



PART OF HENRY BOOT

Land at Steeple Road

Latchingdon



PLANNING STATEMENT

September 2025

**PLANNING AND
AFFORDABLE HOUSING
STATEMENT**

Land at Steeple Road, Latchingdon

On behalf of Hallam Land

September 2025

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0. EXECUTIVE SUMMARY

0.1 This Application seeks outline planning permission for the following:

Up to 120 dwellings, safeguarded land for potential school expansion, children's play space, new access from Steeple Road, pedestrian and cycle connections, landscaping and biodiversity enhancements, sustainable drainage infrastructure, and associated works.

- 0.2 The Site currently sits outside of, but adjoins the settlement boundary of, Latchingdon – one of the larger villages in Maldon District, which benefits from a number of facilities and services, and is considered a sustainable settlement to direct some growth.
- 0.3 The existing Development Plan insofar as it relates to proposals that include the provision of additional housing is out of date, with settlement boundaries having been formulated on the basis of a substantially smaller housing requirement than the District currently faces, and the District is significantly short of being able to demonstrate a five-year housing land supply. Furthermore, there is evidence of a level of affordable housing need that cannot be addressed through the current Development Plan.
- 0.4 In such circumstances, the Proposed Development's provision of up to 80 market homes represents a significant benefit that should be afforded substantial weight in consideration of the Application.
- 0.5 Similarly, the provision of up to 40 affordable homes will make a very meaningful contribution towards meeting local affordable housing needs. Given the severity of the social and economic harms of failing to provide sufficient affordable homes for the local community, this is considered a very significant benefit that merits at least substantial weight in favour of the Application.
- 0.6 The provision of homes would also result in social benefits in terms of supporting the vitality of the village; economic benefits in terms of jobs generated directly and indirectly as a result of construction, as well as jobs supported in the locality as a result of additional expenditure from new residents moving into the new development; and environmental benefits, including biodiversity net gain which will be achieved through ecological enhancement proposed to accompany the development. All of the aforementioned attract weight in favour of the Application.

- 0.7 The Application is supported by a suite of technical assessment work and studies that demonstrate a lack of any significant harm that the Proposed Development would cause, or that potential harms can be mitigated, including through planning obligations.
- 0.8 The harms that would result from the Proposed Development are effectively limited to the loss of greenfield land, and localised landscape and visual impacts resulting from the development of an undeveloped site. The weight to be afforded to these should be tempered by the fact that, as the Council's emerging Local Plan makes clear, loss of some greenfield land in the District is inevitable if development needs are to be met.
- 0.9 The above benefits compared to harms, particularly in the context of the 'tilted balance', would generally constitute grounds for consenting development when applying the planning balance.
- 0.10 In the case of this Application, the Proposed Development would deliver additional benefits that attract further weight in favour of the Application. The Site adjoins the existing village primary school (Christchurch Church of England Primary School). A 0.83 form entry school which currently lacks room to expand, and for which current access arrangements give rise to concerns for pupils, parents / carers, and staff, as well as having an impact on the amenity of existing residents.
- 0.11 The Proposed Development entails provision of additional land adjoining the School site to be made available to enable the School to increase to two form entry should pupil demand necessitate, as per the Essex County Council's aspirations for primary schools in Essex as a whole, and as supported by the operators of the School specifically.
- 0.12 The scheme has been future-proofed should the designated expansion land come forward. This includes a potential new school frontage that could provide a new entrance to the school as well as new connections for pedestrians and cyclists, and informal drop-off / pick-up for pupils being transported by car.
- 0.13 The land to enable school expansion and the improvements to the school access arrangements are both benefits that this Site is uniquely able to deliver, and are each considered to be significant benefits that should both be afforded substantial weight in the planning balance.
- 0.14 Having regard to all of the above, the Application it is considered that even if one were to apply the 'flat balance', the scale of the benefits versus the limited harms would mean the Application merited approval.
- 0.15 When the benefits relative to harms are assessed in the context of the tilted balance, then clearly it is more evident still that the Application merits consent.

1. INTRODUCTION

The Planning Statement

- 1.1 This Planning and Affordable Housing Statement ('the Statement') is submitted on behalf of Hallam Land ('the Applicant') in support of an outline planning application (with all matters reserved except for vehicular access) for development of land at Steeple Road, Latchingdon ('the Site')
- 1.2 Outline planning permission is sought for the construction of up to 120 dwellings, land to be utilised for potential school expansion, children's play space, new access from Steeple Road, pedestrian and cycle connections, landscaping and biodiversity enhancements, sustainable drainage infrastructure, and associated works ('the Proposed Development').
- 1.3 Matters relating to appearance, layout, scale and landscaping are reserved for future consideration. However, the application is supported by a Land Use Parameter Plan, Illustrative Masterplan and comprehensive Design and Access Statement which includes illustrative parameter plans setting out how the Site could come forward at the reserved matters stage, and demonstrating that the quantum of development for which planning permission is sought can delivered through a high-quality scheme.
- 1.4 This Statement provides a detailed overview of the Site and the Proposed Development, as well as an assessment of the planning merits of the Application having regard to the Development Plan and other material planning considerations.
- 1.5 The Statement is structured as follows:
 - Section 2** provides context to the Site and surrounding area.
 - Section 3** provides a summary of the Proposed Development.
 - Section 4** sets out the relevant planning policy framework relevant to the Application, including the Development Plan as well as other material considerations.
 - Section 5** provides an assessment of the Proposed Development against the Development Plan and other material considerations.

Section 6 considers the planning balance, weighing the identified benefits of the Proposed Development against potential harms.

1.6 This Statement should be read alongside the full package of plans and drawings submitted with the Application, together with the accompanying specialist reports. These comprise his Statement should be read in conjunction with the following supporting documents:

- Application and Ownership forms prepared by Ceres Property
- Covering Letter prepared by Ceres Property
- Statement of Community Involvement prepared by Ceres Property
- Design and Access Statement prepared by Define
- Site Location Plan prepared by Define
- Parameter Plan prepared by Define
- Illustrative Masterplan prepared by Define
- Flood Risk Assessment & Drainage Strategy prepared by PJA
- Framework Residential Travel Plan prepared by Evoke
- Transport Assessment prepared by Evoke
- Landscape and Visual Impact Assessment prepared by Define
- Biodiversity Net Gain Report prepared by FPCR
- Biodiversity Net Gain Metric
- Ecological Impact Assessment prepared by FPCR
- Shadow Habitat Regulations Assessment prepared by FPCR
- Arboricultural Assessment prepared by FPCR
- Historic Environment Desk-Based Assessment prepared by Orion
- Preliminary Risk Assessment prepared by Brookbanks
- Utilities Assessment prepared by Brookbanks
- Air Quality Assessment prepared by Logika Group
- Noise Impact Assessment prepared by Logika Group
- Agricultural Land Classification Survey prepared by Land Research Associates
- Sustainability Statement prepared by Turley
- Health Impact Assessment prepared by Ceres Property

Hallam Land

- 1.7 Hallam Land is a promoter with considerable experience and strong track record in bringing forward site to deliver much needed new homes, including affordable housing, across a wide range of schemes across England, Scotland, and Wales in a sustainable manner accompanied by necessary infrastructure improvements.
- 1.8 Their approach prioritises genuine collaboration, working closely with landowners, local authorities, and communities to realise development opportunities.
- 1.9 Hallam Land has delivered over 52,000 new homes. In just the last four years, its schemes have secured planning consent for over 15,000 new homes, including 4,300 affordable homes, and delivered a wide range of community benefits such as open spaces, play areas, sports pitches, education and healthcare facilities, and community buildings.

