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# Planning Statement

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Phase 4, Limebrook Part East, Land South of  
Wycke Hill and Limebrook Way, Maldon

Taylor Wimpey (London)

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## 1. Introduction

- 1.1 This Planning Statement has been prepared in support of a detailed planning application submitted to Maldon District Council (MDC) on behalf of Taylor Wimpey (London) to provide 42 residential dwellings on the eastern parcel of the wider 'Land South Of Wycke Hill And Limebrook Way' site.
- 1.2 The wider site benefits from planning permission for up to 1,000 new homes, an employment area, a local centre, a primary school, two early years and childcare facilities, open space and associated infrastructure (LPA Ref. FUL/MAL/20/00074). Taylor Wimpey purchased the eastern parcel and has secured approval for Planning Phase 1 / Construction Phase 1 - comprising 200 residential dwellings (LPA Ref. RES/MAL/18/00531) and Planning Phase 2 / Construction Phases 3, 4 & 5 - comprising 406 residential dwellings (LPA Ref. 19/00411/RES). This has left an area of land in the centre of the parcel where Taylor Wimpey has identified an opportunity to deliver further new homes (known internally as Construction Phase 4).
- 1.3 In December 2018 Taylor Wimpey submitted a detailed planning application for Phase 4 for 33 residential dwellings. This was refused in March 2019 due to no-compliance with the Council's Strategic Housing Market Assessment (2014) in terms of market dwelling mix. A new Local Housing Needs Assessment has since been published (May 2021). The Phase 4 proposals have been updated to accord with the new Local Housing Needs Assessment, directly responding to local need and demand. In doing this the total number of new homes proposed has marginally increased, however, all of the new homes accord with the relevant policy standards and requirements with no signs of overdevelopment.

### Description of Development

- 1.4 The application seeks detailed planning permission for the following proposals:

*"Development of the site to provide 42 residential dwellings (Class C3) together with associated infrastructure."*

### The Applicant

- 1.5 Taylor Wimpey is one of the largest homebuilders in the UK. As a national housebuilder, Taylor Wimpey has considerable experience and expertise in delivering sustainable residential schemes that people want to live in. The company has extensive experience of construction and property development, and of working in partnership with local authorities and affordable housing providers.
- 1.6 Taylor Wimpey runs its regional businesses as local homebuilders and has significant in-depth knowledge and experience of the local market. It aims to develop vibrant communities with a true sense of place that fit into their surrounding area and meet the needs of local people. The company is committed to innovation in both construction and design and is keen to ensure that the schemes brought forward create sustainable, attractive and desirable places for people to live and work.

### Overview of Development

- 1.7 The proposed development seeks to provide 42 residential dwellings including a mix of 1, 2, 3, 4 and 5 bedroom homes.
- 1.8 The proposals adopt the urban grain of the wider eastern parcel which appropriately scales back in mass to the attenuation basin on the boundary between Planning Phases 1 and 2. The buildings are predominantly positioned around the edges of the blocks with rear gardens behind. The external appearance of the buildings and the layout have been developed in the context of the Design Codes associated with the wider development, as well as the Maldon Design Guide (MDG) and Essex Design Guide (EDG).
- 1.9 The proposals include 91 car parking spaces, comprising 82 allocated spaces and 9 visitor spaces. The proposals also include one cycle space per dwelling.
- 1.10 The proposals have evolved in the context of the approved phases of the extant permission for the wider site, and have responded to the previously refused application. The revised scheme has also been informed by pre-application discussions with officers at MDC.

### Supporting Documents

- 1.11 This Statement should be read in conjunction with the accompanying plans and drawings submitted as part of the application, as well as the following documents which have been prepared to address the full range of planning considerations:
- **Design and Access Statement**, prepared by FINC Architects;
  - **Planning Statement**, prepared by Savills;
  - **Flood Risk Assessment**, prepared by Ardent Consulting Engineers;
  - **Fluvial Modelling Technical Note**, prepared by Ardent Consulting Engineers;
  - **Hydraulic Modelling Technical Note**, prepared by Ardent Consulting Engineers;
  - **Transport Statement**, prepared by Ardent Consulting Engineers;
  - **Preliminary Ecological Appraisal**, prepared by SES;
  - **Arboricultural Method Statement**, prepared by SES;
  - **Air Quality Assessment**, prepared by Brookbanks Consulting;

- **Noise Assessment**, prepared by Brookbanks Consulting;
- **Energy Statement** prepared by Energist; and
- **Ground Investigation Report**, prepared by RSK.

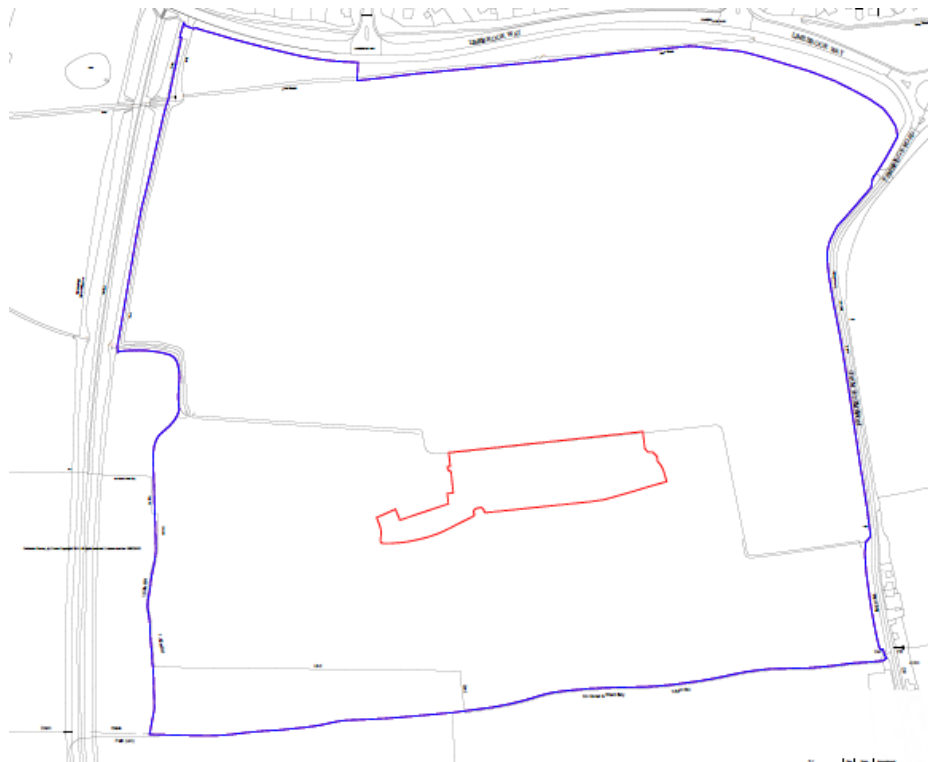
### Structure of the Statement

1.12 The structure of this Statement is as follows:

- **Section 2** provides the background to the site and its context within the surrounding area;
- **Section 3** sets out an overview of the planning history of the site, and the pre-application engagement process;
- **Section 4** provides a summary of the development proposals;
- **Section 5** sets out the relevant planning policy framework for the site;
- **Section 6** provides an assessment of the material planning considerations arising from the proposals, and compliance with relevant planning policy framework;
- **Section 7** considers the planning obligations likely to be required by the proposals; and
- **Section 8** presents our conclusions in respect to the proposals.

## 2. Site and Surrounding Area

- 2.1 This section provides a brief description of the site and the immediate surrounding area.
- 2.2 The application site forms a small part of the eastern parcel of the wider 'Land South of Wycke Hill and Limebrook Way' site. A site location plan is provided at **Figure 2.1** below.



