



## Tollesbury Parish Council

Notice is hereby given that the Meeting of Tollesbury Parish Council will be held on **Tuesday 19<sup>th</sup> December 2023**, in **The Pavilion, Tollesbury Recreation Ground, Elysian Gardens**, commencing at **7.30 pm**, to which members of the Council are summoned for the transaction of the under-mentioned business.

*M. Curtis*

Michelle Curtis – Clerk to the Council

12<sup>th</sup> December 2023

Councillors: S Plater (Chairman), S Hawes (Vice-Chairman), M Bell,  
R Clare, A Ferneyhough, P Gilbert, L Goldie, L Inwood, C Page,  
J Rogers, A St Joseph

**THE PRESS AND PUBLIC ARE CORDIALLY INVITED TO ATTEND**

Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted; however, the privacy of (i) persons who object to the same and (ii) children and vulnerable adults must be respected by anonymising the identities of such.

**1. Apologies for Absence**

To receive apologies for absence.

**2. Declaration of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, Other Registrable Interests and Non-Registrable Interests relating to items of business on the agenda having regard to paragraph 9 and Appendix B of the Code of Conduct for Members. (Members are reminded that they are also required to disclose any such interests as soon as they become aware should the need arise throughout the meeting.)

**3. Public Forum**

Members of the public will be given an opportunity to put forward their question(s) or statements to the Council. The Chairman will, at his discretion, then decide if he is able to answer the question(s) or proposes to put the item on the agenda for the next meeting.

**4. County Councillor and District Councillors**

To receive information from the County Councillor and District Councillors

**5. Minutes**

To receive and approve the minutes of the Parish Council Meeting held on 5<sup>th</sup> December 2023

**6. Planning Applications and Decisions**

**6.1 Planning Applications**

Applications are circulated to all Councillors with the agenda for study ahead of the meeting. Planning documents are also available for everyone to view on Maldon District Council's website ([www.maldon.gov.uk](http://www.maldon.gov.uk)).

To consider planning applications received from Maldon District Council including the following:

Application No: LDP/MAL/23/01121 PP-12613914

Proposal: Claim for lawful development certificate for proposed use of land for the siting of a caravan to be used as an annex

Location: 62 Mell Road Tollesbury

Application No: 23/01160/OUTM PP-12537071

Proposal: Outline planning application with all matters reserved except access for up to 159 residential dwellings (Use Class C3), including 40% affordable housing, pre-school (Use Class E(f) and F1(a)), a road link connecting West Street to North Road, ancillary infrastructure, public open space, play space, suitable alternative natural greenspace (SANG) and sustainable drainage.

Location: Land North Of West Street Tollesbury

**6.2 Planning Decisions**

To receive notification of planning decisions from Maldon District Council.

HOUSE/MAL/23/00900 – 12 Church Street – Approved

VAR/MAL/23/00713 - Land North Of 48 Woodrolfe Road – Approved

COU/MAL/23/00880 - Land At Garlands Farm Tollesbury Road - Approved

**6.3 Planning Appeals**

To receive notification of Planning Appeals from Maldon District Council.

**6.4 Planning Appeal Decisions**

To note appeal decisions made by the Planning Inspectorate

**6.5 Tree Preservation Orders for information**

To note TPOs made by Maldon District Council.

**7. Finance**

**7.1** To receive the draft minutes of the Finance Committee Meeting held on 12<sup>th</sup> December 2023 #

**7.2** To receive a report on the Earmarked Reserves

**8. Budget/Precept 2024/25**

**8.1** To agree on the proposed fees for 2024/25

**8.2** To agree on the proposed budget and precept for 2024/25

**9. Policies and Procedures**

To consider the proposed amendments from the Finance Committee to the following Policies:

**9.1** Equality and Diversity Policy

**9.2** Publication Policy

**9.3** Document and Data Retention Policy

**9.4** Freedom of Information Policy

**10. Recreation Ground**

To consider the proposal from the Recreation Ground Committee for various works at the Pavilion and Recreation Ground

