CIRCULATED PRIOR TO THE MEETING

REPORT of
DIRECTOR OF PLACE, PLANNING AND GROWTH

to
PLANNING COMMITTEE
25 NOVEMBER 2026

ADDENDUM

AGENDA ITEM NO. 4 Land North of West Street Tollesbury

Application Number	**25/00381/OUTM**
Location	Land North of West Street Tollesbury Essex
Proposal	Outline planning application, with all matters reserved except access for up to 159 residential dwellings (Use Class C3), a road link connecting West Street to North Road, ancillary infrastructure, public open space, play space, Suitable Alternative Natural Greenspace (SANG) and sustainable drainage.
Applicant	Welbeck Strategic Land IV LLP
Agent	DLP Planning Ltd
Target Decision Date	04/12/2026
Case Officer	Gareth Ball
Parish	**Tollesbury West**
National Scheme of Delegation:	**Reason for Referral to Committee:** **Schedule 2 application:** **Gateway Test Statutory criteria: Met** **Criterion A:** It involves issues of local economic, social, or environmental significance. **Criterion B:** The scheme raises significant planning matters relative to the development plan or other material considerations.

Amend Paragraph 1.19 of the 25 November Update Report (Page 12 of the Agenda reports pack):

1.19 The Appropriate Assessment acknowledges the potential significant effects which may result from the increased foul flows from the development. The previous section of this update report establishes that the Grampian condition is sound and meets the legal tests to be used as a suitably worded planning condition that would mitigate the harm from the impact of the development. As such, officers conclude that this form of mitigation is appropriate. As set out in the Conservation of Habitats and Species Regulations (2017) the Council are the 'competent authority' in assessing the Appropriate Assessment. The Appropriate Assessment was sent to Natural England for consultation, who, in their response of the 25/11/26 (today) have stated that "*having considered the assessment, and the measures proposed to mitigate for all identified adverse effects that could potentially occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions, providing that all mitigation measures are appropriately secured in any planning permission given*". The mitigation measures are proposed to be secured by the relevant planning conditions and the S106 legal agreement.

Add the following after Paragraph 1.26 of the 25 November Update Report (Page 12 of the Agenda reports pack):

3. CONSULTATIONS AND REPRESENTATIONS RECEIVED

3.1 Representations received from Parish Councils

3.1.1 Tollesbury Parish Council have submitted an additional comment on the application stating the following:

- The development would have serious highway safety implications, particularly for vulnerable road users such as children or pedestrians. Photos were provided showing traffic on West Street and High Street on 3rd November 2026.
- Residents of the development, including children accessing the school, would use the congested roads to access the centre of the village. Vehicles including buses often move dangerously on these roads or use the pavements. This would be an unsafe route for residents of the development.
- The impact of additional traffic generated by this proposed development, particularly in relation to the existing road layout, restricted pavement widths and pedestrian safety, has not been adequately assessed by the Highway Authority.

3.1.2 The submitted comments do not raise any new considerations over those previously received and duly assessed within the earlier committee reports. The application has a response from the Highways Authority stating that the impact of the proposal is acceptable, in which they have conducted a full assessment of the proposal. The lack of a primary school pedestrian route has previously been acknowledged, but this is mitigated through ECC Education's request for a financial contribution to fund a primary school transport service. The application details identify very few private motor vehicle trips travelling eastwards from the application Site, which thereby avoids the areas which are raised in the Parish Council's comments.

3.2 Representations received from Interested Parties

3.2.1 Following the District Planning Committee on 28 October, two new public representations have been received on 24/11/2026. The representations object to the development. Any new matters that have been raised are summarised and responded to in the table below. Matters that have been previously raised and responded to in previous reports for this application have not been included.