**Figure 2.1: Site Location Plan**

- 2.3 As mentioned in Section 1 of this Statement, the wider site benefits from planning permission for comprehensive development. The wider site comprises two parcels of land separated by a disused railway (which is designated as a Local Wildlife Site). The application site is located in the centre of the eastern parcel which is bound to the north by the B1018 (Limebrook Way) and to the east by the B1010 (Fambridge Road). Within the eastern parcel, the application site is surrounded by two phases of residential development (Planning Phases 1 and 2) which are under construction.
- 2.4 No Rights of Way cross the application site and the nearest Public Right of Way follows the western boundary of the wider eastern parcel.

- 2.5 The application site is located approximately 280m east of the Local Wildlife Site running down the middle of the two parcels. Hazeleigh Hall Wood, which is a designated Ancient Woodland, is also located approximately 780m to the south of the site.
- 2.6 There are a number of services in walking distance from the site, predominantly associated with the Wycke Hill Business Park to the northwest and the Madison Heights entertainment and Blackwater Leisure Centre to the east. Both include a range of leisure and community facilities, and comparison and competitive retail. Maldon Town Centre is located to the north of the site, which contains a busy retail high street.
- 2.7 In terms of access to public transport, the nearest bus stop is on Randolph Close, situated 200 metres north east of the site, which provides regular services to Maldon Town Centre and Chelmsford rail station (which lies approximately 15km to the west of the site). Regular services on the Greater Anglia line from Chelmsford provide access to Central London to the southwest, and Colchester to the east. In addition, a new bus route has been approved as part of the wider development.

### 3. Planning History and Pre-Application Engagement

- 3.0 This section provides details of the planning history and pre-application background of the site to provide the context within which the application is made.

#### Planning History

##### *Outline Planning Permission*

- 3.1 In December 2016, outline planning permission (OPP) was granted at the wider 'Land South of Wycke Hill and Limebrook Way' site for the following development:

*"Outline application for up to 1000 dwellings, an employment area of 3.4 hectares (Use Classes B1, B2 and B8 uses), a local centre (Use Classes A1-A5, B1a, C2, C3, D1 and D2 uses), a primary school, two early years and childcare facilities, general amenity areas and formal open space including allotments, sports playing fields, landscaping, sustainable drainage measures including landscaped storage basins and SuDs features, vehicle accesses onto the existing highway network and associated infrastructure". (LPA Application Ref. OUT/MAL/14/01103)*

- 3.2 All matters, except for access, were reserved for future consideration.
- 3.3 Following the grant of the OPP, a number of variations have been made in order to make the permission more deliverable and to simplify the permission, the details of which are summarised below.

##### *1<sup>st</sup> Section 73 Application*

- 3.1 In December 2016, a Section 73 application was submitted to the Council to vary the wording of three conditions of the OPP (LPA Application Ref. 16/01454/FUL). These amendments were approved on 16 February 2017 and included:

- Variation of Condition 5 (Approved Highways Drawings). The approved drawings for Access 1 and Access 2 were replaced with new drawings. Additional text was also included, which required the replaced drawings to be followed in the event that the A414 realignment and associated roundabouts were completed and adopted prior to commencement of construction of Access 1 and / or 2.
- Variation of Condition 13 (Specification and Design of the Access Works Junction).
- Variation of Condition 14 (Specification and Design of the Access Works Junction).

##### *2<sup>nd</sup> Section 73 Application*

- 3.2 In tandem with the 1<sup>st</sup> Section 73 application, a second Section 73 application was submitted to the Council in December 2016 to vary the wording of a single condition and remove another condition to the OPP (LPA Application Ref. 16/01458/FUL). These amendments were also approved in February 2017 and included:

- Variation of Condition 11 (Access Linkage Strategy). The new wording provided greater flexibility regarding the provision of the 'Potential Vehicle Access' point as shown on the 'Design Parameter Plan: Movement and Access' (Drawing No. 327 Rev C). The amended wording now refers to a 'future possible connection'.
- Removal of Condition 12 (Permanent Closure of Alternative Access 2 Arrangement).

### *3<sup>rd</sup> Section 73 Application*

- 3.3 In April 2017, a further Section 73 application was submitted to the Council to vary Condition 27 (Residential Mix) (now Condition 26) of the OPP (LPA Application Ref. 17/00396/FUL). This application sought to vary the approved housing mix to allow for an appropriate balance between flexibility required throughout the lifetime of the development to reflect changing markets, and the requirement to meet housing needs. The amended mix is as follows:

<b><i>Beds</i></b>	<b><i>Type</i></b>	<b><i>Percentage</i></b>	<b><i>Number</i></b>
1	Flats	Minimum (min.) 3.4	24
2	Houses, Bungalows, Flats	Maximum (max.) 26.6	186
3	Houses	No less than 35	245 min.
4+	Houses	No more than 35	245 max.

- 3.4 This application was approved in July 2017.

### *Section 96a Applications*

- 3.5 In March 2017, a Section 96a application was approved to amend Conditions 5 and 6 of the OPP to allow additional flexibility in the delivery of the permission (LPA Application Ref. 17/00367/NMA).
- 3.6 In July 2020, a Section 96a applications was approved to extend the permitted construction working hours (LPA Application Ref. 20/00659/NMA)

### *4<sup>th</sup> and 5<sup>th</sup> Section 73 Applications*

- 3.4 In January 2018, two further Section 73 applications were submitted to the Council to vary the wording of Condition 7 (Strategic Phasing Plan) and other relevant conditions to enable the wider site to be brought forward by different developers (LPA Application Ref. 18/00070/FUL). These applications were combined and approved in April 2018 and form the extant permission (LPA Application Ref. FUL/MAL/18/00071).

### *Reserved Matters Application Phase 1*

- 3.5 In April 2018, the applicant submitted the first reserved matters application on the eastern parcel. This application sought approval of reserved matters (layout, scale, appearance and landscaping) for Phase 1

comprising the construction of 200 residential dwellings and associated works (LPA Application Ref. RES/MAL/18/00531). This application was approved in September 2018.

### *Parcel Wide Advanced Infrastructure Works*

- 3.6 At the same time as the Phase 1 reserved matters application, the applicant submitted a full planning application for advanced infrastructure works so that work could start on site as soon as possible (LPA Application Ref. FUL/MAL/18/00494). The application was approved in August 2018. The permission has since been implemented and includes foul and surface water drainage, provision of highways, proposed site level and associated works.

### *Reserved Matters Application Phase 2*

- 3.7 In November 2018, the applicant submitted a second reserved matters application on the eastern parcel. This application was refused approval of reserved matters (layout, scale, appearance and landscaping) for Phase 2 comprising the construction of 406 residential dwellings and associated works. (LPA Application Ref. 18/01430/RES). Following the refusal, amended details were submitted for the Phase 2 which was subsequently approved in July 2019 (LPA Application Ref. 20/05122/DET).

### *6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> Section 73 Applications*

- 3.8 Three further Section 73 applications were submitted to the Council. The first of which was submitted in January 2020 to vary the wording of Condition 10 (Speed Review Strategy) and Condition 20 (Pedestrian / Cycle crossing) and remove Condition 11 (Details of Access Strategy Link) to enable the site to be brought forward (LPA Application Ref. 20/00074/FUL). The second and third of which were submitted to amend the OPP in relation to the western parcel. All three were approved in June 2020 (LPA Application Ref. 20/00294/FUL) and October 2020 (LPA Application Ref. 20/00697/FUL) respectively. Permission Ref. 20/00074/FUL is therefore the extant permission across the wider site.