**11. Climate Change**

To discuss any issues relating to Climate Change

**12. Saturday Morning Skip**

To receive notification from Viking Skips of price increase effective from January 2024

**13. Administration**

To receive information from the Clerk – update on current and ongoing matters

**14. Community Matters**

To receive information only or note future agenda items

**15. Dates of the Next Meetings**

Tuesday 9<sup>th</sup> January 2024 - Full Council Meeting – 7.30pm – Pavilion

Tuesday 16<sup>th</sup> January 2024 - Full Council Meeting – 7.30pm – Pavilion

Tuesday 16<sup>th</sup> January 2024 – Environment & Amenity Committee – Following Full Council Meeting – Pavilion

Monday 5<sup>th</sup> February 2024 – Woodrolfe Hard Committee – 7.30pm – Pavilion

Tuesday 6<sup>th</sup> February 2024 - Full Council Meeting – 7.30pm – Pavilion

Tuesday 20<sup>th</sup> February 2024 - Full Council Meeting – 7.30pm – Pavilion

Tuesday 20<sup>th</sup> February 2024 – Woodup Pool Committee – To be rescheduled

If you would like an item on the agenda at any Full Parish Council or

Committee Meeting, you should write your request to the Parish Clerk at least a week before the meeting.

**Town and Country Planning Act 1990**  
**Weekly List Of Decisions**  
**Week Ending 24 November 2023**



**HOUSE/MAL/23/00900 Tollesbury West**

Installation of air source heat pump  
12 Church Street Tollesbury Maldon Essex  
(UPRN - 100090557573)  
Mr Graham Johnson

**APPROVE** subject to the following conditions:-

**1 CONDITION**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**REASON**

To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended).

**2 CONDITION**

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Proposed siting of heat pump unit, Location Plan, Site Plan  
Existing Plan and Elevations  
Proposed siting of heat pump unit, Plan and Elevations  
Heat pump info model Console  
Picture of heat pump (LG Smart Inverter)

**REASON**

To ensure that the development is carried out in accordance with the details as approved.

**3 CONDITION**

The unit hereby permitted shall have an installation sound rating level (rating level is the sound level averaged over 15 minutes [LAeq, 15 mins] from the unit alone at both full duty and when in reverse mode plus any adjustment for the characteristic features of the sound such as tones, impulsivity and intermittency) that does not exceed 35dB at any noise sensitive facade of neighbouring residential premises. The unit (including any replacement) and its operation shall remain to this specification and operation for the full duration of its use.

### REASON

To safeguard the residential amenity of neighbouring dwellings in accordance with Policies D1 and D2 of the approved Maldon District Local Development Plan and the NPPF.

### **POSITIVE AND PROACTIVE STATEMENT**

Town and Country Planning (Development Management Procedure) (England) Order 2015 - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Officer: Lauren Kitson  
Dated : 22/11/2023

**Town and Country Planning Act 1990**  
**Weekly List Of Decisions**  
**Week Ending 24 November 2023**



**VAR/MAL/23/00713      Tollesbury East**

Variation of conditions 12 (principle access), 15 (footway) and 16 (dropped kerb pedestrian crossings) on approved planning permission 21/00702/FUL (Create residential specialist neighbourhood for older people, consisting of 25 dwellings and community hub building, with associated landscaping and infrastructure)

Land North Of 48 Woodrolfe Road Tollesbury Essex  
(UPRN - 010013998644)

Mr Robert Scott - Lewis & Scott Retirement Living Ltd

**APPROVE** subject to the following conditions:-

1      **CONDITION**

The development hereby permitted shall be begun before the expiration of three years from the date of the original permission granted on 12.08.2022 under reference 21/00702/FUL.

**REASON**

To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended).