Objection Comment	Officer Response
Planning Policy	
Due to the housing land supply shortfall, officers are relying on the NPPF presumption in favour of sustainable development to recommend approval and are skipping straight to that presumption without weighing the heritage harm first.	An assessment of all relevant heritage assets has been conducted. The 5th August committee report sets out the heritage balance in Paragraphs 5.22.2 and 5.22.3, concluding that the benefits would outweigh the identified heritage harm as per

Objection Comment	Officer Response
	Paragraph 215 of the previous NPPF. The 28 October committee report notes the changes in heritage policy, concluding that there is no material change to the considerations within the previous planning balance. These balancing exercises in both reports were undertaken prior to the committee reports concluding that the presumption in favour of sustainable development would apply to the development. Notwithstanding, the presumption in favour of sustainable development is a material consideration carried over (albeit in a different form), from the previous iteration of the NPPF. As such the officers report and emphasis is consistent.
Transport and Highways	
The applicant claimed a fictitious 2% traffic split (16 trips per day) via North Road. Once forced to clarify, the applicant confirmed its role and remodelled the traffic with a 1,100% uplift.	The worst-case scenario figure is not a scenario which the applicant is stating is likely to happen. In fact the applicant is stating that it is unlikely to happen but even if it did, the impact would not be significant in terms of the effect on the heritage asset (as confirmed by the Councils Conservation officer and by the Highways authority). To be clear, the applicant has not remodelled the assessment.
The 7.5t vehicle weight restriction signage for the northern route is located on the junction of North Road/West Street/High Street. Any vehicles passing through the Site from West Street to the proposed access onto North Road would bypass this signage. This would result in HGVs	This matter has been raised with the Highways Authority, who have not yet responded given the very late receipt of the objection. Planning officers note that Highways technical approval will be required outside of planning permission, at which point the Highways Authority can assess the need for new signage on the proposed West Street access or the need for a Traffic Regulation Order (TRO) to extend the vehicle weight restriction limit. Furthermore, any CEMP would take into account the construction vehicle routes and seek to

Objection Comment	Officer Response
	manage that route to avoid, where possible sensitive or restrictive areas, having regard also to existing highways restrictions.
The NPPF requires refusal of an application where there is either an unacceptable impact on highway safety or a severe residual cumulative impact on the transport network. Additional vehicles using the rural roads would endanger pedestrians and cyclists using those roads.	NPPF Policy TR6(4) states that: *Development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.* The Highways Authority have fully assessed the proposal and concluded that "the development can be provided without significant or severe impact on local highway safety or efficiency". Also, note the point raised above regarding the CEMP
The fabric of Colchester Road is already damaged and would be further damaged by additional vehicles.	The uplift in vehicle trips, even considering the applicant's stated worst case scenario of no more than 95 two-way daily trips, which is not considered likely, would not significantly impact on road damage. Road maintenance and upkeep are the duty of the Highways Authority to carry out accordingly. Note also the comments of the Conservation and Heritage officer who does not object to the proposals.
The submitted traffic survey data is invalid and the traffic speeds are incorrect and unclear.	The submitted Transport Assessment has been reviewed by the Highways Authority and found to be valid and robust.
The proposed pedestrian crossing on West Street would be dangerous. It is not an appropriate crossing for the road speed and does not contain suitable traffic calming measures. It is located too near the bus stop, which would	The Highways Authority have not objected on safety grounds. The pedestrian crossing would be visible to drivers and the 30mph limit would be extended and 'SLOW' road markings would be in place to warn of the crossing,

Objection Comment	Officer Response
block views of traffic. If the crossing cannot be used, the bus stop cannot be used by residents.	which provides further assurances for safety.
The proposed West Street accesses of this application and the Obsidian development to the south would be unsafe due to the number of turning vehicles. A ghost island should be provided, following the decision to grant the Obsidian development. The 50m access stagger is insufficient to be acceptable.	The vehicle access points were amended following the withdrawal of the previous applications on both sites, which was in part due to the highways considerations. The new locations have been reviewed by the Highways Authority, who confirm that they are acceptable.
Conservation and Heritage	
The increase in vehicle movements and the erosion of the grass verges of the protected lane would result in the lane losing its protected status and thereby should be considered as substantial harm or total loss of significance to a non-designated heritage asset and will harm to the immediate historic setting and rural approach to Grade II listed Bridge Farmhouse and to Bridge Farm Bridge. The setting and character of the heritage assets must be considered.	NPPF Policies HE6 and HE7 set out the assessment of development impacts on designated and non-designated heritage assets. Officers have had regard to these policies, The harm to a non-designated heritage asset is not a legal test, but an assessment of the material impact. This assessment has been carried out, and a limited level of harm has been identified. This position on the procedure of undertaking the heritage assessment was supported by the legal opinion obtained. The bar for substantial harm to a heritage asset is high and neither the impact of vehicle movements nor grass verge damage would amount to substantial harm in officers' view. The other heritage assets have been considered as part of the application, but there would be no impact given the distance from the site and the limited number of vehicles. It is important to again note that the applicant's worst-case scenario is not a scenario they believe to occur, but a position on potential vehicle distribution not taking into account route preference. This worst-case scenario is 95 two-way trips per day, which is not a significant number to affect the setting of the heritage assets listed. This level of impact does not require a full assessment within the committee report, which

