

**ADDENDUM FOR THE MEETING OF DEVELOPMENT AND REGULATION**  
**COMMITTEE 26 April 2019**

**Item 4.1 (DR/09/19) Land at Rivenhall Airfield**

**Page 32 – CONSULTATIONS**

Add

BRAINTREE DISTRICT COUNCIL ESS/36/17/BTE & ESS/37/17/BTE: Object on the following grounds

Having completed a review of the planning application documentation and the report that Essex County Council Planning Officers have prepared for the Planning Committee, I am writing to confirm that the District Council wholeheartedly concur with the County Council's assessment and the recommended reasons for refusal and offer the following additional comments:

**Reason for Refusal 1: Harm to the setting of listed buildings**

As you will be aware the District Council obtain specialist advice from Place Services in respect of heritage issues. We note that the Historic Buildings Consultant from Place Services has commented that the increase in the height of the stack would exacerbate the sense of intrusion within what is a largely agricultural landscape in which the Woodhouse Farm and Allshots Farm is experienced and would therefore detract from the setting of these listed buildings.

In light of the above, the District Council therefore concur with Officers at Essex County Council that the proposed changes would be contrary to the NPPF, Policy RLP100 of the Braintree District Local Plan Review (2005), and Policy CS9 Braintree District Core Strategy (2011), which seek to protect the setting of heritage assets from harm.

**Reason for Refusal 2: Landscape Impact**

The District Council concurs with Officers at Essex County Council in relation to the impact of the proposal. In particular the District Council considers that the proposal, including both the increase in stack height and the use of the reflective materials, would have an unacceptable impact upon the character and appearance of the landscape, the countryside and the general visual amenity of the locality.

**Reason for Reason 3: Justification for the proposed waste treatment capacity**

The District Council has consistently objected to the proposed facility on the grounds the need for a waste treatment plant with this capacity within the District and County had not been demonstrated. The District Council objected to the original application (ESS/37/08/BTE). The District Council's Development Manager attended the Public Inquiry and gave evidence to substantiate the Council's position and the Council was extremely disappointed when planning permission was granted by the Secretary of State in 2010.

The District Council also objected to the Section 73 application (ESS/34/15/BTE) which amongst other matters sought to make changes to the mix of processes to be incorporated within the facility.

The District Council support the County Council's desire to see waste managed in accordance with the adopted Waste Local Plan. It is apparent from the evidence that has been produced that the need for a plant which will treat the range and volume of materials proposed has not been justified, undermining the argument that the facility is necessary or will provide significant public benefits.

On behalf of the District Council I therefore welcome the Officer recommendation and in particular the third reason for refusal which concludes that it has not been demonstrated that there is a need for the waste treatment capacity of the IWMF, in Essex and Southend-on-Sea.

#### Page 36 CONSULTATIONS

1<sup>st</sup> paragraph PLACE SERVICES (Landscape), delete and replace first sentence with

The increase in height will result in some detrimental adverse impacts on both landscape character of the area and a range of visual receptors.

#### Page 40 CONSULTATIONS – KELVEDON PARISH COUNCIL

Add additional sentence to Officer Comment.

The Local Council's Group was made up of Braintree District Council and Bradwell, Coggeshall, Rivenhall, and Silver End Parish Councils.

#### Page 48 REPRESENTATIONS

An additional representation has been received from Priti Patel MP opposing the application and the grounds for opposition are summarised below:

- Visual impact over many miles
- Design highly noticeable
- Adverse impact upon Landscape Character and visual receptors
- Impact on heritage assets, specifically Woodhouse Farm and also at Allshots Farm
- Need and necessity for this facility
- The need to adhere to the Waste Hierarchy and that national and local policies and initiatives are being undertaken to reduce the amount of waste that goes to landfill and waste incineration. Waste incineration as proposed is towards the bottom of the Waste Hierarchy.

Officer comment: The points raised are addressed within the report.