2      **CONDITION**

The development hereby permitted shall be carried out in accordance with the following approved plans:

CSL02 REV D  
CSI02 REV D  
PL1\_2\_10000 Rev D  
PL1\_2\_20000 Rev D  
PL1\_2\_14000 Rev D  
PL3\_4\_20000 Rev B  
PL3\_4\_10000 Rev C  
PL3\_4\_14000 Rev A  
PL5\_6\_10000 Rev C  
PL5\_6\_20000 Rev B  
PL7\_10\_10000 Rev B  
PL7\_10\_10001 Rev C  
PL7\_10\_20000 Rev A  
PL7\_10\_14000 Rev A  
PL11\_12\_10000 Rev D

PL11\_12\_14000 Rev D  
PL11\_12\_20000 Rev E  
PL13\_16\_20200 Rev A  
PL13\_16\_11200 Rev B  
PL17\_18\_10000 Rev C  
PL17\_18\_20000 Rev C  
PL17\_18\_14000 Rev B  
PL19\_20\_10000 Rev C  
PL19\_20\_14000 Rev C  
PL19\_20\_20000 Rev C  
PL21\_22\_20000 Rev B  
PL21\_22\_14000 Rev A  
PL21\_22\_10000 Rev B  
PL23\_25\_14000 Rev A  
PL23\_25\_10000 Rev B  
PL23\_25\_20000 Rev B  
SS.01 BW Rev C  
TOLLES-SPEC-001 REV J  
TOLLES-SPEC-002 REV L  
22-024/305 Rev T3

### REASON

To ensure that the development is carried out in accordance with the details as approved.

### 3 CONDITION

The dwelling mix for the development hereby approved shall accord with the following stated housing mix:

11no. one-bedroom units, all affordable units (4 shared ownership units and 7 affordable rented)  
8no. two-bedroom units (of which 1 affordable rented unit)  
6no. three-bedroom units

### REASON

In order to ensure that an appropriate housing mix is provided for the proposed development taking into account the objective of creating a sustainable, mixed community contained in Policy H1 of the approved Maldon District Development Local Plan and the guidance contained in the National Planning policy Framework

### 4 CONDITION

The development hereby approved shall be carried out in a manner to ensure that residential accommodation on plots 5, 6, 17 and 18, hereby approved, comply with building regulation M4 (3) 'wheelchair user dwelling'. The rest of

the development shall comply with building regulation M4 (2) 'accessible and adaptable dwelling'. The development hereby approved shall be retained as such in perpetuity.

#### REASON

To ensure the residential units hereby approved provides high quality and flexible internal layouts to meet the needs of an aging population in accordance with policy H3 of the Maldon District Local Development Plan, the National Planning Policy Framework, the Maldon District Specialist Needs Housing SPD (2018) and the Maldon District Local Housing Needs Assessment (2021).

#### 5 CONDITION

No development above ground level shall commence until details or samples of the external finishing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and be retained as such in perpetuity.

#### REASON

In the interest of the character and appearance of the conservation area in accordance with policy D1 of the approved Local Development Plan and the guidance contained in the Maldon District Design Guide (2017) and the National Planning Policy Framework.

#### 6 CONDITION

Prior to works above ground level, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority prior to any works occurring above ground level at the application site. These details shall include, for example:

- i. Proposed finished levels contours;
- ii. Means of enclosure;
- iii. Car parking layouts;
- iv. Other vehicle and pedestrian access and circulation areas;
- v. Hard surfacing materials;
- vi. Minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting);
- vii. Proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc, indicating lines, manholes, supports);
- viii. Retained historic landscape features and proposals for restoration, where relevant.

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the



occupation of any part of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the Local Planning Authority gives its written consent to any variation.

The hard landscape works shall be carried out as approved prior to the first use / occupation of the development hereby approved and retained and maintained as such thereafter.

#### REASON

To secure appropriate landscaping of the site in the interests of visual amenity and the character of the area, in accordance with policy D1 of the approved Local Development Plan and the guidance contained in the Maldon District Design Guide (2017) and the National Planning Policy Framework.

### 7 CONDITION

The tree retention protection plan, including protective fencing and ground protection measures approved under the terms of application 22/05115/DET shall be implemented and retained until all equipment, machinery and surplus materials have been removed from the site.

