

3 December 2024 at 7pm

Council Chamber, Civic Centre, Chelmsford

Membership

Councillor J. Sosin (Chair)

and Councillors

J. Armstrong, S. Dobson, S. Hall, R. Hyland, J. Lardge,
R. Lee, V. Pappa, G. Pooley, E. Sampson, A. Thorpe-Apps, C.
Tron, and P. Wilson

Local people are welcome to attend this meeting, where your elected Councillors take decisions affecting YOU and your City. There is also an opportunity to ask your Councillors questions or make a statement. These have to be submitted in advance and details are on the agenda page. If you would like to find out more, please telephone Dan Sharma-Bird in the Democracy Team on Chelmsford (01245) 606523 email dan.sharma-bird@chelmsford.gov.uk

PLANNING COMMITTEE

3 December 2024

AGENDA

1. Chair's Announcements

2. Apologies for Absence

3. Declarations of Interest

All Members are reminded that they must disclose any interests they know they have in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

4. Minutes

To consider the minutes of the meeting on 1 October 2024.

5. Public Question Time

Any member of the public may ask a question or make a statement at this point in the meeting, provided that they have submitted their question or statement in writing in advance. Each person has two minutes and a maximum of 20 minutes is allotted to public questions/statements, which must be about matters for which the Committee is responsible. The Chair may disallow a question if it is offensive, substantially the same as another question or requires disclosure of exempt or confidential information. If the question cannot be answered at the meeting a written response will be provided after the meeting.

Where an application is returning to the Committee that has been deferred for a site visit, for further information or to consider detailed reasons for refusal, no further public questions or statements may be submitted.

Any member of the public who wishes to submit a question or statement to this meeting should email it to committees@chelmsford.gov.uk 24 hours before the start time of the meeting. All valid questions and statements will be published with the agenda on the website at least six hours before the start time and will be responded to at the meeting. Those who have submitted a valid question or statement will be entitled to put it in person at the meeting.

6. 22/00721/FUL – Land Adjacent 14 Creekview Road, South Woodham Ferrers, Chelmsford, Essex, CM3 5GU

7. 21/01545/OUT – Land North of Warren House, Roxwell Road, Writtle, Chelmsford, Essex

8. Planning Appeals

MINUTES
of the
PLANNING COMMITTEE
held on 1 October 2024 at 7pm

Present:

Councillor J. Sosin (Chair)
Councillor S. Dobson (Vice Chair)

Councillors J. Armstrong, H. Clark, S. Hall, R. Hyland, J. Lardge, R. Lee, E. Sampson, A. Thorpe-Apps, N. Walsh and P. Wilson

1. Chair's Announcements

For the benefit of the public, the Chair explained the arrangements for the meeting.

The Committee held a minutes silence in memory of former Councillor Ian Wright, who had sadly passed away. The Committee reflected on the role that he had held as Chair of the Planning Committee between 2003 and 2019.

2. Apologies for Absence

Apologies for absence were received from Cllrs Pappa, Pooley and Tron. Cllrs Clark and Walsh substituted for Cllrs Pooley and Tron.

3. Declarations of Interest

All Members were reminded that they must disclose any interests they knew they had in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they became aware of the interest. If the interest was a Disclosable Pecuniary Interest they were also obliged to notify the Monitoring Officer within 28 days of the meeting. Any declarations are recorded in the relevant minute below.

4. Minutes

The minutes of the meeting on 23 July 2024 were confirmed as a correct record and signed by the Chair.

5. Public Question Time

No public questions or statements were asked.

6. 24/00293/FUL – Rectory Lane Car Park East, Rectory Lane, Chelmsford, Essex, CM1 1RF

The Committee considered an application for the redevelopment of the car park and the construction of 22 affordable rent residential apartments with parking, amenity space and landscaping. The Committee were informed that the application had been brought to the Committee, due to the application being made by the City Council and that objections had been received. The Committee heard that the objections covered a range of topics including the loss and displacement of existing parking, neighbour amenity, noise pollution, disruption during construction, fire risk and sustainability. The Committee were also reminded that a green sheet showing alterations and amendments, had been circulated prior to the meeting, detailing an additional letter of representation from nearby residents, objecting to the proposal.

The Committee were informed that the impact on residential amenity was deemed acceptable by officers and that there would be no overriding impact on non designated heritage assets, along with other minor impacts being outweighed by the public benefits of the proposal. The Committee were also informed that, the proposal would provide a sustainable use of previously developed land, alongside meeting a critical affordable housing need, which weighed significantly in favour of the scheme and had therefore been recommended for approval.

In response to questions from members of the Planning Committee, officers advised that;

- Condition 16 would ensure that each parking space on the development would have an electric vehicle charging point.
- The applicant may have proposed mainly one or two bedroom units, due to the layout of the site and the potential difficulty of providing amenity space for larger units, but that the smaller units would still meet specified housing requirements.
- The Council's parking standards did not require specific parking spaces for vans, but a small work van should still fit within one of the allocated spaces.

The Committee held a vote to approve the application, subject to the conditions detailed in the report.

RESOLVED that the application be approved, subject to the conditions detailed in the report.

(7.02pm to 7.16pm)

7. Planning Appeals

RESOLVED that the information submitted to the meeting on appeal decisions between 16th May 2024 and 31st August 2024 be noted.

The meeting closed at 7.17pm.

Chair

PLANNING POLICY BACKGROUND INFORMATION

The Chelmsford Local Plan 2013 – 2016 was adopted by Chelmsford City Council on 27th May 2020. The Local Plan guides growth and development across Chelmsford City Council's area as well as containing policies for determining planning applications. The policies are prefixed by 'S' for a Strategic Policy or 'DM' for a Development Management policy and are applied across the whole of the Chelmsford City Council Area where they are relevant. The Chelmsford Local Plan 2013-3036 carries full weight in the consideration of planning applications.

SUMMARY OF POLICIES REFERRED TO IN THIS AGENDA

SPS1

Strategic Policy S1 Spatial Principles - The Spatial Principles will guide how the Strategic Priorities and Vision will be achieved. They will underpin spatial planning decisions and ensure that the Local Plan focuses growth in the most sustainable locations.

SPS2

Strategic Policy S2 Addressing Climate Change & Flood Risk - The Council, through its planning policies and proposals that shape future development will seek to mitigate and adapt to climate change. The Council will require that all development is safe, taking into account its expected life span, from all types of flooding.

SPS3

Strategic Policy S3 Conserving & Enhancing the Historic Environment - The Council will conserve and where appropriate enhance the historic environment. When assessing applications for development, the Council will place great weight on the preservation and enhancement of designated heritage assets and their setting. The Council will also seek to conserve and where appropriate enhance the significance of non-designated heritage assets and their settings.

SPS4

Strategic Policy S4 Conserving & Enhancing the Natural Environment - The Council is committed to the conservation and enhancement of the natural environment through the protection of designated sites and species, whilst planning positively for biodiversity networks and minimising pollution. The Council will plan for a multifunctional network of green infrastructure. A precautionary approach will be taken where insufficient information is provided about avoidance, management, mitigation and compensation measures. Where appropriate, contributions from developments will be secured towards mitigation measures identified in the Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS)

SPS6

Strategic Policy S6 Housing & Employment Requirements - In order to meet the full objectively assessed housing need in the period 2013-2036 provision is made for a minimum of 18,515 net new homes at an average annual rate of 805 net new homes per year. A minimum of 55,000sqm of business employment floorspace (Use Classes B1-B8) will also be allocated in the Local Plan for the period up to 2036.

SPS7

Strategic Policy S7 The Spatial Strategy - New housing and employment growth will be focussed to the most sustainable locations by making the best use of previously developed land in Chelmsford Urban Area; sustainable urban extensions around Chelmsford and South Woodham Ferrers and development around Key Service Settlements outside of the Green Belt in accordance with the Settlement Hierarchy. New development allocations will be focused on the three Growth Areas of Central and Urban Chelmsford, North Chelmsford, and South and East Chelmsford. Where there are large and established mainly institutional uses within the countryside, Special Policy Area will be used to support their necessary functional and operational requirements.

SPS9

Strategic Policy S9 Infrastructure Requirements - New development must be supported by the provision of infrastructure, services and facilities that are identified as necessary to serve its needs. New development must be supported by sustainable means of transport, safe from all types of flooding, provide a range of community infrastructure, provide green infrastructure and utilities. Necessary infrastructure must seek to preserve or enhance the historic environment.

SPS10

Strategic Policy S10 Securing Infrastructure & Impact Mitigation - Infrastructure must be provided in a timely, and where appropriate, phased manner to serve the occupants and users of the development. Infrastructure will be secured through planning conditions and/or obligations or through the Community Infrastructure Levy or its successor.

DM1

Policy DM1 - Size & Type of Housing - The Council will protect existing housing from redevelopment to other uses and will require an appropriate mix of dwelling types that contribute to current and future housing needs and create mixed communities. For developments of 10 or more dwellings, 50% of the new dwelling shall be constructed to meet requirement M4 (2) of the Building Regulations. On sites of 30 or more dwellings 5% of the affordable units shall also be provided as wheelchair user dwellings. Sites of 100 dwellings or more will need to comply with A i), A ii) and B i) and provide 5 % self-build homes which can include custom housebuilding; and provision of Specialist Residential Accommodation taking account of local housing needs.

DM2A

Policy DM2 (A) - Affordable Housing & Rural Exception Sites - The Council will require the provision of 35% of the total number of residential units to be provided and maintained as affordable housing within all new residential sites which comprise 11 or more residential units.

DM3

Policy DM3 - Gypsy, Traveller & Travelling Showpeople Sites - The Council will make provision for the accommodation needs of Gypsy, Traveller or Travelling Showpeople, who meet the national Planning Policy for Traveller Sites definition, through allocated sites within the Local Plan. Planning permission will be granted for new sites or subdivision of existing plots or pitches subject to compliance with prescribed criteria. Planning permission will be refused for the change of use of all Gypsy and Traveller sites or Travelling Showpeople yards identified in the Gypsy and Traveller Accommodation Assessment unless acceptable replacement accommodation can be provided, or it can be demonstrated that the site is no longer required to meet any identified needs.

DM13

Policy DM13 - Designated Heritage Assets - The impact of any development proposal on the significance of a designated heritage asset or its setting, and the level of any harm, will be considered against any public benefits arising from the proposed development. The Council will preserve Listed Buildings, Conservation Areas, Registered Parks and Gardens and Scheduled Monuments.

DM14

Policy DM14 - Non-Designated Heritage Assets - Proposals will be permitted where they retain the significance of a non-designated heritage asset, including its setting. Any harm or loss will be judged against the significance of the asset.

DM15

Policy DM15 - Archaeology - Planning permission will be granted for development affecting archaeological sites providing it protects, enhances or preserves sites of archaeological interest and their settings.

DM16

Policy DM16 - Ecology & Biodiversity - The impact of a development on Internationally Designated Sites, Nationally Designated Sites and Locally Designated Sites will be considered in line with the importance of the site. With National and Local Sites, this will be balanced against the benefits of the development. All development proposals should conserve and enhance the network of habitats, species and sites.

DM17

Policy DM17 - Trees, Woodland & Landscape Features - Planning permission will only be granted for development proposals that do not result in unacceptable harm to the health of a preserved tree, trees in a Conservation Area or Registered Park and Garden, preserved woodlands or ancient woodlands. Development proposals must not result in unacceptable harm to natural landscape features that are important to the character and appearance of the area.

DM18

Policy DM18 - Flooding/Suds - Planning permission for all types of development will only be granted where it can be demonstrated that the site is safe from all types of flooding. All major developments will be required to incorporate water management measures to reduce surface water run off and ensure that it does not increase flood risk elsewhere.

DM20

Policy DM20 - Delivering Community Facilities - Planning permission will be granted for new, or extensions to existing facilities and services which support the local community where there is sufficient access, including for the disabled and sufficient vehicle parking. The development must also be visually compatible with its surroundings.

DM23

Policy DM23 - High Quality & Inclusive Design - Planning permission will be granted for development that respects the character and appearance of the area in which it is located. Development must be compatible with its surroundings having regard to scale, siting, form, architecture, materials, boundary treatments and landscape. The design of all new buildings and extensions must be of high quality, well proportioned, have visually coherent elevations, active elevations and create safe, accessible and inclusive environments.

DM24

Policy DM24 - Design & Place Shaping Principles in Major Developments - The Council will require all new major development to be of high quality built form and urban design. Development should, amongst other matters, respect the historic and natural environment, be well-connected, respond positively to local character and context and create attractive, multi-functional, inclusive, overlooked and well maintained public realm. The Council will require the use of masterplans by developers and will implement design codes where appropriate for strategic scale developments.

DM25

Policy DM25 - Sustainable Buildings - All new dwellings and non-residential buildings shall incorporate sustainable design features to reduce carbon dioxide and nitrogen dioxide emissions and the use of natural resources. New dwellings and non-residential buildings shall provide convenient access to electric vehicle charging point infrastructure.

DM26

Policy DM26 - Design Specification for Dwellings - All new dwellings (including flats) shall have sufficient privacy, amenity space, open space, refuse and recycling storage and shall adhere to the Nationally Described Space Standards. These must be in accordance with Appendix B. All houses in multiple occupation shall also provide sufficient communal garden space, cycle storage, parking and refuse and waste storage.

DM27

Policy DM27 - Parking Standards - The Council will have regard to the vehicle parking standards set out in the Essex Parking Standards - Design and Good Practice (2009) or as subsequently amended when determining planning applications.

DM29

Policy DM29 - Protecting Living & Working Environments - Development proposals must safeguard the amenities of the occupiers of any nearby residential property by ensuring that development is not overbearing and does not result in unacceptable overlooking or overshadowing. Development must also avoid unacceptable levels of polluting emissions, unless appropriate mitigation measures can be put in place and permanently maintained.

DM30

Policy DM30 - Contamination & Pollution - Permission will only be granted for developments on or near to hazardous land where the Council is satisfied there will be no threat to the health or safety of future users and there will be no adverse impact on the quality of local groundwater or surface water. Developments must also not have an unacceptable impact on air quality and the health and wellbeing of people.

APPB

Appendix B forms part of the adopted Local Plan and provides information about standards that apply to all new residential developments in Chelmsford including conversions, apartments, houses, Houses in Multiple Occupation (HMO's) and extensions, unless it can be demonstrated that the particular site circumstances require a different design approach. The standards seek to ensure new developments will meet the needs of their occupiers, minimise the impact of new developments on surrounding occupiers and encourage higher rates of recycling.

MPSPD

The Making Places Supplementary Planning Document was adopted in January 2021 and sets out detailed guidance for the implementation of the policy requirements set out in the Local Plan. It seeks to promote and secure high-quality sustainable new development. It is aimed at all forms of development, from large strategic developments, public spaces and places to small extensions to individual homes.

POSPD

The Planning Obligations Supplementary Planning Document was adopted in January 2021 and sets out the City Council's approach towards seeking planning obligations which are needed to make development proposals acceptable in planning terms.

NHP

The Neighbourhood Plan sets out the local community's aspirations for the area and establishes policies for development and land use in the area.

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework (NPPF) was published in February 2019. It replaces the first NPPF published in March 2012 and almost all previous national Planning Policy Statements and Planning Policy Guidance, as well as other documents.

Paragraph 1 of the NPPF sets out the Government's planning policies for England and how these should be applied. Paragraph 2 confirms that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions and should be read as a whole.

Paragraph 7 says that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development meant that the planning system has three overarching objectives; an economic objective; a social objective; and an environmental objective. A presumption in favour of sustainable development is at the heart of the Framework.

The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan, permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.



**Planning Committee
3rd December 2024**

Application No	:	22/00721/FUL Full Application
Location	:	Land Adjacent 14 Creekview Road South Woodham Ferrers Chelmsford Essex CM3 5GU
Proposal	:	Construction of 6 dwellings. Alterations to the existing pond with new aerator and a new playground area.
Applicant	:	C/O Immofin
Agent	:	Mrs Emily Benedek
Date Valid	:	17th May 2022

Contents

1. Executive summary	2
2. Description of site	2
3. Details of the proposal	3
4. Other relevant applications	3
5. Summary of consultations	4
6. Planning considerations	5
7. Community Infrastructure Levy (CIL)	13

Appendices:

Appendix 1	Consultations
Appendix 2	Drawings

1. Executive summary

- 1.1. This application has been referred to the Planning Committee at the request of a local ward member. The reasons for the referral to Committee are:
 - concerns that the development would be harmful to biodiversity;
 - would result in a loss of trees and that there would be conflict between trees on the site and the proposed development;
 - the impact of the pond changes on wildlife; and
 - concern that the site was originally left development free in the original planning of South Woodham Ferrers by Essex County Council.
- 1.2. The site is located within the South Woodham Ferrers Urban Area and forms part of the garden to no. 14 Creekview Road.
- 1.3. The proposal relates to the construction of 6 x two-storey dwellings with associated parking provision.
- 1.4. The proposal is acceptable in principle.
- 1.5. The development would retain protected and non-protected trees while also enabling replacement tree planting.
- 1.6. The design of the proposed dwellings is acceptable.
- 1.7. The relationship between the proposed dwellings and neighbouring properties would be acceptable.
- 1.8. The development would provide acceptable living conditions for future occupiers.
- 1.9. There would not be any ecological harm from the proposals and a 10% Biodiversity Net Gain would be achieved.
- 1.10. The access and parking arrangements for the proposed development would be acceptable.