2. SITE & SURROUNDINGS

The Site

- 2.1 The Site lies immediately north of Latchingdon, adjoining the existing development and settlement boundary of the village.
- 2.2 The Sites comprises approximately 7.46 ha of predominantly arable land.
- 2.3 The land is generally flat, is subdivided by hedgerows with occasional trees, and contains no permanent buildings or water features.
- 2.4 The Site sits outside the defined settlement boundary of Latchingdon as shown on the adopted policies map, its southern and western edges adjoining the existing settlement edge.
- 2.5 The Site is bounded to the north and east by further agricultural land, with Steeple Road running along the eastern extent. To the south and west the Site adjoins the main built-up area of Latchingdon; the western boundary immediately abuts Christchurch Church of England Primary School.
- 2.6 A narrow, approximately 3-metre strip of land provides a direct connection between the Site and Steeple Road, running between 10a and Holden House. Vehicular access is available from existing field entrances off Burnham Road (B1018) and Steeple Road; additional pedestrian connections are proposed from the south, west and east to integrate the Site with the village.
- 2.7 There are a number of Grade II listed buildings within Latchingdon, including the parish church south of Steeple Road; none of these heritage assets are within the Site, but the Application has nevertheless considered their significance and the potential impact of the Proposed Development on their setting.
- 2.8 The Site is not subject to any national or local landscape designations and is not covered by statutory or non-statutory ecological designations. However, it lies within the zone of influence identified by the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) for nearby estuarine protected sites (including the Blackwater Estuary, Dengie and Crouch and Roach estuaries and associated Ramsar/SPA/SAC designations), and this constraint will be addressed as part of the supporting environmental work.

- 2.9 The majority of the Site is located within Flood Zone 1 (low probability of flooding), with the northern portion encroaching into Flood Zones 2 and 3. Flood risk considerations will therefore inform the development layout and mitigation measures.
- 2.10 There are no Public Rights of Way crossing the Site.

Christchurch Church of England Primary School

- 2.11 As noted above, the Site immediately adjoins the village Christchurch Church of England Primary School.
- 2.12 The school is an Academy School that is part of the Diocese of Chelmsford Vine Schools Trust.
- 2.13 It is a 0.83 form entry school (1FE) with a capacity of 175 pupils, and serves pupils aged 4–11. The School had 122 pupils enrolled as of April 2024.
- 2.14 There is childcare provision available on the school site. This is run by a separately registered childcare provider.
- 2.15 Christchurch Church of England Primary School was subject of an Ofsted inspection in May 2023. This rated the School's overall effectiveness as 'requires improvement'.
- 2.16 Recently consented growth to the south of the School is anticipated to generate additional school demand – approximately 48 pupils at full build-out.
- 2.17 The school occupies a site that measures c.1.2 ha and fronts The Street to the south, and adjoins exiting residential development to the west. The physical school buildings are concentrated on the southern part of the site. The northern part of the Site comprises the school's playing fields.
- 2.18 The sole vehicular access into the site is achieved via Meadow Way, a narrow residential street and part of the residential area to the west of the school built in the 1960s and 1970s.
- 2.19 There are concerns about traffic congestion and parking at Christchurch Church of England Primary School in Latchingdon, Essex, particularly during drop-off and pick-up times. The school has implemented a Voluntary One-Way System since May 2023 to help ease congestion. Parents and carers are asked to enter via The Street, proceed through Ramsey Chase, Meadow Way, Ludgrove, and exit back via The Street to keep traffic flowing in one direction, for safety reasons. The school also reminds parents to be considerate when parking and not to block access points, and clarifies that the school car park is for staff and permitted use only, not for drop-off/pick-up parking. These

measures were introduced following many complaints from parents, carers, and local residents about congestion issues at these times, indicating ongoing concerns with traffic and parking around the School.

2.20 There is also pedestrian access to the School via The Street.

The Settlement

2.21 Latchingdon is a village and Parish situated on the Dengie Peninsula, within Maldon District.

2.22 It is a well-established community with a long history, with references to Latchingdon dating back to the 11th century.

2.23 The settlement significantly grew in size over much of the 20th century, in particular during the 1960s which saw significant new development.

2.24 The 2021 Census estimated the population of Parish to be 1,439 people.

2.25 The village benefits from a range of day-to-day services and community facilities, including local shops, healthcare provision, veterinary services, a village hall, recreational clubs, a garage, and a public house.

2.26 Latchingdon is designated in the current Development Plan as a 'rural village'. However, the Council has updated its evidence base since in terms of the District's settlement's characteristics in the form of the Maldon District Rural Facilities Survey and Settlement Pattern (2023). This seeks to apply an empirical analysis and objective approach to the categorisation of the District's settlements, awarding 'points based on the availability of services, facilities, employment opportunities, transport, etc.

2.27 Maldon District Rural Facilities Survey and Settlement Pattern sets out the following as the broad list of services and facilities available in Maldon:

"School, shop, other shop, nursery, commuter and shoppers bus service, allocated employment land, 15 mins from a town, petrol station, hall, outdoor sports, 15 mins from a railway station, post office, allotments"

2.28 The survey awards Latchingdon a total of 117 points, making it the fourth highest 'scoring'. Notably, this 'score' means the settlement sits well within the 'Larger Village' category, which includes settlements with scores ranging from 78 to 208.

- 2.29 As part of the preparation of a new Local Plan for the District, the Council considered various growth options at an Extraordinary Council meeting on 17 June 2025. Latchingdon was identified as a large village, and considered to be appropriate for some growth.
- 2.30 The recently granted outline permission for the Latchingdon Gardens development (ref. 22/01174/OUTM), located to the south-east of the Site, proposes up to 160 dwellings, an office hub, land for a children's day nursery and associated green/blue infrastructure. The delivery of this permission will thus provision additional facilities for the village.

Planning History

- 2.31 Maldon District Council planning records that are available online suggest there is no relevant planning application history for the Site itself.
- 2.32 Separately, the Site is being promoted through the new Local Plan process as a potential residential allocation.
- 2.33 The Site principally comprises land referenced as LD5 in the Council's plan-making process, but also includes elements of LD12. As discussed later within this Statement, both LD5 and LD12 have been considered through the Council's Housing and Economic Land Availability Assessment (HELAA) (2023).

3. DEVELOPMENT PROPOSALS

The Proposed Development

3.1 The Application is made in outline, with all matters reserved for future consideration except for the proposed means of access from Steeple Road. The parameter plan allocates approximately 3.63 hectares for residential development. The description of development is as follows:

“Construction of up to 120 new homes, land for primary school expansion, formation of a new access from Steeple Road, green infrastructure including landscape planting, habitat creation and open space, drainage infrastructure including a new pumping station, pedestrian and cycle routes, and associated works and infrastructure.”

3.2 The Proposed Development will, specifically, comprise:

- Up to 120 new homes, offering a mix of house types from 1 to 5 bedrooms, with a range of private and affordable tenures (40% affordable housing);
- 1 ha to be utilised for the future Christchurch C of E Primary School expansion from 0.83 Form Entry up to 2 Form Entry;
- Children’s play provision within a centrally located ‘Central Park’;
- A potential new school entrance and drop-off/pick-up facility, with pedestrian and cycling link to Christchurch C of E Primary School;
- A new pedestrian and cycle connection from the site to Steeple Road;
- Extensive areas of new landscaping, including tree, hedgerow, and grassland planting;
- Retention and enhancement of existing boundary planting where appropriate;
- Creation of a permissive walking route linking to an existing Public Right of Way to the north-east of the village;
- A new single point of vehicular access via a new priority junction off Steeple Road;
- Sustainable drainage infrastructure to manage surface water and ensure, appropriate discharge rates; and
- New planting and habitat management to deliver a significant biodiversity net gain.

- 3.3 To establish design parameters and guide subsequent reserved matters submissions the application is accompanied by a Parameter Plan and an Illustrative Masterplan.
- 3.4 The overarching design objective is to create a well-connected, legible neighbourhood which prioritises walking and cycling, provides high quality public open space and play facilities, and employs strategic planting to soften the visual effects of roads and built form.

Residential development quantum and tenure

- 3.5 The Application seeks permission for up to 120 new homes, with the precise number to be determined through the reserved matters application.
- 3.6 Of these new dwellings, 40% will be provided as affordable housing (as defined by the NPPF). The precise tenure mix will be determined in discussion with Maldon District Council, to be reflect local needs. The affordable housing element will be secured through the Section 106 agreement, and is envisaged to include nomination agreements to ensure its provision best addresses need.