### *Additional Units Application*

- 3.9 The applicant previously submitted a scheme on the Phase 4 site to provide 33 residential units together with associated infrastructure. This application was refused on 12<sup>th</sup> March 2019 because the smaller residential units within the open market housing mix was not consistent with the Council's Strategic Housing Market Assessment and inadequate justification for such variation was provided (LPA Application Ref. 18/01439/FUL).

### *EIA Screening*

- 3.10 The OPP across the wider 'Land South of Wycke Hill and Limebrook Way' site comprises EIA development. As such, the original application was supported by an Environmental Statement. Whilst the submitted parameter plans and illustrative masterplan showed development of up to 1,000 dwellings, the assessment

within the Environmental Statement considered the environmental impacts of up to 1,200 dwellings to ensure a robust approach.

- 3.11 In the context of the previous detailed planning application for Phase 4, the applicant submitted an EIA Screening Opinion Request to MDC under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017). This was for up to 40 residential dwellings. It was confirmed on 25<sup>th</sup> February 2019 that EIA was not required (LPA Ref No. 18/01396/SCR).
- 3.12 The proposed development marginally exceeds the parameter set out within the original EIA Screening Opinion request (by 2 residential dwellings). This situation is not unusual with major developments and is a result of design development in consultation with officers at the Council, as well as key stockholders. It is the applicant's view that this does not alter the conclusion previously reached by the Council with regards to its EIA Screening Opinion. However, the applicant would welcome written confirmation from the Council on the same.

### **Pre-application Discussions**

- 3.13 As part of the refused application at the Phase 4 site the applicant engaged in extensive pre-application discussions with planning, design, highways and housing officers at MDC and ECC. This informed the layout and scheme design which evolved and developed in response to the comments and feedback provided.
- 3.14 Prior to submitting this application, the applicant engaged in pre-application discussions with planning and design officers at MDC again. A pre-application meeting was held on 20<sup>th</sup> November 2020 on the proposals. The comments and feedback received at this meeting has informed final design.

## 4. The Proposed Development

- 4.1 As set out at Section 1 of this Statement, the applicant has identified an opportunity to deliver an additional 42 new residential dwellings on the eastern parcel whilst still according with the parameters of the OPP and the planning policy framework at the site.
- 4.2 Full details of the proposed scheme are set out in the Design and Access Statement, prepared by FINC Architects, submitted in support of this application. This section provides a brief summary of the application proposals.

### Design Approach

- 4.3 As with the refused application, the proposals have emerged in the context of the Parameters Plans and Design Codes set by the OPP, relevant planning policy and guidance, as well as discussions with MDC and ECC officers.
- 4.4 The site is bound by a 'primary road' to the south of the site (which is located within the Phase 2 development) which also provides access to the site. All primary roads within the wider development are provided with enlarged verges of 2.5-3m and a footway / cycleway of 3.5m. The verges are planted with trees in a formal arrangement creating the venue feel proposed. A series of shared surface streets connect to the primary roads and offer a softer transition from the more formal streets to the greener edges of the development, surfaced in block paving. The shared surface roads terminate in a series of private drives that address the site boundary and internal greenways, enclosed by formal, clipped hedging.
- 4.5 Throughout the layout, the houses have been set back from footpaths to ensure increased landscaping is provided and a landscaped setting is achieved for all plots. This is especially prevalent on corner plots, where houses are set away from the corners to provide 'green' gateways into streets and enable planting against side boundary walls/fences. Houses are positioned and orientated to reduce the amount of exposed boundaries to public areas, whilst 'corner turning' plots have been positioned to ensure no blank gables are presented to streets. The proposed development exclusively comprises 2 storey buildings with single storey garages.
- 4.6 The southern boundary of the site faces onto the proposed green cushion. It acknowledges the need to make a gentle transition from town to country by reducing housing density. The design of housing and spaces along this southern fringe also seek to underpin the core principle of creating a softer edge to the development through a sequence of open spaces, planting and the retention of existing landscape elements.

- 4.7 Housing on the north boundary of the site faces onto the proposed greenway through a sequence of private drives. The landscaping here is enhanced to ensure a rich and verdant environment commensurate with the garden suburb principal and to establish the high-quality landscape environment envisaged for the wider parcel. The proposals seek to improve on areas where possible, with the inclusion of enlarged verges for possible informal parking, but where this isn't provided the overall green space is extended by 2.5m on either side as a result.

### Residential Dwellings

- 4.8 The proposed layout has evolved from the previous scheme to create space for additional units on the site. The proposed development will deliver 42 new residential dwellings at the site (Use Class C3). The proposed residential mix is set out at **Table 4.1** below.

**Table 4.1 Proposed Residential Mix**

Dwelling Size	Total Units	Unit Percentage	
1 Bed House	6	14.3%	45.3%
2 Bed House	13	31%	
3 Bed House	16	38.0%	55.7%
4 Bed House	6	14.3%	
5 Bed House	1	2.4%	
<b>Total</b>	<b>42</b>	<b>100%</b>	<b>100%</b>

- 4.9 It is proposed to provide 14 of the residential dwellings (33%) as affordable housing. The proposed affordable housing mix is set out at **Table 4.2** below.

**Table 4.2: Proposed Affordable Housing Mix**

Dwelling Size	Affordable Rent Units	Shared Ownership Units	Unit Percentage	
1 Bed House	4	2	43%	79%
2 Bed House	4	1	36%	
3 Bed House	2	1	21%	21%
<b>Total</b>	<b>10</b>	<b>4</b>	<b>100%</b>	<b>100%</b>

- 4.10 The proposed market housing mix is set out at **Table 4.3** below.

**Table 4.2: Proposed Market Housing Mix**

Dwelling Size	Total Units	Unit Percentage	
2 Bed House	8	29%	29%
3 Bed House	13	46%	71%
4 Bed House	6	21%	
5 Bed House	1	4%	
<b>Total</b>	<b>28</b>	<b>100%</b>	<b>100%</b>

- 4.11 The proposed development comprises a good mix of family sized dwellings as well as smaller dwellings suitable for first time buyers or couples. This mix will assist in providing a sustainable and balanced community within the wider development. The residential dwellings have been designed to be of a high quality and have also been designed to address key accessibility requirements. All of the residential dwellings will have access to private amenity space in the form of rear gardens.

### **Access and Parking**

- 4.12 Vehicular access to the site is proposed from the primary road running along the site's southern boundary (which lies within the Planning Phase 2 development). This primary road connects with Fambridge Road to the east through the Planning Phase 1 development, and with Limebrook Way to the north through the remainder of the Planning Phase 2 development. Three accesses from the primary road lead to three internal roads, off which the dwellings are located. Some of the dwellings are also accessed directly from the primary road.
- 4.13 The proposals include 91 car parking spaces, comprising 82 allocated spaces and 9 visitor spaces. This equates to 2.16 spaces per dwelling. Each dwelling will also be provided with a single cycle space.

### **Summary of key Planning Benefits**

- 4.14 The proposals will provide a range of key planning and regeneration benefits for the site and surrounding area. These benefits include:
- the delivery of much needed market and affordable housing (42 homes, with 33% affordable housing);
  - the delivery of well-designed homes in a garden suburb setting;
  - the inclusion of a range of house types and sizes (including family dwellings and smaller dwellings), which will help to create a mixed and balanced community; and
  - the provision of financial and non-financial planning obligation contributions.