2. Description of site

- 2.1. The site is located within the South Woodham Ferrers Urban Area. It is a substantial domestic garden positioned to the side of no. 14 Creekview Road and covers an area of 0.3ha. The two-storey property at 14 Creekview Road together with an area of garden area to the south and west side of the house is not located within the application site.
- 2.2. The site is bounded on three sides by residential development and by Creekview Road to the North. Creekview Road effectively forms the edge of built development in South Woodham Ferrers with housing to one side and public open space to the other.
- 2.3. There is a substantial boundary hedge to Creekview Road which prevents views into the garden from the street. There are a number of trees within the site, many of which are visible above the hedge. Tree Preservation Order ref. TPO/2003/046 protects a number of the trees within the site.
- 2.4. An existing vehicular access leads to the site from Creekview Road.

3. Details of the proposal

- 3.1. This application relates to the proposed construction of six dwellings with associated landscaping and parking provision.
- 3.2. The dwellings would be two-storey in height and arranged across the site as two pairs of semi-detached houses and two detached houses.
- 3.3. Access to the site would be taken from the existing access from Creekview Road.
- 3.4. Parking provision for the development would be provided adjacent to the dwellings and in a central parking area. The proposed parking would include two visitor spaces.
- 3.5. The proposals include the provision of a communal play area with play equipment for shared use by the occupants of the proposed houses.

4. Other relevant applications

- 4.1. 20/02055/FUL – Refused 6th August 2021
Construction of 8 new dwellings with associated infrastructure and parking facilities and two ponds.

Appeal dismissed 7th September 2023

The Inspector raised no issues with the principle of residential development at the site. The Inspector however determined that the proposals would result in a loss of protected and non-protected trees within the site which would result in harm to the character and appearance of the area, contrary to Chelmsford Local Plan Policy DM17.

- 4.2. 18/05938/DD - No objection 3rd July 2018
Dead Willow – remove

- 4.3. 19/05182/TPO - Approved 11th November 2019
Willow x 3 (forming part of G1TPO/2003/46 and referred to in attached Tree Report as T1, T2 and T3)
 - Willow (T1) - north of pond - Fell and remove stump - Reason: extensive cavities throughout stem. Large cavity 1.8 metres from ground level on southern side of main stem. Replant with one Weeping Willow.
 - Willow (T2) - adjacent to pond - Fell and remove stump - Reason: woodpecker holes up main stem. Replant with one Weeping Willow.
 - Willow (T3) - adjacent to pond - Fell and remove stump - Reason: fungal fruiting bodies located at base of tree on south east side. Extensive cavities throughout stem. Hanging branch from pollard failure point on northern side. Replant with one Weeping Willow.

- 4.4. Conditions attached to both applications approving works to trees within the site (refs. 18/05938/DD & 19/05182/TPO) require replacement planting to be undertaken within the site. The approved tree works have been undertaken on the site and the required replacement planting has been incorporated into the proposals contained within the current planning application.

5. Summary of consultations

- Public Health & Protection Services –
 - The proposed development is situated on the site of an infilled former clay pit/tileworks and is also adjacent to a site identified on the Environment Agency mapping as having been subject to landfilling/land raising. The exact age and material used for both sites is unknown and therefore, as a precautionary measure, the construction of the ground floor must incorporate a proprietary gas-impermeable membrane (methane & carbon dioxide) instead of the usual damp proof membrane. The membrane should be installed as per manufacturer's instructions, fully lapped to the damp proof course and sealed around any service entries.

This residential development should provide EV charging point infrastructure to encourage the use of ultra-low emission vehicles at the rate of 1 charging point per unit (for a dwelling with dedicated off-road parking) and/or 1 charging point per 10 spaces (where off-road parking is unallocated).
- Environment Agency –
 - No objection.
- Recycling & Waste Collection Services –
 - No response received.
- Essex Wildlife Trust Ltd –
 - No response received.
- South Woodham Ferrers Town Council –
 - The Town Council Objects to this application based on the comments of the 31 July 2022 and 1 June 2022, in addition that this area is not marked for development in the Chelmsford Local Plan, Adopted Neighbourhood Plan or MasterPlan and is shown in all cases as being green space. We also believe that it fails to meet the vehicular standards for Essex in layout of roads and design. Concerns over the reduction in the size of the existing pond which has had uncontrolled reduction in size over time. We do not believe it meets the 10% gain in biodiversity even with the additional proposed planting areas.
- ECC Historic Environment Branch –
 - The Essex Historic Environment Record (HER) shows that the proposed development site lies in an area likely to contain archaeological remains. Specifically, the development area is located within the site of a historic brickworks associated with The Woodham Ferris Brick Company.
 - The pond present on the proposed development site is in the location of a backfilled clay pit.
 - Archaeological remains relating to the industrial activity on the site may survive below-ground, in the form of kilns or building remains, and would be negatively impacted by the groundworks associated with the proposed development.
 - In view of this, it is recommended that Archaeological Evaluation is undertaken in accordance with Para 205 of the National Planning Policy Framework.
- Essex County Council Highways –
 - This application for 6no. dwellings follows the previous application 20/02055/FUL for 8no. dwellings.
 - The proposed residential development would be served by a private drive.

- This Highway Authority recommendation is consistent with the previous recommendation for approval having special regard to accommodate the Inspectors comments regarding the site layout, made at Appeal.
 - From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the imposition of conditions.
- Local residents -
Representations received from 27 individuals. 23 raising objections and 4 in support of the proposals.
Objections received:
 - Dwelling designs out of character with existing properties
 - Likely to increase traffic and parking along Creekview Road
 - Loss of privacy to neighbouring properties
 - Noise disturbance to neighbouring properties
 - Loss of light to neighbouring properties
 - Over development of the plot
 - Harm to protected species and wildlife
 - Harm to trees including protected trees and the existing landscape
 - Potential flooding due to loss of trees and alterations to pond
 - Devaluation of properties surrounding the site
 - Would not deliver biodiversity net gain
 - Views will be ruined by this development
 - Loss of green public space to development
 - Tree protection orders have been ignored
 - Proposal does not align with corporate plan 'Our Chelmsford, Our Plan' or the Essex Joint Health & Wellbeing Strategy
 - Covenant requiring the land to be open space and not be developed
 - Amendments to the scheme do not overcome objections

Comments made in support:

- Ideal plot for development
- Contribution to housing demand
- Nature reserve close by for wildlife
- Privately owned land no accessible to public therefore no loss of public space
- Ample parking, including visitor parking, EV charging facilities
- No justification as to how 6 properties would increase the congestions / parking on Creekview Road
- Not out of character in terms of density

6. Planning considerations

Main Issues

- 6.1. Whether the development is acceptable in principle.
- 6.2. The effect of the proposed development on the character and appearance of the area with particular regard to trees.
- 6.3. Whether the development would have an acceptable design.
- 6.4. Whether the relationship between the proposed development and neighbouring properties would be acceptable.

- 6.5. Whether the proposed development would provide acceptable living conditions for future occupiers (Design Standards).
- 6.6. Consideration is also given as to whether there would be any harmful impacts in respect of ecology on the site.
- 6.7. It is necessary to consider whether the proposed development would have an acceptable vehicular access and parking provision within the site.

Principle of development

- 6.8. The application site is located within South Woodham Ferrers Urban Area where the principle of development is acceptable. The construction of six new dwellings on this site would be acceptable in principle provided that they meet all other policy requirements including compatibility with the character of the area, design, ecology and trees, parking and neighbour relationships.
- 6.9. The application site comprises the garden to no. 14 Creekview Road. It is part of a residential parcel of land and does not have any public right of access.

The effect of the proposed development on the character and appearance of the area with particular regard to trees

- 6.10. Part A of Chelmsford Local Plan Policy DM17 relating to Protected Trees and Woodland states: "Planning permission will be granted for development proposals that do not result in unacceptable harm to the health of a preserved tree, trees in a Conservation Area or Registered Park and Garden, preserved woodlands or ancient woodlands. Consideration will also be given to the impact of a development on aged or veteran trees found outside ancient woodlands."
- 6.11. The application site is located to the north of the Cornwallis Road residential development. It is a relatively large site measuring 0.3 hectares in size and forms part of the large garden area of No. 14 Creekview Road. The site contains a manmade pond to the rear, which appears to have been created following an historic use of the site as a brickworks, plus large trees some of which are covered by a tree preservation order. It is accessed via an existing access point off Creekview Road.
- 6.12. The application site, as a large garden, is an open feature which provides an amenity value within the estate. However, the land is not a community recreational site and is privately owned, forming part of the garden of No. 14 Creekview Road. It is also noted that the pond cannot be readily seen from the surrounding estate due to the high evergreen hedge which surrounds the site.
- 6.13. The Inspector when dismissing the previous appeal considered that the scheme for 8 dwellings would have an adverse impact on the character and appearance of the area, with particular reference to the unacceptable loss of trees within the site.
- 6.14. The appeal decision does not indicate that the development of the site is unacceptable in principle however it was determined that the amount of trees, both protected and non-protected, which would have been removed to facilitate the 8 dwelling development would result in harm to the character and appearance of the area.

- 6.15. This scheme for 6 dwellings has been revised since the dismissal of the 8 dwelling appeal. Additional and revised arboricultural information has also been received in respect of the revised scheme.
- 6.16. The amended plans have accounted for prior comments regarding liveability concerns between the proposed dwellings and trees on the site, nuisance from leaf drop and other detritus, encroachment of the Root Protection Area (RPA) and replacement planting. These revisions include the addition of a roof to the car port, relocating the playground from under the canopy of trees, slight movement of plots away from RPAs and previously conditioned replacement planting now indicated on the plans.
- 6.17. To facilitate the proposed development the application now only proposes the removal of 3 category C trees (T14, T15 and T41) as well as the partial removal of hedges H01, H02, immediately adjacent to the access to the site, and crown lifting of T48 Willow. The works proposed are acceptable and the proposed loss of trees and vegetation would not be visible beyond the immediate area. The majority of the trees within the site would now be retained which is a significant change from the appeal scheme and the original drawings for 6 dwellings on this site.
- 6.18. The site retains the majority of the mature and semi-mature trees with some incursion into the RPA proposed. These areas are predominantly no dig with a multi-dimensional confinement systems. It is noted within table 4 of the Arb. Impact Statement (p.7) that an incursion of 42.3 % would impact T43, but when comparing this to the arboricultural impact assessment plan this appears to be an error and is a lesser incursion than has been documented and therefore acceptable.
- 6.19. The proposals also include the reshaping of the pond on the site. The pond has a broadly round shape and it is proposed to infill the northernmost area but extend the pond further to the south. It would have an irregular shape and be extended into the area around the trees at the south of the site.
- 6.20. Although the new area of pond would be near to existing and newly planted trees it would be outside the RPA of the trees. The area to be infilled would also be outside the RPA of existing trees adjacent to the pond. It is therefore not necessary for the impact of the structural change and difference in water availability to be addressed within the report. The reshaping of the pond would not impact the trees on the site.
- 6.21. The plans have now been updated to include four trees to be planted to comply with conditions from applications and notification of works to preserved trees refs. 18/05938/DD & 19/05182/TPO. Details of the tree works permitted by these applications are set out in the Planning History section earlier in this report.
- 6.22. The proposals would not result in harm to the protected trees on the site and also provides for replacement planting for trees which have previously been granted consent to be removed. The character of the area would be maintained through the retention of protected and non-protected trees within the site in accordance with the requirements of Chelmsford Local Plan Policies DM17 and DM23.

Design

- 6.23. Chapter 12 of the National Planning Policy Framework (NPPF) sets out the objectives towards achieving well-designed places. Point a) of para 135 identifies that planning policies and decisions should ensure that development will function well and add to the overall quality of the area. Points b) and c) continue that developments should be visually attractive as a result of good architecture and layout as well as being sympathetic to local character and history, including the surrounding built environment and landscape setting. Para 139 states that development that is not well designed should be refused.
- 6.24. Policy DM23 relating to design requires new development to respect “the character and appearance of the area in which it is located. Development must be compatible with its surroundings having regard to scale, siting, form, architecture, materials, boundary treatments and landscape.” Part B of this policy requires all new buildings to be of a high quality design and compatible with the character and appearance of the area.
- 6.25. The South Woodham Ferrers Neighbourhood Plan (SWF NP) states that “Development proposals which will deliver high quality design in the built form and the surrounding landscape and in keeping with the Essex vernacular” which meet the two identified criteria in the policy, will be supported.
- 6.26. The proposed houses would all have the same design and appearance and would be arranged as two pairs of semi-detached, staggered properties and two detached properties. They would have rectangular footprints and would be two and a half storeys with a maximum height of 9.5m. They would have a narrow span and pitched roofs over which run from front to back. This reflects the form and scale of a number of dwellings in the vicinity of the site which are generally vernacular with a rectangular footprint with span across the narrow dimension.
- 6.27. Whilst the proposed dwellings would have a modern appearance, in part as a result of the external materials that are proposed, the design approach takes its cues from the design of the houses within the surrounding estate. As a result, the design and appearance of the dwellings is compatible with the existing built form in the wider area and is acceptable and complies with both National and Local Planning Policies in respect of good design.

Neighbour relationship

- 6.28. Policy DM29 requires development proposals to safeguard the living environment of occupiers of nearby residential property. Appendix B of the Local Plan sets out distance standards for new development in relation to existing, neighbouring properties. These standards are designed so that where proposed development has a parallel relationship with the front or rear of existing properties, sufficient distance is achieved between them to avoid overlooking, overshadowing or overbearing impacts occurring to existing properties.
- 6.29. If proposed development does not have a parallel relationship with existing properties, depending on the specific site conditions and development proposed, the distances between the existing and proposed properties can be reduced as direct views between windows would not occur.
- 6.30. The design and position of the proposed dwellings take into account the existing properties which are located adjacent to the boundaries of the application site.

- 6.31. In respect of development for this application, the proposals show that dwellings would be side-on to, at an angle to, or positioned in locations which are not parallel to, the existing dwellings around the site. Therefore, while some of the distances between the proposed dwellings and their rear boundary or to the neighbouring properties may not meet the distances set out in Appendix B, the relationship between the existing and proposed development would nonetheless be acceptable.
- 6.32. Unit 3 has no first floor windows facing the properties to the south and only a window serving the staircase at second floor level. A distance of approximately 17m would exist between the staircase window and the existing property to the east, no. 22 Creekview Road.
- 6.33. The rear elevations of Units 5 and 4 would face towards the parking/turning area which forms a gap between nos. 26 and 28 Cornwallis Drive. The proposed units would not have a direct front to back relationship with the existing dwellings. The first-floor window to Unit 5 serves a bathroom. It is expected that bathroom windows would be obscure glazed for privacy and this can be achieved by way of a planning condition on any approval. The first-floor bedroom window to Unit 4 would also face towards the parking and turning area between 26 & 28 Cornwallis Drive. As such it would not have a direct line of sight towards the windows of the existing properties.
- 6.34. The distances which would exist between the proposed dwellings and the existing properties, would be sufficient to prevent materially adverse overshadowing or overbearing impacts occurring to the occupants of existing neighbouring properties. The proposals therefore comply with the requirements of Policy DM29.

Whether the proposed development would provide acceptable living conditions for future occupiers (Design Standards)

- 6.35. Policy DM26 requires all new dwellings to comply with criteria in respect of achieving suitable privacy and living environment for residential occupiers, achieving sufficient private amenity space, meeting appropriate internal space and providing appropriate and well designed recycling and waste storage. Standards are set out Appendix B to the Local Plan and the above criteria must be in accordance with those standards.
- 6.36. The submitted plans indicate that all habitable rooms would have windows in walls which would provide both natural light to the rooms and adequate outlook for future occupants.
- 6.37. The Nationally Described Space Standards (NDSS) have been incorporated into the adopted Local Plan and all new dwellings are required to comply with these standards. A schedule of areas is provided on the proposed drawings which identifies that each property would have a gross internal floor (GIA) area of 126sqm.
- 6.38. The proposed dwellings would each be a four-bedroom, seven-person property with accommodation over three storeys. The NDSS standards require a minimum GIA of 121sqm for such a property and the proposed dwellings would comply with this.
- 6.39. An area of private garden would be provided for each proposed dwelling. The garden areas would exceed the minimum standard of 80sqm for the provision of amenity space for a property of the size proposed.
- 6.40. The proposed block plan indicates an area within the garden to each property for the storage of refuse and recycling. This would be large enough to accommodate the required bins etc and

would be in an appropriate location to enable future occupants to place the bins adjacent to the highway for collection.

- 6.41. The proposed dwellings would comply with the standards set out in Appendix B and Policy DM26.

