reserved matters shall identify the buffer and maintain access to the infrastructure.

(ii) That 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 authority be delegated to the Director of Place, Planning and Growth to **REFUSE** the planning application, 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.

7. 26/00138/OUTM - LAND SOUTH OF THREEWAYS AND 45 THE STREET, LATCHINGDON, ESSEX

Application Number	**26/00138/OUTM**
Location	Land South Of Threeways And 45 The Street, Latchingdon, Essex
Proposal	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.
Applicant	EJ Latchingdon Ltd
Agent	Mr Matthew Driscoll - MJD Planning Ltd
Target Decision Date	2 October 2026 (EoT)
Case Officer	Matt Bailey
Parish	**Latchingdon**
Reason for Referral to the Committee / Council	Major application

Members were reminded that this application had been considered by the Committee on 22 September 2026 and that the previous Committee report and related Addendum were attached at Appendices 1 and 2 to the report. At that meeting the application had been deferred to seek independent advice on matters relating to the flood risk sequential test, and further explanation of this was set out in the report. The report set out written advice received from Matthew Fraser of Landmark Chambers and Members' attention was drawn to the Officers' recommendation.

The Chairperson advised that some Members had not been present when this application was first discussed by the Committee and therefore in accordance with the Council's Procedure Rules only those who had been present could vote. A list of those Members eligible to vote was read out for clarification. The Chairperson clarified that those Members who had not been present were able to ask questions but could not vote on the application.

At this point, Councillors J C Hughes, N D Spenceley, N J Swindle, and L L Wiffen left the meeting and did not return.

The Addendum circulated prior to the meeting provided the following information:

- Further representations had been received and the Addendum summarised submissions not already addressed in the original Committee report.
- Concerns had been raised regarding insufficient capacity at Latchingdon Water Recycling Centre (WRC). The Addendum explained that, despite existing foul drainage capacity constraints and Anglian Water's objection, legal advice and comments from the Environment Agency supported the use of an appropriately worded condition to secure a deliverable drainage solution; Officers therefore maintained their recommendation for approval.
- Following discussions with Anglian Water and the Environment Agency, Officers proposed revised wording for condition 15 to strengthen the foul drainage requirements.

During the presentation of the application, the Principal Planning Officer drew Members' attention to the Addendum and provided a detailed explanation of Counsel's

advice that the Council had received, specifically highlighting information relating to the concerns raised regarding foul drainage.

Following the Officer presentation, an objector, Ms Derham, and Councillor Phil Simcock, speaking on behalf of Latchingdon Parish Council, addressed the Committee.

In response to a comment, the Head of Development Management and Enforcement advised that the Committee should determine the application based on the proposal, the Officer assessment and the recommended conditions. He explained that the outline application required an acceptable strategy and a reasonable prospect of delivery, with detailed matters to be considered later. He cautioned that refusal on the basis of the absence of those details at this stage could be difficult to defend on appeal, as the purpose of conditions was for details to be submitted for approval following a grant of permission.

The Director of Legal and Governance confirmed that Officers had discussed further information received that day from Councillor A Fittock with the Environment Agency.

A lengthy debate ensued, during which a number of Members raised concerns regarding the proposed development, including foul drainage issues, the impact on local residents of Latchingdon and sequential testing. In response to a number of questions raised by Members, Officers provided the following information:

- The Principal Planning Officer explained that if Members were minded to disagree with the information provided, including Counsel's advice that the proposed scheme passed the sequential test, this could be recorded in the minutes of the meeting. However, on the planning balance, even without the sequential test, the identified benefits and harms would still lead to a recommendation of approval, as set out in the table in the Officers' earlier presentation.
- It was confirmed that the Council had been presented with a sequential test. In response a list of sites from the Council's Call for Sites had been provided and the applicant had tested those sites.
- There was a proposed condition requiring the submission of a Foul Drainage Strategy. In addition, the Environment Agency had been added as a consultee as part of the process for discharging the condition. It was confirmed that there were two possible solutions to address the concerns raised. However, should the proposed conditions not be met, the application would potentially fail.

In response to further comments by Members, the Director of Legal and Governance advised that a recent appeal concerning a similar application had found that recreational disturbance, flood risk and foul drainage matters could be addressed through appropriate conditions or obligations. She cautioned that any departure from the Inspector's findings would require strong, detailed reasons supported by evidence and might otherwise be difficult to defend on appeal.

