REPORT of
DIRECTOR OF PLACE, PLANNING AND GROWTH

to
SOUTH EASTERN AREA PLANNING COMMITTEE
14 OCTOBER 2026

Application Number	**25/00851/OUTM**
Location	Fairfield, Burnham Road, Latchingdon, Chelmsford, Essex CM3 6HA
Proposal	Outline application with all matters reserved except for access comprising demolition of existing structures and residential development of up to 47 homes including affordable housing, landscaping; open space, sustainable urban drainage systems; together with associated infrastructure.
Applicant	Ptarmigan Latchingdon Limited
Agent	Mr Richard Ketelle – Sphere25
Target Decision Date	17 October 2026 (EoT)
Case Officer	Matt Bailey
Parish	**Latchingdon**
Reason for Referral to the Committee / Council	Major application

1. RECOMMENDATION

APPROVE and delegate authority to the Director of Place, Planning and Growth to grant outline planning permission subject to:

(i) the applicant entering into a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the compliant Heads of Terms set out in Section 8 of this report;

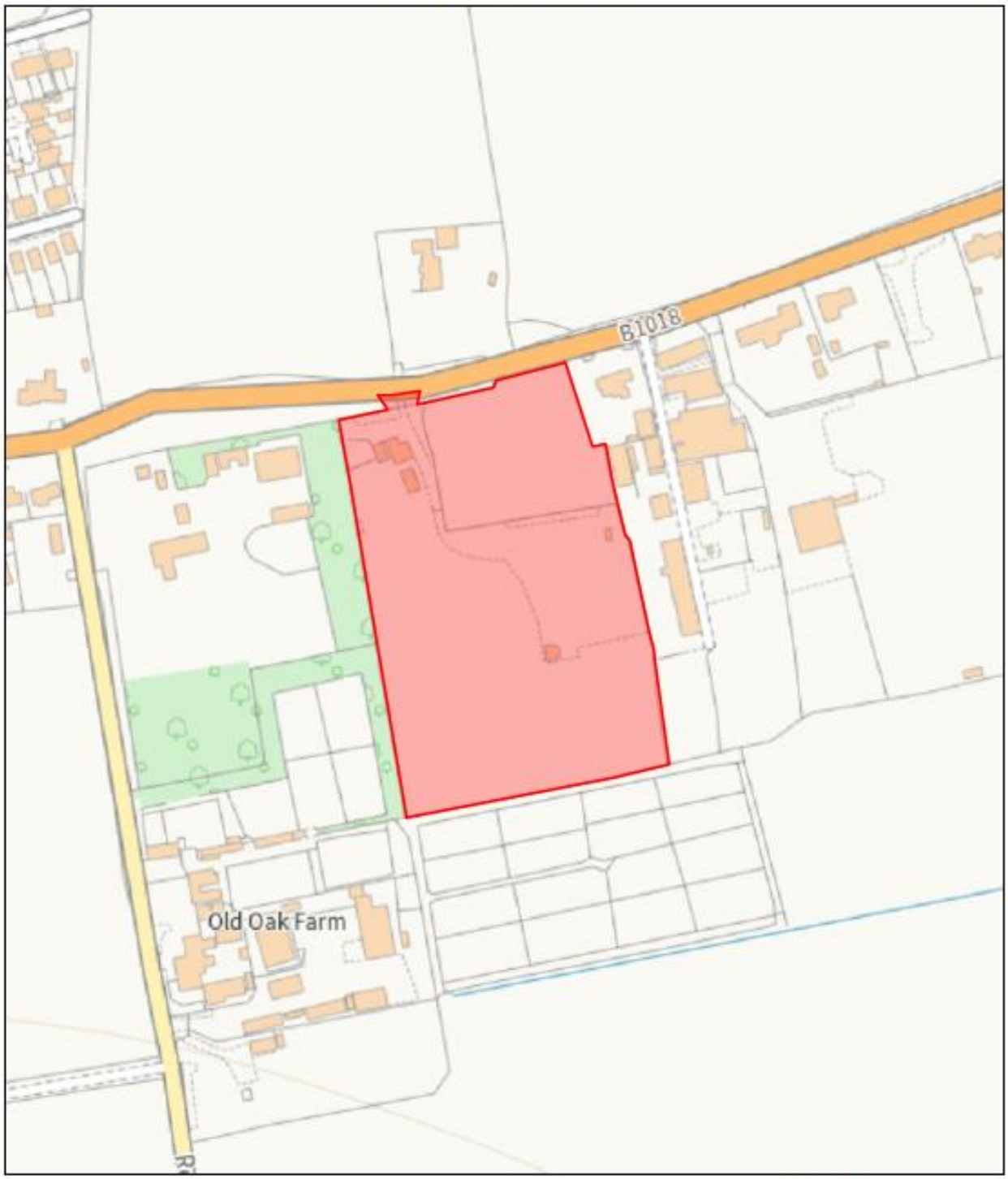
(ii) the planning conditions as detailed in Section 8 of this report; and

If the Section 106 legal agreement is not completed within three months of the date of this South Eastern Area Planning Committee, or an extended time period as agreed between the applicant and the Council, then delegate authority to the Director of Place, Planning and Growth to **REFUSE** the planning application.

2. SITE MAP

See overleaf

25/00851/OUTM



3. SUMMARY

3.1 Proposal / Brief Overview, Including Relevant Background Information

Site and Surroundings

3.1.1 The application relates to a site known as Fairfield, on the southern side of Burnham Road to the eastern side of Latchingdon. The land contains an existing dwelling and domestic garden, outbuildings, areas used for the storage of scrap materials and agricultural or grassed land. Grove House and its grounds lie to the west, with Red Lyons House and Red Lyons Business Centre to the east. Open land extends beyond the southern boundary. The site lies outside the defined settlement boundary and is not allocated for development in the adopted Maldon District Local Development Plan (LDP).

3.1.2 The land rises from approximately 13.6 metres Above Ordnance Datum (AOD) near the northern boundary to approximately 17.6 metres AOD in the south. Trees, hedgerows and boundary ditches provide enclosure. Vehicular access is currently taken from Burnham Road over a culverted ditch. The main village facilities lie to the west and north-west, but there is presently no continuous footway connecting the site entrance to that network. The proposed development would provide an upgraded access and off-site pedestrian connections.

3.1.3 The site is within Flood Zone 1. The submitted Flood Risk Assessment (FRA) also considers local surface water flooding and ordinary watercourses. No listed building or conservation area is located within the site, although archaeological potential has been identified. The site falls within the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) Zone of Influence and development must address the effects of additional recreational pressure on coastal Habitats sites.

The Proposed Development

3.1.4 Outline permission is sought with all matters reserved except for access comprising demolition of existing structures and residential development of up to 47 homes including affordable housing, landscaping; open space, sustainable urban drainage systems; together with associated infrastructure.

3.1.5 The proposal would replace the existing dwelling with up to 47 homes, giving a maximum net increase of 46 dwellings. The applicant offers 40% affordable housing, equivalent to a minimum of 19 affordable homes at the maximum proposed quantum. The final mix, appearance, layout, scale and landscaping remain reserved, with only details of the access from Burnham Road submitted for determination at outline stage.

3.1.6 The Parameters Plan and Illustrative Masterplan Rev V5 indicate two-storey housing within a landscaped site, with retained and new boundary planting, a green link through the development, public open space, children's play provision and sustainable drainage. The parameters identify a maximum ridge height of 9.5 metres, subject to clarification of the drawing's ground-level qualification. The illustrative layout demonstrates a possible arrangement and does not fix individual plots or approve detailed house designs.

3.1.7 The principal access would comprise a 5.5 metre wide carriageway with a 2 metre footway on its western side. A new 2 metre footway along the southern side of Burnham Road, together with crossing facilities, would be secured by way of S278 agreement with Essex County Council (ECC) Highways to connect to the pedestrian infrastructure associated with the permitted development north of The Groves (currently under construction). An extension of the 30mph limit, gateway treatment and road markings would also be required.

Summary Conclusion

3.1.8 The development conflicts with Policies S1, S2 and S8 of the LDP because it is outside the settlement boundary and is not allocated. The current National Planning Policy Framework (NPPF) nevertheless gives substantial weight to meeting evidenced housing needs through Policy HO7 and allows development outside settlements under Policy S5 where it addresses evidenced unmet need, is physically well related to a settlement and is of a scale that can be accommodated having regard to infrastructure. Fairfield is physically related to the existing village and surrounding development and would deliver a material housing and affordable housing benefit.

3.1.9 Officers have conducted an assessment of the benefits against the harms, as set out in the Planning Balance and Conclusion section of this Committee report, finding that the harms would not substantially outweigh the benefits of the development, including the provision of up to 47 homes where the Council cannot demonstrate a Five-Year Housing Land Supply (5YHLS). Therefore, Officers recommend that approval is granted in accordance with the updated NPPF policies, subject to the conditions and planning obligations recommended in this committee report.

4. MAIN RELEVANT POLICIES

4.1 National Planning Policy Framework (August 2026), including:

- Paragraph 17 Achieving sustainable development

Chapter 3 - Decision-making policies

- DM1 Preparing development proposals
- DM2 Information requirements
- DM3 Determining development proposals
- DM5 Development viability
- DM6 Use of planning conditions and obligations
- DM7 Relationship with other regulatory regimes

Chapter 4 - Achieving sustainable development

- S3 Presumption in favour of sustainable development
- S5 Principle of development outside settlements

Chapter 5 - Meeting the challenge of climate change

- CC2 Mitigation of climate change
- CC3 Adaptation to climate change

Chapter 6 - Delivering a sufficient supply of homes

- HO7 Meeting the need for homes
- HO8 Providing affordable homes
- HO9 Specialist forms of accommodation

Chapter 12 - Making effective use of land

- L2 Making effective use of land
- L3 Achieving appropriate densities

Chapter 14 - Achieving well-designed places

- DP3 Key principles for well-designed places

- DP4 The design process

Chapter 15 - Promoting sustainable transport
- TR3 Locating development in sustainable locations
- TR4 Street design, access and parking
- TR6 Assessing transport impacts
- TR8 Public rights of way

Chapter 16 - Promoting healthy communities
- HC3 Community facilities and public service infrastructure serving new development
- HC4 Proposals for new and improved community facilities, public service infrastructure and development providing public health benefits

Chapter 17 - Pollution, public protection and security
- P2 Ground conditions
- P3 Living conditions and pollution
- P4 Impact of development on existing activities

Chapter 18 - Managing flood risk and coastal change
- F4 Assessing flood risk for decision-making
- F5 The Sequential Test
- F6 Development in areas at risk of flooding from rivers or the sea
- F7 Ensuring development is safe from flooding
- F8 Sustainable drainage systems and watercourses