Ecology

- 6.42. The Preliminary Ecological Appraisal (PEA) submitted with this application found that the site is not likely to support protected or notable species and habitats, and no further surveys are recommended. In the time since the PEA was undertaken, the land has continued to be maintained as residential garden with the grass regularly mown. The condition of the site has therefore been maintained as it was at the time the PEA was undertaken and there is no evidence to suggest that there would be any change to the ecological status of the site since that time.
- 6.43. The current proposals would result in only three category C trees and a relatively short length of hedge being removed. The remainder of the trees within the site would be retained with previously required replacement planting also being incorporated within the site. Areas of wildflower planting are also proposed.
- 6.44. The application pre-dates the national requirement for planning applications to achieve a Biodiversity Net Gain (BNG) however the application was submitted with proposals which indicate that a 10% BNG would occur. The most recently received information which has been updated in light of the revised plans for the development still indicates that a 10% BNG would be obtained within the site.
- 6.45. The proposals would not result in any detrimental impact to protected species or their habitat and would achieve a 10% Biodiversity Net Gain. The development would comply with the requirements of Policy DM16.

Access and Parking provision

- 6.46. Para 114 of the NPPF states that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:
b) safe and suitable access to the site can be achieved for all users;
d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 6.47. Para 115 continues that, "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."
- 6.48. Policy DM27 – Parking Standards states "The Council will have regard to the vehicle parking standards set out in the Essex Parking Standards - Design and Good Practice (2009), or as subsequently amended, when determining planning applications."
- 6.49. The SWF NP Policy DC3 states that parking should be unobtrusive and in locations that benefit from natural surveillance. Key principles for integrating parking are set out in the policy.

- 6.50. Essex County Council as the Local Highway Authority (LHA) has been consulted on the proposals. Following revisions to the access arrangements with Creekview Road, the LHA has indicated that subject to the imposition of conditions, the proposal is acceptable from a highway transportation perspective. There would not be any highway safety issues arising from the proposed development.
- 6.51. In respect of the proposed parking provision, there would be a sufficient number of parking spaces provided within the site for each of the new dwellings in addition to two visitor spaces. The parking spaces would either be located adjacent to the proposed dwellings or in the centre of the site. The spaces would be appropriately located for the properties that they would serve and in positions which would enable natural surveillance to occur from the dwellings.
- 6.52. The parking provision would comply with the adopted parking standards and Policy DM27.

Other Matters

Play Area

- 6.53. The application includes a proposed children's play area. This has been indicated to be located to the rear of Unit 3. The play area would be for communal use by the occupants of this six-property development, and it is not proposed that it would be a public play area.
- 6.54. No details of the equipment have been provided with the application and it would be necessary to impose a condition on any approval for details of the play equipment to be approved by the Council prior to its installation. This would ensure that the play equipment would be acceptable with regard to its size and position in relation to both proposed and neighbouring properties.

Flood Zones

- 6.55. In common with some other areas of South Woodham Ferrers the application site is located within Flood Zones 2 and 3. Policy DM 18 relating to Flooding/SUDS specifies in Parts A & B that:
- A) Planning permission for all types of development will only be granted where:
- i. it can be demonstrated that the site is safe from all types of flooding, either because of existing site conditions or through flood risk management from the development, now and for the lifetime of the development; and
 - ii. it does not worsen flood risk elsewhere.
- B) In addition to above Part A) development within areas of flood risk will be required to:
- i. provide a safe means of escape or suitably manage risk through some other means; and
 - ii. manage surface water run-off so that the run-off rate is no greater than the run-off prior to development taking place or, if the site is previously developed, development reduces run-off rates and volumes as far as is reasonably practical;
- and
- iii. locate the most vulnerable development in areas of lowest flood risk unless there are overriding reasons for not doing so.
- 6.56. A Flood Risk Assessment (FRA) has been submitted with the application and the Environment Agency (EA) has been consulted on this. The EA have no objections to the proposals. It is noted that South Woodham Ferrers benefits from flood defences.

- 6.57. The FRA contains details of a completed sequential test and exception test. Sufficient information has been provided within the FRA to demonstrate that the sequential and exception tests have been met.
- 6.58. The FRA also includes details of the proposed building design for flood resilience and the height of finished floor levels to ensure that the ground floor would be higher than the undefended flood level. Subject to conditions requiring that the internal floor levels and the building construction are in accordance with these details, the development would have sufficient resilience in the event of a flood event.
- 6.59. The FRA concludes that the proposals should provide a safe place to live over its lifetime and should not increase the risk of flooding elsewhere.
- 6.60. The application documents therefore demonstrate that the development would be acceptable within the flood zones and would not result in flooding of land outside of the site. The proposals comply with the requirements of Policy DM18.

RAMS

- 6.61. Chapter 15 of the National Planning Policy Framework (NPPF) requires that when determining planning applications, local planning authorities should apply the principle that if significant harm to biodiversity resulting from development cannot be avoided adequate mitigation, or, as a last resort, compensation for, then planning permission should be refused.
- 6.62. Chelmsford Local Plan Policy DM16 requires that Developments that are likely to have an adverse impact (either individually or in combination with other developments) on European Designated Sites must satisfy the requirements of the Habitats Regulations, determining site specific impacts and avoiding or mitigating against impacts where identified.
- 6.63. Where appropriate, contributions from developments will be secured towards mitigation measures identified in the Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS). Prior to RAMS completion, the authority will seek contributions, where appropriate, from proposed residential development to deliver all measures identified (including strategic measures) through project level HRAs, or otherwise, to mitigate any recreational disturbance impacts in compliance with the Habitats Regulations and Habitats Directive.
- 6.64. The proposal site falls within a 'zone of influence' identified by Natural England for likely significant effects to occur to a European designated site, in this case specifically the Blackwater and the Crouch & Roach Estuary Special Protection Areas and RAMSAR sites. Those likely significant effects will occur through increased recreational pressure when considered either alone or in combination with other residential development. A RAMS payment has been made by the Applicant to address the need for mitigation for the dwellings which would be created by the proposal.
- 6.65. The proposal development complies with the objectives of Chapter 15 of the NPPF and Chelmsford Local Plan Policy DM16.

Sustainable Buildings

- 6.66. Chelmsford Local Plan Policy DM25 requires all new dwellings to incorporate sustainable design features. These are that the dwellings shall meet the Building Regulations optional requirement

for water efficiency of 110litres/person/day and that Electric Vehicle charging point infrastructure of 1 charging point per unit shall be provided. This requirement can be secured by the imposition of a condition on any approval.

7. Community Infrastructure Levy (CIL)

7.1. This application may be CIL liable and there may be a CIL charge payable.

RECOMMENDATION

The Application be APPROVED subject to the following conditions:-

Condition 1

The development hereby permitted shall begin no later than 3 years from the date of this decision.

Reason:

In order to comply with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 2

The development hereby permitted shall be carried out in accordance with the approved plans and conditions listed on this decision notice.

Reason:

In order to achieve satisfactory development of the site.

Condition 3

a) No demolition, development or preliminary ground works shall take place within the site until a written scheme of investigation for the programme of archaeological work has been submitted to and approved in writing by the local planning authority.

b) No demolition, development or preliminary ground works shall take place until such time that the programme of archaeological work has been carried out in accordance with the approved Written Scheme of Investigation and a copy of the final report of findings has been submitted to and approved in writing by the local planning authority.

Reason:

This information is required prior to the commencement of the development because this is the only opportunity for archaeological investigation work to be undertaken. These works are required to ensure that adequate archaeological records can be made in respect of the site in accordance with Policy DM15 of the Chelmsford Local Plan.

Condition 4

No development shall take place until a final written Biodiversity Net Gain Plan (The BNG Plan) in the form of the national BNG Plan template, for the provision of a minimum 10% biodiversity net gain, has been submitted to and approved in writing by the local planning authority. The BNG Plan shall relate to the development for which planning permission is granted, and include:

- (i) completed metric calculation tool;
- (ii) pre-development and post-development plans (showing the location of on-site habitat, the direction of north and drawn to an identified scale);

- (iii) biodiversity net gain register reference numbers (if purchasing off-site units); and
- (iv) proof of purchase if purchasing statutory biodiversity credits.

The development shall not be begun until such time that The Biodiversity Net Gain Plan (BNG Plan) has been approved in writing by the local planning authority. The development shall subsequently be carried out in accordance with The BNG Plan.

Reason:

To ensure the statutory biodiversity gain condition of the Environment Act 2021 is met and to ensure the development accords with Policy DM16 of the Chelmsford Local Plan.

Condition 5

Prior to any construction works, details of the building construction design for flood resilience shall have been submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.

Reason:

To ensure that the development is constructed in accordance with Building Design for flood safety to comply with Policy DM18 of the Chelmsford Local Plan.

Condition 6

Prior to any construction works, detailed drawings and sections showing:

- The finished levels of all parts of the development in relation to the levels of the surrounding area and neighbouring buildings; and
- The finished ground floor levels in relation to the required levels set out in the Flood Risk Assessment

shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason:

To ensure that the development is constructed at suitable levels in relation to its surroundings and in accordance with Building Design for flood safety in accordance with Policies DM23 and DM18 of the Chelmsford Local Plan.

Condition 7

An updated copy of the Flood Warning and Evacuation Plan shall be provided to each dwelling prior to the first occupation of the development.

Reason:

To ensure that the occupants are aware of the Flood Warning and Evacuation Plan details in accordance with Policy DM18 of the Chelmsford Local Plan.

Condition 8

The development hereby permitted shall be constructed using a proprietary gas-impermeable membrane under any ground-bearing floor slabs. The membrane shall be installed as per manufacturer's instructions, lapped to the damp-proof course and fully sealed around any service entries. Alternatively, a beam and block suspended floor with a ventilated under-floor void shall be used.

Reason:

To ensure the development does not give rise to problems of pollution or contamination in accordance with Policy DM30 of the Chelmsford Local Plan.

Condition 9

Prior to their use, details of the materials to be used in the construction of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.

Reason:

To ensure that the development is visually acceptable in accordance with Policy DM23 of the Chelmsford Local Plan.

Condition 10

a) Details of the proposed treatment of all boundaries, including drawings of any gates, fences, walls, railings or piers, shall be submitted to and approved in writing by the local planning authority.

b) The development shall not be occupied until the boundary treatments have been provided in accordance with the approved details.

Reason:

In the interests of the visual amenities of the area and to safeguard the residential living environment of the occupiers of the proposed dwellings and the existing neighbouring dwellings in accordance with Policy DM29 and Policy DM23 of the Chelmsford Local Plan.

Condition 11

Details of the proposed pond aerator (including manufacturer's details and proposed location) shall be submitted to and approved in writing by the Local Planning Authority prior to its installation and operation. The development shall then be carried out in accordance with the approved details and retained as such thereafter.

Reason:

The application does not contain details of the aerator and to ensure that the equipment is acceptable in proximity to residential properties in accordance with Policy DM29 of the Chelmsford Local Plan.

Condition 12

Prior to installation, details of the play equipment to be installed on the site shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.

Reason:

To ensure that the development is visually acceptable and in the interests of protecting the living environment of occupiers of neighbouring dwellings in accordance with Policies DM23 and DM29 of the Chelmsford Local Plan.

Condition 13

Prior to first occupation of the development hereby permitted, details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. The works shall be carried out as approved prior to the first occupation of any part of the development or in the first available planting season following such occupation. The landscaping details to be submitted shall include:

- a) hard surfacing including pathways and driveways, other hard landscape features and materials;
- b) existing trees, hedges or other soft features to be retained;
- c) planting plans including specifications of species, sizes, planting centres, number and percentage mix;

- d) Details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife;
- e) Management details and a five year maintenance plan.

Reason:

In order to add character to the development, to integrate the development into the area and to promote biodiversity in accordance with Policies DM16 and Policy DM23 of the Chelmsford Local Plan.

Condition 14

In relation to tree protection, tree surgery and construction methods, the development shall only be carried out in accordance with the submitted arboricultural report entitled “Arboricultural Method Statement” and dated 18 June 2024.

Reason:

To safeguard the existing trees which are of amenity value and add character to the development in accordance with Policy DM17 of the Chelmsford Local Plan.

Condition 15

The trees as shown on the approved drawing U-J11760-A-6.3 Arbtech TPP -5 shall be protected by a barrier erected in accordance with BS 5837: 2012 - Trees in relation to design, demolition and construction - Recommendations Figure 2. The fence shall be erected before the commencement of any clearing, demolition and building operations. No materials shall be stored, no rubbish dumped, no fires lit and no buildings erected inside the fence, nor shall any change in ground level be made within the fenced area.

Reason:

To safeguard the existing protected trees and trees which are of amenity value in accordance with Policy DM17 of the Chelmsford Local Plan.

Condition 16

All new dwelling units as hereby approved shall be constructed to achieve increased water efficiency to a standard of no more than 110 litres of water per person per day in accordance with Building Regulations Approved Document Part G (2015 - as amended).

Reason:

To ensure the development reduces water dependency in accordance with Policy DM25 of the Chelmsford Local Plan.

Condition 17

Notwithstanding the details shown on the approved plans, prior to the first occupation of the dwellings hereby permitted, electric vehicle charging points shall be installed and retained at a rate of one charging point per dwelling in accordance with details that shall have been previously submitted to and agreed in writing by the local planning authority.

Reason:

To ensure that the development is constructed sustainably in accordance with Policy DM25 of the Chelmsford Local Plan.

Condition 18

The internal site access shown on the approved drawing shall be constructed to a standard capable of carrying a 26 tonne vehicle.

Reason:

In the interests of highway safety and to ensure that the development is accessible for refuse and recycling trucks in accordance with Policy DM23 of the Chelmsford Local Plan.

Condition 19

No dwelling shall be occupied until space has been laid out within the site in accordance with drawing no. U-J11760-A-6.0 rev 11 cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear and that space shall thereafter be kept available at all times for those purposes.

Reason:

To ensure that sufficient parking is available to serve the development in accordance with Policy DM27 of the Chelmsford Local Plan.

Condition 20

Prior to occupation of the development the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway and the access road within the development site shall have been constructed, as shown in principle on drawing no. U-J11760-A-10.7.

Reason:

To ensure that vehicles can enter and leave the highway in a controlled manner and for the additional pedestrian traffic generated within the highway as a result of the proposed development in the interest of highway safety.

Condition 21

No unbound material shall be used in the surface treatment of the vehicular access hereby permitted within 6 metres of the highway boundary.

Reason:

To avoid displacement of loose material onto the highway in the interests of highway safety.

Condition 22

The areas of hardsurfacing hereby permitted shall be constructed using a permeable surface or shall include drainage to prevent discharge of surface water onto the Highway.

Reason:

To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

Condition 23

Prior to their installation, details of the facilities for the storage of refuse and recyclable materials shall be submitted to and approved in writing by the local planning authority. The development shall not be occupied until the facilities for the storage of refuse and recyclable materials have been provided in accordance with the approved details.

Reason:

To ensure that suitable facilities for refuse disposal are provided and that such facilities are visually satisfactory in accordance with Policy DM23 and DM26 of the Chelmsford Local Plan.

Condition 24

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the dwellings hereby

permitted shall not be enlarged or extended without the grant of an additional planning permission by the local planning authority.

Reason:

In the interests of protecting the living environment of occupiers of neighbouring dwellings in accordance with Policy DM29 of the Chelmsford Local Plan.

Condition 25

The first-floor windows serving the first-floor bathrooms to each dwelling shall be:

- a) obscured (minimum Level 3 obscurity level) and
- b) of a design not capable of being opened below a height of 1.7m above finished floor level and shall remain so obscured and non-openable.

Reason:

To safeguard the privacy of the occupiers of the adjacent property or properties in accordance with Policy DM29 of the Chelmsford Local Plan.

Notes to Applicant

- 1 In order to cause minimum nuisance to neighbours, the applicant is strongly advised to follow guidelines for acceptable working hours set out by the Council's Public Health and Protection team.

Noisy work

- Can be carried out between 0800 and 1800 Monday to Friday
- Limited to 0800-1300 on Saturdays
- At all other times including Sundays and Bank Holidays, no work should be carried out that is audible beyond the boundary of the site

Light work

- Acceptable outside the hours shown above
- Can be carried out between 0700 and 0800; and 1800-1900 Monday to Friday

In some circumstance further restrictions may be necessary.

For more information, please contact Chelmsford City Council Public Health and Protection Services, or view the Council's website at www.chelmsford.gov.uk/construction-site-noise

- 2 The Local Highway Authority (Essex County Council) must be contacted regarding the details of any works affecting the existing highway. Contact details are: Telephone: 0845 603 7631. Email: development.management@essexhighways.org.
- 3 This permission is subject to conditions, which require details to be submitted and approved by the local planning authority. Please note that applications to discharge planning conditions can take up to eight weeks to determine.
- 4 This planning permission is subject to planning condition(s) that need to be formally discharged by the Council. Applications to discharge planning conditions need to be made in writing to the local planning authority. Forms and information about fees are available on the Council's website.