If within five years from the completion of the development an existing tree is removed, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, a replacement tree shall be planted within the site of such species and size and shall be planted at such time, as specified in writing by the Local Planning Authority

#### REASON

To secure the retention of appropriate landscaping of the site in the interests of visual amenity and the character of the area and for their biodiversity value in accordance with Policies D1 and N2 of the Maldon District Local Development Plan and the Maldon District Design Guide.

### 8 CONDITION

Prior to any works above ground level, a Landscaping Management Plan for at least five years to show how the development would improve the part of the site adjacent to the woodland area shall be submitted to and approved in writing by the Local Planning Authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective,

another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the Local Planning Authority gives its written consent to any variation.

REASON

To secure the retention and provision of appropriate landscaping on the site in the interests of visual amenity and the character of the area and for their biodiversity value in accordance with Policies D1 and N2 of the Maldon District Local Development Plan and the Maldon District Design Guide.

9 CONDITION

Details of the siting, height, design and materials of the treatment of all boundaries including gates, fences, walls, railings and piers shall be submitted to and approved in writing by the Local Planning Authority prior to first use/occupation of the development hereby approved. The screening as approved shall be constructed prior to the first use/occupation of the development to which it relates and be retained as such thereafter.

REASON

To ensure the use of appropriate details to safeguard the character and appearance of the area, in accordance with policy D1 of the approved Local Development Plan and the guidance contained in the Maldon District Design Guide (2017) and the National Planning Policy Framework.

10 CONDITION

Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking or re-enacting that Order) no garages, extensions or separate buildings (other than incidental outbuildings not exceeding 10 cubic metres in volume) shall be erected within the site without planning permission having been obtained from the Local Planning Authority.

REASON

In the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance with the requirements of policies D1 and H4 of the Maldon District Local Development Plan and the provision and guidance as contained within the National Planning Policy Framework.

11 CONDITION

The Construction Method Statement approved under the terms of application 23/05057/DET shall be adhered to throughout the construction period.

### REASON

To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety in accordance with policies D1 and T2 of the submitted Local Development Plan.

### 12 CONDITION

Prior to first occupation of the development hereby approved, and as shown in principle on planning drawing No. 22-024/305 Rev T3, the principal access shall be 5.5 metres wide with junction radius and footway on each side. The details are to be agreed in consultation with the Highway Authority.

### REASON

To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety in accordance with policy T2 of the submitted Local Development Plan.

### 13 CONDITION

Prior to occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 43 metres as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction / access is first used by vehicular traffic and retained free of any obstruction at all times.

### REASON

To provide adequate inter-visibility between vehicles using the road junction/ access and those in the existing public highway in the interests of highway safety in accordance with policy T2 of the submitted Local Development Plan.

### 14 CONDITION

Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

### REASON

To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety in accordance with policy T2 of the submitted Local Development Plan.

15 CONDITION

Prior to occupation of the development, the developer will construct 2m wide footways on the northern side of Woodrolfe Road on both sides of the site access as shown on drawing No. 22-024/305 Rev T3.

REASON

To ensure the additional pedestrian traffic generated within the highway as a result of the proposed development in the interests of highway safety in accordance with policy T2 of the submitted Local Development Plan.

16 CONDITION

Prior to occupation of the development, the developer will construct 2no uncontrolled dropped kerb pedestrian crossings either side of the proposed development access on Woodrolfe Road and a third uncontrolled dropped kerb pedestrian crossing on Woodrolfe Road to the east of the site, as shown on drawing No. 22-024/305 Rev T3.

REASON

To ensure the additional pedestrian traffic generated within the highway as a result of the proposed development in the interests of highway safety in accordance with policy T2 of the submitted Local Development Plan.

17 CONDITION

Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.

REASON

In the interests of reducing the need to travel by car and promoting sustainable development and in the interests of highway safety in accordance with policy T2 of the submitted Local Development Plan and the guidance contained in the National Planning Policy Framework.