The Chairperson moved that the Committee accept the Officers' recommendation, subject to the amendment to condition 15 as outlined in the Addendum. This was duly seconded and upon a vote being taken, the motion was carried.

RESOLVED

(i) That this application be **APPROVED** and authority delegated to the Director of Place, Planning and Growth to grant outline planning permission, subject to:

(a) the applicant entering into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the Heads of Terms set out below:

HEADS OF TERMS OF ANY SECTION 106 AGREEMENT:

Head	Provision / Purpose
Affordable housing	40% on site provision: 56 homes at the maximum 140 dwellings; 80% rented and 20% intermediate; 75% of rented homes as Social Rent; agreed mix, accessibility, DPA staircasing, nomination, affordability, clustering, transfer and occupation controls.
Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS)	£175.55 per dwelling at the 2026/27 tariff, calculated against the final permitted dwelling count, with agreed payment trigger, indexation, recipient and administration.
On site Habitats mitigation	Provide, manage and retain the suitable alternative greenspace, resident information, interpretation, dog management and other measures relied upon in the final Appropriate Assessment, without double counting RAMS, open space or Biodiversity Net Gain (BNG).
Early years and childcare	£343,560, indexed from quarter 1 of 2025 and adjusted through the final Essex County Council (ECC) formula.
Primary education	£858,900, indexed from quarter 1 of 2025 and adjusted through the final ECC formula.
Secondary school transport	£166,516, indexed from quarter 2 of 2021 using the stated £6.26 per pupil per day basis and final pupil yield.
Healthcare	£105,200 for 23 square metres of primary care capacity at £4,575 per square metre, indexed from quarter 4 of 2025, with identified project, trigger and repayment provisions.
Libraries	£15,440.60, indexed from November 2025, subject to final formula and project definition.
Highway and active travel	Section 278 works, Traffic Regulation Order, travel plan, packs/vouchers, annual £1,883 monitoring fee indexed from April 2026, and delivery/monitoring of the agreed access, footway and PROW measures.
Public transport - provisional	£425,000 indexed from April 2025 towards bus service improvements (subject to provision of breakdown in costs from ECC Highways and Community Infrastructure Levy (CIL) compliance)

Head	Provision / Purpose
Green infrastructure and open space	Transfer or management company arrangements for public open space, woodland, allotments, play, Sustainable Drainage Systems (SuDS) amenity land, routes, structural landscaping, inspection, replacement and lifetime maintenance.
Biodiversity	Any significant on site or off-site habitat security not adequately delivered by the statutory biodiversity net gain condition, with at least 30 years of management, reporting, remedial action and a defined responsible body.
Employment and Skills Plan	Construction Employment and Skills Plan with targets, delivery, reporting and proportionate monitoring.
Monitoring	ECC's stated £750 per obligation where evidenced, together with proportionate legal and monitoring costs and safeguards against double charging.

(b) the planning conditions as set out below:

1. Outline time limits
Application for approval of all reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission. The development shall begin not later than two years from the date of approval of the final reserved matter.

2. Reserved matters
No development shall commence until details of the appearance, landscaping, layout and scale of the development, hereinafter called the reserved matters, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved reserved matters.

3. Approved access and plans
The means of vehicular access shall be carried out in accordance with drawing 130.PL03 Parameters Plan and the approved access drawings listed on the decision notice. No development other than site preparation approved under a construction plan shall take place until the access engineering details have been submitted to and approved in writing by the Local Planning Authority, and no dwelling shall be occupied until the access serving it is available for use.

4. Maximum quantum and land uses
The development shall comprise no more than 140 dwellings, of which 40 per cent shall be affordable housing, together with a village centre building providing no more than 400 square metres gross internal area within Use Class E(a), no more than 600 square metres gross internal area of flexible employment floorspace within Use Class E, and the open space, woodland, allotments, drainage, routes and infrastructure shown on the approved parameter plans. No change between those uses shall occur except with express planning permission.

5. Site wide phasing, masterplan and design code

Before the first reserved matters application is submitted, a site wide phasing plan, regulating masterplan and design code shall be submitted to and approved in writing by the Local Planning Authority. They shall define development parcels; housing and mixed use distribution; movement hierarchy; street types; density and height ranges; key frontages and spaces; access for emergency and service vehicles; walking, wheeling and cycling routes; parking and refuse principles; blue green infrastructure; retained vegetation; play, allotments and woodland; SuDS; utilities; biodiversity mitigation; delivery triggers; and design review arrangements. Every reserved matters submission shall include a compliance statement and shall accord with the approved documents.