- 5 The site lies within an area of archaeological interest. Accordingly, the applicant is requested to contact the Essex County Council Historic Environment Management Team (Waste, Recycling and Environment) at County Hall, Duke Street, Chelmsford, on 01245 437632 prior to any works commencing on site, to agree a watching brief and afford the Council reasonable facilities to inspect the proposed excavation works.
- 6 The proposed development may be liable for a charge under the Community Infrastructure Levy Regulations 2010 (as Amended). If applicable, a Liability Notice will be sent as soon as possible to the applicant and any other person who has an interest in the land. This will contain details of the chargeable amount and how to claim exemption or relief if appropriate. There are further details on this process on the Council's website at www.chelmsford.gov.uk/cil, and further information can be requested by emailing cilenquiries@chelmsford.gov.uk. If the scheme involves demolition, for the purposes of the Regulations the development will be considered to have begun on commencement of the demolition works.
- 7 Please note that the Council will contact you at least annually to gain information on projected build out rates for this development. Your co-operation with this request for information is vital in ensuring that the Council maintains an up to date record in relation to Housing Land Supply.
- 8 This development will result in the need for a new postal address. Applicants should apply in writing, email or by completing the online application form which can be found at www.chelmsford.gov.uk/streetnaming. Enquires can also be made to the Address Management Officer by emailing Address.Management@chelmsford.gov.uk

Positive and Proactive Statement

The Local Planning Authority provided advice to the applicant before the application was submitted and also suggested amendments to the proposal during the life of the application. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework to promote the delivery of sustainable development and to approach decision taking in a positive way.

Plans to be listed on any Decision Notice:

U-J11760-A-6.1/11
U-J11760-A-1.1/11
U-J11760-A-2.1/11
U-J11760-A-6.0/11
U-J11760-A-6.3/11
U-J11760-A-6.4/11
U-J11760-A-6.7/11
U-J11760-A-6.5/11
U-J11760-A-6.6/11
U-J11760-A-8.1/11
U-J11760-A-8.2/11
U-J11760-A-9.8/11
U-J11760-A-9.1/11
U-J11760-A-9.2/11
U-J11760-A-9.3/11
U-J11760-A-9.7/11
U-J11760-A-9.4/11
U-J11760-A-9.5/11
U-J11760-A-9.6/11
U-J11760-A-10.1/11
U-J11760-A-10.2/11
U-J11760-A-10.3/11
U-J11760-A-10.4/11
U-J11760-A-10.5/11
U-J11760-A-10.6/11
Biodiversity Net Gain Assessment/10 October 2024
Stage 1 Road Safety Audit
U-J11760-A-10.7
TRK07/C
Flood Risk Assessment/Revision 2
Flood Warning and Evacuation Plan

Public Health & Protection Services

Comments
<p>25.05.2022 - The proposed development is situated on the site of an infilled former clay pit/tileworks and is also adjacent to a site identified on the Environment Agency mapping as having been subject to landfilling/land raising. The exact age and material used for both sites is unknown and therefore, as a precautionary measure, the construction of the ground floor must incorporate a proprietary gas-impermeable membrane (methane & carbon dioxide) instead of the usual damp proof membrane. The membrane should be installed as per manufacturers instructions, fully lapped to the damp proof course and sealed around any service entries.</p> <p>This residential development should provide EV charging point infrastructure to encourage the use of ultra-low emission vehicles at the rate of 1 charging point per unit (for a dwelling with dedicated off-road parking) and/or 1 charging point per 10 spaces (where off-road parking is unallocated).</p>

Environment Agency

Comments
<p>01.08.2022 -</p> <p>CONSTRUCTION OF 6 DWELLINGS. ALTERATIONS TO THE EXISTING POND AND NEW PLAYGROUND AREA.</p> <p>LAND ADJACENT 14 CREEKVIEW ROAD SOUTH WOODHAM FERRERS CHELMSFORD ESSEX CM3 5GU</p> <p>Thank you for your consultation dated 24 May 2022. We have inspected the application as submitted and have no objection, providing that you have taken into account the flood risk considerations which are your responsibility. We have highlighted these in the flood risk section below. Flood Risk</p> <p>Our maps show the site lies within tidal Flood Zone 3a defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. The proposal is for 6 three-storey dwellings, which is classified as a 'more vulnerable' development, as defined in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance. Therefore, to comply with national policy the application is required to pass the Sequential and Exception Tests and be supported by a site specific Flood Risk Assessment (FRA).</p> <p>Flood Risk Assessment To assist you in making an informed decision about the flood risk affecting this site, the key points to note from the submitted FRA, referenced S19-513/FRA - Revision 2 and dated December 2020, are: Actual Risk</p> <ul style="list-style-type: none"> o The site lies outside the flood extent for a 0.5% (1 in 200) annual probability event, including an allowance for climate change.

o The site does benefit from the presence of defences. The defences have an effective crest level of 4.66m AOD which is below the defended 0.5% (1 in 200) annual probability flood level including climate change. However floodwater does not reach the site and therefore the site is not at actual risk of flooding in this event.

o Finished ground floor levels have been proposed at 5.20m AOD. This is above the 0.5% (1 in 200) annual probability flood level including climate change and therefore is dry of flooding in this event.

o Flood resilience/resistance measures have been proposed up to 5.31m AOD.

o Finished first floor levels have been proposed at an unknown height. By adding 2.5 metres to the finished ground floor level, we can estimate the finished first floor levels to roughly be 7.70m AOD and therefore there is refuge above the 0.1% (1 in 1000) annual probability flood level including climate change.

o The site level is 4.70m AOD and therefore flood depths on site are 0m in the 0.5% (1 in 200) annual probability flood event including climate change.

o Therefore assuming a velocity of 0.5m/s the flood hazard is very low hazard in the 0.5% (1 in 200) annual probability flood event including climate change.

o Therefore this proposal does have a safe means of access in the event of flooding from all new buildings to an area wholly outside the floodplain up to a 0.5% (1 in 200) annual probability including climate change flood event. A Flood

Evacuation Plan has been proposed.

o Compensatory storage is not required.

Residual Risk

o The FRA does not explore the risk of a breach of the defences. Our data shows that in a worst-case scenario the site could experience undefended flood depths of up to 0.65 metres during the 0.5% (1 in 200) annual probability including upper end allowance for climate change (up to 2122) breach flood event and up to 0.86 metres during the 0.1% (1 in 1000) annual probability including upper end allowance for climate change (up to 2122) breach flood event. You may wish to ask the applicant to provide a breach assessment for the development site in their FRA so that you can make a more informed decision on flood risk.

o Therefore assuming a velocity of 0.5m/s the flood hazard is danger for most including the general public in the 0.5% (1 in 200) annual probability flood event including upper end allowance for climate change (up to 2122).

o Finished ground floor levels have been proposed at 5.20m AOD. This is below the 0.5% (1 in 200) annual probability breach flood level including upper end allowance for climate change (up to 2122) of 5.35m AOD and therefore at risk of flooding by 0.15m depth in this event.

o Flood resilience/resistance measures have been proposed up to 5.31m AOD which is 0.04m below the 0.5% (1 in 200) annual probability breach flood level including upper end allowance for climate change (up to 2122).

o Finished first floor levels have been proposed at an unknown height. By adding 2.5 metres to the finished ground floor level, we can estimate the finished first floor levels to roughly be 7.70m AOD and therefore there is refuge above the 0.1% (1 in 1000) annual probability breach flood level including upper end allowance for climate change (up to 2122) of 5.56m AOD.

o A Flood Evacuation Plan has been proposed and is necessary to ensure the safety of the development in the absence of safe access with internal flooding in the event of a breach flood.

o This application site is at risk from reservoir flooding. Reservoir flooding is extremely unlikely to happen providing the reservoir is appropriately managed and maintained. All large raised reservoirs designated as 'high-risk' and those where the risk is still to be determined must be inspected and supervised by reservoir panel engineers. The Environment Agency are the enforcement authority for the Reservoirs Act 1975 and under this Act it is a requirement that reservoirs are inspected regularly and essential safety work is carried out. However, the failure of a reservoir has the potential to cause catastrophic damage due to the sudden release of large volumes of water with little or no warning. The local planning authority will need to evaluate the potential damage to buildings or loss of life in the event of dam failure, compared to other risks, when considering development downstream of a reservoir. The Planning Practice Guidance states that Local planning authorities are advised to consult with their emergency planning officers as early as possible regarding any planning applications which have implications for emergency planning. Where issues affecting emergency services are identified it may be relevant to contact the local resilience forum which prepare for local incidents and catastrophic emergencies. Or in some cases, it may be appropriate for the local planning authority to consult the emergency services on specific emergency planning issues related to new developments. Local planning authorities are also advised to consult with the owners/operators of raised reservoirs, to establish constraints upon safe development.

Guidance for Local Council

Safety of Building - Flood Resilient Construction

The FRA proposes to include flood resistant/resilient measures in the design of the building to protect/mitigate the proposed development from flooding.

You should determine whether the proposed measures will ensure the safety and sustainability of the proposed development. Consultation with your building control department is recommended when determining if flood proofing measures are effective. Further information can be found in the document 'Improving the flood performance of new buildings' at:

http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf. Additional guidance can be found in our publication 'Prepare your property for flooding', which can be found on our website at <https://www.gov.uk/government/publications/prepare-your-property-for-flooding> Safety of inhabitants - Safety of Building

The development has been designed to provide refuge above the predicted flood levels. Given that refuge is identified as a fall back mitigation measure it is important that the building is structurally resilient to withstand the pressures and forces (hydrostatic and hydrodynamic pressures) associated with flood water. We advise that supporting information and calculations are submitted to you to provide certainty that the

buildings will be constructed to withstand these water pressures. Safety of Inhabitants - Emergency Flood Plan

The Environment Agency does not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network. The Planning Practice Guidance to the National Planning Policy Framework states that those proposing developments should take advice from the emergency services when producing an evacuation plan for the development as part of the flood risk assessment. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you consult with your Emergency Planners and the Emergency Services to determine whether the proposals are safe in accordance with the guiding principles of the Planning Practice Guidance (PPG). We have considered the likely duration, depths, velocities and flood hazard rating against the design flood event for the development proposals. This indicates that there will be: - A danger to most people (e.g. there will be danger of loss of life for the general public) This does not mean we consider that the access is safe, or the proposals acceptable in this regard. We remind you to consult with your Emergency Planners and the Emergency Services on the evacuation proposals.

Partnership funding for new/upgraded defences

Please note that government funding rules do not take into account any new properties (residential or non-residential), or existing buildings converted into housing, when determining the funding available for new/upgraded defences. Therefore as the proposed development may reduce the funding available for any future defence works we would like to take opportunities to bring in funding through the planning system, so please can you consider this when determining the planning application. Sequential and Exception Tests The requirement to apply the Sequential Test is set out in Paragraph 162 of the National Planning Policy Framework. The Exception Test is set out in paragraph 164. These tests are your responsibility and should be completed before the application is determined. Additional guidance is also provided on Defra's website and in the Planning Practice Guidance. Other Sources of Flooding

In addition to the above flood risk, the site may be within an area at risk of flooding from surface water, reservoirs, sewer and/or groundwater. We have not considered these risks in any detail, but you should ensure these risks are all considered fully before determining the application.

We trust this information is useful

23.06.2022

CONSTRUCTION OF 6 DWELLINGS. ALTERATIONS TO THE EXISTING POND AND NEW PLAYGROUND AREA.

LAND ADJACENT 14 CREEKVIEW ROAD SOUTH WOODHAM FERRERS CHELMSFORD ESSEX CM3 5GU

Thank you for your consultation dated 24 May 2022. We have inspected the application as submitted and have no objection, providing that you have taken into account the flood risk considerations which are your responsibility. We have highlighted these in the flood risk section below. Flood Risk

Our maps show the site lies within tidal Flood Zone 3a defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. The proposal is for 6 three-storey dwellings, which is classified as a 'more vulnerable' development, as defined in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance. Therefore, to comply with national policy the application is required to pass the Sequential and Exception Tests and be supported by a site specific Flood Risk Assessment (FRA).

Flood Risk Assessment To assist you in making an informed decision about the flood risk affecting this site, the key points to note from the submitted FRA, referenced S19-513/FRA - Revision 2 and dated December 2020, are: Actual Risk

- o The site lies outside the flood extent for a 0.5% (1 in 200) annual probability event, including an allowance for climate change.
- o The site does benefit from the presence of defences. The defences have an effective crest level of 4.66m AOD which is below the defended 0.5% (1 in 200) annual probability flood level including climate change. However floodwater does not reach the site and therefore the site is not at actual risk of flooding in this event.
- o Finished ground floor levels have been proposed at 5.20m AOD. This is above the 0.5% (1 in 200) annual probability flood level including climate change and therefore is dry of flooding in this event.
- o Flood resilience/resistance measures have been proposed up to 5.31m AOD.
- o Finished first floor levels have been proposed at an unknown height. By adding 2.5 metres to the finished ground floor level, we can estimate the finished first floor levels to roughly be 7.70m AOD and therefore there is refuge above the 0.1% (1 in 1000) annual probability flood level including climate change.
- o The site level is 4.70m AOD and therefore flood depths on site are 0m in the 0.5% (1 in 200) annual probability flood event including climate change.
- o Therefore assuming a velocity of 0.5m/s the flood hazard is very low hazard in the 0.5% (1 in 200) annual probability flood event including climate change.
- o Therefore this proposal does have a safe means of access in the event of flooding from all new buildings to an area wholly outside the floodplain up to a 0.5% (1 in 200) annual probability including climate change flood event. A Flood Evacuation Plan has been proposed.
- o Compensatory storage is not required.

Residual Risk

o The FRA does not explore the risk of a breach of the defences. Our data shows that in a worst-case scenario the site could experience undefended flood depths of up to 0.65 metres during the 0.5% (1 in 200) annual probability including upper end allowance for climate change (up to 2122) breach flood event and up to 0.86 metres during the 0.1% (1 in 1000) annual probability including upper end allowance for climate change (up to 2122) breach flood event. You may wish to ask the applicant to provide a breach assessment for the development site in their FRA so that you can make a more informed decision on flood risk.

o Therefore assuming a velocity of 0.5m/s the flood hazard is danger for most including the general public in the 0.5% (1 in 200) annual probability flood event including upper end allowance for climate change (up to 2122).

o Finished ground floor levels have been proposed at 5.20m AOD. This is below the 0.5% (1 in 200) annual probability breach flood level including upper end allowance for climate change (up to 2122) of 5.35m AOD and therefore at risk of flooding by 0.15m depth in this event.

o Flood resilience/resistance measures have been proposed up to 5.31m AOD which is 0.04m below the 0.5% (1 in 200) annual probability breach flood level including upper end allowance for climate change (up to 2122).

o Finished first floor levels have been proposed at an unknown height. By adding 2.5 metres to the finished ground floor level, we can estimate the finished first floor levels to roughly be 7.70m AOD and therefore there is refuge above the 0.1% (1 in 1000) annual probability breach flood level including upper end allowance for climate change (up to 2122) of 5.56m AOD.

o A Flood Evacuation Plan has been proposed and is necessary to ensure the safety of the development in the absence of safe access with internal flooding in the event of a breach flood.

o This application site is at risk from reservoir flooding. Reservoir flooding is extremely unlikely to happen providing the reservoir is appropriately managed and maintained. All large raised reservoirs designated as 'high-risk' and those where the risk is still to be determined must be inspected and supervised by reservoir panel engineers. The Environment Agency are the enforcement authority for the Reservoirs Act 1975 and under this Act it is a requirement that reservoirs are inspected regularly and essential safety work is carried out. However, the failure of a reservoir has the potential to cause catastrophic damage due to the sudden release of large volumes of water with little or no warning. The local planning authority will need to evaluate the potential damage to buildings or loss of life in the event of dam failure, compared to other risks, when considering development downstream of a reservoir. The Planning Practice Guidance states that Local planning authorities are advised to consult with their emergency planning officers as early as possible regarding any planning applications which have implications for emergency planning. Where issues affecting emergency services are identified it may be relevant to contact the local resilience forum which prepare for local incidents and catastrophic emergencies. Or in some cases, it may be appropriate for the local planning authority to consult the emergency services on specific emergency planning issues related to new developments. Local planning authorities are also advised to consult with the owners/operators of raised reservoirs, to establish constraints upon safe development.

Guidance for Local Council

Safety of Building - Flood Resilient Construction

The FRA proposes to include flood resistant/resilient measures in the design of the building to protect/mitigate the proposed development from flooding.

You should determine whether the proposed measures will ensure the safety and sustainability of the proposed development. Consultation with your building control department is recommended when determining if flood proofing measures are effective. Further information can be found in the document 'Improving the flood performance of new buildings' at:

http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf. Additional guidance can be found in our publication 'Prepare your property for flooding', which can be found on our website at <https://www.gov.uk/government/publications/prepare-your-property-for-flooding> Safety of inhabitants - Safety of Building

The development has been designed to provide refuge above the predicted flood levels. Given that refuge is identified as a fall back mitigation measure it is important that the building is structurally resilient to withstand the pressures and forces (hydrostatic and hydrodynamic pressures) associated with flood water. We advise that supporting information and calculations are submitted to you to provide certainty that the buildings will be constructed to withstand these water pressures. Safety of Inhabitants - Emergency Flood Plan

The Environment Agency does not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network. The Planning Practice Guidance to the National Planning Policy Framework states that those proposing developments should take advice from the emergency services when producing an evacuation plan for the development as part of the flood risk assessment. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you consult with your Emergency Planners and the Emergency Services to determine whether the proposals are safe in accordance with the guiding principles of the Planning Practice Guidance (PPG). We have considered the likely duration, depths, velocities and flood hazard rating against the design flood event for the development proposals. This indicates that there will be: - A danger to most people (e.g. there will be danger of loss of life for the general public) This does not mean we consider that the access is safe, or the proposals acceptable in this regard. We remind you to consult with your Emergency Planners and the Emergency Services on the evacuation proposals.