Chapter 19 - Conserving and enhancing the natural environment
- N2 Improving the natural environment
- N3 Trees in new development
- N6 Areas of particular importance for biodiversity and geodiversity

Chapter 20 - Conserving and enhancing the historic environment
- HE4 Securing the conservation of heritage assets
- HE5 Assessing effects on heritage assets
- HE6 Proposals affecting designated heritage assets
- HE7 Decisions on non-designated heritage assets
- HE10 Loss or removal of heritage assets

4.2 Maldon District Local Development Plan 2014 -2029
- S1 - Sustainable Development
- S2 - Strategic Growth
- S8 - Settlement Boundaries and the Countryside
- D1 - Design Quality and Built Environment
- D2 - Climate Change and Environmental Impact of New Development
- D3 - Conservation and Heritage Assets
- D5 - Flood Risk and Coastal Management
- E3 - Community Services and Facilities
- E6 - Skills, Training and Education
- H1 - Affordable Housing
- H2 - Housing Mix
- H4 - Effective Use of Land
- N1 - Green Infrastructure Network
- N2 - Natural Environment, Geodiversity and Biodiversity
- N3 - Open Space, Sport and Leisure

- T1 - Sustainable Transport
- T2 - Accessibility
- I1 - Infrastructure and Services
- I2 - Health and Wellbeing

4.3 Other Material Guidance and Evidence

- Maldon District Design Guide Supplementary Planning Document (SPD) 2017
- Maldon District Vehicle Parking Standards
- Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS)
- Essex County Council Sustainable Drainage Systems (SuDS) Design Guide
- Maldon District Local Housing Needs Assessment 2025, updated January 2026
- Technical Advice Note: Housing Mix, November 2025
- Planning Practice Guidance, including current flood risk and Habitats Regulations guidance

5. MAIN CONSIDERATIONS

5.1 Principle of Development

5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. Policies S1 and S2 of the Maldon District LDP seek to direct strategic growth towards allocated sites and defined settlements, whilst Policy S8 seeks to protect the countryside outside settlement boundaries from development other than the forms specifically identified within that policy.

5.1.2 The application site lies outside the defined settlement boundary of Latchingdon and is not allocated for development within the LDP. The proposed residential development does not fall within one of the categories of development ordinarily supported by Policy S8. The proposal therefore conflicts with the spatial strategy of the adopted LDP, principally Policies S1, S2 and S8. This conflict is a matter which must be weighed in the overall planning balance.

Five-Year Housing Land Supply

5.1.3 NPPF Policy HO1 and Annex D set out the approach to identifying and maintaining a supply of deliverable housing sites. The Council's latest published housing land supply position at 1 April 2025 (reported to Council on 12 February 2026) was 4.1 years. This position has subsequently been considered through the appeal process, including the recent Spratts Farm appeal, where the respective positions of the Appellant and Council were 3.6 and 4.04 years. Whilst there has been disagreement regarding the precise figure, it is accepted that the Council cannot currently demonstrate a five-year housing land supply.

5.1.4 There is therefore an evidenced unmet need for housing within the District. Strategic Housing's response to this application records 747 applicants or families on the Housing Register as of 22 December 2025, with particular pressure on three-bedroom rented

accommodation. NPPF Policy HO7 requires substantial weight to be given to the benefits of development which meets an evidenced need for homes. The proposal would provide up to 47 dwellings, a net addition of 46, including at least 19 affordable homes if all 47 dwellings are delivered.

Presumption in Favour of Sustainable Development

5.1.5 NPPF Policy S3 applies the presumption in favour of sustainable development through the decision-making policies contained within Chapter 4 of the Framework. Where development is proposed outside a settlement, Policy S5 identifies the types of development which are acceptable in principle and provides the relevant decision-making test.

5.1.6 Policy S5(1)(j) applies to development which would address an evidenced unmet need, including where a Local Planning Authority (LPA) cannot demonstrate a five-year housing land supply. In such circumstances the development must be physically well related to an existing settlement, unless the nature of the use makes this inappropriate, and must be of a scale that can be accommodated having regard to existing or proposed infrastructure. Where those requirements are met, the proposal should be approved unless its benefits would be substantially outweighed by adverse effects when assessed against the national decision-making policies.

Relationship with Settlement

5.1.7 The site is not physically isolated from Latchingdon. It lies between established residential land at Grove House and the buildings and land of Red Lyons House and Business Centre, with access directly from Burnham Road. Existing village development lies to the west and the permitted development north of The Groves would extend the built context on the opposite side of the road. The site's relationship with existing development is relevant independently of whether all nearby permissions have been built out.

5.1.8 The development would extend residential activity into the rear of the site and should not be described simply as limited infilling of a small frontage gap. The application is assessed under Policy S5(1)(j), having regard to housing need, its physical relationship with the village and infrastructure. It is not necessary to rely on an assumption that all of the land is previously developed or that 47 homes constitute limited infilling.

5.1.9 The Transport Assessment identifies the primary school approximately 850 metres from the site and the main shops and post office approximately 1.2 kilometres away. The village hall, playing fields, café and bowls facilities are closer. These distances provide opportunities for walking and cycling, but the existing absence of a continuous footway is a material constraint. The proposed footway, crossings, access works and speed-limit extension must therefore be delivered before occupation; a line on an illustrative plan would not itself make the development accessible.

5.1.10 The Highway Authority considers the transport effects acceptable subject to requirements relating to bus contributions and highways improvements (see section 5.6). The necessary education, library, public transport, affordable housing, open space and ecological measures are addressed through the proposed conditions and Section 106 agreement. Anglian Water's identified foul-water constraints can be addressed through a strategic condition preventing occupation until the necessary infrastructure is available, while the completed Appropriate Assessment concludes that the proposal would not adversely affect the integrity of the relevant Habitats sites subject to the identified mitigation. Taking these matters together, the proposed scale of development at 47 homes is considered capable of being accommodated in this location.

Existing Land Use

5.1.11 The applicant describes the site as previously developed land, comprising an existing dwelling, garden, structures and storage areas. The Phase I Site Appraisal also records arable and pasture areas. The presence of buildings or storage on part of the land does not establish that the whole red-line site is previously developed land. The benefit of reusing developed land and removing unattractive storage is therefore assessed proportionately to the actual mixed character of the site.

5.1.12 The Planning Statement identifies the wider land as HELAA site LD8, Red Lyons House and Fairfield. Inclusion in a land availability assessment does not allocate the land for housing or establish that planning permission should be granted. The proposal is assessed on its own merits under the development plan and current national policy. Decisions concerning other sites in Latchingdon provide context but do not amount to a planning permission or site-specific appeal finding for Fairfield.

5.1.13 Some land in agricultural or grassed use would be lost to housing, roads and associated infrastructure. The existing mixed use and enclosed setting distinguish the proposal from a development wholly on open arable fields. No detailed Agricultural Land Classification survey establishing the grade of the affected land has been supplied. The assessment therefore does not attribute a particular grade to the land or assume that there is no agricultural loss. This limited loss is an adverse consideration in the overall planning balance.

Principle of Development Summary

5.1.14 The proposal remains in conflict with Policies S1, S2 and S8 of the LDP because the site lies outside the defined settlement boundary and is not allocated for development. However, the Council cannot demonstrate a five-year housing land supply and there is an evidenced unmet need for housing. The site is physically well related to Latchingdon and its existing pattern of development. The proposed access and pedestrian improvements would strengthen that relationship.

5.1.15 The proposal is therefore considered to fall within the category of development supported by Policy S5(1)(j). The principle of development is acceptable under current national policy, subject to the remaining assessment and the overall planning balance at section 5.11. The conflict with the adopted spatial strategy remains an adverse consideration in that balance.

5.2 Housing Provision, Affordable Housing and Mix

5.2.1 Policies H1, H2 and H4 of the LDP and NPPF Policies HO7 to HO9 seek delivery of homes that meet evidenced needs, including affordable, accessible and appropriately mixed accommodation. Policy H1 requires 40% affordable housing at this location. The latest local housing evidence indicates an affordable tenure mix of 80% rented and 20% intermediate housing, with 75% of the rented element as Social Rent, and identifies particular need for larger rented homes and accessible accommodation.

5.2.2 The applicant proposes 40% affordable housing and Strategic Housing supports the application. At the maximum 47-dwelling quantum, a minimum of 19 affordable homes would be required. The submitted illustrative mix of 28 market homes and 19 affordable homes is not fixed by this outline application. The tenure and bedroom mix must respond to the current Local Housing Needs Assessment and Technical Advice Note when reserved matters are prepared.

5.2.3 Strategic Housing seeks an 80% rented and 20% intermediate affordable tenure split, with 75% of the rented element as Social Rent. It identifies a particular need for larger

rented homes, including three-bedroom five- and six-person homes, and one-bedroom two-person rented bungalows with wet rooms or showers. The detailed integer split within 19 homes should be agreed with Housing through the affordable housing scheme, rather than implying that fractional units can be provided.

5.2.4 The response requests the Nationally Described Space Standards for affordable homes, M4(2) accessible and adaptable accommodation as a starting point for all dwellings, and at least 10% M4(3) wheelchair user dwellings. The legal agreement should secure affordability, nomination rights, an eligible Registered Provider, appropriate rent and service-charge controls, clustering and delivery triggers. Latchingdon's Designated Protected Area status also requires the shared ownership staircasing restriction to be addressed unless the necessary approvals for an alternative arrangement are obtained.

5.2.5 The affordable offer complies with Policy H1 and would assist in meeting the identified need. The final housing scheme and accessibility standards can be secured through the Section 106 agreement and condition. Subject to the identified controls, the scheme accords with Policies H1, H2 and H4 and NPPF Policies HO7 to HO9.

5.3 Design, Layout and Quality of Accommodation

5.3.1 Policies D1 and H4 and NPPF Policies L2, L3, DP3 and DP4 require efficient, inclusive and context responsive development with a coherent movement network, legible public realm, appropriate density, usable open space and safe relationships between homes and other uses. As an outline application, detailed layout, scale, appearance and landscaping remain reserved, but the parameter plans must provide a robust framework capable of delivering those outcomes.

5.3.2 The Parameters Plan locates residential development within the site with green infrastructure around its edges and a central landscaped connection. The Illustrative Masterplan Rev V5 demonstrates how up to 47 homes, internal circulation, parking, gardens, open space, play and drainage could be accommodated. The final layout must show that the proposed number of homes can be delivered without compromising tree retention, drainage easements, acoustic mitigation, biodiversity or usable amenity space; the maximum dwelling figure is not an entitlement to an unacceptable detailed layout.