6. Housing mix, space and accessibility

The housing unit size mix for the market and affordable residential units within the development hereby approved shall be agreed as part of the reserved matters application(s) and shall have regard to the housing mix requirements as set out within the Maldon District Council Technical Advice Note (TAN) on Housing Mix, the Maldon District Local Housing Needs Assessment (2025) or any subsequent updated Local Housing Needs Assessment.

The development shall include not less than 15% of the total number of dwellings as bungalows and not less than 5% of the total number of dwellings as self-build or custom-build homes, as defined by the Self-build and Custom Housebuilding Act 2015 (as amended). Each residential reserved matters application shall demonstrate how the proposed mix contributes towards achieving these site-wide requirements.

All dwellings shall meet Building Regulations M4(2) unless a site-specific technical reason is submitted to and approved in writing by the Local Planning Authority. At least 10% of the dwellings shall meet Building Regulations M4(3), with the distribution of affordable accessible dwellings to be agreed with the Local Housing Authority.

7. Levels, materials and boundaries

No above ground development within a phase shall commence until existing and proposed levels, finished floor levels, external materials, boundary treatments, refuse and cycle stores, utility structures, meter boxes and hard surfacing details for that phase have been approved in writing. The approved details shall be completed before first occupation of the relevant building and retained thereafter.

8. B1018 access and visibility

No dwelling or commercial floorspace shall be occupied until the principal access, junction radii, carriageway, pedestrian crossing points and visibility splays have been provided in accordance with the drawings approved under condition 3. The splays shall be kept permanently clear of obstruction above 600 millimetres, and the access shall thereafter be retained for its intended use.

9. Two metre footway

Before first occupation, a continuous two metre wide footway and associated crossing facilities shall be provided along the site frontage and connected to the existing network in accordance with details approved in writing. The route shall be lit, drained, available for public use and retained thereafter.

10. Pedestrian, cycle and emergency link

Before occupation of the dwelling identified in the approved phasing plan as the agreed trigger, the pedestrian, cycle and emergency connection between numbers 61 and 63 The Street shall be completed in accordance with approved engineering, surfacing, lighting, access control, drainage and management details. It shall remain available for walking, wheeling, cycling and emergency use and shall not be used for general vehicular access.

11. Extension of 30mph speed limit

No dwelling shall be occupied until the extension of the existing 30mph speed limit on the B1018 to a point west of the principal site access has been secured through the appropriate Traffic Regulation Order process and brought into effect, and the associated traffic signs, gateway treatment and road markings have been provided in accordance with details agreed with the Highway Authority.

The approved measures shall thereafter be retained in accordance with the requirements of the Highway Authority.

12. Public Rights of Way

No development which would affect Public Rights of Way 7, 8 or 10, or their connections through the application site, shall commence until a scheme for the protection and improvement of the relevant Public Rights of Way has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

The scheme shall include, where applicable, details of surfacing, drainage, signage, accessibility, connections through the development, temporary diversions or alternative routes required during construction, and the timing and phasing of the permanent improvements.

No Public Right of Way shall be obstructed or made unavailable unless an authorised temporary or permanent alternative route is available for public use. The permanent improvements shall be implemented in accordance with the approved phasing and thereafter retained.

13. Construction Environmental Management Plan

No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall contain and address the following matters:

(a) Hours of use for the construction of the development

(b) Hours and duration of any piling operations
(c) Vehicle haul routing in connection with construction, remediation and engineering operations
(d) Wheel washing and sheeting of vehicles transporting loose aggregates or similar materials on or off site
(e) Details of construction any access or temporary access, and details of temporary parking requirements
(f) Location and size of on-site compounds (including the design layout of any proposed temporary artificial lighting systems)
(g) Loading and unloading of plant and materials locations
(h) Details of any temporary hardstandings
(i) Details of temporary hoarding
(j) Details of the method for the control of noise with reference to BS5228 together with a monitoring regime
(k) Measures to reduce vibration and mitigate the impacts on sensitive receptors together with a monitoring regime
(l) Measures to reduce dust including dust suppression, control and containment of air emissions incorporating Best Practice Means along with air quality mitigation and monitoring
(m) For dust and air quality management and mitigation:
    i. The identification of all dust-generating activities and sensitive receptors
    ii. The specific mitigation measures to be implemented across all phases (demolition, earthworks, construction, and trackout), including water suppression, haul-road speed limits, vehicle/wheel washing facilities, and covering of material transport/stockpiles
    iii. Procedures for visual daily/weekly site inspections, dust monitoring (where deemed high risk), and clearly defined trigger/action levels
(n) Measures for water management including waste water and surface water discharge
(o) A method statement for the prevention of contamination of soil and groundwater and air pollution, including the storage of fuel and chemicals
(p) Details of a procedure to deal with any unforeseen contamination, should it be encountered during development
(q) A Site Waste Management Plan
(r) For ecology and biodiversity:
    i. Risk assessment of potentially damaging construction activities
    ii. Identification of “biodiversity protection zones”
    iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
    iv. The location and timing of sensitive works to avoid harm to biodiversity features
    v. The times during construction when specialist ecologists need to be present on site to oversee works
    vi. Responsible persons and lines of communication
    vii. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
    viii. Use of protective fences, exclusion barriers and warning signs
(s) Details of security lighting layout and design, and

(t) Contact details for site managers including information about community liaison including a method for logging, handling and monitoring complaints.

Works on site shall only take place in accordance with the approved CEMP.

14. Residential Travel Plan

Prior to first occupation of the development, a full Residential Travel Plan shall be approved in writing, including objectives, mode share targets, measures, travel information packs, sustainable transport vouchers, management, monitoring, annual reporting, review and remedial measures. It shall be implemented from first occupation for the approved monitoring period.

15. Foul Water Drainage Strategy

(i) No development shall commence until a strategic foul water drainage strategy has been submitted to and approved in writing by the Local Planning Authority, in consultation with Anglian Water (AW) and the Environment Agency (EA). The strategy shall provide a justification of the selected scheme having regard to the foul drainage hierarchy; identify the drainage system, agreed sustainable point of connection, receiving water recycling centre and, where relevant, receiving watercourse; assess available network and treatment capacity; and specify any required network or treatment works, phasing against available capacity, programme and delivery responsibility, and final confirmed method of foul drainage. Any proposed non-mains solution shall be supported by a completed Environment Agency Foul Drainage Assessment and shall not be implemented unless all necessary environmental permits and other consents have been obtained.

(ii) Where the foul drainage strategy uses the public sewerage system, written confirmation from AW or an appointed New Appointment and Variation (NAV) operator shall be submitted to the Local Planning Authority prior to occupation confirming that the relevant sewer network and treatment works have been adopted and that capacity and connection are available for the development. Where a non-mains solution is approved, written evidence that the system has been installed and commissioned and that all required permits and consents are in force shall be submitted to the Local Planning Authority prior to occupation.

(iii) No dwelling shall be occupied until the approved foul water drainage scheme has been implemented in accordance with the approved strategy.

16. Watercourse crossings and flood modelling

No development shall commence within eight metres of Sharps Farm Brook or any ordinary watercourse until final plans and cross sections of every crossing, hydraulic modelling, river condition assessment, bank treatment, foundation setbacks, soffit levels, construction sequence, culvert removal, channel restoration and maintenance access have been approved in writing by the Local Planning Authority in consultation with the

Environment Agency and Lead Local Flood Authority. Crossings shall be clear span unless otherwise expressly approved, and the approved works shall be completed before the relevant route is brought into use.

17. Flood levels and emergency plan

No development shall commence until a final site specific Flood Risk Assessment compliance scheme and Flood Emergency Plan have been approved in writing. They shall fix finished floor levels, flood resilient access, safe refuge and evacuation arrangements, responsibility for warnings and implementation, and demonstrate that the development will remain safe for its lifetime without increasing flood risk elsewhere. The approved measures shall be completed in accordance with the phasing and retained.

18. Detailed surface water drainage

No development shall commence until a detailed surface water drainage scheme has been approved in writing. The scheme shall use the drainage hierarchy and greenfield discharge rates; demonstrate the 1 in 1, 1 in 30 and 1 in 100 year plus 45 per cent climate change events; include 10 per cent urban creep; provide storage, treatment, exceedance routes and half drain time within 24 hours; address groundwater and infiltration through BRE365 testing; integrate biodiversity and amenity; and identify outfalls, consents and phasing. No building shall be occupied until the serving system is operational.