Partnership funding for new/upgraded defences

Please note that government funding rules do not take into account any new properties (residential or non-residential), or existing buildings converted into housing, when determining the funding available for new/upgraded defences. Therefore as the proposed development may reduce the funding available for any future defence works we would like to take opportunities to bring in funding through the planning system, so please can you consider this when determining the planning application. Sequential and Exception Tests

The requirement to apply the Sequential Test is set out in Paragraph 162 of the National Planning Policy Framework. The Exception Test is set out in paragraph 164. These tests are your responsibility and should be completed before the application is determined. Additional guidance is also provided on Defra's website and in the Planning Practice Guidance. Other Sources of Flooding

In addition to the above flood risk, the site may be within an area at risk of flooding from surface water, reservoirs, sewer and/or groundwater. We have not considered these risks in any detail, but you should ensure these risks are all considered fully before determining the application.

We trust this information is useful

14.10.2022 -

CONSTRUCTION OF 6 DWELLINGS. ALTERATIONS TO THE EXISTING POND AND NEW PLAYGROUND AREA.

LAND ADJACENT 14 CREEKVIEW ROAD SOUTH WOODHAM FERRERS CHELMSFORD ESSEX CM3 5GU

Thank you for your consultation dated 20 September 2022. We have reviewed the new information as submitted and have no further comments. The information provided in our response dated 1 August 2022, referenced AE/2022/127137/01.

We trust this information is useful.

Recycling & Waste Collection Services

Comments

No response received

Essex Wildlife Trust Ltd

Comments

No response received

South Woodham Ferrers Town Council

Comments

31.07.2022 - The Planning Committee of South Woodham Ferrers Town Council still OBJECTS to this application on the all the previous grounds with the additional points

1.The addition of an aerator to the pond is materially changing the pond from a natural feature to a more ornamental one and should not be allowed.

2. The pond is being moved to try accommodate the development and as a natural pond it should stay where it is naturally located.

3. The placing of a play area next to the pond is unsafe for young children and should not be allowed.

4. The pond needs to remain in its natural setting.

01.06.2022 - The Planning Committee of South Woodham Ferrers Town Council OBJECTS to this application. The key reasons for the refusal of the previous application 20/02055 (for 8 houses) still apply for this application :

The proposed application would result in a 45% net loss in biodiversity across the site. This can only be mitigated by off site compensation which goes against the principles of the mitigation hierarchy. The off site compensation would not overcome the significant harm to biodiversity that would be caused by the proposal.

The layout of the proposed development would result in significant harm to biodiversity. This harm could not be avoided through any of the mitigation options as set out in the mitigation hierarchy which has not been correctly followed. The proposal would therefore fail to comply with the requirements of Policy DM16 of the Local Plan and the NPPF.

The proposal would remove protected and non-protected trees from the site. It proposes to plant some new trees in their place. The replacement planting is based numerically and would not compensate for the value provided by the existing trees, which will take many years to replace. Fourteen of the trees are proposed in rear gardens. There is no guarantee of successful tree retention when planting occurs within private amenity spaces. The trees also have the potential to impact future liveability for future residents which could result in pressure to remove them. The additional requirement for replacement planting for the protected trees which has also not been addressed adequately.

The proposed development of the site results in conflicts and creates a poor relationship with retained, mature trees. The tree loss cannot be adequately compensated for either. The development therefore would be contrary to DM17 of the Chelmsford Local Plan and the aims of the NPPF to retain existing trees.

The changes to the pond would have a drastic effect on existing wildlife.

The area is a green space of importance to local residents.

There is considerable opposition from local residents.

The area was specifically left free of building in the design brief for the area by the then planning authority Essex County Council because of its value as open space and wildlife benefit.

31.07.2024 - The Town Council Objects to this application based on the comments of the 31 July 2022 and 1 June 2022, in addition that this area is not marked for development in the Chelmsford Local Plan, Adopted Neighbourhood Plan or MasterPlan and is shown in all cases as being green space. We also believe that it

fails to meet the vehicular standards for Essex in layout of roads and design. Concerns over the reduction in the size of the existing pond which has had uncontrolled reduction in size over time. We do not believe it meets the 10% gain in biodiversity even with the additional proposed planting areas.

ECC Historic Environment Branch

Comments

20.09.2022 - Specialist Archaeological Advice

Dear Sir/Madam,

RE: 22/00721/FUL ' Construction of 6 dwellings. Alterations to the existing pond with new aerator and a new playground area.

Land Adjacent 14 Creekview Road, South Woodham Ferrers

Thank you for reconsulting the Historic Environment Advisor for Chelmsford City Council on the above application.

Our recommendation remains the same as our previous letter, dated 8th June 2022.

08.06.2022 - Dear Sir/Madam,

RE: 22/00721/FUL - Construction of 6 dwellings. Alterations to the existing pond and new playground area.

Land Adjacent 14 Creekview Road South Woodham Ferrers

The above application has been identified on the weekly list by the Historic Environment Advisor for Chelmsford City Council as having archaeological implications.

The Essex Historic Environment Record (HER) shows that the proposed development site lies in an area likely to contain archaeological remains. Specifically, the development area is located within the site of a historic brickworks associated with The Woodham Ferris Brick Company. The brickworks were established in 1898 but were short-lived; by the time of the 1920 OS map they are labelled as "disused".

The brickworks had an associated landing creek and the majority of the bricks were transported by barge to locations such as Battlesbridge, as well as further afield. The bricks are recorded as having been fired in clamps, although there may also have been a kiln for firing tiles. The pond present on the proposed development site is in the location of a backfilled clay pit.

Archaeological remains relating to the industrial activity on the site may survive below-ground, in the form of kilns or building remains, and would be negatively impacted by the groundworks associated with the proposed development.

In view of this, the following recommendation is made in line with the National Planning Policy Framework, paragraph 205:

RECOMMENDATION: Archaeological Evaluation

1. No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a Written Scheme of Investigation which has been submitted by the applicant, and approved in writing by the local planning authority.
2. No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the WSI defined in 1 above.
3. The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

The required work comprises an archaeological trial-trenching evaluation, to be carried out prior to the commencement of the development, focusing on the footprints of the proposed dwellings. If this evaluation exposes significant archaeological remains then a further stage of archaeological excavation and/or monitoring may then be necessary. The City Council should inform the applicant of the archaeological recommendation and its financial implications. An archaeological brief will be produced from this office detailing the work required on request, and must be acquired prior to the production of a Written Scheme of Investigation.

Essex County Council Highways

Comments
<p>13.11.2024 - Your Ref: 22/00721/FUL</p> <p>Our Ref: CO/EGD/SD/RM/CHL/22/721/48038</p> <p>Date:- 13th November 2024</p> <p>' This application for 6no. dwellings follows the previous application 20/02055/FUL for 8no. dwellings.</p> <p>' The proposed residential development would be served by a private drive.</p> <p>' This Highway Authority recommendation is consistent with the previous recommendation for approval having special regard to accommodate the Inspectors comments regarding the site layout, made at Appeal.</p> <p>From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:</p> <ol style="list-style-type: none">1. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for;

- i. the parking of vehicles of site operatives and visitors,
- ii. loading and unloading of plant and materials,
- iii. storage of plant and materials used in constructing the development,
- iv. wheel and underbody washing facilities.
- v. Before and after condition survey to identify defects to highway in the vicinity of the access to the site and where necessary, ensure repairs are undertaken at the developer expense where caused by developer.

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 and Policy DM 1

Note - MUD / DEBRIS ON HIGHWAY

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.

. Prior to occupation of the development the principle vehicular access and access road to the development, shall be constructed at right angles to the highway boundary and to the existing carriageway as shown in principle in the shown in the Amended Block Plan, drawing no. U-J11760-A-10.7 and to include:

i. Provision of dropped kerb vehicular crossing at the vehicular access shown in principle Amended Block Plan drawing:

' To facilitate improved the vehicular swept path for refuse vehicles and other similar heavy goods vehicles entering/leaving the development, and to achieve the same swept path conditions as drawing no. TRK07 Revision B, Vehicle Swept Path Analysis, submitted with planning application 20/02055/FUL:

o The dropped kerb width shall be increased accordingly, details to be agreed with the Development Management Team prior to reconstruction of the vehicular access.

ii. The developer to pay the costs of all necessary traffic regulation orders and legal processes associated with the highway works.

iii. Provision of all signing and lining in association with the highway works.

iv. The developer shall enter into an appropriate agreement with the Highway Authority to regulate construction works. This will include the submission of detailed engineering drawings for approval and a safety audit.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner and for the additional pedestrian traffic generated within the highway as a result of the proposed development in the interest of highway safety in accordance with policy DM1.

3. Prior to first occupation of the development, the vehicular turning facility 30 metres south of the Creekview Road carriageway, shown in the Amended Block Plan, drawing no. U-J11760-A-10.7, shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

Reason: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety in accordance with policy DM1.

4. There shall be no discharge of surface water from the development onto the Highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1.

5. There shall be no discharge of surface water from the development onto the Highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1.

6. Prior to first occupation of the development, the 12no. off-street vehicle parking spaces shown in the Amended Block Plan, drawing no. U-J11760-A-10.7, has been constructed and appropriately hard surfaced in accordance with EPOA Parking Standards ready for use. The vehicle parking areas shall be retained in this form at all times.

Reason: To encourage the off-street parking and to ensure adequate space for parking off the highway is provided and to avoid displacement of loose material onto the highway in the interest of highway safety in accordance with Policies DM8 and DM1.

7. Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.

8. Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10.

General

I. Prior to any works taking place in public highway, the developer shall enter into an appropriate agreement with the Highway Authority to regulate construction works. This will include the submission of detailed engineering drawings for approval and a safety audit.

II. The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any

potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

III. The above to be provided at no cost to the Highway Authority.

IV. The above to be imposed on the planning permission (if granted) by planning obligation or condition, as necessary.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance and NPPF 2023.

Please Include the Informatives:

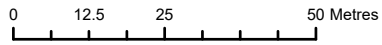
' All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org

Local Residents

Comments

Representations received from 27 individuals. Full details of all the comments are available on the Council's website. A summary of the points raised are included in the report.



1:1,250



Planning Committee
22/00721/FUL

Planning & Development Management
Directorate for Sustainable Communities

PO Box 7544 Civic Centre
Duke Street, Chelmsford, CM1 1XP

Telephone: 01245 606826

© Crown copyright and database rights 2024 Ordnance Survey AC0000809459.

You are permitted to use this data solely to enable you to respond to, or interact with, the organisation that provided you with the data.

You are not permitted to copy, sub-licence, distribute or sell any of this data to third parties in any form.



Existing Block Plan



Proposed Block Plan

Rev No.	Date	Description
11	22/10/2024	Revision 11
10	08/10/2024	Revision 10
9	30/09/2024	Revision 9
8	20/05/2024	Revision 8
7	01/05/2024	Revision 7
6	20/11/2023	Updating Landscape and Master Plan
5	25/09/2023	Updating landscape and masterplan
4	13/09/2022	Car parking and landscaping

Notes:

Any inaccuracies or errors to be reported to the architect/surveyor immediately and prior to any work commencing. All dimensions to be verified on site. All work to comply with British Standards Code of practice. All external surfaces and materials to match existing. This drawing and all information provided within it is the copyright of UPP Consultants Ltd. and reproduction without prior consent is strictly forbidden.

Dwg No
U-J11760-A-6.0

Drawn
MV

Drawing
Block Plan

Checked
UPP

Scale
1:500 @ A3

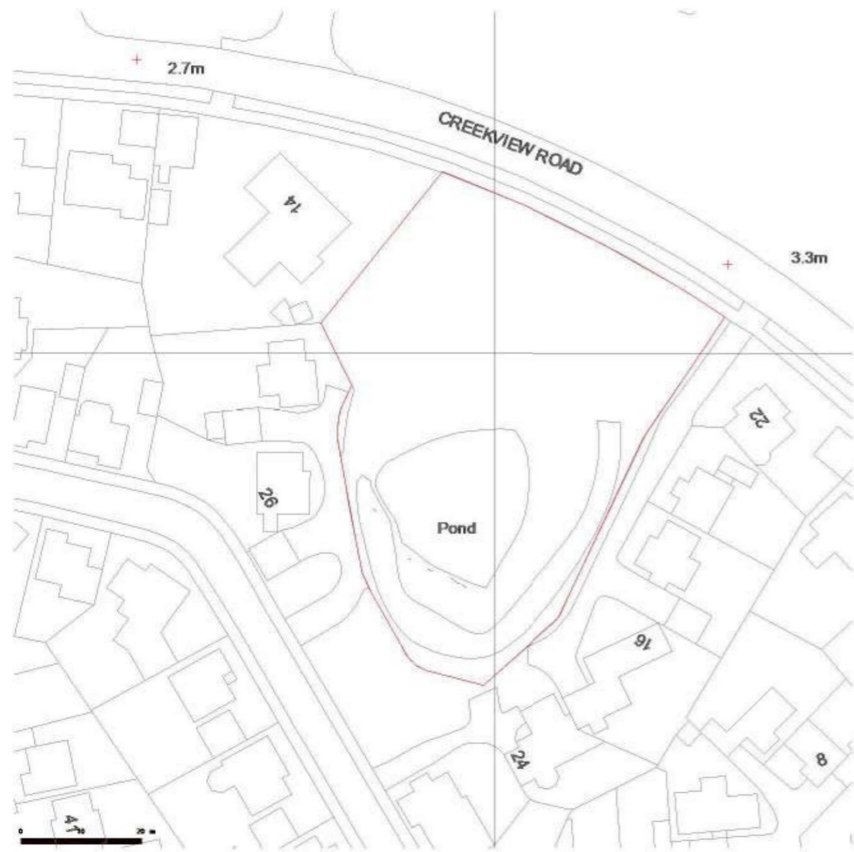
Issue Date
05.07.2024



Project Address
Land adjacent to 14 Creekview Road, Chelmsford, CM3 5GU

Client
M&D Properties Investment Ltd

Status
Planning



Location Plan
1 : 1250



Site Plan
1 : 500

Rev No.	Date	Description
11	22/10/2024	Revision 11
10	08/10/2024	Revision 10
9	30/09/2024	Revision 9
8	20/05/2024	Revision 8
7	01/05/2024	Revision 7
6	20/11/2023	Updating Landscape and Master Plan
5	25/09/2023	Updating landscape and masterplan
4	13/09/2022	Car parking and landscaping

Notes:
Any inaccuracies or errors to be reported to the architect/surveyor immediately and prior to any work commencing. All dimensions to be verified on site. All work to comply with British Standards Code of practice. All external surfaces and materials to match existing. This drawing and all information provided within it is the copyright of UPP Consultants Ltd. and reproduction without prior consent is strictly forbidden.

Dwg No **U-J11760-A-1.1** Drawn **MV**

Drawing **Location Plan** Checked **UPP**

Scale **As indicated @ A3** Issue Date **05.072024**



Project Address
Land adjacent to 14 Creekview Road, Chelmsford, CM3 5GU

Client **M&D Properties Investment Ltd** Status **Planning**



11	22/10/2024	Revision 11
10	08/10/2024	Revision 10
9	30/09/2024	Revision 9

Rev No.	Date	Description
---------	------	-------------

Notes:
 Any inaccuracies or errors to be reported to the architect/surveyor immediately and prior to any work commencing. All dimensions to be verified on site. All work to comply with British Standards Code of practice. All external surfaces and materials to match existing. This drawing and all information provided within it is the copyright of UPP Consultants Ltd. and reproduction without prior consent is strictly forbidden.