#### Page 54 ECC AND THE IWMF FACILITY

Last paragraph 1<sup>st</sup> sentence delete “)” after WPA

#### Page 62 Section K - PRINCIPLE OF A WASTE MANAGEMENT FACILITY AT RIVENHALL, STRATEGIC SITE ALLOCATION IWMF2 IN THE WLP

Delete 2<sup>nd</sup> sentence of 1<sup>st</sup> paragraph in section and replace with

The principle of a larger site (25.3ha), with a building partly sunken below ground levels was first accepted when planning permission was granted in 2009 for a Recycling and Composting Facility (RCF)(ESS/38/06/BTE - this permission subsequently expired as it was not implemented in time i.e. by 2014).

#### Page 65 LANDSCAPE AND VISUAL IMPACTS

Insert below 2<sup>nd</sup> paragraph

Policy RLP 90 of the BDLPR states “*The Council seeks a high standard of layout and design in all developments, large and small, in the District...*” and goes on to state the development will only be permitted where “(v) *The layout, height, mass and overall elevational design of buildings and developments shall be in harmony with the character and appearance of the surrounding area; including their form, scale and impact on the skyline in the locality*”

#### Page 69 LANDSCAPE AND VISUAL IMPACTS

3rd proper paragraph starting “*The applicant was asked...*” Delete 6<sup>th</sup> sentence of paragraph and replace with

However, it is acknowledged that in most cases there was a doubling of the period likely for solar reflection.

#### Page 70 LANDSCAPE AND VISUAL IMPACTS

4<sup>th</sup> paragraph delete second sentence and replace with

The proposed stack is also considered to be contrary to BDLPR policy RLP 80 in that its prominence “*would not successfully integrate into the local landscape*”, and contrary to BDLPR policy RLP 90 in that the height of the stack will not “*be in harmony with the character and appearance of the surrounding area*”, and will

*“impact on the skyline in the locality”*. In addition the proposals do not respect the local landscape character as required by the NPPW.

#### Page 71 Section N – HERITAGE IMPACTS

Insert below paragraph starting *“a) the desirability...”*

*b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*

*c) the desirability of new development making a positive contribution to local character and distinctiveness*

#### Page 72 HERITAGE IMPACTS

2<sup>nd</sup> paragraph 2<sup>nd</sup> sentence delete and replace start of sentence with “Policy RLP 100 states...”

#### Page 73 HERITAGE IMPACTS

3rd full paragraph starting “The Woodhouse Farm, Bakehouse...” Delete last sentence and with:

It is acknowledged Woodhouse Farm buildings would be redeveloped, refurbished and brought back into beneficial use as offices and a visitor/heritage centre as part of the works. This would be in accordance with Paragraph 92 of the NPPF - sustaining and enhancing the heritage asset.

#### Page 74 HERITAGE IMPACTS

Add sentence to 2<sup>nd</sup> full paragraph down.

The applicant considered less shiny finishes for the stack which would reduce the glint and glare effects, but chose to retain the mirror finish because it provided the most effective reflection of the surrounding environment, claiming that this would most likely to create an “optical cloak” effect.

#### Page 75 HERITAGE IMPACTS

4<sup>th</sup> paragraph add after 3<sup>rd</sup> sentence. Similarly less than substantial harm would be caused to Allshots Farm, albeit at a marginally lower level due to the slight reduction in proximity.

#### Page 77 HERITAGE IMPACTS

Insert above last paragraph on the page

It is acknowledged Woodhouse Farm buildings would be redeveloped, refurbished and brought back into beneficial use as offices and a visitor/heritage centre as part of the works. This would be in accordance with Paragraph 192 sustaining and enhancing the heritage asset.

#### Page 77 HERITAGE IMPACTS

Last paragraph with

It is considered that the increase in visibility of the stack would create an industrial, overbearing and dominant feature in the setting of Woodhouse Farm and Allshots Farm.