5.3.3 The proposed two-storey scale would be consistent with residential development in the surrounding area. The maximum ridge-height parameter is stated as 9.5 metres, with a qualification referring to existing ground levels plus or minus 2 metres. Given the slope across the site, a clear and consistent levels strategy will be needed so that the intended height envelope, accessible routes and drainage arrangements can be assessed together.

5.3.4 The surrounding buildings and uses require careful consideration insofar as any proposed new dwellings near Burnham Road should be designed to avoid harm from road noise, while the eastern boundary faces existing and consented business activity. The Noise Assessment considers an indicative acoustic barrier up to 4 metres high along that boundary. Its final height, extent, appearance, landscape treatment and effects on future gardens must be resolved through the acoustic design and reserved matters; it is not approved as a fixed boundary treatment by this outline permission.

5.3.5 Parking, servicing, refuse storage, cycle storage, private gardens and public routes must be designed as part of a coherent scheme. Public open space and the play area should have natural surveillance and accessible routes. Essex Police requests a design that incorporates Secured by Design principles and further engagement on boundaries and lighting. A condition secures a scheme of crime-prevention measures, allowing ecological lighting requirements to be considered alongside the safety of residents.

5.3.6 Subject to the reserved matters and detailed design conditions, the submitted information indicates that an acceptable development can be accommodated in design terms, in accordance with Policies D1 and H4 of the LDP.

5.4 Landscape, Green Infrastructure and Agricultural Land

5.4.1 Policies D1, N1 and N2 and NPPF Policies N2 and N3 require development to respond to landscape character, retain important trees and hedgerows, integrate green infrastructure and minimise the use of higher quality agricultural land where practicable.

5.4.2 The site lies within the Tillingham and Latchingdon Coastal Farmland landscape character area. It has a mixed appearance, with a dwelling, garden, outbuildings, storage and open areas, and is enclosed by existing development and vegetation to the west and east. The southern boundary nevertheless forms an edge to more open land. Additional housing would increase the extent and intensity of built development and would change the character of the site.

5.4.3 The submitted Landscape and Visual Impact Assessment identifies the greatest effects within and close to the site. It predicts moderate adverse effects for some close-range road views and moderate to minor adverse effects for adjoining residential receptors, with generally lower effects from more distant public viewpoints. The submitted assessment anticipates that planting would reduce effects as it establishes. Officers consider that the enclosed position and surrounding built context limit the wider landscape effect, but do not remove the localised urbanising change.

5.4.4 The landscape proposals retain and reinforce boundary vegetation and provide new native hedgerows, mixed scrub, trees, species-rich grassland, attenuation features and public open space. The supplied landscape masterplan was revised to P3 in December 2025. These drawings are illustrative and the final landscape arrangement must be coordinated with the approved parameters, drainage and habitat requirements.

5.4.5 Place Services Arboriculture raises no objection to the outline development area. Its response records 50 individual trees, 13 groups, four shrubs and two hedges and identifies proposed removal of two Category B specimens, 21 Category C specimens and eight Category U specimens. It specifically requests that retention of Category B trees T9 and T41 is explored. Reserved matters must demonstrate that those trees and other higher-value specimens have been retained where practicable, supported by an updated Arboricultural Impact Assessment, Method Statement and Tree Protection Plan.

5.4.6 The structural planting, open space and play provision relied upon in assessing the proposal must be delivered and maintained. The legal agreement should identify the responsible management body, public access arrangements, funding, inspection and replacement obligations. Landscape conditions will secure detailed planting, protection during construction and establishment. These are complementary to the separate 30-year requirements for significant biodiversity enhancements.

5.4.7 The scheme would result in some loss of agricultural or grassed land as well as redevelopment of existing developed areas. On the evidence available, limited adverse weight is attributed to that loss. Moderate adverse weight is given to the localised landscape and countryside change, taking account of the scale of new housing, existing enclosure and the capacity for substantial planting. The proposal is considered acceptable in landscape terms subject to the identified controls.

5.5 Heritage and Archaeology

5.5.1 Policy D3 and NPPF Policies HE4 to HE7 and HE10 require the significance of heritage assets and the contribution of setting to be understood, harm to be avoided or justified, and archaeological interest to be investigated and recorded.

5.5.2 The site is not within a conservation area and contains no listed building. The Archaeological Desk-based Assessment identifies listed buildings within the wider study area, including Christ Church and Snoreham Hall Farmhouse. It concludes that their settings would not be affected because of distance and intervening development or vegetation. The landscape evidence also identifies substantial visual enclosure. On that basis, and having regard to the limited two-storey scale proposed, no harm to the significance or setting of a designated heritage asset has been identified.

5.5.3 Place Services Archaeology identifies potential medieval and post-medieval activity, a possible medieval moated mill mound north of the site, nearby excavated remains and a postulated Roman road route crossing the site. It agrees that there is potential for previously unknown below-ground remains. The fact that parts of the site contain buildings or storage does not establish that archaeological deposits have been wholly removed.

5.5.4 A staged condition will secure a Written Scheme of Investigation, trial-trench evaluation, an approved mitigation strategy, completion of the necessary fieldwork before development in affected areas, and post-excavation assessment, analysis, publication and archive deposition. The requested six-month period for the post-excavation assessment is included. Subject to those safeguards, the proposal is acceptable in relation to archaeology and accords with Policy D3 and the relevant NPPF policies.

5.6 Transport, Access and Highway Safety

5.6.1 Policies T1 and T2 and NPPF Policies TR3, TR4, TR6 and TR8 require significant development to be in a sustainable location or made sustainable, provide safe and suitable access for all users, prioritise walking, wheeling and cycling, and mitigate significant network and safety effects to an acceptable degree.

5.6.2 The application is accompanied by a Transport Assessment, access and visibility plans, swept-path analysis and road safety audit material. ECC, as Highway Authority, has reviewed the documents and undertaken a site visit. Its response dated 5 January 2026 concludes that the impact is acceptable subject to construction management, access and visibility, footway and crossing works, a public transport contribution, a speed-limit extension and residential travel information packs.

5.6.3 The access would be upgraded to a priority junction with a minimum carriageway width of 5.5 metres, a 2 metre footway on its western side and a straight section for at least the first 15 metres. The detailed bellmouth radii remain to be agreed with the Highway Authority. Swept-path analysis demonstrates the principle of access for service vehicles; internal turning, parking and refuse arrangements remain matters for detailed approval.

5.6.4 Drawing I000277/04.2 Rev A shows visibility splays of 2.4 metres by 126.9 metres to the west and 2.4 metres by 119.2 metres to the east. A proposed 2 metre footway would run west from the site access along the southern side of Burnham Road to a point approximately 20 metres west of the new access for the land north of The Groves. Dropped kerbs and tactile paving are required both for the connection across the road and for access to the new bus stops. The permitted northern development is expected to provide part of the wider pedestrian and bus-stop infrastructure. The Transport Assessment recognises that Fairfield may need to provide elements itself if construction timings differ.

5.6.5 The occupation restriction must secure a continuous, safe and available route to the existing village network and access to usable bus stops. It should not allow occupation merely because Fairfield's own frontage works are complete while a missing section on the other scheme leaves residents without a safe connection.

5.6.6 The existing 30mph limit would be extended east of the Fairfield access to a point agreed with ECC, with gateway treatment, signs and road markings. Those works require the relevant Traffic Regulation Order process and highway agreements. The proposed condition secures their implementation before occupation; the application does not itself make the Traffic Regulation Order.

5.6.7 The Transport Assessment forecasts approximately 27 two-way vehicle movements in the morning peak hour and 24 in the evening peak hour. Its assessment identifies modest incremental increases at the village mini-roundabout. The Highway Authority is satisfied that the proposal would not have a significant effect on highway safety or efficiency. Residents' and the Parish Council's concerns regarding speeding, collisions, congestion, diversions and cumulative growth are material, but the supplied technical evidence does not establish a severe residual highway effect from this scheme with the mitigation in place.

5.6.8 It is accepted that, whilst shops and services within the village are within walking distance for some journeys, there is likely to be some additional reliance on the car even after the pedestrian improvements are provided. The £135,000 public transport contribution requested by ECC is included in the heads of terms, alongside travel information packs containing six one-day public transport vouchers for each dwelling.

5.6.9 Subject to the details of the specified works being secured by way of S278 Agreement, the development would have safe access and a practicable means of reaching village facilities on foot. The construction management, parking and travel-information conditions would address the remaining transport effects. The proposal is considered acceptable against Policies T1 and T2 and the relevant national policies.

5.7 Flood Risk, Watercourses and Drainage

5.7.1 Policy D5 of the LDP and NPPF Policies F4, F5, F6, F7 and F8 seek to ensure that development is directed towards areas at the lowest risk of flooding, is safe throughout its lifetime without increasing flood risk elsewhere and incorporates appropriate drainage and watercourse measures. Policy F5 requires the Sequential Test to be applied where development would be located in an area at risk of flooding, unless one of the stated exceptions applies.

Sequential Test

5.7.2 The site is entirely within Flood Zone 1 on the Environment Agency's river and sea flood mapping. That designation does not by itself dispose of surface water or ordinary-watercourse risk. The FRA acknowledges isolated areas of mapped surface water risk along boundary ditches and within the site, including earlier concerns about the access. It includes a Sequential Test Note dated 22 April 2025 and detailed pluvial modelling based on a topographical survey, surveyed culverts, FEH22 rainfall and a 45% climate-change allowance.

5.7.3 The modelling indicates that, during the 1 in 100 year event plus climate change, ponding is confined to the northern, eastern and southern ditch corridors. The FRA concludes that the development and access can be located outside the identified flood extent. It explains that some central depressions shown in national mapping do not reflect the current surveyed landform. The final layout and levels must preserve those flood routes and maintenance easements.

5.7.4 On that evidence, the applicable approach is the site-specific exemption in Policy F5(2)(b), rather than an alternative-site search based solely on the site's Flood Zone 1 designation. Policy F5 also provides for proposals affected only by surface water flooding where their layout, design and mitigation secure lifetime safety without increasing risk elsewhere. The site-specific evidence and the Lead Local Flood Authority's (LLFA) latest no-objection response support that approach.

Flood Safety and Watercourses

5.7.5 The FRA recommends finished floor levels at least 300mm above surrounding ground and retention of the boundary ditch network. The access crosses the northern ditch in an existing culvert, which would need to be upgraded and extended to support the widened road and footway. The FRA records the LLFA's culvert principles, including avoiding unnecessary culverting and demonstrating that the crossing does not adversely affect conveyance or increase flood risk.

5.7.6 A site-specific condition will secure detailed crossing design, hydraulic performance, maintenance access and the final levels and exceedance arrangements. Any separate ordinary watercourse consent remains necessary. Residential development within Flood Zone 1 does not require the river and sea flood-risk Exception Test applicable to development in higher flood zones.