## 5. Planning Policy Context

- 5.1 The development proposals for the site have taken account of relevant national and local planning policy and guidance. This section of the Planning Statement sets out a brief summary of the relevant planning policy documents, whilst the following section demonstrates compliance with these policies.
- 5.2 In accordance with Section 38(6) of The Planning and Compulsory Purchase Act (2004), planning applications should be determined in accordance with the development plan unless other material considerations indicate otherwise. The local Development Plan for MDC currently comprises:
- Maldon District Local Development Plan (July 2017); and
  - Maldon District Policies Map (with modifications March 2017).
- 5.3 The National Planning Policy Framework (NPPF) (July 2021) is also a material consideration when determining planning applications as well as adopted Supplementary Planning Documents including the Maldon Design Guide, Maldon District Vehicle Parking Standards and Essex Design Guide.

### National Planning Policy

- 5.4 At the national level, the NPPF provides an overarching framework for the production of local policy documents and the determination of planning applications.
- 5.5 The Government's NPPF acts as guidance for local planning authorities and decision takers, both in drawing up plans and making decisions about planning applications. At the heart of this document is a presumption in favour of sustainable development running through both plan-making and decision-taking. For decision-taking, this means:
- c. *"Approving development proposals that accord with an up-to-date development plan without delay; or*
  - d. *Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
    - i. *The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
    - ii. *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."* (Paragraph 11)
- 5.6 The Government expects the planning system to deliver the homes, business, infrastructure and thriving local places that the country needs, whilst protecting and enhancing the natural and historic environment.

- 5.7 With regard to housing, Paragraph 60 of the NPPF identifies measures to “...*boost significantly the supply of housing...*” and Paragraph 11 states that Local Plans should meet the objectively assessed need for housing in local authority areas. Paragraph 11 further elaborates stating that housing applications should be in the context of the presumption in favour of sustainable development which, as set out above, running through both plan-making and decision-taking.
- 5.8 The Government published its National Planning Policy Guidance (NPPG) notes in March 2014. The NPPG supports the NPPF and provides high level guidance with regard to specific planning issues and processes. Where applicable, the NPPG notes are referenced within this document.

### **Local Planning Policy**

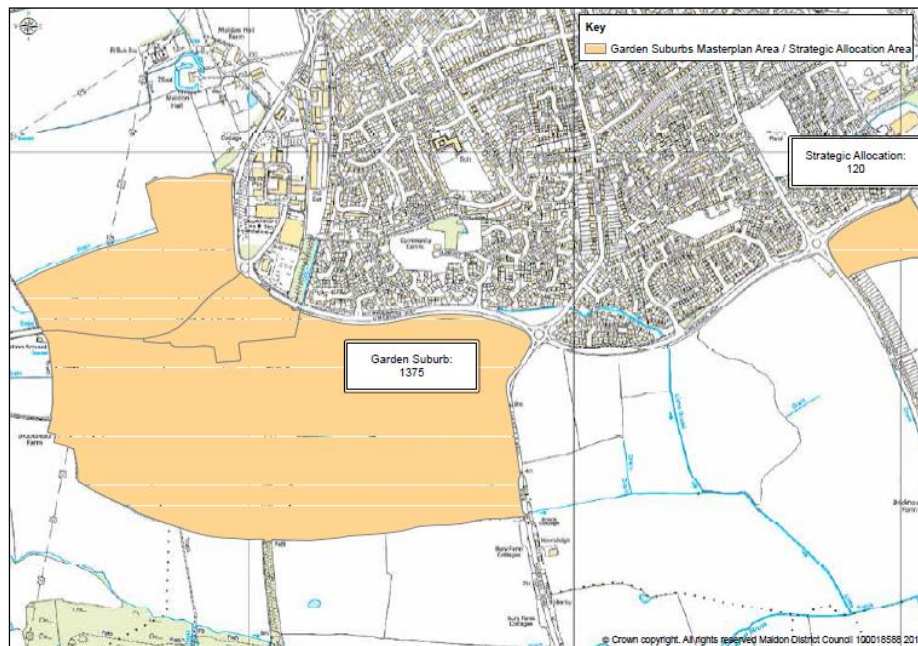
- 5.9 At the local level, the Local Development Plan (July 2017) sets out the planning strategy for the future growth in the district up to 2029. The Local Development Plan sets out the spatial vision, strategy and planning policies for Maldon on topics such as housing, jobs, green belt, community facilities, education and health, sports and leisure, open space, climate change and minerals and waste.
- 5.10 Furthermore, the Local Development Plan is supported by a number of other Supplementary Planning Documents (SPDs) and guidance documents. This includes the Vehicle Parking Standards SPD (July 2018), Maldon District Design Guide (2017) and the Essex Design Guide (March 2018).
- 5.11 The Maldon District Design Guide (2017) and Essex Design Guide (2018) form material considerations in the determinations of applications and provide design guidance for proposals in the District. The documents provide guidance on matters including layout, materials, amenity. In determining planning applications, the Maldon Design Guide holds considerable weight.

### **Emerging Planning Policy**

- 5.12 The Council has begun the process of preparing a new Local Plan. The first consultation of the LDP Review was on the Issues and Options Report which will take place from Monday 17 January 2022 for eight weeks. The Council's latest Local Development Scheme indicates that the Council will seek to publish a Draft Local Plan (Regulation 19) in early Spring 2023, with a view to submit to the Secretary of State for examination in late Spring 2023. The Council hope to adopt the new Local Plan in late Autumn 2023.

### Site Specific Allocations

5.13 The application site forms part of a wider allocation known as the South Maldon Garden Suburb area.



**Figure 4.1 South Maldon Garden Suburb Area (Extract from South Maldon Garden Suburb Strategic Masterplan Framework)**

5.14 Policy S4 of the Local Development Plan states that strategic developments in the South Maldon Garden Suburb will incorporate the following key infrastructure elements:

- A new 1.5-form entry primary school;
- Two new 56-place early year and childcare facilities;
- One class base expansion of existing primary school;
- Necessary contributions toward the sufficient expansion of the Plume School;
- Provision for youth and children's facilities;
- A new relief road to the north of A414 at Wycke Hill; and
- Provision for Class B use employment land as identified in Policy E1.

5.15 Policy S4 goes on to state that the Garden Suburb within the Maldon area will be comprehensively planned with the quantum of development as set out in Policies S2 and E1. In this regard, Policies S2 and E1 set out that 1,428 new dwellings and approximately 5 hectares of Class B employment land will be provided within the South Maldon Garden Suburb between 2014 and 2029.

### South Maldon Garden Suburb Strategic Masterplan Framework

- 5.16 Given the significant pressure for development within the District, the Council took the decision to commence work on a masterplan for the South Maldon Garden Suburb in advance of the adoption of the new Local Development Plan. The South Maldon Garden Suburb Strategic Masterplan Framework (SMF) was adopted as an SPD in March 2018. The purpose of the newly adopted SPD is to ensure that development of the South Maldon Garden Suburb takes place in a co-ordinated way.
- 5.17 The SMF includes a framework masterplan which is a spatial representation of the Local Development Plan policies, and establishes the land use parameters and strategic road infrastructure that will be delivered by the South Maldon Garden Suburb.



**Figure 4.2: South Maldon Garden Suburb Framework Masterplan & Key**

### South Maldon Garden Suburb Strategic Design Code

- 5.18 The vision and the framework contained in the South Maldon SMF sets the overarching physical structure for the new community; it was formed through a process of collaboration and consultation and encapsulates Maldon District Council's aspirations for the Garden Suburb community.
- 5.19 In March 2016, the Council adopted the South Maldon Garden Suburb Strategic Design Code. The purpose of this Strategic Design Code is to provide a greater degree of certainty to all involved on the aspirations for the design and quality of these structuring elements of the plans. The Design Code is intended to provide a level of guidance which can be used to ensure coherence and consistent high standards of design across the new community, irrespective of when it is built out or by whom.