Design

- 3.7 The scheme is organised around a substantial central park which will provide formal and informal play features and act as the focal community space. A coherent network of green infrastructure and corridors informs the layout and movement strategy.
- 3.8 A framed view/alignment is proposed from the corner of Steeple Road to the Christ Church spire in Latchingdon. This corridor will create a visual opening within the urban form and provide a linear park with avenue tree planting.
- 3.9 Edge treatments will respond to context and topography: the northern boundary will form a naturalistic edge incorporating SUDS and native planting to soften the development; the eastern edge will provide informal open space acting as a landscape buffer on approach from Steeple Road.
- 3.10 A restrained palette of common and accent materials will be applied across the scheme. Common materials will form the principal finishes while accent materials will be used selectively on feature elements (for example corners or window surrounds) to reinforce character and legibility without appearing incongruous.

Connectivity

- 3.11 The proposal provides a legible network of streets and routes that prioritise access to open space, play and recreation and promote active travel. Key elements include:

- The new priority junction from Steeple Road providing vehicular access;
- A dedicated pedestrian/cycle link and new school entrance to Christchurch Church of England Primary School, designed to encourage walking and cycling;
- An internal walking and cycling network that connects residents to village facilities, the permitted Latchingdon Gardens development to the south, and the wider Public Right of Way network via off-site pedestrian improvements; and
- Retention of operational access arrangements for the school (Meadow Way) for servicing and staff use.

Scale

- 3.12 The development will respect its edge-of-settlement location. Built form will be carefully scaled to minimise visual impact, preserve the character of the surrounding landscape and respond positively to the local townscape.
- 3.13 Buildings will be predominantly up to two storeys in height. Roofscape articulation and selective use of detailing will be used to introduce variety and mitigate visual prominence where necessary, informed by the Landscape and Visual Impact Assessment.

School access

- 3.14 The Application seeks permission in principle for providing alternative school pick-up and drop-off arrangements for Christchurch Church of England Primary School.
- 3.15 As illustrated within the Design and Access Statement which accompanies this Application, informal school drop-off and pick-up are proposed to be provided within the layout of the Proposed Development, provided of a scale to avoid being an overly attractive arrangement such that it would discourage those that might otherwise make the journey by alternative means; but at the same time reflecting the current reality that a proportion of the School's pupils will be transported to and from school via private car.
- 3.16 Informal school drop-off / pick-up is to be incorporated carefully and sensitively within the adjacent street as part of the Proposed Development, and offering the flexibility to function as visitor parking outside school hours.
- 3.17 It is envisaged that the existing entrance to the School via Meadow Way will be retained, but for servicing / staff access only (albeit this would be a matter beyond the scope of this Application – but the Proposed Development would enable the School to do this).

School expansion

- 3.18 The Proposed Development includes land to be utilised for the expansion of Christchurch Church of England Primary School.
- 3.19 The details of any such expansion of the School will be a future matter for the School working in conjunction with Essex County Council.
- 3.20 The key point is that the size of land to be made available is sufficient to allow the School to expand to two form entry.

Landscaping

- 3.21 The proposal delivers an integrated network of green and blue infrastructure that protects and enhances retained landscape features and provides new play facilities, community gardens and pedestrian routes.
- 3.22 SUDS will be incorporated as a series of accessible, planted attenuation basins, swales and conveyance channels designed to current best practice. These features will be attractive, have safe, unfenced margins and be capable of providing ecological and amenity benefits during dry periods.
- 3.23 The open space network will comprise a sequence of characterful landscapes that complement the development, support a range of recreational activities and improve site legibility.
- 3.24 Landscape proposals will improve connectivity to the surrounding urban form, help assimilate the development into the local landscape and provide robust edge planting to screen and soften views from Steeple Road and adjacent properties.

Pre-Application Engagement

- 3.25 Pre-application engagement has taken place with Maldon District Council, Essex County Council, and the Diocese of Chelmsford Vine Schools Trust; as well as pre-application public engagement with the wider community.
- 3.26 A pre-application meeting with Maldon District Council and the project team was held on 4 July 2025 to discuss the proposals and next steps, and the points raised at that meeting have been noted and incorporated into the emerging submission.

- 3.27 Officers confirmed a lack of objection to the principle of development but asked requested a focus on a number of technical matters — principally landscape impacts (notably to the north/east and key view corridors), drainage and foul-water capacity, flood-risk constraints, highways/traffic (including the B1018 congestion issue and the potential northern relief road), and urban-design considerations.
- 3.28 The pre-application advice provided by Maldon District Council is discussed in the Statement of Community Involvement which accompanies the Application.
- 3.29 Essex County Council provided the Applicant with pre-application advice in its capacity as the Highway Authority, which has informed the transport and highways elements of this Application. Matters discussed included the location of the vehicular access, with that proposed in this Application based on the Highway Authority's advice. Further details are set out in the Transport Statement submitted alongside this Application.
- 3.30 Separately, pre-application discussions have also been held with Essex County Council in respect of infrastructure capacity. At the time of writing, a written response is still awaited. Matters discussed which has informed the Application include the need for the Application to make clear that the Proposed Development will ensure that land to be made available for the future school expansion is not merely safeguarded, but is secured through other mechanisms (e.g. Section 106) if this is to be considered a benefit.
- 3.31 Pre-application discussions were also held with the Diocese of Chelmsford Vine Schools Trust, who recognised the benefits of safeguarding land for future expansion, noting that this would provide flexibility to respond to growing pupil demand and support long-term strategic planning for the school.
- 3.32 Representatives from Hallam Land also met with Latchingdon Parish Council to discuss the emerging development proposals. While the Council expressed opposition to further residential development in the area, the meeting was constructive in highlighting several local concerns. In particular, they drew attention to existing issues with highway congestion and the challenges experienced with drainage infrastructure in connection with recent developments. In terms of pre-application community engagement, as typical with any new residential development there were a number of concerns expressed regarding how the Proposed Development might impact on infrastructure capacity and existing residential amenity. There was however some support for expansion to the School, as well as improving access to it.

3.33 During the engagement process,. Further details are set out in the Statement of Community Involvement submitted alongside this Application.

4. PLANNING POLICY CONSIDERATIONS

- 4.1 This section considers the proposals against adopted planning policy and other material considerations. The relevant local plan is the Maldon District Local Development Plan adopted in July 2017 (‘the Local Plan’). There is no Neighbourhood Plan for Latchingdon.
- 4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this instance, the policies of the Development Plan of greatest relevance to the determination of this particular application are found in the adopted Maldon District Local Development Plan (2017) which is therefore, the starting point for the assessment of this planning proposals.

Maldon District Local Development Plan 2017 (the Local Development Plan)

- 4.3 The Local Plan was adopted in July 2017. It sets out the policies for managing development between 2014 – 2029 and therefore the period policies were intended to address has around 4 years remaining. The relevant policies for this application are outlined and summarised below.
- 4.4 Policy S1 (Sustainable Development) sets out that the Council takes a positive, proactive approach to development that reflects the presumption in favour of sustainable development. The policy establishes key decision-making principles and commits to working constructively with applicants to find solutions that enable approval where appropriate. Where relevant local policies are out of date, the policy confirms that permission will be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF.
- 4.5 Policy S2 (Strategic Growth) promotes sustainable economic and housing growth while protecting and enhancing the District’s natural, built and historic environment. It directs the bulk of strategic growth to the three main towns through garden suburbs and strategic allocations, while allowing for a proportionate level of development in rural villages to meet local housing needs, support services and sustain the rural economy in accordance with the settlement hierarchy.
- 4.6 Policy S8 (Settlement Boundaries and the Countryside) identifies Latchingdon as a “smaller village” within the adopted settlement hierarchy. Beyond defined settlement boundaries, planning