#### Page 78 HERITAGE IMPACTS

1<sup>st</sup> 2 lines delete and replace with

“public benefits of the overall proposals and therefore would be contrary to the WLP policy 10, BDLPR policy RLP 100, the NPPF and LBCA.”

#### Page 108 CLIMATE CHANGE

1<sup>st</sup> sentence

Delete the word “acerbating” with “exacerbating”

#### Page 108 – insert new section above ‘BALANCE OF PLANNING CONSIDERATIONS’

##### AA1 – SUBMISSION OF OTHER INFORMATION

A representation was received from Marks Hall Estate as referred to in Appendix F. The Estate raised concern that emissions from the IWMF were likely to impact upon Marks Hall, which includes an Arboretum, areas which are includes a County Wildlife Site (CWS), areas of Ancient woodland and veteran trees. Marks Hall is some

distance from the IWMF; approximately 5km from the IWMF. In addition there is a CWS (Blackwater Plantation) also north east of the site, but in closer proximity to Marks Hall. Overall the EIA concluded that there would be no significant impact upon ecology from the increase in stack height, including Blackwater Plantation, hence it was concluded there would not be a significant impact upon the ecology at Marks Hall Estate. The applicant has submitted an additional assessment '*Rivenhall IWMF Impact on Marks Hall Arboretum*' (15 April 2019) to consider the potential impacts of the IWMF particularly emissions from the stack on Marks Hall Estate. This information was not requested by the WPA.

The applicant considers this information should be subject to consultation to comply with the EIA Regulations.

The information concludes that the impact of emissions on the Marks Hall Arboretum would be insignificant and the WPA has no reason to challenge the conclusions. As such it is considered the emissions from the proposed stack would not have any unacceptable impact on the ecology of the Marks Hall Estate, although as stated earlier in the report, emissions from the stack would be a matter for the Environment Agency to regulate.

Nonetheless, as the information has been submitted under the EIA Regulations 2011 (Regulation 22), further notification and selective consultation has been initiated.

In addition other information has been submitted by the applicant since publication of the report with respect to the impact on health of electromagnetic fields from the cabling that would be required as part of the proposals. This information was not requested by the WPA. The assessment concludes there would be no adverse impact upon health and therefore the WPA has no reason to change conclusions of the report on health.

#### Page 109 BALANCE OF PLANNING CONSIDERATIONS

3<sup>rd</sup> full paragraph delete 3<sup>rd</sup> sentence and replace with

In addition the additional harm to the setting of Allshots Farm and Woodhouse Farm Listed Building caused by the increase in stack height is not outweighed by the benefit of the refurbishment of the Woodhouse Farm Listed Buildings or the wider public benefits which were eroded in 2016 by the reduction in the recycling and recovery components of the AD, MRF, MBT and MDIP.

#### Page 109 BALANCE OF PLANNING CONSIDERATIONS

Insert below 4<sup>th</sup> full paragraph

Since the report was published, the applicant has submitted a statement claiming "*The only public benefit considered on pages 59-61 [77-79 of the Agenda Document Pack] is the restoration of Woodhouse Farm and there is no mention of the climate*

*change benefits (which were mentioned in the 2010 [actually Dec 2009] Inspector Report, and also on page 92 [108] of the current report). It is important that all benefits are weighed against the less than substantial harm to heritage assets.”*

Whilst the Inspector considered in 2009 (para 6.101 of report at Appendix A) that there was a need for the (eRCF) facility (albeit with less EfW capacity) and that the use of the SRF in the plant and the export of electricity would contribute to meeting the Government (renewable energy) strategy/targets, it is considered that the excess capacity of the IWMF would not be in accordance with the waste hierarchy and therefore any benefits that may be gained towards climate change from the recovery of waste in general are not outweighed by the harm caused from the excess capacity (to the waste hierarchy/proximity principle), landscape and heritage.