## 6. Planning Considerations

- 6.1 This section of the Statement sets out the main planning considerations arising from the application proposals with reference to the OPP covering the wider site and the planning policy framework set out in the previous section.

### **Principle of Development**

- 6.2 The principle of development at the site is established through the planning policy context at the application site and the OPP at the wider site.
- 6.3 Policy S2 of the Local Development Plan states that the Council will plan for a minimum of 4,650 dwellings between 2014 and 2029. Policy S2 goes on to state that the majority of new strategic growth within the District will be delivered through sustainable extensions to Maldon, Heybridge and Burnham-on-Crouch in the form of Garden Suburbs and Strategic Allocations. The Local Development Plan recognises that, by containing the majority of growth within and adjacent to the main settlements, there are more opportunities for sustainable transport; maximising the potential of walking, cycling and public transport. This is particularly important at Maldon, Heybridge and Burnham-on-Crouch as this will enable a more sustainable pattern of development to be pursued. With regards to housing, the Maldon and Heybridge area has been chosen to be the major focus for development as it is the most sustainable area in the District in terms of access to employment, retail provision and community facilities. It is also one of the most accessible locations for access to the strategic road network and public transport provision.
- 6.4 As mentioned in Section 5 of this Statement, the application site forms part of the South Maldon Garden Suburb area. This area is expected to deliver 1,428 new residential dwellings, new employment floorspace and key infrastructure requirements.
- 6.5 As mentioned, the OPP was granted in 2016 for up to 1,000 dwellings and associated infrastructure across two parcels of land (LPA Application Ref. OUT/ MAL/14/01103). All matters, except for access, were reserved for future consideration. The OPP has since been varied and the extant planning permission at the wider site is FUL/MAL/20/00074. The applicant has purchased the eastern parcel of the wider site and is bringing forward the residential element on this parcel in two planning phases. The applicant has already secure approval for 200 new homes on Phase 1 and for 406 new homes on Phase 2.
- 6.6 The committee report for the previous scheme (LPA Application Ref. FUL/MAL/18/01449) noted that the principle of residential development of the site has been accepted as the site forms part of a larger area which is allocated for residential purposes in the Local Development Plan.
- 6.7 Given the above, the principle of the residential dwellings on this area of the site is considered wholly acceptable and accords with the aspirations of the NPPF and key planning policies within the Local Development Plan.

### **Affordable Housing**

- 6.8 At the national level, the NPPF recognises the difficulties faced by those wanting to own homes, and outlines an expectation that major housing developments will provide homes to be available for affordable home ownership. It requires local planning authorities to ensure that their policy documents reflect the housing needs of different groups in the community, including those who need affordable housing.
- 6.9 At the local level, Policy H1 of the Local Development Plan states that all housing developments of more than 10 units (or 1,000sqm) will be expected to contribute towards affordable housing provision to meet the identified need in the locality and address the Council's strategic objectives on affordable housing. The Council has set specific affordable housing requirements for various sub-areas within the District. With regards to the South Maldon Garden Suburb sub-area (which includes that application site), the affordable housing requirement is 30%.
- 6.10 With regards to mix, Policy H2 of the Local Development Plan states that all developments will be expected to provide a suitable mix and range of housing in terms of size, type and tenure to reflect local housing need and demand in both the market and affordable sector. Policy H2 goes on to state that wherever possible, affordable housing should be located in a way that ensures the homes are integrated with the rest of the development. In most cases this will mean in clusters of no more than 15 to 25 homes in one part of a development. The policy goes on to state that the design and appearance of affordable housing should also be indistinguishable from those built for the open market, meet standards detailed in the Maldon District Strategic Housing SPD, and be of a tenure recognised by the NPPF.
- 6.11 The proposed development will deliver 14 affordable units (33%) in accordance with Policy H1 of the Local Development Plan. It is proposed to provide a tenure split of 10 affordable rented units (71%) and 4 shared ownership units (29%). This echoes the requirement of the s106 Legal Agreement pursuant to the OPP covering the wider site, and is the same split as proposed as part of the refused application (were no objections were raised by the Council on affordable housing grounds).
- 6.12 At 14 dwellings clustering is not a policy concern with reference to Policy H2. In support of the application FINC Architects has prepared an 'Affordable Housing Plan'. This plan sets out the proposed location and position of the affordable housing units.
- 6.13 As set out at Table 4.2, a good mix of dwellings are proposed for the affordable units which will assist in creating a mixed and balanced community, both in isolation and in the context of the wider development, whilst meeting identified local needs in accordance with Policy H2 of the Local Development Plan.

### **Residential Mix**

- 6.14 Within the context of boosting the supply of homes, Paragraph 62 of the NPPF states that the size, type and tenure of housing needed for different groups in the community should be reflected in planning policies

(including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities and people who rent their homes).

- 6.15 At the local level, Policy H2 of the Local Development Plan states that the Council will expect new residential developments to provide a suitable mix and range of housing in terms of size, type and tenure to reflect local housing need and demand in both the market and affordable sector, particularly the need for an ageing population. Policy H2 encourages the provision of a greater proportion of smaller units to meet identified needs
- 6.16 The Council's updated District Local Housing Needs Assessment (LHNA) (May 2021) identifies the following requirements for new dwelling sizes as set out in table 6.1 below.

**Table 6.1 – Local Housing Needs Assessments**

	<b>1 Bed</b>	<b>2 Beds</b>	<b>3 Beds</b>	<b>4 + Beds</b>
<b>Market</b>	Up to 10%	25-35%	40-50%	15-25%
<b>Affordable Ownership</b>	15-25%	35-45%	25%-35%	5-15%
<b>Affordable Rented</b>	30-40%	30-40%	20%-30%	Up to 10%

- 6.17 The previous application at the site (LPA Application Ref. FUL/MAL/18/01449) was refused on the basis that the proposed market housing mix did not reflect local housing need and demand as it only included 17.4% one and two-bedroom units; below the recommendation of 60% with the SHMA at the time (2014).
- 6.18 The proposed mix is set out in the table below:

**Table 6.2 – Local Housing Needs Assessments**

	<b>1 Bed</b>	<b>2 Beds</b>	<b>3 Beds</b>	<b>4 + Beds</b>
<b>Market</b>	0 (0%)	8 (29%)	13 (46%)	7 (25%)
<b>Affordable Ownership</b>	2 (50%)	1 (25%)	1 (25%)	0 (0%)
<b>Affordable Rented</b>	4 (40%)	4 (40%)	2 (20%)	0 (0%)

- 6.19 As demonstrated above, the proposed development will provide a mix of dwelling sizes broadly compliant with the LHNA, both within the individual tenures but also overall. Whilst it is noted that the proposed mix is not compliant in the shared ownership tenure, it is important to reiterate that compliance with the LHNA specifically for the shared ownership units is not possible given that the scheme only includes 4 units in this tenure.
- 6.20 The range of dwellings proposed will assist in creating a mixed and balanced community, both in isolation and in the context of the wider development, whilst meeting identified local needs in accordance with Policy H2 of the Local Development Plan.

### Residential Quality

- 6.21 The proposed development will provide high quality residential accommodation. In designing the proposed dwellings, specific attention has been given to the Maldon Design Guide, the Essex Design Guide and relevant planning policies within the Local Development Plan. Specific aspects relating to residential quality are addressed below.

#### Internal Space Standards

- 6.22 All of the proposed dwellings provide generous internal space, the design of which follows the Phase 1 and Phase 2 developments of the OPP of the wider site. All of the proposed dwellings are NDSS compliant.