Surface Water and Foul Drainage

5.7.7 The surface water strategy provides for permeable surfaces, attenuation tanks and basins, with discharge to the northern ditch restricted to a total of 2.6 litres per second. The LLFA initially raised a holding objection over infiltration evidence, storage and consecutive storm performance and other drainage details. The applicant's March response addresses those points, and the latest consultation response dated 18 July 2026 raises no objection subject to conditions.

5.7.8 The detailed scheme must verify infiltration suitability, provide sufficient storage for the 1 in 100 year event plus 45% climate change, include a 10% urban-creep allowance, demonstrate the required half-drain or consecutive-event performance, provide water-quality treatment and establish final levels, exceedance routes, outfalls and maintenance. The July response uses a 45% allowance for the 1 in 30 year check; that requirement is retained in the draft condition rather than substituting the earlier calculations. Separate conditions secure construction-stage water management and lifetime maintenance logs.

5.7.9 Anglian Water has identified constraints within the foul-water network and Latchingdon Water Recycling Centre. Its response explains that the existing network and treatment capacity cannot accommodate the additional flows without a risk of pollution and deterioration in downstream water quality. However, if the Council is minded to approve, Anglian Water recommends a strategic foul-water condition to ensure that the development does not proceed to occupation until the necessary infrastructure is available.

5.7.10 The identified foul-water constraints can therefore be addressed through a Grampian-style strategic condition. The condition would prevent occupation until the necessary infrastructure serving the relevant development is available, including any required network and treatment improvements or an alternative lawful treatment solution if network improvements are unavailable. This would ensure that additional foul flows do not arise before an agreed and deliverable solution is in place.

5.7.11 Subject to that condition, the foul-water position is considered capable of satisfactory resolution and does not prevent the scale of development from being accommodated.

Conclusion

5.7.12 Surface water and local flood risk can be addressed by the submitted strategy and site-specific conditions, taking account of the July LLFA response. The foul-water constraints can be addressed through the strategic condition described above. The development is therefore considered acceptable in flood risk and drainage terms and accords with Policy D5 of the LDP and NPPF Policies F4 to F8.

Ecology, Habitats Regulations and Biodiversity Net Gain (BNG)

5.7.13 Policies N1 and N2 and NPPF Policies N2, N3 and N6 require biodiversity harm to be avoided or mitigated, ecological networks and trees to be strengthened and international sites to be protected. Policy N6 requires refusal unless an Appropriate Assessment concludes that the proposal would not adversely affect the integrity of the affected Habitats site, alone or in combination, or the statutory derogation route is satisfied.

5.7.14 The Ecological Impact Assessment, Great Crested Newt baseline survey, Biodiversity Net Gain Assessment and statutory metric were submitted in September 2025. The additional Bat Survey Report, dated 27 January 2026, completes the evidence relating to bats. Place Services Ecology's response dated 2 March 2026 confirms that sufficient ecological information is available to determine the application and withdraws its previous holding objection, subject to conditions and Natural England's formal comments on the Council's Appropriate Assessment.

5.7.15 The bat evidence records use of the site for foraging and commuting, particularly by common pipistrelle, but no confirmed roosts. Retained vegetation and boundary features are relevant to that activity. Construction precautions, a sensitive lighting strategy and biodiversity enhancements are required. The ecological conditions also secure a review of survey evidence if development has not commenced within one year of permission, in accordance with the Ecology response.

5.7.16 The Great Crested Newt survey and other ecological evidence have been considered by Place Services. Precautionary working methods for protected and priority species, nesting birds and habitat clearance are to be included in the biodiversity construction management plan. A condition also requires implementation of the mitigation in the Ecological Impact Assessment and Bat Survey Report.

5.7.17 Natural England's response dated 14 November 2025 identifies the potential for increased recreational pressure on coastal Habitats sites and requests an Appropriate Assessment. The applicant's shadow Habitat Regulation Assessment (HRA) dated 20 March 2026 considers the relevant Essex coastal sites, including the Blackwater Estuary, Crouch and Roach Estuaries and Essex Estuaries SAC. It concludes that recreational effects can be mitigated through RAMS, with local open space and walking opportunities also forming part of the proposed design.

5.7.18 The applicant's shadow HRA has been treated as technical evidence to inform the Council's assessment rather than as a substitute for the LPA's statutory role. Officers, acting on behalf of the LPA as competent authority, have independently considered the shadow HRA alongside the ecological evidence, the advice of Place Services Ecology, the representations of Natural England and the mitigation proposed as part of the development. The Council concurs with the relevant findings and conclusions of that evidence and, on that basis, has carried out and completed its own Appropriate Assessment for the purposes of the Habitats Regulations.

5.7.19 The Appropriate Assessment considers the potential effects arising from recreational pressure upon the relevant Essex coastal Habitats sites and the potential water-quality pathway associated with foul drainage. Recreational effects would be addressed through

the Essex Coast RAMS contribution, together with the on-site open space and walking opportunities identified within the assessment. The strategic foul-water condition prevents occupation until the necessary infrastructure is available, ensuring that additional foul flows do not arise before a lawful solution is in place.

5.7.20 Natural England has been consulted on the information upon which the Appropriate Assessment was undertaken and raises no objection to the conclusion reached, subject to the identified mitigation being secured. On this basis, the LPA as competent authority is satisfied that the proposal would not adversely affect the integrity of the relevant Habitats sites, either alone or in combination with other plans and projects.

5.7.21 RAMS is to be secured through the Section 106 agreement. The Council's published transitional arrangements retain the tariff in force when an application awaiting determination on 31 July 2026 was submitted. Fairfield was submitted in September 2025; the relevant submitted evidence identifies £169.45 per net new dwelling. At a maximum net increase of 46 dwellings, this equates to £7,794.70, subject to the final dwelling total and confirmation that the existing dwelling is removed. The draft heads of terms provide for payment before commencement, consistent with the timing relied upon in the shadow HRA.

5.7.22 The Biodiversity Net Gain Assessment identifies gains of 18.94% in habitat units, 43.15% in hedgerow units and 11.52% in watercourse units, with no off-site units required on the submitted illustrative scheme. Place Services supports the application-stage metric and considers the proposed outcomes realistic and deliverable. Those figures remain dependent upon a detailed layout and an approved Biodiversity Gain Plan; they are not a substitute for securing the statutory requirement.

5.7.23 The statutory biodiversity gain condition applies. A Habitat Management and Monitoring Plan will secure the significant on-site enhancements, including mixed scrub, other neutral grassland, rural trees and species-rich native hedgerow, for at least 30 years. The recommended reporting years are 1, 3, 5, 10, 15, 20, 25 and 30, with responsibilities, funding, monitoring and remedial measures defined. The final plans and metric must use a consistent red line and reflect any changes needed for tree retention, drainage or acoustic mitigation.

5.7.24 The requirements of the Habitats Regulations and NPPF Policy N6 are therefore satisfied, subject to the mitigation relied upon in the Appropriate Assessment being secured through the planning obligations and conditions identified within this report.

5.8 Residential Amenity, Air Quality, Noise and Ground Conditions

5.8.1 Policies D1 and D2 of the LDP and NPPF Policies P2 to P5 require safe and healthy living conditions, protection from unacceptable noise, air, light and contamination effects, and compatibility between housing, employment and other uses.

5.8.2 The final relationships between new dwellings, Grove House, Red Lyons House and the adjoining business premises are reserved for detailed consideration. The site's width, landscape margins and proposed two-storey form offer scope to achieve suitable separation, privacy and outlook. Reserved matters must demonstrate those relationships, including the effect of level changes and any acoustic boundary treatment, without unacceptable overlooking or overbearing effects.

5.8.3 The Noise Assessment identifies Burnham Road as the dominant existing source and considers existing and consented activity at Red Lyons Business Centre. Environmental Health's response dated 23 December 2025 concludes that the site is generally at negligible to low risk of adverse noise effects, with localised medium risk close to

Burnham Road. It raises no objection subject to a detailed Noise Impact Assessment and Acoustic Design Statement and a Construction Environmental Management Plan.

5.8.4 The detailed acoustic design must address the final layout and building orientation, road and commercial noise, glazing, ventilation, external amenity areas and any barriers or screening. The indicative 4 metre eastern barrier is one assessed option, rather than a fixed permission for a boundary structure of that height. The scheme must protect future occupiers while allowing established lawful business activity to continue without unreasonable restriction. All necessary mitigation must be in place before the affected dwellings are occupied.

5.8.5 Construction would temporarily increase noise, dust, vibration and vehicle activity. The proposed construction management condition combines the relevant Environmental Health and Highway Authority requirements, including working hours, routing, parking, loading, wheel washing, storage and a site-manager contact and complaints procedure. The biodiversity construction plan addresses the additional ecological precautions and lighting during works.

5.8.6 The Phase I Site Appraisal records historical and current potential contamination sources, including scrap storage, vehicles and machinery, fuel or liquid containers and made ground. Residential development with gardens is a sensitive end use. Conditions require intrusive investigation and risk assessment where necessary, an approved remediation scheme, verification before occupation and a procedure for unexpected contamination. Those requirements are supported by the site evidence and are not based on an assumption that the previous storage use has already been remediated.

5.8.7 External lighting must protect neighbours and the character of the area while avoiding harmful illumination of bat corridors. A coordinated lighting condition, informed by the ecology and Police advice, will address these matters. Subject to the detailed design and environmental conditions, the proposal is capable of providing satisfactory living conditions and protecting neighbouring occupiers in accordance with the relevant policies.

5.9 Planning Obligations

5.9.1 LDP Policies I1, I2, E3 and E6 and NPPF Policies DM5, DM6, HC3 and HC4 require development to provide or fund infrastructure made necessary by the scheme. Every obligation must be necessary to make the development acceptable, directly related to it and fairly and reasonably related in scale and kind.

5.9.2 ECC's education and infrastructure response dated 26 January 2026 identifies demand for additional early years and primary school places and requests £86,504 for early years and childcare and £288,345 for primary education, indexed from quarter 1 of 2025. It does not request secondary school-place or post-16 education contributions. It also seeks £3,812.20 for libraries, indexed from April 2020, an Employment and Skills Plan and £700 monitoring per obligation. These requested contributions, other than school transport as addressed below, are included in the heads of terms.

5.9.3 Following discussions with both ECC Highways and Education and Infrastructure teams, no school transport contribution is included in the proposed heads of terms - on the basis that the required highway improvements to Burnham Road are intended to provide a safe walking route to the schools, negating the need for specific, short distance school bus services. For primary education, the new footway and crossing connection are material to ECC's earlier conclusion that no safe route was available. The exclusion must be read with the requirement that the complete route is delivered before occupation.