Dwg No
U-J11760-A-9.8 Drawn
MV

Drawing
Detailed Carport Checked
UPP

Scale
1:100 @ A3 Issue Date
05.072024

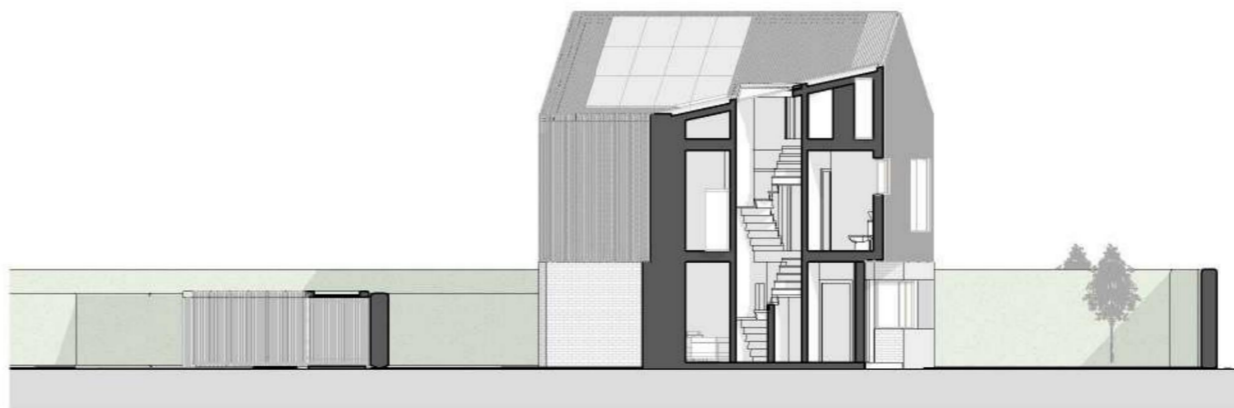


Project Address
Land adjacent to 14 Creekview Road, Chelmsford, CM3 5GU

Client
M&D Properties Investment Ltd Status
Planning



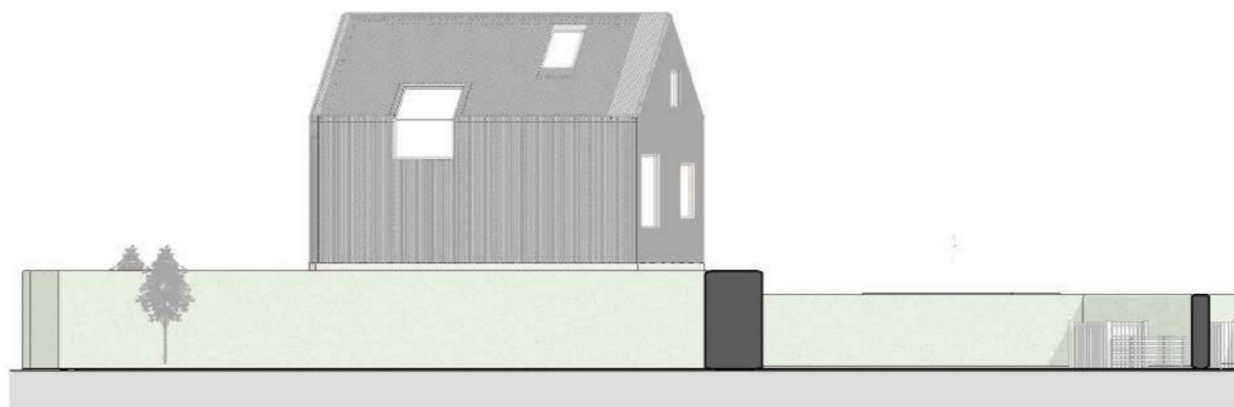
- Proposed North Elevation



- Proposed East Elevation



- Proposed South Elevation



- Proposed West Elevation

Rev No.	Date	Description
11	22/10/2024	Revision 11
10	08/10/2024	Revision 10
9	30/09/2024	Revision 9
6	20/11/2023	Updating Landscape and Master Plan
5	25/09/2023	Updating landscape and masterplan
4	13/09/2022	Car parking and landscaping

Notes:
 Any inaccuracies or errors to be reported to the architect/surveyor immediately and prior to any work commencing. All dimensions to be verified on site. All work to comply with British Standards Code of practice. All external surfaces and materials to match existing. This drawing and all information provided within it is the copyright of UPP Consultants Ltd. and reproduction without prior consent is strictly forbidden.

Dwg No **U-J11760-A-9.3** Drawn **MV**

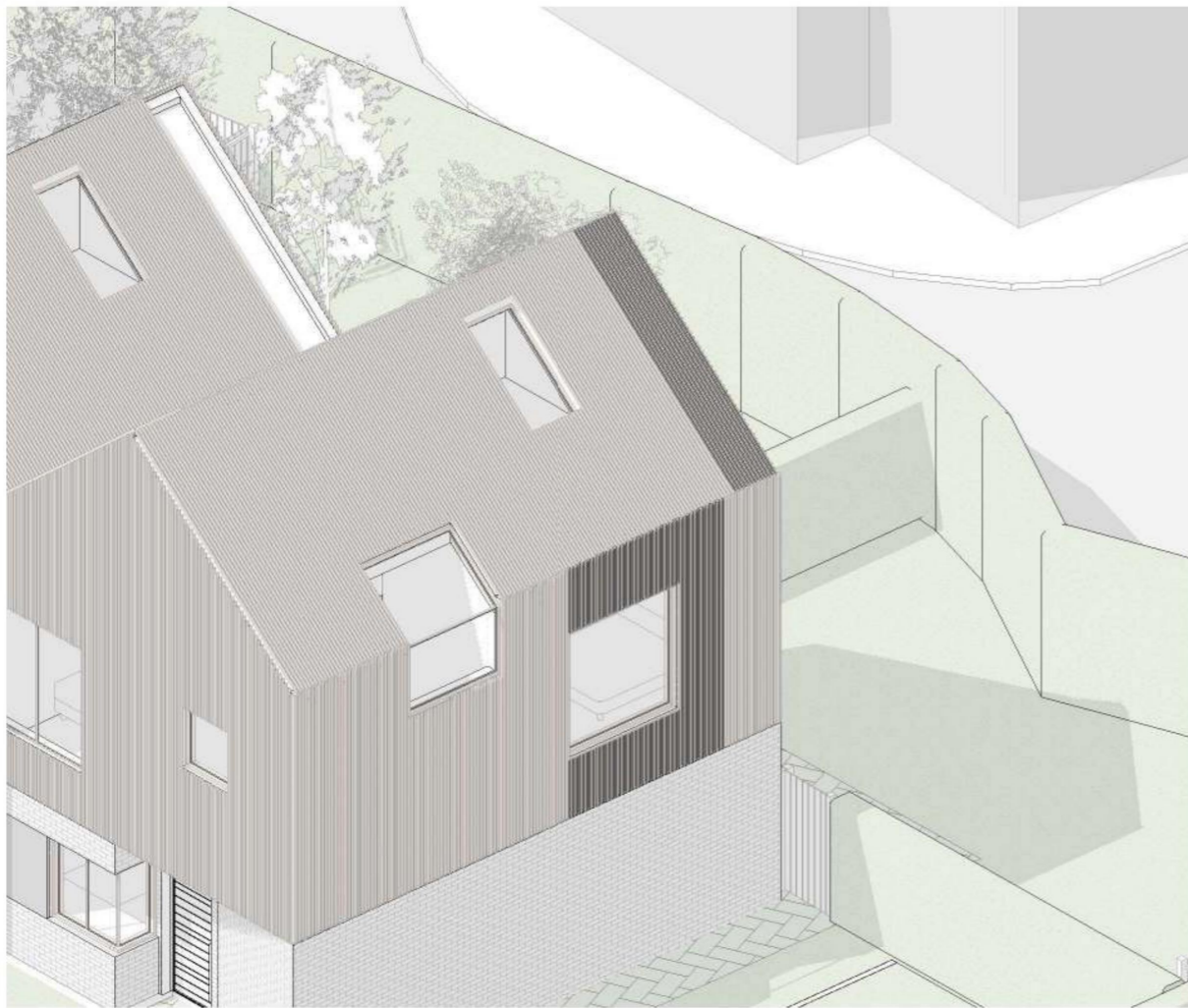
Drawing **Detailed Units Elevation and Visualization** Checked **UPP**

Scale **1:200 @ A3** Issue Date **05.072024**

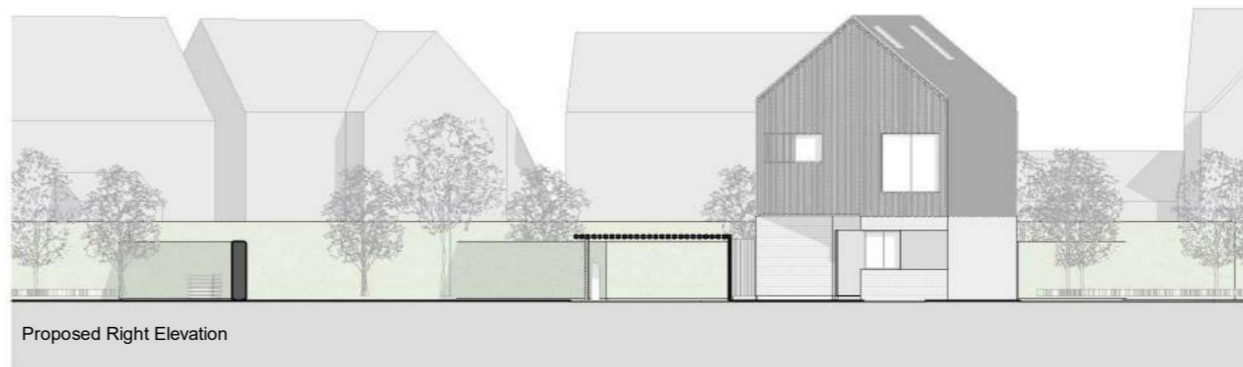


Project Address
Land adjacent to 14 Creekview Road, Chelmsford, CM3 5GU

Client **M&D Properties Investment Ltd** Status **Planning**



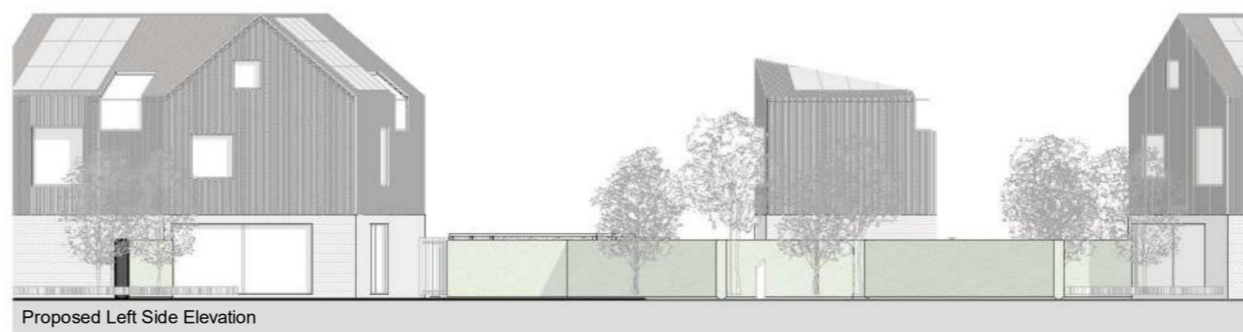
Proposed Front Elevation



Proposed Right Elevation



Proposed Rear Elevation



Proposed Left Side Elevation

Rev No.	Date	Description
11	22/10/2024	Revision 11
10	08/10/2024	Revision 10
9	30/09/2024	Revision 9
6	20/11/2023	Updating Landscape and Master Plan
5	25/09/2023	Updating landscape and masterplan
4	13/09/2022	Car parking and landscaping

Notes:
 Any inaccuracies or errors to be reported to the architect/surveyor immediately and prior to any work commencing. All dimensions to be verified on site. All work to comply with British Standards Code of practice. All external surfaces and materials to match existing. This drawing and all information provided within it is the copyright of UPP Consultants Ltd. and reproduction without prior consent is strictly forbidden.

Dwg No **U-J11760-A-9.6** Drawn **MV**

Drawing **Detailed Units Elevation and Visualization** Checked **UPP**

Scale **1:250 @ A3** Issue Date **05.072024**



Project Address
Land adjacent to 14 Creekview Road, Chelmsford, CM3 5GU

Client **M&D Properties Investment Ltd** Status **Planning**



Rev No.	Date	Description
11	22/10/2024	Revision 11
10	08/10/2024	Revision 10
9	30/09/2024	Revision 9
6	20/11/2023	Updating Landscape and Master Plan
5	25/09/2023	Updating landscape and masterplan
4	13/09/2022	Car parking and landscaping

Notes:
 Any inaccuracies or errors to be reported to the architect/surveyor immediately and prior to any work commencing. All dimensions to be verified on site. All work to comply with British Standards Code of practice. All external surfaces and materials to match existing. This drawing and all information provided within it is the copyright of UPP Consultants Ltd. and reproduction without prior consent is strictly forbidden.

Dwg No U-J11760-A-10.1	Drawn MV
Drawing Proposed Visualization	Checked UPP
Scale @ A3	Issue Date 05.072024

Project Address
 Land adjacent to 14 Creekview Road, Chelmsford, CM3 5GU

Client M&D Properties Investment Ltd	Status Planning
--	---------------------------



Rev No.	Date	Description
11	22/10/2024	Revision 11
10	08/10/2024	Revision 10
9	30/09/2024	Revision 9
6	20/11/2023	Updating Landscape and Master Plan
5	25/09/2023	Updating landscape and masterplan
4	13/09/2022	Car parking and landscaping

Notes:
 Any inaccuracies or errors to be reported to the architect/surveyor immediately and prior to any work commencing. All dimensions to be verified on site. All work to comply with British Standards Code of practice. All external surfaces and materials to match existing. This drawing and all information provided within it is the copyright of UPP Consultants Ltd. and reproduction without prior consent is strictly forbidden.

Dwg No U-J11760-A-10.2	Drawn MV
Drawing Proposed Visualization	Checked UPP
Scale @ A3	Issue Date 05.072024

Project Address
 Land adjacent to 14 Creekview Road, Chelmsford, CM3 5GU

Client M&D Properties Investment Ltd	Status Planning
--	---------------------------



11	22/10/2024	Revision 11
10	08/10/2024	Revision 10
9	30/09/2024	Revision 9
6	20/11/2023	Updating Landscape and Master Plan
5	25/09/2023	Updating landscape and masterplan
4	13/09/2022	Car parking and landscaping

Rev No.	Date	Description
---------	------	-------------

Notes:

Any inaccuracies or errors to be reported to the architect/surveyor immediately and prior to any work commencing. All dimensions to be verified on site. All work to comply with British Standards Code of practice. All external surfaces and materials to match existing. This drawing and all information provided within it is the copyright of UPP Consultants Ltd. and reproduction without prior consent is strictly forbidden.

Dwg No	Drawn
U-J11760-A-10.6	MV

Drawing	Checked
Proposed Visualization	UPP

Scale	Issue Date
@ A3	05.072024

Project Address
Land adjacent to 14 Creekview Road, Chelmsford, CM3 5GU

Client	Status
M&D Properties Investment Ltd	Planning

www.upp-planning.co.uk
 info@upp-planning.co.uk
 0208 202 9996
 Atrium, Stables Market,
 Chalk Farm Road, London,
 NW1 8AH





Cellweb System

SCHEDULE OF AREAS

UNIT 01	4B7P	126 sqm
UNIT 02	4B7P	126 sqm
UNIT 03	4B7P	126 sqm
UNIT 04	4B7P	126 sqm
UNIT 05	4B7P	126 sqm
UNIT 06	4B7P	126 sqm

11	22/10/2024	Revision 11
10	08/10/2024	Revision 10
9	30/09/2024	Revision 9
8	20/05/2024	Revision 8
7	01/05/2024	Revision 7
6	20/11/2023	Updating Landscape and Master Plan

5	25/09/2023	Updating landscape and masterplan
4	13/09/2022	Car parking and landscaping

Rev No.	Date	Description
---------	------	-------------

Notes:
Any inaccuracies or errors to be reported to the architect/surveyor immediately and prior to any work commencing. All dimensions to be verified on site. All work to comply with British Standards Code of practice. All external surfaces and materials to match existing. This drawing and all information provided within it is the copyright of UPP Consultants Ltd. and reproduction without prior consent is strictly forbidden.

Dwg No
U-J11760-A-6.3

Drawn
MV

Drawing
Proposed Ground Floor

Checked
UPP

Scale
1:250 @ A3

Issue Date
05.072024



Project Address
Land adjacent to 14 Creekview Road, Chelmsford, CM3 5GU

Client
M&D Properties Investment Ltd

Status
Planning



Planning Committee
3rd December 2024

Application No	:	21/01545/OUT Outline Application
Location	:	Land North Of Warren House Roxwell Road Writtle Chelmsford Essex
Proposal	:	Outline application for Strategic Growth Site 2 comprising up to 880 new homes, primary school with co-located early years and childcare nursery, travelling showpersons site for five serviced plots, sports facilities including a pavilion/community centre, neighbourhood centre (including retail, community, healthcare, office and residential uses), plus associated landscaping and habitat creation, public open space and play facilities, roads and infrastructure (all matters reserved except access), together with a detailed scheme in the south east corner for Phase 1A comprising 311 no. houses plus associated roads, parking and infrastructure (Landscaping reserved for Phase 1A).
Applicant	:	Crest Nicholson Eastern
Agent	:	Michael Smith
Date Valid	:	16th August 2021

Contents

1. Executive summary
2. Description of site
3. Details of the proposal
4. Other relevant applications
5. Summary of consultations
6. Planning considerations
7. Community Infrastructure Levy
8. Conclusion

Appendices:

Appendix 1	Drawings
Appendix 2	Highways mitigation measures (outlined by Transport Assessment addendum April 2024)
Appendix 3	Consultation responses summary

1. Executive summary

- 1.1. This application proposes the development of Strategic Growth Site Policy 2, allocated land at West Chelmsford, for up to 880 homes of mixed size and use, travelling showpeople site for five serviced plots, neighbourhood centre, new primary school with an early years and childcare nursery and one stand-alone early years and childcare nursery, and healthcare provision.
- 1.2. The development would deliver 35% affordable homes, of which 22% would be for affordable rent. The affordable rent units would be delivered in accordance with the Council's Strategic Housing Market Assessment Update (December 2015) (SHMA) mix and in accordance with the Housing Additionality: Affordable Housing for Rent Planning Advice Note (January 2022), whereby a revised mix applies to the additional units over the allocated number of 800 homes in the Local Plan. The revised mix seeks to address the shortfall in supply of new four-bedroom affordable homes for rent by reducing the proportion of one-bedroom dwellings, in favour of an increase in the proportion of four-bedroom homes.
- 1.3. The application would also deliver five travelling showperson plots, with independent access off Roxwell Road, which means its delivery is not incumbent upon development of a new roundabout in later phasing to the west.
- 1.4. The proposal delivers 880 dwellings, in addition to the other requirements of the growth site policy, in a manner consistent with the previously approved masterplan for the site.
- 1.5. The proposal demonstrates conformity with the Local Plan. It is therefore recommended that the application should be approved by the Director of Sustainable Communities subject to conditions and the completion of the s.106 agreement.