#### External Private Amenity Space

- 6.23 Policy D1 of the Local Development Plan requires all development to provide sufficient and usable private amenity spaces. The policy does not set any specific standards. The Essex Design Guide provides standards for residential units, stating that 1-2 bedroom houses should provide 50sqm and 3+ bedroom houses should provide 100sqm of amenity space.
- 6.24 Each of the proposed dwellings is provided with private amenity space in the form of rear gardens which meet the minimum standards set out within the Essex Design Guide. The proposals therefore accord with Policy D1 of the Local Development Plan and the Essex Design Guide standards with regards to private amenity space.

#### Children's Play Space

- 6.25 Whilst no children's play space is provided within the application site, the wider development on the eastern parcel includes a Neighbourhood Equipped Area of Plan, a Local Equipped Area of Plan, formal sports pitches and informal areas of play, all of which are within a short walk from the application site. It is considered that the provision of children's play space within the wider development is sufficient to meet the demands of the proposed dwellings, as well as the remainder of the residential units on the eastern parcel.

#### Aspect

- 6.26 Maldon Design Guide Part C21 looks for layouts to avoid single-aspect dwellings. All of the proposed dwellings are multi aspect and all of the units benefit from a policy-compliant sized garden. The proposals therefore accord with Part C21 of the Maldon Design Guide.

#### Noise

- 6.27 In support of the proposed development at the site a Noise Assessment has been undertaken for the residential dwellings. The report demonstrates that suitable internal noise levels can be achieved within the residential dwellings subject to appropriate glazing and building envelope elements as specified within the report.

### Air Quality

- 6.28 In support of the proposed development at the site an assessment has been undertaken to establish whether the site is suitable for residential uses in terms of air quality. The results of this assessment are included within the 'Air Quality Assessment' submitted in support of the application. The report demonstrates that there are no predicted exceedances of the annual mean NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> objectives at proposed receptor locations within the development site. Air quality within the site will therefore be acceptable for future residents without the need for mitigation.

### Summary

- 6.29 It is considered that the proposed development would provide units sufficient size, that benefit from multi aspect and generous private amenity space. The proposals would therefore deliver high quality residential accommodation in accordance with the relevant design guides and planning policy.

### **Design**

- 6.30 Paragraph 126 of the NPPF states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 130 goes on to state that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 6.31 At a local level, Policy D1 of the Local Development Plan states that all developments must:

1. Respect and enhance the character and local context and make a positive contribution in terms of:
  - a. Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;
  - b. Height, size, scale, form, massing and proportion;
  - c. Landscape setting, townscape setting and skylines;
  - d. Layout, orientation, and density;
  - e. Historic environment, particularly in relation to designated and non-designated heritage assets;
  - f. Natural environment, particularly in relation to designated and non-designated sites of biodiversity/geodiversity value; and
  - g. Energy and resource efficiency.
2. Provide sufficient and usable private and public amenity spaces, green infrastructure and public open spaces;
3. Contribute positively towards the public realm and public spaces around the development;
4. Protect the amenity of surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight;
5. Include safe and secure vehicle and cycle parking, having regard to the Council's adopted parking standards;
6. Maximise connectivity within the development and to the surrounding areas, including the provision of high-quality and safe pedestrian, cycle and, where appropriate, horse riding routes;
7. Maximise opportunities for sport and physical activity;
8. Contribute to and enhance local distinctiveness;
9. Incorporate design measures to reduce social exclusion, the risk of crime and the fear of crime; and
10. Encourage inclusive design and effective use of internal and external space.

6.32 The proposals have been design-led from the outset in order to create a high quality new development at the site which responds to the Council's aspirations for the site. A detailed description of the main design principles underpinning the proposed development is set out within the Design and Access Statement prepared by FINC Architects.

### Layout

6.33 Policy D1 of the Local Development Plan states that all developments must respect and enhance the character and local context and make a positive contribution in terms of layout, orientation and density.

6.34 The OPP established the quantum of development and the structure of the layout with regards to access, building heights, movement, green infrastructure and densities through the medium of parameter plans.

- 6.35 The committee report for the previous scheme notes that the land parcel is quite narrow but that the layout has followed the approved Phase 1 and Phase 2 layouts for back to back garden layout with the principle elevations facing the Primary Street, Limebrook Corridor and internal streets. The layout of the proposed scheme continues to follow the design principles set by the parameter plans and Design Codes relating to the OPP to adequately respond to the immediate and wider context. The proposed scheme also accords with the back to back distances set out within the Essex Design Guide.
- 6.36 The layout of the proposed development will create a coherent, accessible and well defined place. The proposed development is considered to accord with the NPPF, Policy D1 of the Local Development Plan and the OPP with regards to layout.

### Scale, Height and Massing

- 6.37 Policy D1 of the Local Development Plan requires all developments to respect and enhance the character and local context and make a positive contribution in terms of scale, height and massing.
- 6.38 The proposed development exclusively contains two storey buildings and single story garages. The height of buildings accords with the 'Storey Heights Parameter Plan' associated with the OPP for the wider site.
- 6.39 In support of this application, FINC Architects have prepared a 'Storeys Heights Plan' which shows compliance with the relevant Parameter Plan associated with the OPP for the wider site.
- 6.40 The proposed development is considered to accord with the NPPF, Policy D1 of the Local Development Plan and the OPP with regards to scale, height and massing.

### Appearance

- 6.41 Policy D1 of the Local Development Plan requires all development to respect and enhance the character and local context and make a positive contribution in terms of Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate.
- 6.42 As established in Section 4 of this Statement, the wider development across the eastern parcel is divided into three distinct character areas, two of which cover the addition dwellings site (Garden Suburb East and Green Cushion). The appearance of the addition dwellings follow the design principles of the two character areas.
- 6.43 In support of the application, FINC Architects have prepared a 'Materials Layout Plan' which shows the type and location of materials to be used.
- 6.44 The proposed development is considered to accord with the NPPF, Policy D1 of the Local Development Plan and the OPP with regards to appearance.

### Summary

- 6.45 In summary, the proposals will deliver a high quality scheme which ties in with the development across the wider parcel. Whilst not directly relevant, the proposals accord with the parameter plans and design codes of the OPP of the wider site.

### **Residential Density**

- 6.46 Whilst the NPPF does not set out any prescriptive guidance with regards to residential density, it supports development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
- b) local market conditions and viability;
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
- d) the desirability of maintaining an area's prevailing character and setting, or of promoting regeneration and change; and
- e) the importance of securing well-designed, attractive and healthy places (Paragraph 122).

- 6.47 At the local level, Policy H4 of the Local Development Plan requires proposals for residential development to be design-led and seeks to optimise the use of land, having regard to the following considerations:

- the location and the setting of the site;
- the existing character and density of the surrounding area;
- accessibility to local services and facilities;
- the capacity of local infrastructure;
- parking standards;
- proximity to public transport; and
- the impacts upon the amenities of neighbouring properties.

- 6.48 The Council will take a flexible approach to housing density by emphasising the need for all housing developments to incorporate high quality design and take into account all sustainability considerations, including parking provision, local character, specific local needs and constraints.

- 6.49 It's worth noting that the OPP for the wider site includes a 'Residential Density Parameter Plan' which specifies density ranges across the wider site. The application site is located within an 'medium density' area which is given a density range of 30-35dph.

- 6.50 Policy S2 states that the District will plan for a minimum of 4,410 dwellings between 2014 and 2029 (294 per annum) including provision for market housing, affordable housing to meet their objectively assessed need. The latest Housing Land Supply Statement (April 2021) provides evidence that the Council is able to only demonstrate a supply of specific deliverable sites sufficient to provide for 3.26 years' worth of housing against the Council's identified housing requirements.
- 6.51 In addressing the reason for refusal for the previous application at the site the applicant has increased the proportion of one and two bedroom units. This has resulted in an opportunity to increase the total number of new homes being delivered to optimise the use of the site in line with national and local planning policy and guidance, whilst still according with the requirements of the Council's LHNA and other policy considerations.
- 6.52 Whilst the total number of units has increased from the refused scheme, other factors have decreased as show in the table below.