- permission will be granted only where proposals preserve the intrinsic character and beauty of the countryside and either fall within the specified acceptable countryside uses or otherwise comply with Policies S1 and S7 (paragraph a) and other relevant LDP policies (paragraph m).
- 4.7 Policy D1 (Design Quality and Built Environment) requires development to respect and enhance local character and context, making a positive contribution through high-quality design. It requires appropriate provision of public and private space, protection of residential amenity, safe and secure vehicle and cycle parking, and maximised connectivity and opportunities for physical activity. Proposals should enhance local distinctiveness, reduce social exclusion and the risk of crime, and have regard to the principles set out in the Maldon District Design Guide.
- 4.8 Policy D2 (Climate Change & Environmental Impact of New Development) requires development to be sustainable and to avoid or mitigate adverse environmental and climate impacts. Proposals should incorporate sustainable construction and design measures, use resources efficiently, integrate green infrastructure and minimise pollution. Schemes should also seek to reduce the need to travel and take account of the benefits of preserving the best and most versatile agricultural land.
- 4.9 Policy D3 (Conservation and Heritage Assets) requires proposals affecting heritage assets to conserve or enhance their special character, appearance and setting. The policy requires submission of a Heritage Statement and confirms that where proposals would cause less-than-substantial harm to designated assets, that harm will be weighed against the public benefits of the proposal. Where development may affect geological deposits, archaeological remains or standing archaeology, an appropriate assessment will also be required.
- 4.10 Policy D5 (Flood Risk and Coastal Management) explains that the Council seeks to steer development to areas at lowest flood risk (Flood Zone 1). Development must not increase flood risk elsewhere and must demonstrate how it will reduce or manage flood risk, for example through the use of Sustainable Drainage Systems (SuDS) and other appropriate measures.
- 4.11 Policy E3 (Community Services and Facilities) aims to retain and enhance community services and facilities. New development that generates additional need is expected to contribute towards provision of community infrastructure, and proposals that improve local service provision will be supported and encouraged.
- 4.12 Policy E6 (Skills, Training and Education) states that the Council will work to support the provision and enhancement of training and educational facilities and opportunities in the District to meet the needs of the community, local businesses and the local economy

- 4.13 Policy H1 (Affordable Housing) requires housing developments of more than 10 units to contribute to affordable housing provision. Southminster lies within the Rural South area of the District as defined by the Local Plan, where a 40% affordable housing requirement applies. Affordable housing should normally be provided on site and reflect the number, size, type and tenure sought by the Council, having regard to the SHMA, the Council's adopted affordable housing guidance and housing strategy.
- 4.14 Policy H2 (Housing Mix) expects developments to deliver an appropriate mix of dwelling sizes, types and tenures to respond to local need across both the market and affordable sectors, with particular attention to provision for an ageing population.
- 4.15 Policy H4 (Effective Use of Land) requires density to be informed by design-led principles; development must optimise the use of land while respecting place-specific character, amenity and other policy requirements.
- 4.16 Policy N1 (Green Infrastructure Network) requires all development to maximise opportunities to conserve, enhance and connect the District's green infrastructure network, and to integrate green infrastructure with other land uses where appropriate. Long-term management plans should be provided where relevant.
- 4.17 Policy N2 (Natural Environment, Geodiversity and Biodiversity) expects development to aim for net biodiversity gain wherever feasible and to incorporate ecologically sensitive design features to protect and enhance habitats, species and geodiversity.
- 4.18 Policy N3 (Open Space, Sport and Leisure) requires that provision for new open space, sports facilities or leisure infrastructure associated with development will be assessed against the statutory tests for planning obligations, including those set out for Community Infrastructure Levy (CIL) and Section 106 contributions.
- 4.19 Policy T1 (Sustainable Transport) seeks to secure sustainable transport infrastructure and to prioritise movement by walking, cycling, wheelchair and public transport over private car use. Transport Assessments or Statements and Travel Plans will be required where appropriate to demonstrate how travel demand and impacts will be managed.
- 4.20 Policy T2 (Accessibility) expects proposed development to be located where local transport and environmental capacity can accommodate the additional traffic generated. Proposals must provide safe walking and cycling routes, improve accessibility to the wider countryside where possible, and deliver parking in accordance with the Council's adopted parking standards.

- 4.21 Policy I1 (Infrastructure and Services) requires developers to contribute to the delivery and maintenance of local and strategic infrastructure and services necessary to support development. Where appropriate, impacts should be mitigated through planning obligations, including Section 106 agreements.
- 4.22 Policy I2 (Health and Wellbeing) requires residential schemes of more than 50 dwellings to undertake a Health Impact Assessment to demonstrate that any significant adverse health effects can be appropriately mitigated through design, planning obligations or other measures.

Supplementary Planning Guidance

- 4.23 The following other relevant planning documents are considered relevant to this assessment:

- Maldon District Design Guide (MDDG) SPD 2017
- MDC Renewable and Low Carbon Technologies SPD 2018
- Specialist Needs Housing SPD 2018
- Maldon District Vehicle Parking Standards SPD 2019
- Affordable Housing and Viability SPD 2019
- Green Infrastructure Strategy SPD 2019
- Essex Coast Recreation Disturbance Avoidance and Mitigation SPD 2020
- MDC Statement of Community Involvement 2021

Other Maldon Council Documents

- 4.24 The following other Council published documents are also considered to be of relevance to this application:

- Local Housing Needs Assessment, May 2021
- Five Year Housing Land Supply Statement, April 2024
- Local Development Plan Issues and Options Consultation, Jan 2022
- Housing and Economic Land Availability Assessment (HELAA), Jan 2022
- Rural Facilities Survey and Settlement Pattern, May 2023

Other Material Considerations

National Planning Policy Framework (NPPF) 2024

- 4.25 The current National Planning Policy Framework (NPPF) was published on 12 December 2024.
- 4.26 The NPPF is a material consideration in planning decisions, as it itself explains at paragraph 2.
- 4.27 The NPPF explains that the purpose of the planning system is to contribute to the achievement of sustainable development.
- 4.28 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. At paragraph 11d), it explains that, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, the presumption in favour of sustainable development entails the ‘tilted balance’ in favour of proposals being engaged, meaning that planning permission should be granted unless:
- i. policies in the NPPF that protect area or assets of particular importance provide a strong reason for refusing the proposed development; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 4.29 At footnote 8 of the NPPF, it is explained that the ‘tilted balance’ as per paragraph 11d) of the NPPF is engaged in respect of proposals involving the provision of housing if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites; or its Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.
- 4.30 At paragraph 39, the NPPF states that Local Planning Authorities should approach decisions on proposed development in a positive and creative way. It further states that decision-makers should seek to approve applications for sustainable development “*where possible*”.
- 4.31 Paragraph 49 of the NPPF sets out the factors to consider in determining the weight to be afforded to policies in emerging Local Plans. Factors include how advanced the emerging Local Plan is, its consistency with national policy, and whether there are any unresolved objections.
- 4.32 NPPF paragraph 50 explains the limited circumstances in which argument an application is premature may justify refusal of planning permission. These include the emerging plan being at an

- advanced stage; and the development being so substantial that to grant permission would undermine the planning process, predetermining a central element of an emerging plan.
- 4.33 Section 5 of the NPPF concerns delivery of a sufficient supply of homes. At paragraph 61, the NPPF confirms that significantly boosting the supply of homes is an objective of the Government; that it is important that the needs of groups with specific housing requirements are met; and an area's housing needs should be met.
- 4.34 NPPF paragraph 62 confirms that the Standard Method as set out in PPG should be used to determine the minimum number of new homes to be planned for.
- 4.35 At paragraph 66, the NPPF states that the mix of affordable housing in major developments is expected to meet identified local needs, across various tenures.
- 4.36 At paragraph 73 of the NPPF, it makes clear that small and medium sized sites have an important role to play in meeting housing needs. It notes these are essential for Small and Medium Enterprise housebuilders to deliver homes, and are often built out more quickly.
- 4.37 The requirement for a Local Planning Authority to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against its housing requirement set out in adopted strategic policies, or against its local housing need calculated in accordance with the Standard Method where the strategic policies are more than five years old, is set out in NPPF paragraph 78.
- 4.38 NPPF paragraph 78 also confirms that either a 5% or 20% buffer should be applied to the minimum five-year housing requirement. The 20% buffer applies where there has been a persistent record of under delivery of housing (indicated by the latest HDT measurement being below 85%).
- 4.39 Paragraph 110 of the NPPF sets out the requirement for developments to promote sustainable transport. It stresses that proposals should give priority to pedestrian and cycle movements, both within the site and with connections to surrounding areas. Developments are expected to provide access to high-quality public transport and consider the needs of people with disabilities. In the context of residential development, this means the proposal must demonstrate how it facilitates safe, convenient, and inclusive movement for all users, and how it supports a shift towards more sustainable modes of transport. This includes minimising potential conflicts between different transport modes and ensuring the layout contributes positively to overall accessibility.
- 4.40 NPPF paragraph 115 addresses the suitability of development in areas at risk of flooding. It reaffirms the application of the sequential test, which seeks to steer new development to areas with the lowest

probability of flooding. Where development in such areas is unavoidable, the exception test may apply, requiring evidence that the development provides wider sustainability benefits and will be safe for its lifetime without increasing flood risk elsewhere. For residential development, this means that the applicant must clearly demonstrate compliance with these tests if the site lies within a flood risk zone, and that appropriate mitigation measures are in place to ensure long-term resilience, particularly in the context of climate change.