5.9.4 The £135,000 public transport request is included, subject to the project, cost and apportionment clarification identified in the transport assessment section. The legal

agreement and highway arrangements must distinguish that financial contribution from the access, footway, crossing, bus-stop and Traffic Regulation Order works so that there is no double recovery. The travel information packs and six one-day vouchers per dwelling are separately secured by condition.

5.9.5 The agreement must also secure the affordable housing, RAMS, public open space and play provision, long-term management of green infrastructure and any biodiversity land or funding commitments not adequately secured by condition. Any monitoring charge must be proportionate to the work required and must not duplicate another charge. Each financial obligation should identify its purpose, trigger, indexation and repayment provisions.

5.9.6 Subject to the highlighted clarification of amounts and justification, the obligations are directed to the effects of this development. Infrastructure needed to make the proposal acceptable is treated as mitigation in the planning balance rather than as an additional benefit merely because money or works would be provided.

5.10 Other Matters

5.10.1 The Sustainability Statement proposes a fabric-first approach, efficient building services, air-source heat pumps, solar photovoltaic generation, water efficiency and measures to reduce overheating. It indicates the potential for a 63% reduction in regulated carbon emissions against its Part L 2021 baseline. As the house types and detailed design are reserved, that modelled outcome should not be presented as an already fixed performance standard. A proportionate condition secures a detailed energy and sustainability scheme and its implementation, coordinated with the applicable Building Regulations.

5.10.2 The proposal is for up to 47 homes on a site below five hectares on either of the area figures supplied. No part of the application site is identified as an EIA sensitive area. Its location within the wider recreational Zone of Influence of coastal Habitats sites does not itself place the site within those designations. On the described residential scope, the dwelling-number and overall area thresholds for Schedule 2 urban development are not exceeded. No Environmental Impact Assessment requirement has been identified on the supplied information; this conclusion is separate from the need for a Habitats Regulations Assessment.

5.10.3 The applicant undertook community engagement before submission, including a website consultation publicised by leaflets to 663 addresses and recording 78 responses. Those responses informed the submitted Statement of Community Involvement. They are distinct from the four objections recorded in the supplied summary of representations on the planning application and should not be added together as a single consultation total.

5.10.4 The recommendation includes pre-commencement conditions where the relevant information is necessary before demolition, groundworks or construction to avoid harm. The timing and reasons are stated in the schedule.

5.11 Planning Balance and Conclusion

5.11.1 The starting point is the development plan. The site is outside the defined settlement boundary of Latchingdon and is not allocated for housing. The proposal therefore conflicts with Policies S1, S2 and S8 insofar as they seek to direct residential growth to allocated sites and within defined settlements. The proposed change in land use and the consequences of extending residential development into the rear of the site must be assessed alongside that conflict.

5.11.2 The Council cannot demonstrate a five-year housing land supply. For the reasons given in section 5.1, the proposal is physically well related to Latchingdon and would address an evidenced unmet need. It is therefore considered to fall within Policy S5(1)(j). The applicable test is whether the benefits would be substantially outweighed by adverse effects when assessed against the national decision-making policies.

Social Benefits

5.11.3 The provision of up to 47 homes, representing a net addition of 46 dwellings, would make a material contribution to the District's housing supply. NPPF Policy HO7 requires substantial weight to be given to development meeting an evidenced accommodation need. Substantial positive weight is therefore attributed to the housing provision.

5.11.4 A minimum of 19 affordable homes at the maximum quantum would respond to the need identified by Strategic Housing, including the demand for rented family accommodation and accessible homes. The policy-compliant affordable provision, secured through the legal agreement, attracts substantial positive weight. This benefit is considered alongside the overall housing delivery without treating the same dwelling twice as an additional unit of supply.

5.11.5 Public open space, play and landscaped walking routes would contribute to a satisfactory living environment. Much of that provision is required to meet the needs generated by the scheme. Limited positive weight is given to any wider public recreational benefit, with the extent of public access and management to be secured.

Economic Benefits

5.11.6 Construction would support employment and spending within the supply chain, and future residents would contribute expenditure to local services. The construction element is temporary and the longer-term effect is proportionate to a 47-home development. Limited positive weight is given to these economic effects. The proposed Employment and Skills Plan would help direct appropriate opportunities towards local people.

Environmental Benefits

5.11.7 The scheme would remove existing structures and scrap storage and provide a more coherent landscape framework. Given the existing mixed condition of the land, limited positive weight is given to that improvement; it does not negate the landscape effects of introducing additional housing.

5.11.8 The submitted biodiversity assessment indicates gains above the statutory minimum in each applicable unit type. The additional gain beyond the minimum attracts limited positive weight, subject to its delivery being maintained through the detailed design and secured management. The baseline statutory requirement is not treated as an additional discretionary planning benefit.

5.11.9 The footway and crossing improvements would provide a connection where none presently exists. They are necessary to make the development acceptable and are principally mitigation. To the extent that they also improve routes for existing residents, limited additional positive weight is appropriate. The sustainability proposals can further reduce resource use, but their outline-stage nature limits the weight given to a particular modelled carbon saving.

Adverse Impacts of the Proposal

5.11.10 Conflict with the adopted settlement strategy is a material adverse consideration. In the context of the current NPPF approach and the acknowledged housing-supply shortfall,

limited adverse weight is attributed to that conflict. It remains part of the balance and is not treated as extinguished by national policy.

5.11.11 The development would introduce more extensive housing, roads, activity and lighting into the site and change its relationship with open land to the south. The existing enclosure, mixed uses and proposed planting limit the wider effect, but the localised landscape and countryside harm attracts moderate adverse weight. Limited adverse weight is given to the loss of land presently in agricultural or grassed use.

5.11.12 Some additional car dependence would remain, given the distance to larger service centres and rail stations. The highway improvements and public transport mitigation would reduce that effect, but do not remove it. Limited adverse weight is attributed to residual car travel. Temporary construction noise, dust, traffic and visual disturbance also attract limited adverse weight, subject to the construction controls.

5.11.13 The technical evidence indicates that detailed design, highway safety, surface water drainage, archaeology, trees and residential amenity can be made acceptable by conditions and obligations. No separate unacceptable harm has been identified in those respects. The identified foul-water constraints are capable of resolution through the strategic condition, while the completed Appropriate Assessment, following consultation with Natural England, concludes that the development would not adversely affect the integrity of the relevant Habitats sites subject to the identified mitigation.

Planning Balance Summary

5.11.14 The principal benefits are the net addition of up to 46 homes and the delivery of at least 19 affordable homes within a 47-dwelling scheme. Both attract substantial positive weight. More limited benefits arise from construction and local spending, removal of storage, public green infrastructure, biodiversity gain above the statutory minimum and wider pedestrian connectivity.

5.11.15 Against those benefits are the development-plan conflict, localised landscape and countryside change, limited agricultural loss, additional car travel and temporary construction effects. Subject to securing the necessary mitigation, those adverse effects would not substantially outweigh the benefits.

5.11.16 Having regard to the assessment above, the identified adverse effects would not substantially outweigh the benefits of the development. The proposal therefore satisfies the decision-making test in NPPF Policy S5. Officers therefore recommend that planning permission be granted subject to the proposed conditions and the applicant entering into a legal agreement to secure the necessary planning obligations set out in section 8.

6. ANY RELEVANT SITE HISTORY

6.1 The following history is relevant to the application and its surrounding context. Permissions on adjoining land do not authorise development at Fairfield.

Reference	Description	Decision
24/03047/PREAPP	Pre-application enquiry concerning residential development at Fairfield.	Advice dated 12 December 2024, as identified in the application form.

Reference	Description	Decision
18/01387/OUT and 21/01198/RES	Business development at Red Lyons Business Centre, adjoining the site to the east. Relevant to the acoustic assessment.	Outline permission granted in 2018; reserved matters approved in April 2022.
22/01174/OUTM	Up to 160 dwellings on land north of The Groves, Burnham Road. Relevant to the surrounding built context and pedestrian infrastructure.	Allowed on appeal on 5 July 2024.
25/00798/RESM	Reserved matters for the permitted development north of The Groves.	Reported to committee on 25 February 2026.

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
Latchingdon Parish Council 2 February 2026	Recommends refusal. Outside the settlement boundary; conflict with Policies S1, S2, S8, D1 and N2. No continuous footway and excessive walking distances. Cumulative pressure on roads, schools, health services and infrastructure, with reference to other developments in the area.	The settlement-policy conflict is acknowledged in section 5.1 and weighed in section 5.11. Highway works must provide a complete pedestrian connection before occupation. Technical impacts and cumulative infrastructure requirements are assessed in sections 5.6–5.9 and secured through conditions and obligations, subject to the highlighted confirmations.

7.2 Statutory Consultees and Other Organisations *(summarised)*

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Essex County Council Highways 5 January 2026	No objection subject to a construction plan, access and visibility, 2 metre footway and crossings, £135,000 public transport contribution, extension of the 30mph limit and travel packs including six one-day vouchers per dwelling.	Conditions 7–11 and the Section 106 heads address these requirements. See section 5.6.

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Lead Local Flood Authority 18 July 2026	Latest response raises no objection subject to detailed SuDS, construction water management, maintenance arrangements and annual logs. Earlier holding objections are superseded by this response.	Conditions 14–16 include the requested requirements, including 2.6 litres/second discharge, 45% climate change and 10% urban creep. See section 5.7.
Anglian Water 28 November 2025	Objects owing to insufficient Latchingdon Water Recycling Centre and foul-network capacity. No suitable point of connection can presently be offered. No treatment upgrade is funded in AMP8. Suggests a strategic foul-water condition if approval is granted.	Proposed condition 12 restricts commencement and occupation pending an approved, delivered solution. See section 5.7.
Natural England 14 November 2025	Further information required. Identifies recreational effects on coastal Habitats sites and requests the Council's Appropriate Assessment with secured RAMS mitigation. Bespoke mitigation would require further consultation.	A shadow HRA was submitted on 20 March 2026. Including Appropriate Assessment assessed by the LPA. RAMS is included in the heads of terms. See section 5.7.
Essex County Council Education and Infrastructure 26 January 2026	Seeks early years £86,504, primary education £288,345, libraries £3,812.20, school transport, an Employment and Skills Plan and £700 monitoring per obligation. No secondary-place or post-16 contribution sought.	Other requested contributions are included. School transport is omitted on the proposed safe-walking-route basis. See section 5.9.
Essex Police 19 November 2025	Recommends Secured by Design principles and accreditation, with attention to boundary security, lighting and early engagement with the Designing Out Crime Officer.	Condition 27 secures a crime-prevention scheme informed by Secured by Design principles. Lighting must also meet condition 23. An informative encourages further engagement and accreditation.

