



**REPORT of
DIRECTOR OF PLANNING AND REGULATORY SERVICES**

to
**COUNCIL (EXTRAORDINARY)
6 DECEMBER 2016**

MEMBERS' UPDATE

AGENDA ITEM NO. 4

Application Number	OUT/MAL/15/00419
Location	Land At Broad Street Green Road, Maypole Road And Langford Road Great Totham/Heybridge Essex
Proposal	<p>Part outline/part detailed (hybrid) application for mixed use development including:</p> <ul style="list-style-type: none"> (i) Residential development (Use Class C3) (Outline) (ii) Residential Care (Use Class C2) (Outline) (iii) "Neighbourhood" uses which may include retail, commercial, and community uses (Use Classes A1 and/or A2 and/or A3 and/or A4 and/or A5 and/or D1a and/or D1b) (Outline) (iv) Primary school and early years childcare facility (Use Class D1c) (Outline) (v) Strategic flood relief infrastructure, including the construction of retaining earthworks, connecting ditches, pipe work and syphons, water flow control measures, and outfall to the Chelmer and Blackwater river systems (Detailed element) (vi) A relief road between Broad Street Green Road and Langford Road (Detailed element) (vii) Formal and informal open space (including any associated sports pavilion/clubhouse) (Use Class D2e) (Outline); (viii) Construction of initial gas and electricity sub-stations (Detailed); and (ix) All associated amenity space, landscaping, parking, servicing, utilities (other than as listed in item (viii) above), footpath and cycle links, on-site drainage, and infrastructure works (Outline).
Applicant	Countryside Properties & EC, MA & DC Watson & KL Watson-Knee
Agent	Mr Kevin Coleman - Phase 2 Planning & Development Ltd
Case Officer	Debi Sherman, TEL: 01621 875862
Parish	<u>GREAT TOTHAM / HEYBRIDGE / LANGFORD</u>
Reason for Referral to the Committee / Council	<p>Environmental Impact Assessment</p> <p>Strategic Site within the submitted Local Development Plan</p> <p>Departure from the Local Plan 2005</p> <p>Major Application</p>

8. PROPOSED CONDITIONS, INCLUDING HEADS OF TERMS OF ANY SECTION 106 AGREEMENT (PAGES 90 – 114)

Please see revisions to the proposed Heads of Terms as set out below. The main changes relate to avoiding unnecessary duplication with proposed conditions and clarifying that where the applicant is delivering a piece of strategic infrastructure that a financial contribution to equivalent value is not required in addition to its delivery, particularly where contributions are also available from other developers within the Garden Suburb.

HEADS OF TERMS OF ANY SECTION 106 AGREEMENT (Pages 90 – 91)

Appropriate contributions towards the following strategic infrastructure to support the delivery of the North Heybridge Garden Suburb (note that costs are estimates within the Infrastructure Delivery Plan, and are subject to final agreement within the Section 106 (S106) agreement):

Highways:

- ~~• Delivery of flood alleviation scheme£8,000,000~~
- ~~• Delivery of the North Heybridge Relief Road~~

Public Transport:

- ~~• Delivery of the~~ Public Transport Improvements£2,457,000

Travel Plan:

- ~~• Residential travel plan~~
- ~~• Residential travel information packs~~
- Travel Plan monitoring fee.....£3,000 p.a. from first occupation until one year after final occupation
- ~~• North Heybridge Relief Road£11,122,000~~

Education:

- 56 place EY&C facility (within Primary School).....£921,862
- 56 place EY&C facility stand alone (Commercial)Land provided
- Primary school (210 places).....£3,017,004
- Secondary school Plume Lower School£948,406
- Secondary school Plume Upper School.....£3,133,865

Youth and Children's Facilities:

- ~~Delivery of~~ Teen shelters, skateboard facilities, access to shared community facilities to serve Heybridge ~~to the value of~~£560,625
- ~~Delivery of~~ NEAPS and LEAPS ~~to the value of~~.....£119,232

Health:

- Medical facilities to serve North Heybridge.....£340,200 plus Land to be reserved for development of a 1,000 sqm health facility

Green infrastructure:

- Delivery of Allotments to serve North Heybridge to the value of£49,560
- Delivery of Sports pitches and pavilion to the value of..£1,266,000
- Open space to be provided in accordance with phasing plan
- Management of all green and blue infrastructure by management company

Affordable Housing:

- 15.5% supported and full review mechanism up to 20%

Other:

- Details of the management of Heybridge Wood
- Provision of lock gates at Beeleigh Weir

CONDITIONS (Pages 91 – 114):

DETAILED (page 93):

3. The development of the strategic flood alleviation scheme, relief road and sub-stations as specified in the approved plans listed in Condition ~~x~~4 shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with Section 91(1) of The Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

Highways (page 95):

9. The Local Planning Authority in consultation with Essex County Council as Highway Authority shall, following consideration of the monitoring data provided pursuant to Condition 8, advise the developer in writing before the occupation of the 500th residential occupation whether the scheme approved pursuant to Condition ~~xx~~7 being implemented, then no more than 600 residential units shall be occupied until the scheme approved pursuant to Condition 8 has been implemented in full.
REASON: To ensure that necessary additional public transport improvement can be implemented and in the interests of highway safety in accordance with policies I1, S4, D1, T1 and T2 of Maldon District Submission Local Development Plan, the endorsed North Heybridge Suburb Strategic masterplan Framework, Policies BE1 and T2 of the adopted Maldon District Replacement Local Plan and the NPPF and PPG.

Flood Alleviation Scheme (page 95):

10. No development shall commence until a fully detailed design of the Strategic Flood Alleviation Scheme has been submitted to and approved in writing by the Local Planning Authority in conjunction with the Environment Agency. The development shall be implemented in full accordance with the approved scheme and in accordance with the agreed phasing set out in Condition ~~xx~~1 of this planning permission. The Strategic Flood Alleviation Scheme shall subsequently be retained and maintained in accordance with the approved details thereafter.

REASON: To ensure there are adequate measures in place to manage risks of flooding from existing overland flows to the north and ensure that there is sufficient on site mitigation to prevent flood risk in accordance with policy D5 of the Maldon District Submission Local Plan and the NPPF and PPG.

Youth and Children's Play Facilities (page 106):

41. Prior to or concurrently with the submission of the first of the reserved matters application(s), a Strategy for Youth Facilities and Children's Play provision shall be submitted to the Local Planning Authority for approval. The Strategy for Youth Facilities and Children's Play shall include the following details:

- a) How the Strategy is intended to evolve following the occupation of the site to meet the needs of future local residents, young people and children.
- b) The size, type, location and provision of access to all youth facilities and play provision, including the Youth and Teen Shelters, a skateboard park, Local Equipped Areas of Play (LEAP), the Neighbourhood Equipped Area of Play (NEAP) and any other area of play.
- c) A proposed phasing programme for the delivery of youth facilities and play provision
- d) No development of any youth and children's play facilities shall commence until the submitted Strategy for Youth Facilities and Children's Play has been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and implemented in accordance with the Strategic Phasing Plan and retained as such thereafter. The management and maintenance of Youth Facilities and Children's Play equipment shall be undertaken in accordance with the requirements of Condition ~~xx~~11.

REASON: To ensure that appropriate youth facilities and children's play provision are provided in relation to the development of the site in accordance with policies I1, S3, S4, D1, N1, N3 of the Maldon District Submission Local Development Plan, the endorsed North Heybridge Garden Suburb Strategic Masterplan Framework, policies CC6, CC7, CC11, BE1, REC2 and REC3 of the adopted Maldon District Replacement Local Plan and the NPPF and PPG.