#### Page 110 – RECOMMENDED

Delete

“That planning permission be refused for ESS/36/17/BTE & ESS/37/17/BTE for the following reasons:”

And replace with:

Subject to the Chief Planning Officer (County Planning and Major Development) being satisfied that consultation responses relating to the addendum report (other information) dated 15 April 2019 entitled ‘*Rivenhall IWMF Impact on Marks Hall Arboretum*’ do not raise concerns which he considers would be likely to alter the recommendation to the Committee, the Chief Planning Officer (County Planning and Major Development) be authorised to refuse planning permission for applications ESS/36/17/BTE & ESS/37/17/BTE for the following reasons:

1. The proposed development would cause (less than substantial) harm to the setting of a listed building as the development does not preserve the setting of Allshots Farm and Woodhouse Farm, Grade II listed buildings, contrary to S66 (1) of the Listed Buildings and Conservation Areas Act 1990 and it is considered that there are no material considerations to override the statutory presumption against granting planning permission for the development. The unacceptable adverse impact would be contrary to the NPPF, Policy 10 of the Essex and Southend Waste Local Plan 2017, Braintree Core Strategy (2011) policy CS9 and Braintree District Local Plan Review (2005) policy RLP 100.
2. It has not been demonstrated that the increase in stack height and the use of the reflective materials would not have an unacceptable impact on the quality and character of the landscape, countryside and visual environment contrary to the NPPF, Policy 10 of the Essex & Southend Waste Local Plan 2017, Braintree Core Strategy (2011) policy CS8 and Braintree District Local Plan Review (2005) policies RLP 80 and RLP 90.

3. It has not been demonstrated that there is a need for the waste treatment capacity of the IWMF, in Essex and Southend-on-Sea, beyond those shortfalls identified in Policy 1 of the Waste Local Plan and as such would be, likely to give rise to waste not being managed in accordance with the principles of the Waste Hierarchy, of achieving net self-sufficiency for waste management in Essex and Southend-on-Sea and the Proximity Principle, contrary to the NPPW and would undermine the strategic objectives of the Essex and Southend Waste Local Plan 2017.

Should any other information be submitted prior to the application being determined (i.e. a decision issued) the Committee hereby authorises the Chief Planning Officer (County Planning and Major Development) to determine whether such information is substantive information relating to the application and/or Environmental Statement and whether or not that information would materially alter the above recommendation. If, in the opinion of the Chief Planning Officer (County Planning and Major Development), the information would not materially alter the above recommendation, the Chief Planning Officer (County Planning and Major Development) is authorised to determine the application without unnecessary delay.

#### Page 311 Appendix E – EIA SUMMARY AND RECOMMENDATIONS – Landscape & Visual Impacts

5<sup>th</sup> paragraph 4<sup>th</sup> bullet point delete and replace with

- Reassessment of baseline conditions, taking account of GLVIA3 guidance

#### Page 312 Appendix E – EIA SUMMARY AND RECOMMENDATIONS – Landscape & Visual Impacts

Delete 1<sup>st</sup> and 2<sup>nd</sup> paragraph and replace with

It is commented that the LVIA does assert that the surrounding baseline landscape has industrial elements, such that the impact of the stack has been considered in this context. It is considered that any contribution that mineral extraction makes to this baseline is inappropriate as the landscape upon restoration and establishment of restoration planting would in time enhance the landscape value of the surrounding area. Thus baseline landscape description is considered to be unrepresentative and hence landscape character impacts have been underestimated

It is not considered that a systematic visual impact assessment has been undertaken for all receptors points.

#### Page 317 Appendix E – EIA SUMMARY AND RECOMMENDATIONS – Health Risk Assessment



4<sup>th</sup> line replace “outliner” with “outlier”

## Page 355 Appendix F – REPRESENTATIONS

Comment Number 327

Add to 2<sup>nd</sup> column. Please see Committee Report Addendum with respect to information submitted on the impact of air quality on Marks Hall Arboretum.

---

### **Item 4.2 (DR/10/19) Newport Chalk Quarry**

#### Page 731 – PROPOSAL

Second paragraph, last sentence delete ‘planning and additional’ to read ‘...with the addition of new woodland, tree and hedgerow planting.’