7.3 Internal Consultees *(summarised)*

Name of Internal Consultee	Comment	Officer Response

Name of Internal Consultee	Comment	Officer Response
Strategic Housing 14 January 2026	Supports 40% affordable housing. Seeks an appropriate size/tenure mix, 80% rented and 20% intermediate, with 75% of the rented element as Social Rent; accessible homes, space standards, affordability controls and provision addressing family and bungalow needs.	At least 19 affordable homes at the maximum quantum, with detailed tenure, standards, nominations and delivery secured through the Section 106 agreement. Condition 5 addresses mix and accessibility. See section 5.2.
Environmental Health 23 December 2025	No objection subject to detailed Noise Impact Assessment and Acoustic Design Statement, and a construction plan addressing noise, dust, vibration, hours and site-manager contact.	Conditions 10 and 26 secure the requested measures. The detailed acoustic design must address Burnham Road and existing/consented Red Lyons Business Centre activity. Contamination controls are also justified by the Phase I appraisal. See section 5.8.
Place Services Ecology 2 March 2026	No objection subject to conditions and Natural England's formal comments on the Council's Appropriate Assessment. January bat holding objection resolved. Supports submitted metric; seeks mitigation, biodiversity CEMP, enhancements, sensitive lighting, survey review after one year and long-term habitat management.	Conditions 20–25 address the ecological requirements. Significant habitat enhancements require at least 30 years' management and monitoring. RAMS is secured by obligation. See section 5.7.
Place Services Arboriculture 25 November 2025	No objection to outline development area. Requests exploration of retention of Category B trees T9 and T41 and an updated Arboricultural Impact Assessment, Method Statement and Tree Protection Plan at reserved matters.	Conditions 18 and 19 secure the detailed tree and landscape requirements. See section 5.4.
Place Services Archaeology 3 December 2025	Identifies archaeological potential. Requires staged written investigation, evaluation, mitigation, fieldwork and post-excavation assessment within six months, followed by analysis, publication and archive deposition.	Condition 17 incorporates all stages. See section 5.5.

7.4 Site Notice / Advertisement

7.4.1 The application was advertised in the Maldon and Burnham Standard on 20 November 2025, with a stated representation deadline of 11 December 2025. Site Notices were also posted on 12 November 2025, with an expiry for comments on 3 December 2025. Three notices were posted along Burnham Road, approaching the site, and one to the east along Rectory Lane.

7.5 Representations received from Interested Parties *(summarised)*

7.5.1 The supplied public-comments summary records four objections, from Jayne Pestell, Lucy Olack, Lone Skau and Diane Burrows, following a portal check on 19 July 2026. Their material planning concerns are summarised below.

Comment	Officer Response
Development outside the village boundary; loss of countryside and village character; excessive cumulative growth.	Policy conflict and localised landscape harm are acknowledged. Housing need, the relationship to the village and the balance of benefits and effects are assessed in sections 5.1, 5.4 and 5.11.
Traffic, speeding and accidents on Burnham Road; road capacity, diversions, bypass and emergency access concerns.	ECC Highways raises no objection subject to mitigation. Access, visibility, footways, crossings and the speed-limit extension are secured by conditions. Construction routing is controlled. See section 5.6.
No safe footway; long distances to schools, shops, bus and rail services; dependence on cars and on the North of The Groves works.	The need for a complete pedestrian connection before occupation is accepted. Public transport mitigation and travel packs are required. Residual car dependence is weighed in the balance.
Pressure on schools, GP services, hospitals and other infrastructure.	Education, library and public transport obligations are proposed. School transport is excluded on the stated walking-route basis, subject to the highlighted secondary-distance issue. See section 5.9.
Flooding, drainage, ecology and loss of habitat.	The LLFA's latest response raises no objection subject to conditions. Ecology supports the proposal with mitigation and net gain.See section 5.7.
Light pollution, amenity and construction disturbance.	Reserved matters, lighting, acoustic design and construction conditions control these effects. Landscape buffers and tree protection are required. See sections 5.4 and 5.8.

8. PROPOSED CONDITIONS, INCLUDING HEADS OF TERMS OF ANY SECTION 106 AGREEMENT

8.1 HEADS OF TERMS OF ANY SECTION 106 AGREEMENT

Head	Provision / Purpose

Head	Provision / Purpose
Affordable housing	40% affordable housing: at least 19 homes where 47 dwellings are built. An agreed affordable housing scheme to secure size, location, clustering, tenure and delivery; 80% rented / 20% intermediate, with 75% of the rented element as Social Rent, subject to an agreed integer split. Registered Provider transfer, nominations, eligibility, rent/service-charge controls and affordable space standards. Four-bedroom rented homes and one-bedroom rented bungalows to meet the Housing response's LHA affordability requirements. Shared ownership to reflect Designated Protected Area restrictions, including an 80% staircasing cap unless an approved exception applies. Delivery and market-occupation triggers to be specified in the agreement.
Early years and childcare	Contribution sought: £86,504, indexed from Q1 2025, subject to ECC confirming the correct dwelling mix, yield, place count and calculation. To provide additional early years and childcare capacity serving the development. Confirm the project, payment trigger, index and expenditure/repayment period.
Primary education	Contribution sought: £288,345, indexed from Q1 2025, subject to ECC correcting the inconsistent pupil/place figures and confirming the calculation. To provide additional primary capacity serving the development, with reference to Christchurch CE Primary.
Libraries	Contribution sought: £3,812.20 at £77.80 per dwelling, indexed from April 2020. Reconcile the 49-unit equivalent with the proposed 47 dwellings; 47 × £77.80 is £3,656.60 before indexation. For library facilities, mobile library and outreach services serving the additional population.
Public transport	£135,000 towards improved public transport links, payable before first occupation. ECC to confirm the service/project, cost and apportionment, indexation and expenditure/repayment period and demonstrate compliance with Regulation 122.
Essex Coast RAMS	£169.45 per net additional dwelling under the Council's published transitional arrangements for pending applications submitted before 1 April 2026: £7,794.70 for a maximum net addition of 46 dwellings. Payment before commencement, consistent with the submitted shadow HRA; final agreement to reflect the Council's completed Appropriate Assessment and final net dwelling total.
Public open space, play and green infrastructure	Secure the public open space, children's play area, landscape links and associated infrastructure shown through the approved reserved matters, with a delivery programme and occupation triggers. Provide public access, a responsible management body, funded long-term maintenance, inspection, repair and replacement. Coordinate with drainage and habitat management and secure transfer/adoption arrangements where applicable.

Head	Provision / Purpose
Biodiversity management	Secure any land, access, management-body and funding commitments needed for significant on-site habitat enhancements, coordinated with condition 25 and the statutory Biodiversity Gain Plan. Management for at least 30 years from completion of development, with monitoring in years 1, 3, 5, 10, 15, 20, 25 and 30 and remedial measures. No off-site unit purchase is indicated by the submitted metric.
Employment and skills	An Employment and Skills Plan for the construction phase, agreed with ECC before commencement and implemented throughout construction. Identify local employment, apprenticeships, training opportunities, responsibilities and proportionate monitoring.
Monitoring and legal costs	ECC monitoring fee of £700 per obligation, subject to a proportionate final schedule identifying the obligations monitored. Appropriate Council monitoring and reasonable legal costs associated with the agreement.

8.2 PROPOSED CONDITIONS

1. Outline time limits
Application for approval of all reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission. The development shall begin not later than two years from the date of approval of the final reserved matter.
REASON: To comply with sections 91 and 92 of the Town and Country Planning Act 1990.

2. Reserved matters
No development shall commence until details of the appearance, landscaping, layout and scale of the development, hereinafter called the reserved matters, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved reserved matters.
REASON**:** To define the matters reserved for later approval and secure a high quality development in accordance with Policies D1 and H4 of the Maldon District Local Development Plan and Policies L2, L3, DP3 and DP4 of the NPPF.

3. Approved access and plans
The development shall be carried out within the site identified on Site Location Plan 1404/002 Rev B. The means of vehicular access shall be carried out in accordance with drawings I000277/04.1 Rev A (Access and Footway Provision), I000277/04.2 Rev A (Access Visibility) and I000277/04.3 Rev A (Pedestrian Crossing Visibility), subject to the detailed engineering requirements of conditions 7–9 and 13. Reserved matters shall accord with the development parameters on the Parameters Plan 1404/007 Rev B
The Illustrative Masterplan 1404/003 Rev V5 and Illustrative Landscape Masterplan LAT-EDL-XX-ZZ-DR-L-150 P3 are illustrative only and do not approve the reserved matters.
REASON**:** To define the permission and provide safe and suitable access in accordance with Policies T1 and T2 of the Maldon District Local Development Plan and Policies TR3, TR4 and TR6 of the NPPF.

4. Maximum quantum

The development shall comprise no more than 47 dwellings, together with the associated access, open space, landscaping, drainage and infrastructure. The existing dwelling and structures identified for demolition within the site shall be removed before first occupation of any dwelling hereby permitted.
REASON**:** To define the scope of the outline permission in accordance with Policies S1, D1 and H4 of the Maldon District Local Development Plan and Policies S5 and HO7 of the NPPF.

5. Housing mix, space and accessibility

The housing unit size mix for the market and affordable residential units within the development hereby approved shall be agreed as part of the reserved matters application(s) and shall have regard to the housing mix requirements as set out within the Maldon District Council Technical Advice Note (TAN) on Housing Mix, the Maldon District Local Housing Needs Assessment (2025) or any subsequent updated Local Housing Needs Assessment.
All dwellings shall meet Building Regulations M4(2) unless a site-specific technical reason is submitted to and approved in writing by the Local Planning Authority. At least 10% of the dwellings shall meet Building Regulations M4(3), with the distribution and wheelchair accessible or adaptable specification of affordable accessible dwellings to be agreed with the Local Planning Authority in consultation with the Local Housing Authority. The reserved matters shall identify the relevant units and demonstrate compliance. Affordable dwellings shall meet the Nationally Described Space Standard. The development shall be completed in accordance with the approved details.
REASON**:** To meet evidenced housing needs and provide inclusive accommodation in accordance with Policies H1, H2 and H4 of the Maldon District Local Development Plan and Policies HO7, HO8 and HO9 of the NPPF.