- 4.41 The NPPF also stresses the importance of making efficient use of land to meet development needs. It deals with achieving appropriate densities in residential development. The NPPF encourages planning decisions to support development that makes efficient use of land while being sensitive to local circumstances. This includes consideration of a site's accessibility by public transport, existing infrastructure capacity, and the desirability of maintaining an area's prevailing character. The appropriate density should enable high-quality, sustainable development without undermining the identity or function of the surrounding context. In assessing the Proposed Development, it is therefore necessary to consider whether the proposed density strikes a balance between making effective use of the site and delivering a form of development that integrates well with the locality and provides a high standard of living.

New Local Plan and Evidence Base

- 4.42 The new Local Plan being prepared by Maldon District Council has not itself reached a stage at which it could be afforded weight.
- 4.43 However, the evidence base prepared in support of the new Local Plan is capable of being afforded some weight. This includes the HELAA (2023), through which the Council has assessed the Site, principally as site reference LD5 but also including some land identified in the HELAA (2023) as LD12.

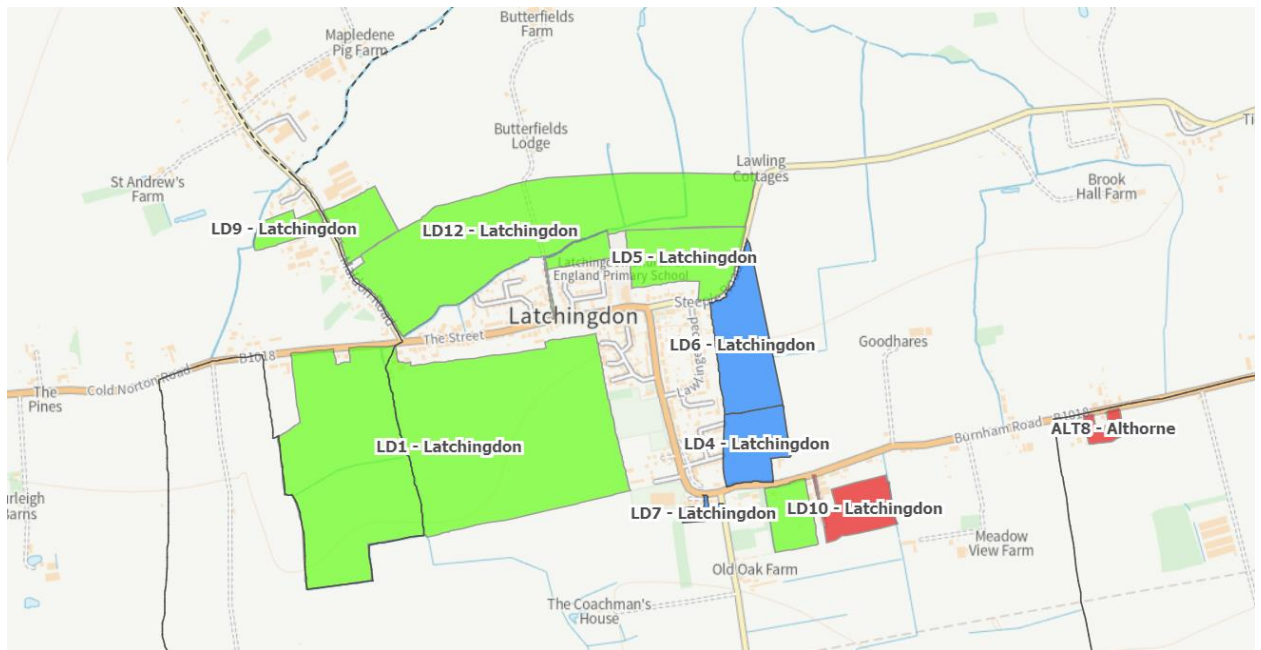


Figure 1 – Extract from the Council's Call for Sites Live Web Map (green denotes sites found to be potential suitable for residential development through the HELAA (2023))

- 4.44 The HELAA (2023) concludes both LD5 and LD12 are, on balance, suitable for residential development.
- 4.45 Separately, a Local Housing Needs Assessment (LHNA) was prepared for the Council in 2001. The LHNA (2021) identified a need for a total of 174 rented affordable dpa; and 35 affordable ownership dpa per year.

Maldon's Five-Year Housing Land Supply

- 4.46 Prior to the NPPF 2024, Maldon District Council purported to have a 6.3-year housing land supply (1,739 deliverable homes against a five-year requirement of 1,380).
- 4.47 However, the adopted housing requirement is more than five years old, and as per the NPPF must be considered out of date for the purpose of calculating its five-year housing land supply position.
- 4.48 The NPPF and PPG result in a local housing need for the District of
- 4.49 Under the current NPPF and accompanying PPG, the five-year housing requirement increases to over 3,000 homes.

- 4.50 A recent planning appeal (*Wickham Bishops*¹) confirmed the District's lack of an adequate housing land supply, concluding it stood at 2.70 years.
- 4.51 The appeal decision predated the release of more recent affordability ratios. When considering the latest published supply (1,739 dwellings) against the most recent calculation of the five-year requirement (3,019 dwellings), this results in a 2.88-year supply. This represents a shortfall of 1,280 dwellings against the minimum requirement.
- 4.52 The District is no longer able to demonstrate a five-year housing land supply. The Council's housing land supply position triggers the 'tilted balance' in favour of the Proposed Development.
- 4.53 Consequently, as per paragraph 11d) of the NPPF, the relevant consideration in the determination of the Application is whether any harms that it would engender would significantly and demonstrably outweigh the benefits of the Proposed Development.

¹ Appeal Ref: APP/X1545/W/23/3333081 Land at and rear of 9 Church Road, Wickham Bishops, Essex CM8 3LA
Decision date: 4th February 2025

5. PLANNING ASSESSMENT

5.1 This section of the Planning Statement considers the planning merits of the Proposed Development.

Principle of Development

Tilted balance

5.2 Key in the determination of this Application is the need for the 'tilted balance' in favour of the Proposed Development to be applied, as per the NPPF and due to the housing land supply position the District.

5.3 The NPPF explains that, in such circumstances, applications should be approved unless the harms would significantly and demonstrably outweigh the benefits.

5.4 For the reasons set out within this section of the Statement, it is considered that such are the extent of the benefits this Application would engender, together with the lack of harms, that the Application would merit approval even in circumstances where the 'flat balance' was to apply. Consequently, when applying the 'tilted balance' it is considered manifestly clear that the Application merits consent.

Latchingdon as a location for growth

5.5 Policy S2 of the Local Plan (Strategic Growth) supports directing some growth to settlements such as Latchingdon, stating that a proportion of the District's new development will be directed to rural villages.

5.6 Latchingdon is evidently a sustainable location for growth, as the Council's Maldon District Rural Facilities Survey and Settlement Pattern (2023), which ranks the settlement as the fourth most sustainable village in the District.

5.7 The recent appeal decision, *Land north of The Groves*² reaffirms that Latchingdon is, in principle, a sustainable location to which to direct a level of growth to Latchingdon that this Application proposes, with appeal decision in this case stating:

"The Officer's Committee Report noted that 'Latchingdon is considered to be a sustainable location for new development'... I see no reason to take a different view on this matter." [39]

5.8 The above should be seen in the context of the District's current housing requirement of 582 dpa, which translates to a 15-year (the minimum period for which the new Local Plan will have to plan) of 8,730 homes.

Development beyond the current settlement boundary

5.9 The judgment in *Wokingham*³ confirms that decision-makers may approve development beyond adopted settlement boundaries, even if the relevant Local Planning Authority is able to demonstrate a five-year housing land supply.