Objection Comment	Officer Response
	addresses impacts on 'other' heritage assets in Paragraph 5.9.15. As the decision-maker, members may come to a different conclusion if they identify a different level of harm.
Once Colchester Road loses its protected lane status, this would open the door for Essex Highways to widen, kerb and urbanise the lane, or demolish Bridge Farm Bridge altogether. This would urbanise the heritage landscape and harm the grade II listed Bridge Farmhouse.	The projected increase in vehicle trips on Colchester Road has been taken into account in assessing the significance of the Protected Lane. As detailed within the committee reports, officers have considered the potential harm to the Protected Lane and do not consider this likely. The application does not propose the removal of Colchester Road's protected lane status. The highways development referred to is not included within the current application and is not required to accommodate the development – it should not be considered as part of this assessment.
The conservation officer's assessment does not consider the impact of increased traffic on Back Road on the grade II* listed Bourchier's Hall, grade II listed Bourchier's Lodge or the grade II listed Barn at Bourchier's Farm.	The proposed development is significantly distanced from these buildings, and the proposed dwellings would not have any significant impact on their setting. The projected number of vehicle trips would not have any significant impact on the setting of these buildings, even considering the applicant's worst case scenario event.
The additional vehicle movements will result in structural damage to Bridge Farm Bridge and the grade II listed Bridge Farmhouse.	The bridge underwent strengthening works in 2023 which increased the capacity of structure to carry full highway loading. There is no evidence to suggest that the structural integrity of the grade II listed building would be impacted by additional vehicle movements.
The proposed bus stop improvements would harm the setting and fabric of the grade II listed 76 West Street. The bus stop should be moved away from the heritage asset.	Condition 14 requires the submission of appearance details, to allow for an assessment on the heritage impact. There is no objection to the principle in terms of heritage, subject to acceptable details.
Residential Amenity	
Restrictions to overlooking windows, balconies or roof	These details cannot be considered at outline stage and

Objection Comment	Officer Response
terraces should be identified. Scaled plans and cross sections including ground levels should be provided. Minimum setbacks to existing buildings, and maximum heights relative to ground levels should be restricted.	would be required as part of any reserved matters application and considered in full, once the detailed design is known.
The development would result in light pollution impacts from car headlights and road lighting. This should also be considered for the construction stage.	The operation of vehicles would be in line with a residential area and is not considered to result in unacceptable lightspill. Any proposed street lights would be assessed at reserved matters stage, including amenity impact. The amenity impacts of the construction stage will be controlled through the restrictions secured through the recommended Construction Environmental Management Plan (CEMP) condition.
There would be a cumulative impact on outlook and privacy with the approved Obsidian scheme.	The two development sites are significantly distanced in terms of outlook and privacy considerations. Officers do not consider there to be any significant cumulative impact in this matter.
Procedure	
Will we be notified of subsequent reserved matters applications and amendments affecting our property, so that we can comment on the detailed proposals.	Any further application on the Site would be publicised in accordance with statutory requirements. A reserved matters application would entail sites notices and a press notice being published.

3.3 Statutory Consultees and Other Organisations

3.3.1 Further comments have been received from Natural England. They do not object to the development, having reviewed the updated HRA AA and subject to the mitigation measures set out in the AA being secured and implemented.

Amend the third bullet point in the Harms section Paragraph 2.6 of the planning balance of the 25 November Update Report (Page 14 of the Agenda reports pack) to correct the area of agricultural land:

Loss of ~~9.24ha~~ 10.87ha of agricultural land. Noting the large amount of grade 3 agricultural land within the District, Officers give limited weight to this harm.

NOTE: This correction is also applied to the harms within the planning balances in Paragraph 4.8 of the October 28 committee report (Page 28 of the Agenda reports pack) and Paragraph 5.22.10 of the 5 August committee report (Page 90 of the

Agenda reports pack). This does not change the limited weight which officers apply to this harm, noting the considerations within Paragraphs 5.2.16 to 5.2.18 of the 5 August committee report.