Second from last paragraph, second sentence replace ‘import’ to ‘imported’

#### Page 734-736 – CONSULTATIONS

STANSTED AIRPORT – Third sentence delete ‘to reduce the reduce’

HIGHWAY AUTHORITY – Replace with ‘The application proposes to use the existing access from the quarry onto Widdington Road and turn on the B1383 and the impact of the proposal on these junctions is considered acceptable in highway terms. The bridge over the railway adjacent to the site is owned and maintained by Network Rail. At this point Widdington Road narrows and whilst, at the moment, there is an informal priority arrangement in place it is recommended that a financial contribution be secured, should planning permission be granted, to fund a formal priority working arrangement over the bridge. Conditions are furthermore recommended in respect of the submission of a construction management plan; details of wheel and under vehicle cleaning facilities; and that access is limited to the existing access to the south onto Widdington Road only’.

THE COUNTY COUNCIL’S LANDSCAPE CONSULTANT – Replace fifth sentence with ‘In respect of this it is however suggested that the restoration proposals be amended to include a different hedgerow alignment and a different hedge, grass and herb mix.’

THE COUNTY COUNCIL’S ECOLOGY CONSULTANT – Fourth sentence replace ‘seeks’ with ‘suggests’

#### Page 740 – LANDSCAPE

First paragraph, first sentence insert ‘have’ to read ‘development would not have an unacceptable impact on’

#### PAGE 745 – AIRPORT SAFEGUARDING

First sentence replace 'Standsted' with 'Stansted'

#### PAGE 746 – AMENITY (NOISE)

Third paragraph, first sentence replace 'application' with 'applicant'

#### PAGE 747 – AMENITY (AIR QUALITY)

Second paragraph, first sentence replace 'particular' with 'particulates'

#### PAGE 747 – TRANSPORT

First paragraph, third sentence replace 'essentially' with 'although'

#### PAGE 748 – TRANSPORT

Replace last paragraph with:

'Noting that this application proposes use of an existing access associated with a mineral site, frequently used by HGVs, no principle objection from an accessibility point of view is raised by the Highway Authority. That said it has been recommended that a financial contribution be secured, should planning permission be granted, to potentially fund a formal priority working over the bridge on Widdington Road. This (the requirement for additional traffic management) was noted as a potential issue within the WLP allocation and it is therefore considered that any such requirement for a financial contribution would be supported by policy.

On the basis that the bridge is however owned by Network Rail the Highway Authority acknowledge that any potential works to this would be subject to their approval. Therefore, in securing any such contribution it is considered appropriate to word any such legal obligation in a way that ensures unused/unspent funds after five years or sooner, in the event that Network Rail formally seek to issue a direction prohibiting any such works, are returned back to the applicant. This approach has been agreed with the Highway Authority.

Overall, in context of the above, it is not considered that the level of activity proposed (vehicle movements) would fundamentally result in unacceptable impacts on the efficient and effective operation of the road network, including safety and capacity, local amenity and the environment. Subject to suitable conditions limiting the maximum number of HGV movements per day; securing a routeing agreement; construction management plan; the prevention of mud and debris being deposited onto the highway; and a legal agreement to secure the financial contribution towards the potential implementation of a priority working over the bridge, it is therefore considered that the development would comply with the relevant highway aspects of policies 10 and 12 of the WLP, policy GEN 1 of the ULP and policies SP12 and TA1 of the ULP-19.'

## PAGE 748 – CONCLUSION

First paragraph, first sentence add 'in' to read '...and inert recycling no in principle objection is raised to this development coming forward.'

Fourth paragraph, add 'and legal agreement' to read 'Accordingly it is considered that the proposal represents sustainable development, as per the definition within the NPPF, and it is recommended that planning permission be granted subject to conditions and legal agreement.'