5.10 In *Wokingham* it is pertinent that the Local Planning Authority's settlement boundaries were predicated on housing requirements that were out-of-date – this is very much the case in Maldon District, where settlement boundaries were drawn on an objectively assessed housing need of 260 dpa, and an adopted requirement equating to 310 dpa. These adopted figures are more than five years old, and the current local housing need as per the NPPF and PPG is 582 dpa. The settlement boundaries are patently out of date.

5.11 The *Land North of the Groves* appeal decision confirmed the potential acceptability of development beyond Maldon District's settlement boundaries (indeed, beyond Latchingdon's settlement boundary in this particular case), even in circumstances where the Council was, at the time of that appeal decision, able to demonstrate a five-year housing land supply.

5.12 The housing land supply position of the District has significantly worsened since the *Land North of the Groves* decision. As noted early, the Council is significantly short of being able to demonstrate the requisite housing land supply. The shortfall is substantial. The acceptability, in principle, of

² Appeal Ref: APP/X1545/W/23/3331398 Land north of The Groves, Burnham Road, Latchingdon, Essex
Decision date: 5th July 2024

³ *Wokingham Borough Council v Secretary of State for Housing, Communities And Local Government & Anor* [2019] EWHC 3158

residential development beyond adopted settlement boundaries is more evident now than when *Land North of the Groves* was allowed.

The Site

- 5.13 The Site lies beyond the settlement boundary in the current adopted Development Plan. However, for the reasons set out above, this cannot alone render its development unacceptable in principle.
- 5.14 The Site is sustainable and deliverable for the development of homes and expansion of a primary school.
- 5.15 The Site is not subject to any constraints that suggests it is fundamentally unsuitable for residential development. It is not subject to any environmental, landscape, ecological, heritage or other physical constraints that might render it intrinsically inappropriate for development.
- 5.16 Indeed, it is germane to the consideration of this Application that the Site has been assessed as part of the Council's plan-making process, through the HELAA (2023) and found to be suitable for residential development, subject to access.
- 5.17 The Site is located in a sustainable location from an accessibility perspective. As the HELAA (2023) noted, the Site is within walking distance of the services and facilities of the settlement. In particular, excellent and safe access to the village primary school would be available to future residents of the Site without requiring use of the private car, should the school expand
- 5.18 The Site is within walking distance of nearby bus stops located on The Street, from which services to and from nearby centres of Chelmsford, Maldon, Burnham and Southminster are available, providing accessibility to those that may not benefit from regular use of a private car.
- 5.19 Furthermore, the Site is uniquely placed to be able to facilitate improvements to the School's access arrangements, and to provide land to enable its future expansion. These are not simply benefits (as discussed below) but benefits that would realistically only be achievable as part of development of this Site.
- 5.20 An array of supporting studies demonstrates the suitability of the Site for development from a technical perspective, as set out within later elements of this section.

School access improvements

- 5.21 The scheme has been future-proofed to accommodate a potential school extension, should the designated expansion land come forward.

- 5.22 The current access arrangements to Christchurch Church of England Primary School via Meadow Way are, as noted in Section 2, sub-optimal. There is evidence that conflict between non-vehicular and vehicular traffic associated with the school run is a safety concern. In addition, there are evidently concerns in terms of the impact of traffic associated with the School on the amenity of those in surrounding streets to the west of the School, which are used for drop-off / pick-up despite clearly not having been designed for such function, and being instead narrow residential streets.
- 5.23 The Proposed Development's provision of new, informal drop-off / pick-up areas for the School would ensure a purpose-built arrangement, resulting in safety and amenity benefits for pupils, staff and existing residents, should the school expand
- 5.24 These are considered to constitute significant benefits that attracts substantial weight in favour of the Proposed Development.

School expansion

- 5.25 The Proposed Development would provide land that would enable Christchurch Church of England Primary School to expand to two forms of entry, should demand necessitate.
- 5.26 The need for additional school places at Christchurch Church of England Primary School is currently uncertain.
- 5.27 However, it is important to recognise that there is one recently consented major residential development in the village, a proposal for one that has recently been appealed, and that through the new Local Plan it is likely that some additional growth will be directed to Latchingdon.
- 5.28 In addition, Essex County Council's Developers' Guide to Infrastructure (2024) notes that the Education and Skills Funding Agency currently looks to establish two form entry primary schools (420 places), to ensure financial viability. It states that the County Council supports this approach and, thereby, when considering new primary school sites an area of 2 ha will usually be sought as a minimum. This also provides space for commensurate Early Years and Childcare provision.
- 5.29 Having regard to all of the above, the Proposed Development's provision of land to be utilised for the expansion of Christchurch Church of England Primary School is considered a significant benefit that should be afforded substantial weight in the consideration of the Application.

Market housing

- 5.30 The country is in the midst of a housing crisis, to which Maldon District is far from removed. The social and economic harms of acute housing shortage are manifold and substantial.
- 5.31 The District is not currently able to demonstrate a five-year housing land supply. As per the NPPF, and as noted earlier within this section of the Statement, this triggers the need to apply the 'tilted balance' in favour of this Application.
- 5.32 Not only does the District lack a five-year housing land supply, but the shortage is substantial. The current housing land supply position of 2.70 years equates to a shortfall of 1,280 homes. The shortage is vast.
- 5.33 The NPPF 2024 reiterated previous Governments' exhortations to significantly boost the supply of homes, places further emphasis still on the need to address housing needs.
- 5.34 Having regard to all of the above, the Proposed Development's provision of up to 120 homes (including up to 70 market homes) is considered to warrant being afforded substantial weight in favour of the Application.

Affordable housing

- 5.35 In addition to general housing needs, there is an acute need for affordable housing in Maldon District.
- 5.36 The social and economic harm of affordable housing shortage are even more severe than those of general housing shortage, as confirmed by Local Housing Needs Assessment produced by Icenl on behalf of the Council in 2021. The LHNA (2020–2040) demonstrates a pressing and widespread requirement for affordable housing across the District, identifying particular demand for social and affordable rented accommodation and highlighting barriers to owner-occupation (notably access to capital and mortgage constraints).
- 5.37 The LHNA concludes that affordable housing delivery should be maximised where viable and that a flexible tenure mix is appropriate to meet both rented and affordable ownership needs. The current proposal would deliver up to 48 affordable homes (40% of 120 dwellings). Even on a conservative assessment, this represents a material and significant addition to local affordable housing supply.
- 5.38 The scheme would directly address both those households unable to rent or buy on the open market and those who are close to being able to rent privately but cannot access home ownership. Given

the scale of demonstrated need, the provision of up to 48 affordable dwellings is a clear and very significant public benefit which should be afforded at least substantial weight in the planning balance.

Arboriculture

- 5.39 The proposed layout has been designed around the existing tree constraints, resulting in a scheme that retains the majority of the tree stock and provides appropriate separation from built form. A supporting Arboricultural Impact assessment has been submitted with the application, and advises on future tree management regarding development, the summaries have been provided below.
- 5.40 Where tree removal is necessary, this is limited to facilitating essential vehicular and pedestrian connections. Specifically, sections of H1, H3 and G1 will be removed to form the main access and pedestrian links, while G5 will require localised pruning to allow safe clearance along the secondary active travel route.
- 5.41 The southern pedestrian connection to Steeple Road intersects the RPAs of offsite trees. To safeguard these, it is strongly recommended that a no-dig cellular confinement system is used for its construction. A detailed Arboricultural Method Statement should be secured by condition at reserved matters stage to ensure retained trees are fully protected during works.
- 5.42 Two specimens (T8 and T9) have been identified as unsuitable for retention. T9 is directly impacted by the pedestrian route, while T8, already a dead standing stem, presents a safety risk adjacent to the footpath. Their removal is therefore both necessary and appropriate.
- 5.43 The trees proposed for removal are all of low quality or unsuitable for retention and will be offset through new planting. Importantly, all higher quality specimens are to be retained and successfully integrated within the development.
- 5.44 In summary, the scheme achieves a strong balance between development and tree protection. The retention of key tree stock, combined with new planting, will deliver a well-treed residential environment and enhance the long-term arboricultural value of the site.

Agricultural Land Classification

- 5.45 An Agricultural Land Classification (ALC) survey was undertaken in accordance with MAFF (1988) guidelines, and supports the application. Soil investigations at one-hectare intervals found relatively uniform conditions across the site: stoneless clay topsoil over slowly permeable clay subsoil with evidence of seasonal waterlogging (Soil Wetness Class III). There are no overriding climatic limitations.