	Refused Proposals (LPA Ref. 18/01439/FUL)	Current Proposals
<b>Number of Units</b>	33	42
<b>Number of Bedrooms</b>	108	109
<b>Total Floorspace (including garages)</b>	3922sqm	3905sqm
<b>Total Building Footprint (including garages)</b>	2453sqm	2387sqm

- 6.53 The resulting residential density of the proposed development is 30dph. The proposals have been designed to accord with the Design Code and the 'Land Use Parameter Plan' and have been design-led from the outset. The resulting density also represents an increase from the previously refused scheme (24dph) which was considered appropriate by officers at the Council.
- 6.54 The proposed number of new homes and the resulting residential density is a product of the design approach, the parameters of the OPP and the planning policy framework. As demonstrated in the sections above and below, the proposals do not give rise to unacceptable harm and do not show any symptoms of over development. The new homes are all dual aspect, all have generous internal space, all have rear gardens which accord with the Essex Design Guide, all have car parking and cycle parking which accords with the Maldon Design Guide, and all achieve separation distances in accordance with the Essex Design Guide.
- 6.55 The provision of 42 additional dwellings on the eastern parcel is fully in line with the Council's strategic growth strategy for the District which looks to deliver new homes adjacent to the existing settlement of Maldon and will contribute to Maldon's housing targets. The proposed development has been designed in the context of the parameter plans and Design and Access Statement of the OPP as well as the Design Code for the South Maldon Garden Suburb so that it ties in with, and doesn't prejudice, the delivery or quality of the OPP scheme.
- 6.56 The resulting residential density therefore accords with Policy H4 of the Local Development Plan.

### Transport

6.57 In the context of assessing specific applications for development, Paragraph 108 of the NPPF looks to ensure that:

- appropriate opportunities to promote sustainable transport modes can be - or have been – taken up, given the type of development and its location;
- safe and suitable access to the site can be achieved for all users; and
- any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

6.58 Importantly, Paragraph 109 goes on to state that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

6.59 Paragraph 113 requires all developments that will generate significant amounts of movement to provide a Travel Plan, and the application should be supported by a Transport Statement or Transport Assessment so that the likely impacts of the proposal can be assessed.

6.60 At the local level, Policy D2 of the Local Development Plan seeks to reduce the need to travel, particularly by private vehicle, by encouraging sustainable transport methods. Policy H4 also looks to optimise the use of land in terms of its proximity to public transport.

6.61 In accordance with Paragraph 113 of the NPPF, a Transport Statement has been prepared in support of the application. Various transport matters are discussed below.

### Access

6.62 Access to the redevelopment scheme parcel is taken from the Southern Spine Road via:

- 1 x Type F Minor Access – combined pedestrian and vehicular shared surface 6m wide; and
- 2 x Shared private drives – 5.5m for the first 6m tapering down to a lesser width.

6.63 The highway layout has been designed with consideration to the Essex Deigns Guide, MDC's Design Codes within the South Maldon Garden Suburb document and Manual for Streets, with emphasis on keeping traffic speeds within the target of 20mph and allow for convenient pedestrian / cycle movement.

6.64 The southern spine road from which the redevelopment scheme takes access comprises a connection between the northern spine road and Fambridge Road, and is a 6.75m wide carriageway with 1 x 3.5m foot / cycleway and 1 x 2m footway along with 3m wide tree-lined verges either side.

- 6.65 Traffic calming narrowings are proposed along this route to keep traffic speeds within the target of 20mph. Horizontal deflection has been used rather than vertical in this instance, as this will form part of a bus route.
- 6.66 Uncontrolled crossing points have been provided along its length providing connections through the garden suburb greenways and linking the development to the school and commercial areas.

### Trip Generation

- 6.67 Guidance on Transport Statements published by the Departments for Transport and Communities & Local Government (DfT / DCLG) does not set out any firm threshold at which the impact of development traffic should be assessed but suggests a figure of 30 movements during peak hours as “a starting point for discussions”. Although the DfT / DCLG guidance was withdrawn in October 2014, ECC has advised that it should still be used until it has developed its own replacement guidance.
- 6.68 The Transport Statement demonstrates that the proposed development is expected to result in an increase of 22-24 two-way trips in weekday am and pm peak hours respectively. The predicted increase in traffic resultant from the proposed development is below the 30 movements threshold, and therefore the traffic impact of the additional dwellings is considered minimal.
- 6.69 The trips assessment shows a move away from the private car towards more sustainable modes of transport. This is strongly promoted and supported by planning policy and guidance at all levels.

### Car Parking

- 6.70 Policy D1 of the Local Development Plan requires car parking to be provided in accordance with MDC's adopted Vehicle Parking Standards SPD (November 2018). The Maldon District Design Guide provides detailed guidance on the design and layout of parking spaces. The design and layout of parking spaces in developments are expected to follow the design principles set out in the Maldon District Design Guide. Where the development proposal is within an area covered by a Strategic Masterplan Framework, then that Framework and the associated Design Codes will take precedence over the Maldon District Design Guide.
- 6.71 Pre-application discussions with MDC Officers confirmed that the MDC adopted standards should be used at the site in terms of quantum of spaces, as set out below:
- 1 bed dwelling – a maximum of 1 space;
  - 2-3 bed dwelling – a maximum of 2 spaces;
  - 4 bed dwelling – a maximum of 3 spaces; and
  - Visitors – a maximum of 0.5 per dwelling.
- 6.72 The proposals include 91 car parking spaces, comprising 82 allocated spaces and 9 visitor spaces.

- 6.73 The MDC standards allow for a maximum of 85 private parking - 1 per 1 bed (8), 2 per 2-3 bed (62) and 3 per 4 bed (15) and a maximum of 22 visitor parking spaces, the proposals therefore accord with the minimum car parking spaces required for the development.

### Cycle Parking

- 6.74 The Maldon Design Guide requires cycle storage to be secure and easily accessible and is integral to the design of the scheme. The Maldon district vehicle parking standards spd does not require the provision of cycle parking if garages are provided, however it requires 1 per 1-bedroom dwelling, 2 for 2-bedroom or more dwellings and 1 visitor space every 8 dwellings.
- 6.75 A total of 42 secure and covered cycle parking spaces will be provided for the residential dwellings in rear gardens. This equates to one space per dwelling.
- 6.76 The proposed development therefore accords with the Maldon district vehicle parking standards SPD and the approved quantum in the Phase 1 and Phase 2 development.

### Refuse

- 6.77 In support of this application, FINC have prepared a 'Refuse Strategy Plan' (Drawing No. 22.1644.204 Rev. A) which details that the refuse vehicles will have access to the two main internal roads to the site. The vehicles will also transfer off the two shared private drives within the internal road network. Dwellings along the spine road will transfer their refuse along the spine road.

## **Energy & Sustainability**

- 6.78 The NPPF encourages local planning authorities to adopt proactive strategies to mitigate and adapt to climate change.
- 6.79 At the local level, Policy D2 of the Local Development Plan requires all developments to minimise energy demand and greenhouse gas emissions, maximise the use of energy from decentralised and renewable or low-carbon sources, unless this is not feasible or viable. In addition, any such provision should be operational before any building is occupied.
- 6.80 The proposed development has been designed to generate a total reduction in CO<sub>2</sub> emissions of 3.35% over the TER AD L 2013. This energy standard is delivered through a fabric-first approach, contributing to the delivery of sustainable new homes at the wider parcel. A combination of demand-reduction measures and energy-efficiency measures will deliver the applicant's target for on-site reduction in CO<sub>2</sub> emissions. The integration of a fabric-first approach leads to an acceptable level of CO<sub>2</sub> reductions which exceeds the target energy standard for the wider development. Consequently, the incorporation of renewable energy is not required.