18 CONDITION

No development works above ground level shall occur until details of the foul drainage scheme to serve the development shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented as approved prior to the first occupation of the development.

## REASON

To ensure the sustainable management of water, minimise flood risk and to minimise discharge of surface water outside of the curtilage of the site in accordance with policy D2 of the approved Maldon District Development Local Plan.

### 19 CONDITION

The Construction Management Plan approved under the terms of application 23/05058/DET shall be adhered to throughout the construction period.

## REASON

In the interest of the amenity of neighbouring properties and to safeguard the character of the area in accordance with the requirements of policies D1 and H4 of the Maldon District Local Development Plan and the provision and guidance as contained within the National Planning Policy Framework.

### 20 CONDITION

No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme should include but not be limited to:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
- A 300mm freeboard should be provided for the pond / basin above the top water level during 100yr plus 40 percent CC as per CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- Provide engineering site layout of the proposed drainage network at the site. This should include the following details: cover levels, invert levels, pipes dimensions, slopes, Pond / basin top and bottom levels as well as invert levels both at inlet and outlets, outflow manholes and pipes levels, and top water level in the attenuation pond/basin during 100year plus 40percent CC allowance
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

## REASON

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment. To ensure that the system installed is sufficient to deal with surface water occurring during rainfall events and not lead to increased flood risk and pollution hazard from the site in accordance with policy D2 of the approved Maldon District Development Local Plan and the guidance contained in the National Planning Policy Framework.

### 21 CONDITION

No works except for demolition shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented as approved and retained as such in perpetuity.

## REASON

To ensure that the development does not increase flood risk elsewhere and does not contribute to water pollution in accordance with policies D2 and D5 of the approved Maldon District Development Local Plan and the guidance contained in the National Planning Policy Framework.

### 22 CONDITION

Prior to the occupation of the development hereby approved, a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities / frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided with the details to be agreed by the Local Planning Authority.

## REASON

To ensure that appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to and to ensure that the development does not increase flood risk elsewhere and does not contribute to water pollution in accordance with policies D2 and D5 of the approved Maldon District Development Local Plan and the guidance contained in the National Planning Policy Framework.

### 23 CONDITION

The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved

Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON

To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk in accordance with policies D2 and D5 of the approved Maldon District Development Local Plan and the guidance contained in the National Planning Policy Framework

24 CONDITION

The dwellings hereby approved shall not be occupied until the car parking spaces and turning areas have been provided as shown on plan CSL02 Rev D. The car parking hereby approved shall be retained for the use of occupiers or visitors to the residential units in perpetuity.

REASON

To ensure appropriate parking at the site, in accordance with policies D1 and T2 of the Maldon District Local Development Plan and the adopted Maldon District Vehicle Parking Standards.

25 CONDITION

All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (PEA) Report Ref: 20-4058 (Lockhart Garratt Ltd, June 2021), Reptile Mitigation Strategy 21-1524 (Lockhart Garratt Ltd, December 2021), Reptile Mitigation Plan 4661/01/21-1565 (Lockhart Garratt Ltd, December 2021), Biodiversity Impact Assessment (Lockhart Garratt Ltd, June 2021) and Water Vole Survey Report Ref: 21-0481 (Lockhart Garratt Ltd, July 2021) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

REASON

To ensure appropriate protection to protected species and enhancement of habitats is provided in accordance with the guidance of the National Planning Policy Framework and policy N2 of the Maldon District Local Development Plan.

26 CONDITION

The Reptile Mitigation Strategy approved under the terms of application 22/05116/DET shall be implemented as approved and all post-development features shall be retained in the approved manner thereafter.

## REASON

To ensure appropriate protection to protected species in accordance with the guidance of the National Planning Policy Framework and policy N2 of the Maldon District Local Development Plan.

### 27 CONDITION

No development shall take place (including any demolition, ground works, site clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority.