- 5.46 Using the revised ALC methodology, the land has been classified as Grade 3 (Subgrade 3b), reflecting its high clay content and imperfect drainage which restrict spring cultivation and generally limit arable use to autumn sowings. An access track in the south constitutes the only non-agricultural area.
- 5.47 The classification map (Map 2) shows that 8.2 ha (100%) of the site is Subgrade 3b, with less than 0.1 ha non-agricultural land.

Ecology

- 5.48 The suite of ecology surveys, which accompany the application, identified a range of important ecological features on and adjacent to Site. The impacts on these were assessed against the proposals for a residential development.
- 5.49 The assessment has demonstrated that in the absence of mitigation, proposals would lead to, at most, minor adverse effects significant at a Site/local level.
- 5.50 A combination of intrinsic mitigation, targeted mitigation, compensation and enhancement detailed within this EclA and appendices have demonstrated that the proposals will lead to short-term minor adverse effects for the majority of IEFs. However, in the mid to long-term, negligible to minor positive effects are anticipated for all IEFs.
- 5.51 The EclA noted that that the Proposed Development has been designed to provide areas of greenspace, with recreation and biodiversity in mind. Habitat creation recommendations to maximise the biodiversity net gain and bat utilisation are set out in the EclA, which can be utilised as part of a subsequent reserved matters application to delivery ecological benefits.
- 5.52 The Proposed Development will deliver a minimum 10% biodiversity net gain (BNG).

Shadow Habitats Regulation Assessment

- 5.53 A shadow Habitats Regulation Assessment (sHRA) accompanies the Application.

Landscape

- 5.54 The supporting landscape appraisal identifies that the Proposed Development would initially result in a moderate adverse effect on both the landscape resource of the site and its immediate surroundings, and on the local landscape character. Over time, with the establishment of new

planting and landscape mitigation, these effects are expected to reduce to minor–moderate adverse after 15 years.

- 5.55 In visual terms, the most sensitive receptors at completion are users of Steeple Road, who would experience a moderate–major adverse effect reducing to moderate adverse after 15 years. Residents and users of communal spaces (including PRow within Latchingdon) would experience a moderate–minor adverse effect, both at completion and in the longer term. Users of PRow to the north and east would experience minor adverse effects, while views from PRow to the west of Althorne would lessen over time from minor adverse to negligible.
- 5.56 Overall, while the Proposed Development will give rise to some localised adverse landscape and visual effects, these are largely limited to the site and its immediate surroundings. With time, the establishment of the landscape strategy will ensure that the scheme is well-assimilated, reducing its impact and delivering a balanced relationship between new development and the surrounding landscape.

Heritage

- 5.57 A Historic Environment Desk-Based Assessment has confirmed that the proposed development at Steeple Road, Latchingdon will not impact any designated archaeological assets. No direct mitigation is therefore required in this regard.
- 5.58 A geophysical survey undertaken in October 2024 identified no anomalies of likely archaeological origin, with only features indicative of former field boundaries recorded in the eastern part of the site. On the basis of available evidence, the site is considered to hold a low archaeological potential, with any remains present unlikely to represent a constraint to development. Should planning consent be granted, an appropriate programme of archaeological investigation—beginning with trial trenching—could be secured by condition.
- 5.59 The Historic Environment Desk-Based Assessment noted there are five listed buildings (all Grade II) located within a 1 km search area of the Site.
- 5.60 Of these five listed buildings, only one (Christ Church (NHLE 1464427) was considered by the Historic Environment Desk-Based Assessment to require detailed assessment.
- 5.61 The Historic Environment Desk-Based Assessment noted that whilst the Site forms part of the wider setting of the Grade II listed church, the Proposed Development is situated across land that makes

- only a limited contribution to the significance of the church and from where church's distinctive historic fabric and architectural features will not be readily legible. The Historic Environment Desk-Based Assessment considered that the Essex bellcote would still be visible in the surrounding landscape, owing to the constrained heights of the Proposed Development.
- 5.62 Overall, the Historic Environment Desk-Based Assessment concluded that the Proposed Development of the Site will result in no harm to the significance of Christ Church, but instead will merely constitute development within its wider setting which bears no impact on the legibility of the church's significance.
- 5.63 The Historic Environment Desk-Based Assessment found that the significance of the other four listed buildings is considered to be preserved in relation to the Proposed Development. This is primarily due to a lack of meaningful intervisibility between the Site and these assets owing to sufficient distance and screening, which would also screen the Proposed Development from view within the vicinity of these assets.
- 5.64 The Site is not within a Conservation Area, and the Historic Environment Desk-Based Assessment noted there are none within 1km of the Site.
- 5.65 The Historic Environment Desk-Based Assessment also identified a non-designated heritage asset that had the potential to be impacted by development of the Site - Lawling Cottages. These are located c.70m north-east of the Site. The Historic Environment Desk-Based Assessment stated the potential significance of the cottages is principally derived from their age and the retention of their built fabric. The Historic Environment Desk-Based Assessment also observed that the cottages are generic in their construction and detailing; and that modern additions and alterations have altered their character and appearance. The Historic Environment Desk-Based Assessment found that these alterations to the historic fabric of the cottages have caused the partial erosion of their significance.
- 5.66 The Historic Environment Desk-Based Assessment concluded that while the Site is considered to form part of the setting of Lawling Cottages, the proposed development will be situated across land which makes a limited contribution to the relative significance of the cottages and from where the historic fabric and modest architectural features of the cottages are not readily legible
- 5.67 In summary, the available evidence demonstrates that the Site presents no historic environment constraints to residential development, and any potential archaeological interest can be appropriately managed through standard planning conditions.

Drainage

- 5.68 The accompanying Flood Risk Assessment and Drainage Strategy, submitted with this application, confirms compliance with national and local policy and finds the Site to be at very low/low flood risk from fluvial, tidal, reservoir, canal, surface water, groundwater and sewer sources.
- 5.69 A sustainable surface water strategy is proposed that discharges to on-site watercourses, with each catchment limited to the 1 in 1 year greenfield rate via vortex flow controls, and attenuation provided in open SuDS basins (with water butts possible but not relied upon).
- 5.70 SuDS management trains will provide appropriate water quality treatment. Foul drainage will be via a pumped connection to the existing 150 mm public foul sewer that bisects the south of the Site, necessitating a pumping station in the northwest and a rising main discharging to MH6502 on Steeple Road.
- 5.71 Safe access/egress will be available in events up to and including the 1 in 100 year + climate change scenario. SuDS operation and maintenance responsibilities will be confirmed prior to construction and managed in line with best practice.
- 5.72 Overall, the proposals can be delivered without increasing flood risk on- or off-site, in accordance with the NPPF, local policy and Essex County Council (LLFA) requirements.

Foul Drainage Capacity

- 5.73 It is noted that, as set out in the Flood Risk Assessment and Drainage Strategy, a Pre-Planning Assessment Report by Anglian Water has raised concerns regarding the capacity of the relevant water recycling centre (Latchingdon WRC).
- 5.74 However, it is important to recognise that the capacity of water recycling centres is a matter that needs to be addressed outside of Planning.
- 5.75 Under the Water Industry Act 1991, water companies are obliged to provide sewerage capacity to existing and new developments. A water company cannot refuse a connection simply because of capacity concerns at a specific point (see Supreme Court judgment in *Barratt Homes Ltd v Welsh Water*⁴).

⁴ *Barratt Homes Ltd v Welsh Water* [2010] 1 All ER 965

Transport

- 5.76 The Transport Assessment confirms that the site is located in a sustainable and accessible location, with good walking, cycling and public transport connections to local services and facilities.
- 5.77 The development can be safely accessed via a new priority junction on Steeple Road, designed in line with ECC Highways standards. Pedestrian and cycle connections will be improved, including new links to the village, the primary school, and the wider PROW network.
- 5.78 Traffic modelling demonstrates that the scheme will generate a modest number of trips and that the impact on the local highway network will be minor and well below the “severe” threshold set by the NPPF.
- 5.79 A package of mitigation measures, including active travel infrastructure, public transport contributions, a Travel Plan, and a Construction Traffic Management Plan, will ensure that sustainable transport is prioritised and that any residual effects are appropriately managed.
- 5.80 In summary, the proposals are compliant with national and local transport policy, provide safe and suitable access for all users, and will not result in unacceptable impacts on highway safety or capacity.