6. Levels, materials, boundaries and servicing

No above ground development shall commence until existing and proposed levels, finished floor levels, external materials, boundary treatments, refuse and cycle stores, parking and turning areas, utility structures, meter boxes and hard surfacing details have been submitted to and approved in writing by the Local Planning Authority. The levels shall accord with the approved flood-risk and drainage requirements. The approved details serving each dwelling shall be completed before its first occupation and retained thereafter. Parking, turning and cycle facilities shall remain available for their approved purposes.
REASON**:** To protect character, drainage, accessibility and amenity in accordance with Policies D1, D2 and D5 of the Maldon District Local Development Plan and Policies DP3, DP4, P3 and F7 of the NPPF.

7. Burnham Road access and visibility

No development other than site preparation approved under condition 10 shall take place until the access engineering details have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The details shall provide a minimum 5.5 metre carriageway width, a 2 metre footway on the western side of the access, a straight alignment for at least the first 15 metres from the highway and junction radii to be agreed with the Highway Authority.
Before the access is first brought into use for the development, visibility splays of 2.4 metres by 126.9 metres to the west and 2.4 metres by 119.2 metres to the east shall be provided as shown on drawing I000277/04.2 Rev A and kept permanently clear to ground level. No dwelling shall be occupied until the permanent access and all its approved engineering works are complete and available for use. The access and splays shall thereafter be retained.

REASON**:** To provide safe and suitable access for all users in accordance with Policies T1 and T2 of the Maldon District Local Development Plan and Policies TR3, TR4 and TR6 of the NPPF.

8. Two metre footway, crossings and bus-stop connections

No dwelling shall be occupied until a continuous 2 metre wide footway along the southern side of Burnham Road, extending west from the site access to a point approximately 20 metres west of the new access to the development north of The Groves, and the associated crossing facilities have been provided in accordance with details submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.

The details shall include dropped kerbs and tactile paving at the western connection and for access to the bus stops, pedestrian visibility, drainage and any necessary lighting consistent with condition 23. They shall identify all connecting sections and any bus-stop works needed to provide a complete, safe and usable route to the existing village footway network and operational bus stops. All those works shall be completed before first occupation, made available for public use and retained thereafter.

REASON**:** To secure safe and inclusive pedestrian access in accordance with Policies T1 and T2 of the Maldon District Local Development Plan and Policies TR3 and TR4 of the NPPF.

9. Extension of 30mph speed limit

No dwelling shall be occupied until the extension of the existing 30mph speed limit on Burnham Road (B1018) to a point east of the principal site access, agreed with the Highway Authority, has been secured through the appropriate Traffic Regulation Order process and brought into effect, and the associated traffic signs, gateway treatment and road markings have been provided in accordance with details agreed with the Highway Authority. The developer shall meet the costs of the required order and works. The approved measures shall thereafter be retained in accordance with the requirements of the Highway Authority.

REASON**:** To ensure that vehicle speeds are appropriately managed in the vicinity of the site access and to provide safe and suitable access in accordance with Policies T1 and T2 of the Maldon District Local Development Plan and Policies TR3, TR4 and TR6 of the NPPF.

10. Construction Environmental Management Plan

No development, including demolition, site clearance or preliminary groundworks, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall contain and comprehensively address, to the statutory industry standards of health and safety regulations, professional codes of practice, cost frameworks, and quality management systems, the following matters:

(a) hours of construction, deliveries and any piling operations;
(b) vehicle haul routing for demolition, remediation and construction, safe temporary access and on-site parking for operatives and visitors;
(c) wheel and underbody washing, sheeting of vehicles carrying loose materials and measures to keep the highway clear;
(d) loading and unloading, storage of plant and materials, compounds, temporary hardstandings, hoarding and lighting;
(e) noise control with reference to BS5228, vibration controls and appropriate monitoring;
(f) dust-generating activities and sensitive receptors, suppression and containment, haul-road speed controls, covering of stockpiles and transport,

inspection frequencies and action levels;
(g) waste management, fuel and chemical storage, pollution prevention and coordination with the approved construction water-management and biodiversity plans; and
(h) site-manager contact details, community liaison and a procedure for recording, handling and monitoring complaints.
Works on site shall only take place in accordance with the approved CEMP.
REASON**:** To protect highway safety, amenity and water quality during construction in accordance with Policies D1, D2, T1 and T2 of the Maldon District Local Development Plan and Policies P3, TR4, TR6 and F8 of the NPPF. Approval is required before commencement because demolition and initial groundworks can give rise to these effects.

11. Residential travel information packs

Before first occupation of the development, a Residential Travel Information Pack shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. It shall include local walking, cycling and public transport information and six one-day public transport vouchers for each dwelling for use with the relevant local operator. An approved pack and the vouchers shall be provided to the first occupier of each dwelling upon occupation.
REASON**:** To promote sustainable travel in accordance with Policies T1 and T2 of the Maldon District Local Development Plan and Policies TR3, TR4 and TR6 of the NPPF.

12. Strategic foul water strategy

No development shall commence until a strategic foul water drainage strategy has been submitted to and approved in writing by the Local Planning Authority in consultation with Anglian Water. The strategy shall identify the receiving water recycling centre and network, required capacity improvements, phasing, responsible undertaker, programme and an alternative lawful treatment solution if network improvements are unavailable. No dwelling or other building shall be occupied until the infrastructure serving it has been completed and written confirmation of capacity and connection has been provided. The approved strategy shall be implemented in full.
REASON: To prevent pollution and ensure that adequate foul water infrastructure is available in accordance with Policies D2 and D5 of the Maldon District Local Development Plan and Policies W4, P3 and F7 of the NPPF.

13. Watercourse crossing and flood levels

No works to the access culvert or any ordinary watercourse shall commence until final plans and cross sections, hydraulic assessment, culvert dimensions, bank treatment, construction sequence, maintenance access and arrangements for managing blockage have been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall demonstrate that the crossing and development will not increase flood risk on or off site and shall be coordinated with the approved surface water scheme.
The approved crossing works shall be completed before the permanent access is brought into use. The development shall incorporate finished floor levels at least 300 millimetres above adjacent ground levels, as proposed in the submitted Flood Risk Assessment, with safe exceedance routes and access, in accordance with the levels approved under conditions 6 and 14. The approved measures and maintenance access shall be retained.
REASON**:** To protect watercourse capacity and biodiversity and ensure safe development without increasing flood risk in accordance with Policy D5 of the

Maldon District Local Development Plan and Policies F4, F7, F8 and N2 of the NPPF.

14. Detailed surface water drainage

No works except demolition shall take place until a detailed surface water drainage scheme, based on sustainable drainage principles and the hydrological and hydrogeological context of the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
(a) verification of infiltration suitability through testing in accordance with BRE365 and Chapter 25.3 of the CIRIA SuDS Manual C753;
(b) a maximum discharge of 2.6 litres per second for all storm events up to and including the 1 in 100 year event plus 45% climate change, with evidence of the necessary outfall and third-party permissions;
(c) sufficient storage to prevent off-site flooding caused by the development in events up to and including the 1 in 100 year event plus 45% climate change;
(d) evidence that storage features can half empty within 24 hours after the critical 1 in 30 year event plus 45% climate change, or can accommodate a 1 in 10 year event within 24 hours of that event;
(e) a 10% urban creep allowance applied to impermeable areas in the storage calculation;
(f) final modelling and calculations for all drainage areas, treatment in accordance with the Simple Index Approach in Chapter 26 of C753, and detailed engineering drawings of each component;
(g) a final drainage plan showing levels, finished floor levels, exceedance and conveyance routes and the location and size of drainage features; and
(h) an updated drainage strategy incorporating these requirements and identifying changes from the submitted strategy.
The approved scheme shall be implemented in full before first occupation and retained thereafter.
REASON**:** To prevent flooding and pollution and provide multifunctional drainage in accordance with Policies D2 and D5 of the Maldon District Local Development Plan and Policies F4, F7 and F8 of the NPPF. Approval is required before works commence to prevent installation of an inadequate system and associated flood and pollution risks.

15. Construction surface water management

No works shall take place until a construction surface water and groundwater management plan has been submitted to and approved in writing by the Local Planning Authority. It shall identify temporary drainage, settlement and treatment, dewatering arrangements, protection of watercourses and sewers, fuel and chemical controls, exceedance routes, inspection, maintenance, incident response and the sequence for bringing permanent SuDS into operation. It shall demonstrate how off-site flooding and pollution will be prevented throughout demolition and construction. Works shall accord with the approved plan.
REASON**:** To prevent construction stage flooding and water pollution in accordance with Policies D2 and D5 of the Maldon District Local Development Plan and Policies P3, F7 and F8 of the NPPF. Approval is required before works begin because site clearance, soil removal and dewatering may increase runoff and pollution.

16. SuDS maintenance and logs

Before first occupation, a maintenance plan for every surface water drainage feature shall be submitted to and approved in writing by the Local Planning Authority, identifying the responsible body for each element, maintenance access, tasks and frequencies, long-term funding and remedial procedures. The drainage shall thereafter be maintained in accordance with the approved plan for the

lifetime of the development. Annual inspection and maintenance logs shall be kept by the applicant or successor in title and made available for inspection by the Local Planning Authority on request.
REASON**:** To secure effective lifetime operation of the drainage system in accordance with Policy D5 of the Maldon District Local Development Plan and Policy F8 of the NPPF.

17. Archaeological programme

No development or preliminary groundworks shall take place until a programme of archaeological investigation has been secured by a Written Scheme of Investigation submitted to and approved in writing by the Local Planning Authority. The following stages shall be completed:
(a) archaeological evaluation shall be undertaken in accordance with the approved scheme and its completion confirmed in writing by the Local Planning Authority before other development or preliminary groundworks proceed;
(b) where the evaluation identifies a need for mitigation, a further Written Scheme of Investigation for mitigation shall be submitted to and approved in writing before development in the affected area;
(c) the necessary fieldwork shall be completed in accordance with that scheme and approved in writing before development proceeds in the affected area;
(d) a post-excavation assessment and updated project design shall be submitted to and approved in writing within six months of completion of the fieldwork, or another period agreed in writing by the Local Planning Authority; and
(e) analysis, publication and archive deposition shall be completed in accordance with the approved project design and timetable.
REASON**:** To preserve by record and, where appropriate, in situ archaeological remains in accordance with Policy D3 of the Maldon District Local Development Plan and Policies HE4, HE5 and HE10 of the NPPF. Approval is required before ground disturbance to avoid loss of archaeological evidence.