19. Construction surface water management

No phase shall commence until a construction surface water management plan has been approved in writing. It shall identify temporary drainage, settlement and treatment, protection of watercourses and sewers, fuel and chemical controls, exceedance, inspection, maintenance, incident response and the sequence for bringing permanent SuDS into operation. Construction shall accord with the approved plan.

20. SuDS maintenance and logs

Before first occupation of a phase, a maintenance plan for every SuDS feature serving that phase shall be approved in writing, identifying the management body, access, tasks, frequencies, funding and remedial procedures. Annual inspection and maintenance logs shall be kept for the lifetime of the development and supplied to the Local Planning Authority within 20 working days of a written request.

21. Archaeological programme

No development or preliminary groundworks shall take place until a programme of archaeological investigation has been secured by an approved Written Scheme of Investigation. The programme shall include trial trench evaluation; any further mitigation strategy; excavation or preservation in situ; archaeological monitoring; post excavation assessment; analysis, publication and archive deposition. No phase shall proceed beyond the stage identified in the approved programme until the relevant work has been completed and confirmed in writing.

22. Trees and hedgerows

No development shall commence until a final Arboricultural Method Statement and Tree Protection Plan compliant with BS 5837:2012 has been approved in writing. Retained trees and hedgerows shall be fenced before clearance or construction and protected from storage, plant, excavation, service installation and level changes. Approved supervision and replacement planting shall be completed, and any retained or replacement specimen that dies or becomes defective within five years shall be replaced in the next planting season.

23. Green infrastructure and landscape management

Before the first reserved matters submission, a site wide Green Infrastructure and Landscape Strategy shall be approved in writing. It shall define retained vegetation, structural and early planting, the western and southern buffers, woodland, allotments, public open space, play, SuDS integration, pedestrian routes, phasing, establishment, irrigation, replacement, management responsibilities and annual inspection. Phase landscaping shall accord with that strategy and be completed before the first planting season following occupation of the relevant phase.

24. Ecological mitigation

The development shall be carried out in accordance with the mitigation and enhancement measures in the Ecology Report version 1.6, wintering and breeding bird surveys, updated walkover, river condition assessment and the measures relied upon in the Council's Appropriate Assessment. Before each phase begins, a phase ecological method statement shall be approved in writing addressing protected species, nesting birds, reptiles and amphibians, badgers, watercourses, hedgerows, root zones, timing, ecological watching briefs, responsibilities, inspection and corrective action. The approved measures shall be implemented in full.

25. Farmland bird compensation

Before any habitat capable of supporting skylark or other farmland birds is removed, a Farmland Bird Mitigation Strategy shall be approved in writing. It shall provide at least eight suitably located skylark plots or an equivalent evidence based measure, avoid conflict with public access and predation risk, identify the land and responsible body, and secure management, monitoring and remedial action for not less than ten years. It shall be implemented before the affected breeding season and retained for the approved term.

26. Biodiversity Construction Environmental Management Plan

No development shall commence until a Biodiversity Construction Environmental Management Plan has been approved in writing. It shall identify risk zones, protected habitats and species, retained vegetation and watercourses, precautionary methods, pollution controls, sensitive timing, ecological supervision, toolbox talks, exclusion fencing, incident response, compliance monitoring and reporting. The development shall accord with the approved plan.

27. Biodiversity enhancements

No development shall commence above slab level until a Biodiversity Enhancement Strategy providing integrated swift bricks, bat roosting features, hedgehog access, native planting, ponds and other habitat features appropriate to the approved metric and ecological evidence, has been submitted to and approved in writing by the local planning authority. The features shall be installed before occupation of the relevant buildings or completion of the relevant landscape area and retained thereafter.

28. Wildlife sensitive lighting

No external lighting shall be installed until a Lighting Design Strategy for biodiversity and amenity has been submitted to and approved in writing by the local planning authority. It shall identify sensitive receptors and dark corridors, specify horizontal and vertical illuminance, spectrum, shielding, mounting heights, hours and controls, and demonstrate no harmful illumination of retained hedgerows, watercourses, trees, habitats or neighbouring dwellings. Lighting shall be installed and operated only as approved.