Contamination

- 5.81 The contamination assessment, supporting the application, confirms that the Site, formerly in agricultural use, presents only a low potential risk from typical sources such as fertilisers, pesticides, herbicides, livestock waste and hydrocarbons from machinery. Potential off-site risks from nearby roads and more distant industrial estates are also considered low, with no significant contaminative pathways identified. Overall, the Site is assessed as low risk, though a Phase II Site Investigation will be undertaken at the detailed design stage to confirm baseline ground conditions and include contamination assessments.

Air Quality

- 5.82 The accompanying Air Quality Assessment, submitted as part of this application, has considered the impacts of the development during both construction and operation. During construction, traffic and machinery emissions are not expected to give rise to significant effects, although dust generation will require management through a tailored Dust Management Plan. In operation, air quality across

the site will remain well below relevant objectives, with no significant impacts on roadside air quality and no on-site combustion plant proposed.

- 5.83 The scheme incorporates good practice measures, including pedestrian and cycle access, cycle storage and EV charging, to further promote sustainable travel. Overall, the assessment concludes that air quality effects will be 'not significant' and that the development complies with the NPPF, local policy and wider air quality objectives.

Noise

- 5.84 The accompanying Noise Impact Assessment submitted with this application, considers the potential impact of noise on the proposed residential development at Land North of Latchingdon. The dominant noise source affecting the Site is road traffic from Steeple Road and the B1018. A 24-hour baseline noise survey was undertaken at four monitoring locations and used to calibrate a site-wide noise model. The assessment concludes that the Site presents a negligible to medium risk of adverse noise effects during the daytime and a low to medium risk during the night-time.
- 5.85 Across most of the Site, internal noise levels can be achieved with standard glazing and ventilation, though dwellings closest to Steeple Road will require enhanced building envelope design. Similarly, while external noise levels are generally within design targets, some gardens nearest to Steeple Road may require boundary treatments such as close-boarded fencing or brick walls. Safeguarded land for the potential expansion of Latchingdon Primary School is expected to meet external noise standards, with only the most sensitive classrooms potentially requiring closed windows to achieve criteria.
- 5.86 The report recommends incorporating good acoustic design principles into the final layout, including uprated glazing and alternative ventilation for properties most exposed to traffic noise, alongside localised garden screening where necessary.
- 5.87 Subject to these measures, the development is assessed as low to medium risk and is not expected to result in significant adverse impacts on health or quality of life. The proposals therefore accord with paragraphs 187 and 198 of the NPPF and Policies D1 and D2 of the Maldon District Local Development Plan.

Health Impact Assessment

- 5.88 The accompanying Health Impact Assessment, submitted with this application, demonstrates that the proposed development has been designed to embed health and wellbeing considerations throughout. The scheme aligns with national planning policy, the Maldon Local Plan and the Essex Joint Health and Wellbeing Strategy, directly addressing the wider determinants of health and supporting healthier lifestyle choices.
- 5.89 The development places strong emphasis on active and sustainable travel, prioritising walking, cycling and public transport to encourage physical activity, reduce car dependency and improve local air quality. A comprehensive green and blue infrastructure network will provide safe, attractive and multifunctional spaces for recreation, play, social interaction and biodiversity enhancement, delivering both physical and mental health benefits. High-quality adaptable housing, including affordable homes, is supported by generous private and shared green space, fostering an inclusive, mixed community and reducing health inequalities.
- 5.90 The safeguarding of land for the expansion of Christchurch C of E Primary School ensures that educational and child wellbeing needs are met, with safe, walkable routes improving accessibility and creating a safer local environment. Community growing spaces and good access to shops and services further reinforce healthier food choices, while the absence of hot food takeaway provision reduces diet-related health risks.
- 5.91 Engagement with NHS partners has ensured local health service needs are understood, with mitigation to be secured through financial contributions and service planning. Inclusive design, provision for emergency access, and sustainability measures to address overheating, flood risk, air quality and energy efficiency will provide long-term protection against climate-related and financial health risks.

Public Open Spaces

- 5.92 The Proposed Development incorporates the significant public open space – a mix of public open space typologies which provide a variety of uses and benefits, providing spaces in which to social, play and simply enjoy.
- 5.93 As set out within the accompanying Design and Access Statement, the total public open space greatly exceeds the total requirement having regard to the Maldon District Council 'Landscape and Green Infrastructure' Design Guide, and national standards (Fields in Trust Standards: Creating Spaces for All (2024))

5.94 Additionally, it should be noted that the public open space provision exceeds or meets the requirements by different typology. The one exception to this is in respect of outdoor sports provision. The Site is not considered suitable to accommodate formal sports provision. As is typical for sites of such scale, an appropriate contribution towards off-site provision instead may be appropriate.

Sustainability

5.95 The Application is accompanied by a Sustainability Statement. This confirms the Proposed Development would deliver a range of social and economic benefits to both new and existing residents; and that the Proposed Development incorporates a range of measures to protect and enhance the local environment.

5.96 The Sustainability Statement also incorporates appropriate measures in recognition of the climate emergency, including to reduce carbon emissions, mitigate the effects of climate change, and to ensure the long-term resilience of the development to the effects of climate change.

5.97 Further details are set out within the Sustainability Statement itself.

5.98 In addition, the Proposed Development provide an appropriate outline to enable the detailed proposals to be determined through a subsequent detailed application to further respond positively to opportunities to deliver sustainable development and respond to climate change.

Agricultural Land

5.99 Natural England's Regional Agricultural Land Classification Map suggests that the agricultural land around Latchingdon is Grade 3 (good to moderate), with no suggestion of any Grade 1 (excellent) or Grade 2 agricultural land (very good). The District's Grade 1 and 2 land is focussed further east, around Burnham, Bradwell-on-Sea, and Tillingham.

5.100 An Agricultural Land Classification Report has been prepared which considers the soil quality of the Site for agriculture. This report confirms the Site is entirely Grade 3b (i.e. it is not best and most versatile agricultural land).

6. PLANNING BALANCE & CONCLUSION

- 6.1 As per the NPPF, the Application should be approved unless it would result in significant harm that demonstrably outweigh its benefits.
- 6.2 In terms of harms, technical assessment work has carefully considered potential sources of harm and has adopted a precautionary approach. The findings confirm that no significant harm arises, and that any potential effects have either been ruled out, can be appropriately mitigated at the detailed design stage, or can be controlled through planning conditions. The harms are limited to loss of greenfield and localised landscape and visual impacts.
- 6.3 Conversely, the benefits of the Proposed Development are numerous and significant. They include meaningful contributions to provision of market housing in the context of a significant shortage of supply relative to the District's minimum require. The Proposed Development's contribution to market housing represents a significant benefit that should be afforded substantial weight.
- 6.4 There is a similar, acute, need for affordable housing in the District. The Proposed Development's contribution in this respect is another significant benefit that should be afforded substantial weight.
- 6.5 The provision of land to enable the future expansion of Christchurch Church of England Primary School to two form entry and address potential future capacity requirements is another significant benefit that we suggest should be afforded substantial weight; as is the improvements to the School access, with betterment to pupil, parent / carer, and staff safety, as well as the amenity of existing residents.
- 6.6 Weight in favour of the Application should also be afforded to the BNG it will deliver; the economic benefits inherent with the provision of additional housing (at the construction stage, but also on an on-going basis through additional expenditure in the local area); and the social benefits of helping to sustain the vitality of the village community.
- 6.7 When applying the planning balance, it is evident that the very significant benefits of the Proposed Development decisively outweigh the limited and manageable harms.
- 6.8 Indeed, we suggest that even if one were to disregard the NPPF and apply a 'flat balance', the Application would still merit approval when one considers the planning balance.

6.9 When the 'tilted balance' in favour of the Proposed Development is engaged, as the NPPF instructs it to be in the circumstances present here, we suggest it would be unreasonable to withhold consent. On this basis, it is respectfully submitted that the Application should be approved.



PART OF HENRY BOOT

Land at Steeple Road

Latchingdon