2. Description of site

- 2.1. The application site is roughly 62 hectares of agricultural land situated to the west of Chelmsford's built-up area. The site gently slopes towards the One Bridge Brook to the east, with a low ridge in the centre. To the south, Roxwell Road creates a hard edge to the fields to the north, the land sloping down towards the River Can. Land to the south of Roxwell Road is designated as Green Belt and Green Wedge, until a point to the east where it co-terminates with the designated Urban Area of Chelmsford.
- 2.2. The site lies within the Parish of Writtle. The application site extends into the St Andrews Ward to the east by virtue of the inclusion of the pedestrian / cycle links into Avon Road.
- 2.3. Two public footpaths cross the site. Footpath 25 runs north-south within the eastern half of the site and forms part of the Essex Centenary Circle. Footpath 26 runs diagonally from footpath 25 towards the Lordship Road roundabout to the south west.

3. Details of the proposal

WEB
03FCOM

3.1. The application is submitted in outline for up to 880 dwellings, with a more detailed scheme for 311 dwellings included within it. This is not a hybrid application however (usually including outline and full elements) as there are reserved matters for both elements of the application.

3.2. Outline planning permission is sought for up to 880 dwellings, a primary school with co-located early years and childcare nursery, a travelling showpersons site (TSP) for five serviced plots, sports facilities including a pavilion/community centre, neighbourhood centre (including retail, community, healthcare, office and residential uses), plus associated landscaping and habitat creation, public open space and play facilities, roads and infrastructure. All matters are reserved except access. The proposal also includes a detailed scheme for the south east corner of the application site, referred to as Phase 1A, which comprises of 311 dwellings and associated infrastructure. Only landscaping is reserved for Phase 1A as details of access, layout, appearance and scale are provided as part of the application submission.

3.3. As access is not reserved, details are included for each entry point into the site. The entry points include four vehicular access points – one standalone access to the west to serve the TSP; one new access to the west off an enlarged roundabout at the junction between Lordship Road and Roxwell Road; one new access to the east off a newly created roundabout along Roxwell Road – this access will serve Phase 1A as in/out arrangement until a point that the bus loop is fully constructed and connects to the western roundabout; one standalone access to the east of the new roundabout to serve a pumping station. Pedestrian and cycle access details to the east are provided through the provision of two bridges over the brook which link into Avon Road.

3.4. The application is accompanied by an Environmental Statement.

4. Other relevant applications

18/00001/MAS - approved 3 February 2021
Strategic Growth Site 2 - West Chelmsford

4.1. The masterplan was subject to negotiation and revision. The substantive point to evolve from its consideration through Policy Board was the deletion of the 'bus link' element into the Urban Area. The bus link appears as a site masterplanning principle within the Strategic Growth Site Policy of the Local Plan. Its deletion (but with cycle and pedestrian link to remain) was endorsed by Policy Board and later approved by Cabinet in February 2021.

4.2. The approved masterplan is a material planning consideration in the determination of the planning application.

18/02031/SCOPE – agreed 1st February 2019

4.3. Scoping report for Environmental Impact Assessment (EIA) agreed subject to a number of items being included within the Environmental Statement.

5. Summary of consultations

5.1. Below is a summary of the responses from consultees. More detailed summary to be found in Appendix C.

- Essex badger protection group - no objection, subject to conditions requested.
- CERA (Chignal Estate Residents Association) - request further information and amendments.

WEB
03FCOM

- Active Travel England – references standing advice note
- Essex Swifts - request the addition of integral Swift nest bricks/boxes in meaningful numbers throughout the development.
- Environment Agency - no objection, providing flood risk considerations have been taken into account.
- Essex Police - welcome the opportunity to assist developer achieve Secured by Design Homes award.
- ECC Development and Flood Risk, Waste & Environment - no objection, subject to conditions.
- NHS Mid and South Essex ICB - impact on primary healthcare provision, request for healthcare facility in addition to financial contribution.
- Essex Fire and Rescue - comments on access, Building Regulations, water supplies and sprinkler systems.
- Natural England - no objection, satisfied with on-site mitigation, note agreement to RAMS payment, Habitat Regulations Assessment acceptable.
- Sport England - objection subject to issues being addressed through planning application or alternatively via planning conditions or obligations.
- Anglia Water - no objection, capacity available.
- ECC Growth and Development – request for conditions on green infrastructure and minerals; request for education contributions.
- ECC Historic Environment – recommend conditions for trial-trenching and open area excavation.
- Writtle Parish Council - submission of several responses following initial plans and amendments. Parish Council note that previous comments remain relevant.
- Latest plans – object to increase in number of units for Phase 1A related to lack of services; absence of internal bus route; absence of on-site play area/s or other play features; amendments to ‘village green’ area in centre of scheme has reduced its community/environmental value; welcome amendments to Centenary Way (provided suitably lit).
- Previous comments summarised as concerns predominantly related to layout, sustainability, dwelling types, dwelling design, heritage, affordable housing, access and highways, landscaping, CIL.
 - Chignal Parish Council – concerns over traffic increase on local road; routing of construction traffic; impact on oversubscribed local healthcare facilities; concern over visibility, landscape impact and light pollution on the rural area to the north and west of the site.
 - Good Easter Parish Council - concerns over increased traffic congestion on the A1060, concerns over capacity of Writtle Surgery.

- Cycling Action Group - request conditions and financial contributions.
- Showmen's Guild of Great Britain London and Home Counties – welcoming of provision but object to detailing of location and access, request for trees to be retained, request for formalised ownership transfer and site management by Guild.
- Ramblers Association – no objection, note some discrepancies in documents

5.2. Below is a summary of responses from representations. There were 47 contributions, some of which were from the same representative (usually over the course of the amendments).

- Design - detracts from character of area; size and scale of the development out of keeping; lack of detail submitted for proposed housing, associated infrastructure and green space; lacks detail for full assessment; division of central green within revisions diminishes concept and usability.
- Supporting infrastructure - inadequate provision of sports facilities and play area for younger children; scheme should include a secondary school as the existing schools would not have the capacity to accommodate the residents of the new development; infrastructure, including public transport, is already under pressure and proposed provision is not sufficient; inadequate detail regarding GP surgery / dental facilities; infrastructure should be delivered as part of phase 1.
- Residential amenity - raising of cycle path will result in overlooking and security risk.
- Green Belt land – loss of.
- Environmental impacts: resulting from loss of green space; adverse effects of traffic increase; adverse affect of lighting on wildlife; lack of mitigation for wildlife, including protected species; reference to mineral safeguarding area; loss of food producing high quality farmland.
- Submission documents – criticise date of collation of various reports; redaction issue with Ground Impact Report restricts scrutiny; absence of statement considering community impact beyond development site.
- Flood risk/drainage - concerns over discharge into the River Chelmer; general flooding concerns; query foul sewer capacity.
- Transport matters – insufficient parking provision; requires improved traffic management signage; requires additional pedestrian crossing; safety concerns over vehicular access; Ongar Road and The Green should be considered in terms of traffic impact; cycle links should be hard surfaced, not gravel and connected more widely; proposed pedestrian / cycle path proposed too wide and should be reduced; query legitimacy of transport statement due to times of survey; pedestrian safety concerns; suggestion of installation of eastern roundabout to east of site to help reduce traffic speed; request for inclusion of speed restrictions and pavement renewal along Roxwell Road.
- Travelling Showperson Site – request for location and access arrangements to be revised.
- Allotment space – loss of.
- Air quality/public health – concerns expressed.
- Trees - object to removal; concern regarding the proximity of attenuation pond/root damage; request for relocation.
- Need – questioned in light of existing vacant dwellings.
- Geographic allocation – note growth needed particularly to west side of Chelmsford.
- House value - decrease (in Writtle)
- Positive comments – delivery of homes, schools, shops and facilities

Preliminary response to representations

5.3. It should be noted that consultation responses and representations cover the breadth of the document submissions - initial plans at the outset of the application in 2021 and then two amendments in 2024.

5.4. Land on the opposite side of Roxwell Road is designated as both Green Belt and Green Wedge. The proposal would not result in the loss of either.

5.5. The impact upon property values is not a material planning consideration.

5.6. The following sections will deal with a number of planning matters, some issues raised through representations are not material planning considerations. This report will not comment on requests for amendments, as the application is considered on its submitted details and appraised on its individual merits.

6. Planning considerations

Principle of Development

Strategic Priorities: 1 (sustainable development patterns) 2 (new homes), 5 (strategic infrastructure), 6 (local infrastructure)

Local Plan Strategic Policies: S1, S6, S7. Site Policies: Growth Site Policy 2

6.1. Strategic Priority 2 of the Chelmsford Local Plan is 'meeting the needs for new homes'. The Local Plan will need to ensure the provision of sufficient and appropriate housing to meet objectively assessed housing needs.

6.2. Strategic Policy S7 sets out the spatial strategy (i.e., the scale and distribution) for new development over the period of the Local Plan. The Spatial Strategy applies the Spatial Principles to focus new housing and employment growth to the most sustainable locations, which includes sustainable urban extensions around Chelmsford and South Woodham Ferrers. In allocating sites for strategic growth, this policy confirms that Strategic Growth Sites will be delivered in accordance with masterplans to be approved by the Council.

6.3. The application site relates to Strategic Growth Site Policy 2 – West Chelmsford. This site policy requires the following amount and type of development:

- Around 800 new homes of mixed size and type to include affordable housing
- Travelling showpeople site for 5 serviced plots
- Neighbourhood centre
- Provision of a new primary school with co-located early years and childcare nursery
- Provision of new stand-alone early years and childcare nursery

6.4. This application follows the approval of a masterplan for the site allocation. The development of the masterplan began in 2018 and was led by Crest Nicholson. Community and technical stakeholder workshops were held in September 2018 and extended public consultations were carried out in both July and September 2018, with a further round in April 2020 following revisions to the masterplan. The substantive revisions related to the substitution of a bus link into Avon Road with a foot/cycle link only. The masterplan was considered by Chelmsford Policy Board on 16 July 2020 and then 15 October 2020. The masterplan was approved by Cabinet on 3 February 2021.

6.5. In terms of land use, the proposed development meets the requirements of Strategic Growth Policy 2. Although the application is submitted in outline, an illustrative layout plan has been provided to show how the development might be laid out in totality, with the south east section shown in detail. The land uses are consistent with the approved masterplan, which required a landscape led approach.

6.6. The land was allocated in the Chelmsford Local Plan as a strategic growth site with the intention that the development would be a sustainable extension of the existing Urban Area (albeit noting it is sited almost entirely within the Parish of Writtle). Within the Policies Map, the Urban Area extends westwards enveloping the majority of the growth site. The principle of the development is acceptable.

6.7. The site has been the subject of a detailed masterplan and the application submission is broadly in accordance with that masterplan. The development therefore contributes to fulfilling the Council's strategic priorities for housing and employment growth and is in accordance with the Spatial Strategy.

Housing

Strategic Priority 2 (new homes)

Local Plan Strategic Policy: S6, Local Policies: DM1, DM2

Market Housing

6.8. The reasoned justification within Policy DM1 outlines an appropriate mix for market housing on strategic sites in order to address the Council's greatest need. The proposed revised policy within the Local Plan review will provide an indicative market mix based on the latest Strategic Housing Needs Assessment (SHNA) 2024. Whilst the revised policy carries limited weight, the updated assessment is relevant in considering application details. The application is made in outline and the housing mix is indicative as a whole; however the size and type of 311 dwellings within Phase 1A are fixed. Both the detailed element and indicative total demonstrate an acceptable mix of market dwellings. As the application is made in outline the future mix of subsequent parcels will be a matter to be secured through the legal agreement, taking into account the mix already included in Phase 1A.

6.9. Policy DM1 also requires 50% of the total units to be delivered as Accessible or Adaptable dwellings in compliance with Building Regulation M4(2). This is secured by planning condition. Policy DM1 also requires 5% of the affordable units to meet requirement M4(3) of the Building Regulations 2015 (wheelchair user dwellings). This is confirmed in the accommodation schedule but will be secured through legal agreement.

Affordable Housing

6.10. The application is for "up to" 880 dwellings. 35% percent of the new homes are to be provided as affordable housing units, albeit shown indicatively at this outline stage. This would equate to a maximum of 308 units overall, with 109 affordable homes within Phase 1A. This is compliant with Policy DM2. The 109 affordable units are specifically identified within Phase 1A (akin to the level of detail of a full application, but with landscaping reserved).

6.11. The Council's Planning Obligations SPD (POSPD) sets out the required mix for affordable housing. To ensure new affordable provision is weighted to make a proportionate contribution to the assessed need, 22% of the total number of dwellings within the development will be required to be provided as social or affordable rented accommodation. The applicant has agreed that the

Affordable Rented units would be delivered in accordance with the Council's Strategic Housing Market Assessment Update (December 2015) (SHMA) mix and in accordance with the Housing Additionality: Affordable Housing for Rent Planning Advice Note (January 2022) whereby a revised mix applies to the additional units over the allocated number of 800 homes in the Local Plan. The revised mix seeks to address the shortfall in supply of new four-bedroom affordable homes for rent by reducing the proportion of one-bedroom dwellings, in favour of an increase in the proportion of four-bedroom homes. Households in need requiring one-bedroom accommodation are most likely to have their need met from the current supply.

- 6.12. The remaining mix has been agreed to be split between First Homes (9%) and Shared Ownership (4%). However, given the content of the recent consultation for a revised National Planning Policy Framework (NPPF), it is likely that First Homes will be removed from the definition of affordable housing. An increase in Shared Ownership properties is not problematic to the Council; this matter simply requires noting with regard to the legal obligations in this report, in order to give flexibility for negotiation over the coming months once the revised NPPF is published.

Self-Build and Custom Build and Specialist Residential Housing

- 6.13. Policy DM1 C) states that within all developments of more than 100 dwellings the Council will require 5% self-build homes, which can include custom housebuilding. The development would include 5% of the new homes as self-build plots in a location to be determined in future reserved matters applications. The provision of these units, as well as design coding, would be secured through the s.106 agreement. No self-build plots are proposed within Phase 1A; this is not ultimately objectionable in the context of overall provision being secured.
- 6.14. Policy DM1 C) also requires the provision of specialist residential accommodation, taking account of local housing needs. The Planning Obligations SPD states that at the time a formal application is submitted, the Council will consider the specialist residential accommodation needs identified in the Council's Housing Strategy as well as the latest assessments of need. The Council has produced a Planning Advice Note relating to specialist residential accommodation (SRAPAN). This states that the latest assessment of housing need is contained within the Housing Strategy. The Planning Advice Note explains that obtaining a commuted sum in lieu of on-site specialist residential accommodation provision would enable flexibility in the location of units but also the ability to align revenue funds to match this capital contribution towards the identified housing needs. The applicant is committed to contribute to specialist residential accommodation through a commuted sum in line with the Planning Advice Note. This will be secured through the s.106 agreement.

Education

Key Strategic Priorities: 5 (strategic infrastructure), 6 (local infrastructure)

Local Plan Strategic Policies: S9, S10; Site Policies: Growth Site Policy 2; Local Policy: DM20

- 6.15. The site allocation policy includes the requirement for a new co-located primary school and early years and childcare nursery, and one stand-alone early years and childcare nursery. These are outlined within the land use plan and application details, and to be secured through the s.106 agreement.
- 6.16. A two-form entry primary school is proposed in the location agreed in the masterplan. The applicant is agreeable to the land being offered up, plus a financial contribution. Design details will need to be resolved at reserved matters.

- 6.17. The application proposal would mitigate its impacts on education through contributions to Early Years, Primary Education, Secondary Education and Post-16 Education, all secured through the s.106 agreement. Indicative figures were provided by Essex County Council, which are now agreed with the applicant.

Health

Key Strategic Priorities: 5 (strategic infrastructure), 6 (local infrastructure) Local Plan Strategic Policies: S9, S10. Site Policies: Growth Site Policy 2, Local Policy: DM20

- 6.18. Strategic Growth Site Policy 2 states that 'healthcare provision' will be required for community facilities as required by the NHS/ Clinical Commissioning Group (CCG).
- 6.19. The NHS Mid Essex Clinical Commissioning Group (CCG) were consulted on this planning application and have advised that the proposed development is likely to have an impact on the services of the surgeries that operate within the vicinity and that the GP practices do not have capacity for the additional growth resulting from this development. They have requested the safeguarding of a site within the proposal, in addition to a financial contribution towards the creation of additional floorspace. Both will be secured through the s.106 agreement, to mitigate the impact of the development on healthcare services.