29. Updated ecological surveys

Where a reserved matters submission or commencement of a phase occurs more than two years after the most recent relevant ecological survey, or where site conditions materially change, updated surveys and any necessary revised mitigation shall be submitted to and approved in writing before that phase commences. The approved mitigation shall be implemented in full.

30. Biodiversity Gain Plan and HMMP

The statutory biodiversity gain condition applies. Before any significant on-site habitat creation or enhancement identified in an approved Biodiversity Gain Plan commences, a Habitat Management and Monitoring Plan shall be approved in writing. It shall include baseline and target condition, creation and enhancement works, responsible bodies, a funding mechanism, management for at least 30 years, monitoring methods and success criteria, reports in years 1, 3, 5, 10, 15, 20, 25 and 30, and remedial or adaptive management. The plan shall be implemented and reports submitted as approved.

31. Recreational Disturbance / HRA mitigation

No development shall commence until a detailed Recreational Disturbance Mitigation Strategy and Long-Term Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall secure the mitigation measures relied upon in the Council's Appropriate Assessment and demonstrate how recreational effects upon the relevant Habitats sites will be avoided or mitigated, both alone and in combination with other plans and projects.

The Strategy shall include:

a) the provision and specification of high-quality informal and semi-natural areas of public open space for recreational use;

b) provision of a continuous circular dog-walking route of at least 2.7 kilometres within the site and/or incorporating appropriate connections with the surrounding Public Rights of Way network;
c) details of the timing and phasing of the recreational mitigation, which shall ensure that the relevant provision is available prior to occupation of the dwellings which it is intended to serve;
d) a long-term management and maintenance scheme identifying the responsible body, funding arrangements and management standards necessary to retain the mitigation for the lifetime of the development;
e) interpretation boards and information for new residents promoting the on-site open space and Public Rights of Way as recreational destinations and explaining the sensitivity of the relevant coastal Habitats sites; and
f) appropriate dog-management measures, including areas suitable for dogs to be exercised off lead and the provision and maintenance of dog-waste facilities.

The approved Strategy shall thereafter be implemented and the measures retained and managed in accordance with the approved details.

32. Contamination investigation

No development, other than works required for the purposes of site investigation, shall commence until an investigation and risk assessment has been submitted to and approved in writing by the Local Planning Authority. The assessment shall establish the nature and extent of any contamination affecting the site, whether or not originating on the site, and shall be undertaken by competent persons.

The assessment shall include:
a) a survey of the extent, scale and nature of contamination;
b) an assessment of potential risks to human health, property, adjoining land, groundwater and surface water, ecological systems and other relevant receptors; and
c) an appraisal of remedial options and identification of the preferred remediation approach where required.

The investigation and assessment shall be undertaken in accordance with current Environment Agency Land Contamination Risk Management guidance and other relevant technical guidance.

33. Contamination Remediation

Where the investigation required by the preceding condition identifies contamination requiring remediation, no development within the affected area shall commence, other than works required to undertake remediation, until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall identify the remediation objectives and criteria, the remediation measures to be undertaken, a programme for their implementation and a verification plan.

The approved remediation shall be completed in accordance with the approved scheme and a verification report demonstrating its satisfactory completion shall be submitted to and approved in writing by the Local Planning Authority before occupation of the affected part of the development.

34. Unexpected contamination
If contamination not previously identified is found, work in the affected area shall cease and a competent person investigation, risk assessment, remediation method and verification plan shall be approved in writing. The approved remediation shall be completed and verified before development resumes in that area or the relevant building is occupied.

35. Village centre and employment delivery
Prior to occupation of the 71st dwelling, a delivery and occupation strategy for the village centre and employment floorspace shall be approved in writing, identifying the buildings and uses, servicing, parking, refuse, hours, fit out, marketing, delivery programme and fallback measures. The approved floorspace shall be completed and made available for occupation before occupation of the 111th dwelling and shall thereafter be retained for the approved uses unless otherwise authorised by a subsequent planning permission.

36. Fire access and water supplies
Each reserved matters application shall demonstrate compliance with current fire appliance access, turning, load bearing, clearance and water supply requirements. No dwelling or building shall be occupied until the approved access and hydrant or other water supply provision serving it is operational and available to the Fire and Rescue Service.

(ii) 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 authority be delegated to the Director of Place, Planning and Growth to **REFUSE** the planning application.

There being no other items of business the Chairperson closed the meeting at 9.18 pm.

R G PRATT
CHAIRPERSON