6.81 As such, the proposed development accords with the guiding principles of the NPPF and Policy D2 of the Local Development Plan, and the energy strategy for the wider development.

### **Flood Risk & Drainage**

6.82 The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.

6.83 At the local level, Policy D5 of the Local Development Plan states that all development must:

- 1) not increase flood risk (including fluvial, surface and coastal) on site and elsewhere;
- 2) be located in areas where the use is compatible with national planning policy;
- 3) demonstrate that the Sequential Test and, where necessary, Exception Test has been satisfactorily undertaken in accordance with national planning policy; and
- 4) demonstrate how it will maximise opportunities to reduce the causes and impacts of flooding (including fluvial, surface and coastal) through appropriate measures such as Sustainable Drainage Systems (SuDS), flood resilient design, safe access and egress, incorporating identified flood response plans, as well as making best use of appropriate green infrastructure as part of the flood mitigation measures.

6.84 The policy goes on to state that development should also have regard to the aims and objectives of other relevant strategies including the Maldon and Heybridge Surface Water Management Plan and any other approved national and local SuDS standards.

6.85 In support of the planning application Ardent Consulting Engineers have produced a Flood Risk Assessment (FRA) for the proposals. As the wider site has already secured OPP, the overall development is deemed to have passed the Sequential and Exception tests.

6.86 The FRA aims to establish that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

6.87 The FRA notes that the site is afforded protection from tidal flooding by the presence of flood defences on the Blackwater Estuary. There is a residual risk of flooding in the event these defences are breached or are overtopped. The maximum anticipated flood level at the site during the 1 in 200 annual probability event plus (upper end) climate change breach scenario is 6.038 m AOD. Minimum ground elevations on the Phase 4 site are 6.15 m AOD thereby ensuring all units are elevated above the anticipated maximum flood level. Finished Floor Levels off all units are set as a minimum to 6.30 m AOD (i.e. 150 mm above adjacent ground levels) and are therefore elevated above the 1 in 1000 annual probability event plus (upper end) climate change breach scenario maximum flood level (6.254 m AOD).

6.88 The FRA demonstrates that the surface water drainage proposed within the eastern parcel is designed in accordance with the drainage design parameters agreed with ECC. It also demonstrates that the strategic foul and surface water network can adequately accommodate the additional development flows.

6.89 Given the above, the proposed development accords with the guiding principles of the NPPF and Policy D5 of the Local Development Plan with regards to flood risk and drainage.

### **Ecology & Arboriculture**

6.90 Policy N2 of the Local Development Plan states that all developments should seek to deliver net biodiversity and geodiversity gain where possible. Policy N2 goes on to state that any development which could have an adverse effect on sites with designated features, priority habitats and / or protected or priority species, either individually or cumulatively, will require an assessment as required by the relevant legislation or national planning guidance. If any protected species and / or priority habitats / species or significant local wildlife are found on site, or their habitat may be affected by the proposed development, the proposal must make provision to mitigate any negative biodiversity impacts it may create.

6.91 In accordance with Policy N2, a Preliminary Ecological Appraisal has been prepared by SES and is submitted in support of this application.

6.92 The Preliminary Ecological Appraisal sets out that all of the ecological features will have either a neutral or minor positive residual effect.

6.93 The following mitigation and enhancement measures will be included within the development scheme:

- Payment of tariff for the creation of 42 new dwellings according to Essex Coast RAMS;
- Provision of open green space on site;
- Precautionary measures sensitive to badgers;
- Provision of wildlife friendly landscaping;
- Provision of integrated bat boxes and wildlife friendly landscaping;
- Any vegetation clearance to take place outside of nesting bird, reptile and hedgehog hibernation season;
- No works to take place within the 9m buffer put in place by the Environmental Agency;
- Where crossing or landscaping is required, works will take place under an ecologically sensitive method statement;

- Water-vole friendly planting within brook and banks;
- No works to take place within the 9m buffer put in place by the Environmental Agency;
- Installation of bird boxes; and
- Sensitive lighting strategy throughout the proposed development.

6.94 In addition to the above, SES has prepared an Arboricultural Method Statement. The report concludes that the proposals do not require the removal of any trees. And that the root protection area of the only tree on site (T40) is not affected by the proposal. If the proposed mitigation methods including accordance with tree protection barriers, ground protection and hand excavate only measures are followed, the proposed works should be achievable in arboricultural terms.

6.95 With the identified measures in place, it is considered that the proposed development will not result in an adverse impact with regards to ecology. Instead, the proposed development will result in a net increase in biodiversity across the site. As such, the proposed development accords with Policy N2 of the Local Development Plan.

### **Ground Conditions & Contamination**

6.96 Paragraph 185 of the NPPF states that planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazard's or former activities such as mining , and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation).

6.97 At the local level, Policy D2 of the Local Development Plan states that, where appropriate, development will include measures to remediate land affected by contamination and locate development safely away from any hazardous source.

6.98 In support of the proposed development at the site, a Ground Investigation Report has been prepared by RSK and is submitted with the application. Available historical data associated with the site indicates that no previous development of the land has occurred, and it has been used for agricultural purposes since the first historical map in the 1880's to the present time. It is considered unlikely that any significant contaminative activities have been undertaken on the site. The initial conceptual site model did not identify any significant potential sources of contamination.

- 6.99 The site investigation works confirmed the results of the desk study that the site is directly underlain by topsoil over Head Deposits, with London Clay Formation beneath. Only localised made ground was encountered in trial pit TP109. The previous works encountered glaciofluvial deposits along the northern boundary of the wider eastern parcel. It is unlikely that any glaciofluvial deposits are present within the development area proposed for the additional units.
- 6.100 Only limited scope of chemical testing was undertaken during the previous site investigation works. No chemical testing was completed within the application site, however, considering only localised presence of the made ground, contaminated soils representing risk to future site occupiers are unlikely to be present.
- 6.101 The report recommends that no further assessment or remedial measures are considered necessary, and the site area for the additional dwellings is considered suitable for the proposed residential end use.
- 6.102 Given the above, it is considered that the proposals accord with the guiding principles of the NPPF and Policy D2 of the Local Development Plan with regards to ground conditions.

## 7. Summary and Conclusion

- 7.1. This Planning Statement has been prepared in support of a detailed planning application submitted to MDC on behalf of Taylor Wimpey (London) to provide 42 residential dwellings on the eastern parcel of the wider 'Land South Of Wycke Hill And Limebrook Way' site.
- 7.2. The proposals will provide a wide range of key planning and regeneration benefits for the site and surrounding area. These benefits include:
- the delivery of much needed market and affordable housing (42 homes, with 33% affordable housing);
  - the delivery of well-designed homes in a garden suburb setting;
  - the inclusion of a range of house types and sizes (including family dwellings and smaller dwellings), which will help to create a mixed and balanced community; and
  - the provision of financial and non-financial planning obligation contributions.
- 7.3. This Statement has assessed the material considerations arising from the proposals against the prevailing planning policy framework and has demonstrated that the scheme complies with the relevant national and local planning policy and guidance. It has also demonstrated that the proposed development accords with the parameters and design codes of the OPP covering the wider site. It is therefore respectfully requested that the proposals are recommended for approval at the earliest opportunity.