The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). This should include a Water Vole Method Statement which outlines any need for a further walkover survey to re-assess the Water Vole suitability and population on site.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

## REASON

To ensure appropriate protection to protected species in accordance with the guidance of the National Planning Policy Framework and policy N2 of the Maldon District Local Development Plan.

### 28 CONDITION

A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development. This should include details of management of the existing habitats including the lowland mixed deciduous woodland on site, reptile receptor areas and ditch D1 to the south, and newly created habitats.



The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

### REASON

To ensure appropriate protection to protected species in accordance with the guidance of the National Planning Policy Framework and policy N2 of the Maldon District Local Development Plan.

## 29 CONDITION

A Biodiversity Enhancement Strategy shall be submitted to and approved in writing by the Local Planning Authority following the recommendations made within the Preliminary Ecological Appraisal (PEA) Report Ref: 20-4058 (Lockhart Garratt Ltd, June 2021), and the Biodiversity Impact Assessment (Lockhart Garratt Ltd, June 2021).

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance.

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

### REASON

To ensure appropriate enhancement of habitats is provided in accordance with the guidance of the National Planning Policy Framework and policy N2 of the Maldon District Local Development Plan.

### 30 CONDITION

A lighting design scheme for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority

### REASON

To ensure appropriate protection to protected species is provided in accordance with the guidance of the National Planning Policy Framework and policy N2 of the Maldon District Local Development Plan.

### 31 CONDITION

Prior to the occupation of the proposed development, a Waste Management Plan shall be submitted to and approved writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and be retained as such in perpetuity.

### REASON

To ensure that adequate refuse facilities are provided and in the interest of the visual amenity of the area in accordance with the requirements of policy D1 of the Maldon District Local Development Plan and the provision and guidance as contained within the Maldon District Design Guide.

### 32 CONDITION

Details of cycle parking shall be provided prior to the occupation of the development hereby approved in accordance with Maldon District Council's adopted standards. The approved facilities shall be secure, convenient, covered and retained as such in perpetuity.

### REASON

To ensure that cycle parking is proposed in accordance with the Vehicle Parking Standards SPD and policies D1 and T2 of the Maldon District Local Development Plan.

### 33 CONDITION

A strategy to facilitate superfast broadband for the future occupants of the dwellings hereby approved, either through below ground infrastructure or other means should be submitted to the Local Planning Authority for approval in writing. The method to facilitate superfast broadband shall be implemented in accordance with the approved strategy prior to the occupation of the appropriate building.

### REASON

To ensure that appropriate infrastructure is provided for the new development to meet the community needs, in accordance with policy I1 of the Maldon District Local Development Plan.

### 34 CONDITION

No building hereby permitted shall be used until details of the number and location of electric car charging points in accordance with the adopted Vehicle Parking Standards SPD (2018) have been submitted to and approved in writing by the Local Planning Authority. The charging points shall be provided in accordance with the approved details prior to the commencement of the beneficial use of the parking space within which they would be located.

### REASON

To comply with the adopted Vehicle Parking Standards SPD (2018) in accordance with Policies D1 and T2 of the approved Maldon District Local Development Plan Maldon District Local Development Plan.

### INFORMATIVE

1. Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition, under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore, the applicant must ensure that no mud or detritus is taken onto the highway.
2. The requirements above shall be imposed by way of negative planning condition or planning obligation with associated legal framework as appropriate.

3. Due to the proposed internal carriageway widths and the dimensions of the proposed turning head it is unlikely that the internal estate roads will be adopted by the Highway Authority.
4. Parking arrangements have not been considered as Maldon District Council are the parking authority and retain their own standards.
5. There shall be no discharge of surface water from the development onto the Highway.
6. All highway related details shall be agreed with the Highway Authority.

### **POSITIVE AND PROACTIVE STATEMENT**

Town and Country Planning (Development Management Procedure) (England) Order 2015 - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Officer: Fiona Bradley  
Dated : 23/11/2023

**Town and Country Planning Act 1990**  
**Weekly List Of Decisions**  
**Week Ending 8 December 2023**



**COU/MAL/23/00880      Tollesbury West**

Section 73a application for change of use of an agricultural building to industrial use (Use Class B2).