## PAGE 748-761 – RECOMMENDED

Replace text above conditions with:  
'That:

Subject to the completion, within 6 months, of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) requiring restoration of the site, as per the approved details, within 10 years of commencement; aftercare following restoration of the site; and a financial contribution of £19,200 (index linked from the date of this recommendation but subject to conditions/limitations of use) to fund the design and implementation of a traffic management scheme in the vicinity of the site;

planning permission be granted subject to the following conditions:'

### **Item 5.1 (DR/12/19) Brickhouse Farm Community Centre, Poulton Close, Maldon CM9**

## Page 871 – SITE

4<sup>th</sup> paragraph 1<sup>st</sup> sentence should read "A shared footpath/cycleway (not a formal right of way) crosses the site from Johnston Way in the west to Poulton Close in the east."

5<sup>th</sup> paragraph 1<sup>st</sup> line should read "The land is owned by Maldon District Council ....."

## Page 871 – PROPOSAL

3<sup>rd</sup> paragraph 2<sup>nd</sup> sentence should read "4,830m<sup>3</sup> of material would be excavated to form the storage area and approximately 6,760m<sup>3</sup> of material would be exported from the site. The increase in material to be exported from site is due to a bulking factor of 1:4 for clay (40% expansion in excavated soil volume).

## Page 873 – CONSULTATIONS

LOCAL MEMBER- MALDON - Maldon - The Local Member declined to comment on this application but stated in an email that the principle of the scheme from a land ownership perspective was considered at a full meeting of the Maldon District Council in December 2018 and that the Council resolved to support that principle.

#### Page 875 – REPRESENTATIONS

8<sup>th</sup> comment should read “Given the increase in houses within the District outside space is likely to be in even shorter supply.”

#### Page 876 – REPRESENTATIONS

8<sup>th</sup> comment should read “Any rainwater collecting there could turn stagnant and smell as well as being a breeding ground for mosquitos”

#### Page 882 – REPRESENTATIONS

5<sup>th</sup> comment:

Believe proposed works should be considered under the Environmental Impact Assessment (Land Drainage Improvement) Regulations 1999.

These Regulations relate to improvement works which are the subject of a project to deepen, widen, straighten or otherwise improve any existing watercourse or remove or alter mill dams, weirs or other obstructions to watercourses, or raise, widen or otherwise improve any existing drainage work.

It is not considered that these Regulations relate to the proposed scheme.

#### Page 886 – NEED AND FLOOD RISK – Design

4<sup>th</sup> paragraph 4<sup>th</sup> line should read “CDA’s are identified based on the risk associated with the modelling of a hydraulic catchment .....“

#### Page 887 – NEED AND FLOOD RISK – Design

4<sup>th</sup> paragraph 1<sup>st</sup> sentence should read “Representations received from local residents and Maldon Town Council also asked why the storage area couldn’t have been constructed within the green space owned by Essex County Council immediately to the south of the field owned by Plume School or within the roundabouts on Limebrook Way.”

#### Page 888 – NEED AND FLOOD RISK - Design

Maldon Town Council has concerns about fundamental flaws in the basis for the modelling which underpins the cost/benefit analysis. A combination of summer rainfall and winter river conditions appears to have been used, which is unrealistic. The modelling doesn’t reflect the fact that the river is tidal and that tides go up and down. The assumption has been made that the relevant watercourse is the River

Chelmer not the Blackwater Estuary which is tidal. No physical check appears to have been made as to whether or not the outfall was tide flapped.

The applicant has responded by stating that in relation to the point concerning the assumptions in the surface water management plan, that the reference to the Lime Brook being bank full is a standard assumption for representing worst case flooding scenarios. Subsequent studies have since refined other scenarios, names a Do Nothing scenario (worst case), a Do Minimum scenario (which is the most likely) and the Do Something options.

The proposed scheme is out-falling into the existing Anglian Water surface water system. It is evident from the modelling that the proposed scheme would benefit the immediate Anglian Water systems as well as local properties. As the proposed scheme would not out-fall directly into the River Blackwater, concerns over the tide locking of the system into the River Blackwater fall outside the scope of the scheme.