18. Trees and hedgerows

The reserved matters shall be accompanied by an updated Arboricultural Impact Assessment demonstrating the retention of trees and hedgerows, including consideration of Category B trees T9 and T41. No development, demolition or site clearance shall commence until a final Arboricultural Method Statement and Tree Protection Plan compliant with BS5837:2012 has been submitted to and approved in writing by the Local Planning Authority.
Retained trees and hedgerows shall be fenced before clearance or construction and protected from storage, plant, excavation, service installation and level changes. The approved protection and supervision shall be maintained throughout the works. Any retained or replacement specimen that dies, is removed or becomes seriously damaged or diseased within five years of completion shall be replaced in the next planting season with a specimen of an approved size and species.
REASON**:** To protect important landscape and biodiversity features in accordance with Policies D1, N1 and N2 of the Maldon District Local Development Plan and Policies N2 and N3 of the NPPF. Approval and protection are required before commencement because initial clearance and construction can irreversibly damage retained vegetation.

19. Green infrastructure and landscape management

The landscaping reserved matters shall include a coordinated Green Infrastructure and Landscape Strategy defining retained vegetation, structural and early planting, boundary buffers, public open space, play provision, SuDS integration, pedestrian routes, species, sizes and densities, establishment, irrigation, replacement and management responsibilities. It shall include an implementation

programme coordinated with the open-space obligations and habitat management plan.
The landscaping shall be implemented in accordance with the approved programme and no later than the first planting season following first occupation, except where the approved programme requires earlier provision. Any tree or shrub that dies, is removed or becomes seriously damaged or diseased within five years of planting shall be replaced in the next planting season with a specimen of an approved size and species. The approved landscape management shall be undertaken thereafter.
REASON**:** To integrate the development, secure multifunctional green infrastructure and protect landscape character in accordance with Policies D1, N1, N2 and N3 of the Maldon District Local Development Plan and Policies DP3, N2 and N3 of the NPPF.

20. Ecological mitigation

The development shall be carried out in accordance with the mitigation measures identified in the Ecological Impact Assessment (Logika Group, 15 September 2025) and Bat Survey Report (Logika Group, 27 January 2026), as detailed through the approved biodiversity construction, enhancement and lighting schemes required by conditions 21–23. The approved measures shall be implemented in full at the relevant stages of development and retained where they provide permanent mitigation.
REASON**:** To avoid harm to protected and priority species in accordance with Policies N1 and N2 of the Maldon District Local Development Plan and Policies N2 and N6 of the NPPF.

21. Biodiversity Construction Environmental Management Plan

No development, including demolition or vegetation clearance, shall commence until a Biodiversity Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. It shall accord with Section 6 of the Ecological Impact Assessment and the Bat Survey Report and include:
(a) a risk assessment of potentially damaging activities and identification of biodiversity protection zones;
(b) practical methods for protecting species, nesting birds, retained vegetation, habitats and watercourses;
(c) the location and timing of sensitive works and occasions when a specialist ecologist must be present;
(d) responsible persons, lines of communication and the duties of the ecological clerk of works;
(e) protective fencing, exclusion barriers, warning signs, toolbox talks, incident response and compliance monitoring; and
(f) construction lighting controls to retain dark corridors for foraging and commuting bats.
The approved plan shall be adhered to throughout demolition and construction.
REASON**:** To avoid construction stage harm to biodiversity in accordance with Policies N1 and N2 of the Maldon District Local Development Plan and Policies N2 and N6 of the NPPF. Approval is required before commencement to protect habitats and species during initial site works.

22. Biodiversity enhancements

A Biodiversity Enhancement Strategy for protected, priority and threatened species, prepared by a suitably qualified ecologist, shall be submitted with the reserved matters and approved in writing by the Local Planning Authority before any works above slab level. It shall include conservation objectives, detailed designs or product descriptions, mapped locations, responsible persons, initial

aftercare and long-term maintenance. Measures shall include integrated bird and bat features, hedgehog access and habitat features appropriate to the ecological evidence and approved design. The approved features shall be installed before occupation of the relevant buildings or completion of the relevant landscape area and retained thereafter.
REASON**:** To secure measurable ecological enhancement in accordance with Policy N2 of the Maldon District Local Development Plan and Policies N2 and N3 of the NPPF.

23. Wildlife sensitive lighting

A Lighting Design Strategy for biodiversity and amenity shall be submitted with the reserved matters and approved in writing by the Local Planning Authority before installation of any permanent external lighting or first occupation, whichever is earlier. It shall follow Guidance Note GN08/23 and identify sensitive receptors and dark corridors, with horizontal and vertical illuminance contours, spectrum, shielding, mounting heights, hours and controls. It shall demonstrate protection of retained hedgerows, watercourses, trees, bat foraging and commuting routes and neighbouring dwellings.
All external lighting shall be installed and operated only in accordance with the approved strategy. No other external lighting shall be installed without prior written approval of the Local Planning Authority.
REASON**:** To protect wildlife corridors, landscape character and living conditions in accordance with Policies D1, D2, N1 and N2 of the Maldon District Local Development Plan and Policies P3, N2 and N6 of the NPPF.

24. Updated ecological surveys

If development has not commenced within one year of the date of this permission, an ecological review and any necessary updated surveys, impact assessment and revised mitigation shall be submitted to and approved in writing by the Local Planning Authority before commencement. The review shall be undertaken by a suitably qualified ecologist and consider changes in site conditions and the status of protected and priority species and habitats. Any revised mitigation shall be implemented in full in accordance with the approved timetable.
REASON**:** To ensure decisions and mitigation remain based on current ecological evidence in accordance with Policy N2 of the Maldon District Local Development Plan and Policies DM2 and N2 of the NPPF.

25. Habitat Management and Monitoring Plan

No development shall commence until a Habitat Management and Monitoring Plan for the significant on-site habitat creation and enhancement identified in the Biodiversity Gain Plan has been submitted to and approved in writing by the Local Planning Authority. It shall address mixed scrub, other neutral grassland, rural trees, species-rich native hedgerow and any other significant habitats identified in the final approved metric.
The plan shall specify baseline and target condition, creation and enhancement works, implementation timetable, responsible bodies, funding, management for at least 30 years from completion of development, monitoring methods, success criteria and remedial or adaptive management. Reports shall be submitted to the Local Planning Authority in years 1, 3, 5, 10, 15, 20, 25 and 30 following completion. The plan and any approved remedial measures shall be implemented in full.
REASON**:** To secure and monitor the biodiversity units relied upon by the development for at least 30 years in accordance with Schedule 7A to the Town and Country Planning Act 1990, Policy N2 of the Maldon District Local Development Plan and Policy N2 of the NPPF. Approval is required before

commencement to coordinate habitat delivery with site works and the statutory Biodiversity Gain Plan.

26. Noise and acoustic design

No development shall commence until a detailed Noise Impact Assessment and Acoustic Design Statement, informed by the Noise Assessment (Logika Group, 15 September 2025), has been submitted to and approved in writing by the Local Planning Authority. The assessment shall be coordinated with the reserved matters and shall address the final site layout and building orientation, road traffic noise from Burnham Road and commercial/industrial noise from existing and consented uses at Red Lyons Business Centre.

It shall identify necessary mitigation, including any acoustic barriers, enhanced glazing, ventilation and garden screening, and demonstrate that internal habitable-room and external private-amenity noise levels meet relevant standards. All approved mitigation shall be implemented in full before first occupation of the development and retained thereafter.

REASON**:** To ensure an acceptable living environment and protect residential amenity in accordance with Policies D1 and D2 of the Maldon District Local Development Plan and Policy P3 of the NPPF. Approval is required before commencement because noise mitigation influences the layout and construction of the development.

27. Crime prevention

The reserved matters shall include a crime-prevention scheme informed by Secured by Design principles, addressing natural surveillance, public and private space, access, boundaries, doors and windows, cycle storage and lighting. The scheme shall be approved in writing by the Local Planning Authority and coordinated with the biodiversity lighting strategy. The approved measures serving each dwelling shall be implemented before its first occupation and retained thereafter.

REASON**:** To provide a safe and secure living environment in accordance with Policy D1 of the Maldon District Local Development Plan and Policy DP3 of the NPPF.

28. Contamination investigation

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

The assessment shall include a survey of the extent, scale and nature of contamination; an assessment of risks to human health, property, adjoining land, groundwater, surface water, ecological systems and other relevant receptors; and an appraisal of remedial options identifying the preferred approach where required. The investigation and assessment shall be undertaken in accordance with current Environment Agency Land Contamination Risk Management guidance and other relevant technical guidance.

REASON**:** To ensure that risks arising from land contamination are identified and addressed and to protect future occupiers, controlled waters and the environment in accordance with Policy D2 of the Maldon District Local Development Plan and Policies P2 and P3 of the NPPF. Approval is required before commencement because site works may disturb or spread contamination.

29. Contamination remediation

Where the investigation required by condition 29 identifies contamination requiring remediation, no development within the affected area shall commence, other than

works required to undertake remediation, until a detailed remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall identify remediation objectives and criteria, the measures to be undertaken, an implementation programme and a verification plan.
The approved remediation shall be completed in accordance with the approved scheme and a verification report demonstrating its satisfactory completion shall be submitted to and approved in writing by the Local Planning Authority before occupation of the affected part of the development.
REASON**:** To ensure that contamination is remediated so the development is suitable for its intended use and does not give rise to unacceptable risks to human health, controlled waters or the environment in accordance with Policy D2 of the Maldon District Local Development Plan and Policies P2 and P3 of the NPPF. Approval is required before development of an affected area to ensure appropriate remediation.

30. Unexpected contamination

If contamination not previously identified is found, work in the affected area shall cease. An investigation and risk assessment by a competent person, together with a remediation method and verification plan, shall be submitted to and approved in writing by the Local Planning Authority. The approved remediation shall be completed and verified before development resumes in that area or the relevant building is occupied.
REASON**:** To protect health, controlled waters and the environment in accordance with Policy D2 of the Maldon District Local Development Plan and Policies P2 and P3 of the NPPF.

Informatives

The statutory biodiversity gain condition applies to this permission. A Biodiversity Gain Plan must be submitted to and approved by the Local Planning Authority before development begins. It should include the final statutory metric, pre- and post-development habitat plans and any legal agreements, off-site register references or credit evidence where applicable. This is separate from the Habitat Management and Monitoring Plan and protected-species requirements.

Works within or affecting the highway require the appropriate agreement and approvals from Essex County Council. The developer should address the Advance Payments Code, any necessary utility or telegraph-pole relocation and separate highway drainage. Planning permission does not authorise highway works or make the required Traffic Regulation Order.

Works to an ordinary watercourse or culvert may require separate consent under the Land Drainage Act. Permission to discharge to an outfall and any necessary riparian or third-party rights must be obtained. SuDS asset information should be provided to the LLFA in GIS format for its asset records, and proposed highway-drainage adoption should be discussed with the Highway Authority.

The applicant is encouraged to engage with Essex Police's Designing Out Crime Officer and seek Secured by Design accreditation. Planning permission does not remove the need to comply with protected-species legislation or obtain any necessary Natural England licence.