Land At Garlands Farm Tollesbury Road Tollesbury  
(UPRN - 010094636444)  
Seabrook

**APPROVE** subject to the following conditions:-

**1      CONDITION**

The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Location plan 1:1250 scale  
Site plan 1:500 scale  
Existing floor plan and elevation 9886/01  
Proposed floor plan and elevation 9886/02

**REASON**

To ensure that the development is carried out in accordance with the details as approved.

**2      CONDITION**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the premises shall only be used for purposes falling within Use Class B2 of the Schedule to the Town & Country Planning (Use Classes) (Amendment) Order 2020 (or in any provision equivalent to that Class in any statutory Instrument revoking or re-enacting that Order) and for no other purpose.

**REASON**

To ensure an appropriate use of the site, in the interests of the character and appearance of the rural area and residential amenity, in compliance with Policies S8, D1 and D2 of the approved Maldon District Local Development Plan and the NPPF.

3 CONDITION

The use hereby permitted shall not be carried-out except between 0700 hours and 1900 hours Mondays to Saturdays, and at no time on Sundays, Bank and Public Holidays.

REASON

In the interests of residential amenity, in compliance with Policies D1 and D2 of the approved Maldon District Local Development Plan and the NPPF.

4 CONDITION

No machinery shall be used outside the building and there shall be no goods, materials, plant, machinery, skips, containers, packaging or other similar items stored or kept outside of the building.

REASON

In the interests of the character and appearance of the rural area and residential amenity, in compliance with Policies S8, D1 and D2 of the approved Maldon District Local Development Plan and the NPPF.

5 CONDITION

No extraction or ventilation equipment, vents, air conditioning units or similar plant equipment shall be installed or fitted to any external part of the building except in accordance with a scheme to be submitted to and approved in writing by the local planning authority. The scheme as approved and installed shall be retained as such thereafter.

REASON

In the interests of the character and appearance of the rural area and residential amenity, in compliance with Policies S8, D1 and D2 of the approved Maldon District Local Development Plan and the NPPF.

6 CONDITION

No external illumination shall be installed or fitted to any part of the site except in accordance with a scheme to be submitted to and approved in writing by the local planning authority. The scheme as approved and installed shall be retained as such thereafter.

REASON

In the interests of the character and appearance of the rural area, in compliance with Policies S8 and D1 of the approved Maldon District Local Development Plan and the NPPF.

## 7 CONDITION

The parking area proposed shall only be used for its intended purpose.

Within three months of this planning permission, at least one electric vehicle charging point shall be provided within the car parking area which shall be retained thereafter.

Within three months of this planning permission weather-protected cycle storage for at least three bicycles shall be provided within the site and retained thereafter.

## REASON

To ensure that sufficient off-street parking provision is made for vehicles and bicycles, in the interests of highway safety and convenience, in accordance with Policies T2 and D1 of the approved Maldon District Local Development Plan.

## INFORMATIVES

- The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpath No. 3 (Tollesbury) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.
- All works affecting the highway to be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be addressed for the attention of the Development Management Team via email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org)

## POSITIVE AND PROACTIVE STATEMENT

Town and Country Planning (Development Management Procedure) (England) Order 2015 - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Officer: Kathryn Mathews  
Dated : 04/12/2023

**From:** Sales@vikingskipsltd.co.uk <sales@vikingskipsltd.co.uk>  
**To:** Tollesbury pc <tollesburypc@btinternet.com>  
**Date:** Dec 12, 2023 6:51:26 AM  
**Subject:** Re: **2024 Collection Dates**

Thanks Michelle they look fine,

We have been doing the parish skip for some time now and never increased our price but as you know rising costs in fuel and general we have found that we need to increase our prices to you

As from January our cost will be £155 + vat could you please confirm this is acceptable.

Thanks

P.Brooker Viking skips.

Sent from my iPhone