Maldon Town Council has also raised concerns that the final solution will not behave as anticipated due to the substrate of London Clay topped with patches of gravel, which rather drying out will continue to have seepage and won't be usable as open space. Section 3.2 of the Planning Statement state that the detention basin has been designed so it will not be a continuously wet feature. A perched water table within a discontinuous gravel layer on top of the London Clay may be penetrated by the proposed basin which may result in seepage causing semi-permanent dampness in the basin. This may be good from a biodiversity viewpoint, but may limit the area's potential for use as a recreational amenity. Further information on this aspect may be revealed by the current archaeological investigations.

The applicant has responded by stating that ground investigation works have been carried out on site and the information gathered from these investigations would be considered during the detailed design phase.

#### Page 892 – IMPACT ON THE NATURAL ENVIRONMENT – Landscape/Trees

2<sup>nd</sup> paragraph 1<sup>st</sup> line should read “All the existing trees (34 trees and 1 tree group) within the application area.....”

#### Page 895 – IMPACT ON HISTORIC ENVIRONMENT

3<sup>rd</sup> paragraph 5<sup>th</sup> line should read “Archaeological deposits are both fragile and irreplaceable and the construction of the scheme has the potential to impact on archaeological deposits and landscape features.”

#### Page 895 – IMPACT ON RESIDENTIAL AMENITY & HIGHWAYS

2<sup>nd</sup> paragraph 1<sup>st</sup> sentence should read “There has been criticism by Maldon Town Council and local residents of the fact that a public consultation event was not held until the consultation period for the planning application had ended.”

## Page 897 - IMPACT ON RESIDENTIAL AMENITY & HIGHWAYS

Delete 6<sup>th</sup> paragraph

## Page 898 – CONCLUSION

2<sup>nd</sup> paragraph 5<sup>th</sup> line should read “as such, would be in accordance with Policy S1 (Sustainable Development), Policy N1 (Green Infrastructure Network) and Policy N3 (Open Space, Sport and Leisure) of the Maldon District Local Development Plan July 2017.”

## Page 899 – RECOMMENDED

Add to Condition 2 – Email from Marc Inman dated 11 April 2019 15:04

Condition 4 2<sup>nd</sup> line “under (Condition 4 of this permission) should read “under (Condition 3 of this permission).

## Page 900 – RECOMMENDED

Remove numbering from reason following Condition 7.

Condition 9 becomes Condition 8

Condition 10 becomes Condition 9

Renumbered Condition 8 should read “Within 3 months of the date of this permission details of the signage and safety equipment to be installed around the perimeter of the flood storage area hereby permitted shall be submitted to and approved in writing by the County Planning Authority. The scheme shall be implemented in accordance with the approved details.”

New Condition 10:

All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Place Services, December 2018) as already submitted with the planning application and agreed in principle with the County Planning Authority prior to determination.

Reason: *To conserve and enhance Protected and Priority species and allow the County Planning Authority to discharge its duties under the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with Policy S1 (Sustainable Development), Policy N2 (Natural Environment, Geodiversity and Biodiversity) and Policy D1 (Design Quality and Built Environment) of the Maldon District Local Development Plan July 2017.*

New Condition 11:

Within 3 months of the date of this permission a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the County Planning Authority.

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

- Purpose and conservation objectives for the proposed enhancement measures
- Detailed designs to achieve stated objectives
- Locations of proposed enhancement measures by appropriate maps and plans
- Persons responsible for implementing the enhancement measures

The development shall be implemented in accordance with the approved details.

Reason: *To enhance Protected and Priority species/habitats and allow the Country Planning Authority to discharge its duties under s40 of the NERC Act 2006 (Priority habitats & species and in accordance with Policy S1 (Sustainable Development), Policy N2 (Natural Environment, Geodiversity and Biodiversity) and Policy D1 (Design Quality and Built Environment) of the Maldon District Local Development Plan July 2017.*