Open Space / Sports provision

- 6.20. Land in the west of the allocation is allocated for future recreation use/SuDS, as shown on the Policies Map. The site policy notes ancillary development to support the site may be acceptable within this zone. The masterplan evolved to a point whereby the primary SuDs provision was to be located to the east of the site (now reflected in the planning application). The western zone was therefore allotted to recreation and sports, as well as the TSP site. The consequence of the layout is that the bulk of built development is sandwiched between these natural, or greener edges, to the east and west, which remains a suitable design response.
- 6.21. Strategic Growth Site Policy 2 requires a coherent network of public open space, formal and informal sport, recreation and community space within the site. Strategic Policy S5, Policy DM26 provide the lead into the requirements for open space, which are then quantified within Appendix B and the Open Space Planning Advice Note. Open space provision in Phase 1A in isolation, and the wider development site, well exceed the numerical requirements of the Local Plan.
- 6.22. The sports pitches are located to the west of the proposed school site. A pavilion, with car park, is sited to the north of the school. Whilst it is acknowledged that the pavilion is not optimally sited from a Sport England perspective, its function is multi-purpose – serving two different sports (football and cricket) and a community use. Any location further west would extend built form into the more natural western edge and physically sever the north / south green infrastructure currently proposed in the illustrative masterplan.
- 6.23. The masterplan is illustrative but it outlines outdoor sports facility provision in the form of football and cricket pitches with an associated sports pavilion and parking area. Sport England have raised a number of detailed matters that can be addressed at reserved matters stage. Management of facilities will be dealt with through the legal agreement. Financial contributions are requested, this again is a matter for legal agreement. A community use agreement has been requested to enable joint use of the primary school – this is secured through planning condition.

- 6.24. Writtle Parish Council, as well as other public representations, have challenged the approach to play space provision. The rationale is one of a strategic nature and represents a change in approach from the masterplan stage, but one informed by the Council's Park Services. Residents in Phase 1A will benefit from green areas embedded within the development parcel and informal space next to the SuDS features to the east, but no specific play areas in this phase. The northernmost bridge cuts across the Avon Road play area before reaching Avon Road. Monies are already set aside for improvements to this play area (through an historic legal agreement from a planning application which developed Cherwell Drive play area). The legal agreement for West Chelmsford will secure additional monies and also secure the construction of the bridge prior to first occupation. Both existing and new residents will benefit from the improved play area, which will be accessed by foot and cycle from Phase 1A. The rationale is sound and endorsed by the Parks department, and follows a general thrust to provide less but more strategic play areas within new development.
- 6.25. The proposed works associated with the northernmost bridge (including ramps and turning areas) would incur into the Council allotment site, however no allotments would be lost as a result of the works. No allotments are to be requested within the application site, owing to a high vacancy rate at the Avon Road site.

Transport

Key Strategic Priorities: 5 (strategic infrastructure), 6 (local infrastructure)

Local Plan Strategic Policies: S9, S10; Local Policy: DM24

Transport Modelling, Traffic Impact and Mitigation Proposals

- 6.26. One of the key issues for residents within Writtle is the impact of the development on traffic numbers through the Parish. This concern is echoed by the Parish Council. The primary concern is congestion, but also traffic speed.
- 6.27. The National Planning Policy Framework (NPPF) states at paragraph 114 that in assessing specific applications for development, it should be ensured that:
- a) appropriate opportunities to promote sustainable transport modes can be - or have been taken up, given the type of development and its location;
 - b) safe and suitable access to the site can be achieved for all users;
 - c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
 - d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 6.28. The NPPF goes on to state that "development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe" (paragraph 116).
- 6.29. The transport assessment submitted as part of this application demonstrates that, with the inclusion of mitigation measures, that the impact of the development on highway safety is acceptable and cumulative impacts on the road network are not severe. The transport assessment (TA), and subsequent addendums, have analysed the impact of the development on the highway network. The TA has concluded, subject to a package of appropriate mitigation, that the traffic impact that would result from the proposal could be suitably mitigated through a

package of highway works, sustainable transport measures and financial contributions, as set out in this recommendation.

- 6.30. Those mitigation measures are listed within Appendix 1. The mitigation measures would promote sustainable transport, including walking and cycling connections, the provision of a new bus service between the site and the Chelmsford rail and bus station to connect to local and facilities services. The Highway Authority has concluded that the proposal would not be detrimental to highway safety, capacity or efficiency.

Routes and Access

- 6.31. The Strategic Growth Site Policy 2 sets out masterplanning principles for movement and access. The main vehicular access for this development would be via an existing (but enlarged) roundabout at the top of Lordship Road, and a new roundabout to the south east corner (along Roxwell Road). A separate vehicular access is proposed to the west of the Lordship Road roundabout to serve the TSP site. Access is not a reserved matter for any part of this proposal and is therefore suitably detailed within the submission for the Local Highway Authority to form a view on highway safety and the impact on the road network.
- 6.32. Two pedestrian/cycle links are proposed to the east, linking into Avon Road via new footbridges. Both structures, and their associated development, are included within the planning application as access is not a reserved matter. The northernmost bridge is the substitute for the originally proposed bus link, which was omitted from the masterplan following consideration of representations made at masterplan stage and endorsed by both Policy Board and later Cabinet in approving the document. The merits of the substitution were weighed in previous planning processes – the approved masterplan represents a material consideration in this respect. The Local Highway Authority do not view a bus link as an essential element of infrastructure for the scheme to be acceptable. The two pedestrian/cycle bridges remain and are an acceptable alternative to the bus link. The scheme would also provide a bus loop within the site and contribute to the provision of a new route from the site to serve the city centre. The bus service loop to include Writtle University College has been promoted by the developer; this route requires some further clarification before it can be deemed as deliverable. These matters are to be resolved through negotiation on the legal agreement.
- 6.33. The details of the TSP access demonstrate that, subject to conditions, it would be safe to use and its impact upon the highway network would be an acceptable one. Some public representations echo concerns from Guild members about the access. The Showman’s Guild are not a formal consultee, but the proposals are a culmination of the masterplan process. This application deals with the merits of the submission at hand, rather than an alternative that may be preferable to representations. An additional arm to the enlarged roundabout was discounted at masterplan stage due to the required land take and impact upon the layout. The proposed access has been tested through the TA and reviewed by the Local Highway Authority to be acceptable in highway safety terms.

Natural Environment

Key Strategic Priority 7 (Protecting and enhancing the Natural and Historic and Environment)
Local Plan Strategic Policy: S4, Local Policies DM16 and DM17

Loss of agricultural land

- 6.34. The site currently comprises agricultural land. The majority of the site is classed as grade 3a (good quality), with roughly a third as grade 2 (very good). This would be permanently lost. It should be noted however that the land is allocated in the Local Plan – this loss has therefore previously been considered at a strategic level and deemed acceptable by the Council, and through Local Plan examination. The loss was deemed insignificant in the wider context and there is no material change in circumstances evident to form an alternative conclusion.

Minerals

- 6.35. It is noted that the site exceeds the 5ha threshold for sites within a sand and gravel Minerals Safeguarding Area. ECC Minerals do not consider extraction to be practical or reasonable. No conflict with the Essex Minerals Plan is identified.

Ecology - Designated Sites

- 6.36. The application site is located within the Zone of Influence of two designated sites with statutory protection; Essex Estuaries Special Area of Conservation (SAC), and Blackwater Estuary Special Protection Area (SPA) and Ramsar. These sites have national, European and international importance.
- 6.37. The application is accompanied by a shadow Habitat Regulations Assessment (HRA). This identifies that there is potential for the sites to be impacted by recreational pressure, including recreational fishing.
- 6.38. Further information was requested from Natural England to quantify the accessible natural greenspace and demonstrate a circular dog walk of at least 2.3km. Details have been updated and Natural England have withdrawn their initial objection. The Council have carried out an Appropriate Assessment which has been reviewed and deemed acceptable by Natural England.
- 6.39. The site lies within the Zone of Influence identified as part of the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) for Blackwater Estuary SPA and Ramsar, and the corresponding component of Essex Estuaries SAC. A financial contribution in accordance with the requirements of the Essex Coast RAMS is to be secured through the s.106 agreement.

Ecology - on site

- 6.40. The nearest statutory designation is Marconi Ponds Local Nature Reserve (LNR), located approximately 1.75km to the southeast of the site. The LNR is designated on the basis of woodland habitat and ponds. The nearest statutory designation is Chelmer Valley Local Nature Reserve (LNR) located approximately 2.2km to the east of the site. There are no designations of international importance within 15km of the site.
- 6.41. The biodiversity section within the environmental statement was informed by various ecological assessments. Survey work has been updated in 2023 due to the passage of time since the original submission. Surveys of note covered bats, badgers, otters, water voles, wintering birds, breeding birds, reptiles and Great Crested Newts.
- 6.42. Badger setts have been identified on site. The environmental statement deals with mitigation measures, which will limit the impact of the development.
- 6.43. The updated ecological report notes that the mitigation measures outlined within the environmental statement remain relevant and that those measures (such as low lighting, noise

reducing construction measures and phased mowing) are best captured by a Construction and Environment Management Plan (secured by planning condition). Subject to the mitigation measures and conditions there would be no likely harm. No objection is raised by Natural England.

Ecology - Biodiversity Net Gain

- 6.44. The environmental statement sets out how the development seeks to increase biodiversity on the site, with a target 10% net gain in biodiversity to be achieved. The application does not mandatorily need to provide for 10% (as submitted pre 12th Feb 2024), however it is proposed to be achieved nonetheless. A Biodiversity Enhancement Strategy is to be secured by condition.

Trees

- 6.45. The application is accompanied by an arboricultural impact assessment which contains the results of a tree survey and details relating to tree constraints and likely impacts resulting from the proposed development.
- 6.46. Some trees on the north-eastern boundary of the site are protected by a Tree Preservation Order (TPO), however they are not to be removed. The site is not within a Conservation Area. The non-preserved trees to be removed are mostly category C (smaller trees of lower quality). No category A (large, high-quality) trees are to be removed. One category B tree (oak) and part of a category B grouping would be removed to facilitate the northern link into Avon Road. The removal of good quality category B trees is regrettable however essential in this case for pedestrian/cycle access into Avon Road. Replacement trees are to be planted in public open spaces to mitigate for the loss.
- 6.47. Two groups of trees would be affected by the TSP site due to the formation of the access and also the visibility splays necessary for vehicles, particularly to the west. The access itself would result in the loss of a section of a category C group; the visibility splay requirement cuts across a category B group of trees to the west of the access. The loss of trees is regrettable, but also essential; they will however be compensated through provision of new trees and biodiversity gain. Some tree loss was accepted through the masterplan process. The allocation, and now the detail, provide much needed travelling showperson plots which would contribute towards meeting an unmet need across Chelmsford – the harm to the natural environment needs to be balanced against that provision.
- 6.48. The development has little impact on the remaining trees, with minimal encroachment into Root Protection Areas (RPAs). Protective fencing is detailed on the Tree Protection Plan, however further details such as ground protection should follow in an Arboricultural Method Statement, which is to be conditioned.

Noise

Strategic Priority 8 (Well designed and attractive places, healthy communities)

Local Policy DM29

- 6.49. A noise assessment has been submitted as part of the application. Noise arising from construction of the proposed development was assessed to determine the impact on existing receptors. Construction noise and vibration from the proposed development is anticipated to have a negligible effect on existing receptors in the area around the site. The report recommends a Construction Environmental Management Plan, which will be secured by condition.

- 6.50. Mitigation measures are unlikely to be required for the majority of external private amenity areas. No amenity areas directly overlook the A1060 as new properties will front the road. The report notes that the majority of properties within the development area are likely to meet internal noise criteria with standard glazing and ventilation. For properties overlooking the A1060, uprated acoustic glazing and ventilation may be required. A suitably worded condition is proposed in order to secure acceptable internal noise levels.
- 6.51. The City Council's Public Health and Protection Service have reviewed the content of the submitted noise report and have advised that the content is acceptable.

Air Quality

Strategic Priority 8 (Well designed and attractive places, healthy communities)

Local Policy DM30

- 6.52. An air quality impact assessment has been submitted as part of the Environmental Statement. The assessment takes into account both the construction period and the generated road traffic impacts during the operational phase of the development.
- 6.53. The impact of the operational phase on air quality at any of the current or proposed receptors has been deemed as negligible and will not result in any exceedances of the air quality objectives. The methodology and conclusions of the report have been reviewed by the Council's Public Health and Protection Service and they are content that the findings are sound.

Flood risk and Drainage

Local Policy DM18

Flood risk

- 6.54. The Environment Agency Flood Zone map indicates that whilst the majority of the site lies within Flood Zone 1 'Low Probability', the eastern and western boundary of the site is located within Flood Zones 2 'Medium Probability' and 3 'High Probability' of the One Bridge Brook and River Can respectively. No built form is proposed within these flood zones.
- 6.55. The site is allocated within the Chelmsford Local Plan and has therefore been subject to the Sequential Test as part of the allocation process and was deemed to have passed. The site does not, therefore, need to have the Sequential Test re-applied in accordance with paragraph 162 of the NPPF. The proposed 'More Vulnerable' (residential development) development is therefore wholly located within Flood Zone 1 'Low Probability', which, according to NPPF Planning Practice Guidance Tables 2 and 3, is considered appropriate. The Exception Test is therefore not required.

Surface Water

- 6.56. Policy DM18 of the Chelmsford Local Plan states that all major development will be required to incorporate water management measures to reduce surface water run-off and ensure that it does not increase flood risk elsewhere. The principal method to do so should be the use of Sustainable Drainage Systems (SuDS).
- 6.57. A SuDS drainage strategy is included as part of the application. The principle of the drainage strategy is to ensure that the water draining from the site would be no more than the existing situation. There have been comments from local residents regarding problems of surface water

flooding in the local area. It is not the purpose of a planning application to resolve existing issues, the proposed development must not worsen the possibilities of surface water flooding. This must also take into account the impacts of climate change.

- 6.58. The submitted SuDs scheme has been considered by the Lead Local Flood Authority at Essex County Council. They do not object to the granting of planning permission for this development and recommend conditions to secure the SuDs scheme, together with its management and maintenance.

Foul Water

- 6.59. Anglian Water have advised that the sewerage system has available capacity for projected flows.

Historic Environment

Strategic Priority 7 (Protecting and Enhancing the Natural and Historic Environment)

Local Plan Strategic Policy: S3, Local Policies DM13, DM14 and DM15

Heritage

- 6.60. The application site does not include any designated or non-designated heritage assets. There are a number of heritage assets within the wider area which are considered below.
- 6.61. The Horse and Groom (south of Roxwell Road), Manor House (south of Roxwell Road), the Chapel (corner of Chignal Road and Mashbury Road), and St Andrews Church (Chignal Road) are non-designated heritage assets within the vicinity. The development site makes no contribution to the significance of these buildings.
- 6.62. Writtlewick (Chignal Road) is Grade II listed. The setting which contributes to significance is now confined to the grounds and immediate surroundings. The development site makes no contribution to the setting of Writtlewick or the adjacent cottage due to the separating distance and intervening post-war development.
- 6.63. Writtle College lies to the southwest of the development site. The site includes a timber framed barn dating from c.1450, which is a Scheduled Monument and grade II* listed building. The moated site of King John's Hunting Lodge and the original college building designed by J Stuart County Architect, built 1938-40, are both non-designated heritage assets. The college is c.500m from the development site at its closest point, is well screened and has no known historic associations. The development site makes no contribution to the setting of designated and non-designated heritage assets at the Writtle College site.
- 6.64. Brick Barns Farm lies to the far north of the development site on Mashbury Road. The group comprises an early seventeenth century timber framed lobby entry farmhouse, eighteenth century combined barn and dovecote and other eighteenth and nineteenth century outbuildings. The farmhouse and barn are grade II listed, justifiably so for their age and rarity. There are views from Roxwell Road towards the Brick Barns complex and views back towards Writtle from the site itself. The development site forms part of an extensive rural landscape which forms part of the setting to Brick Barns Farm and contributes to its significance. Development to the southwest on the application site would alter the landscape character and reduce the expansive rural setting. The site would be partly screened from Brick Barns and would be at least 550m at its closest point, this together with the retained rural setting would mean that there would be a limited impact on the setting of Brick Barns Farm. This impact could

be mitigated through the landscaping on the north edge and careful design of the development in terms of building layout, height, scale, form and materials. These matters can be further addressed through future reserved matters applications.

- 6.65. Crows Farmhouse is a timber framed building dating from c.1600. It is located c.460m from the northern edge of the application site. There is an impressive brick chimney stack on the roadside. The building has been modernised and extended, and the farm buildings historically related to the complex no longer survive. The building is Grade II listed, justifiably so as a vernacular building dating from pre-1700. The setting would once have been of a rural landscape, with dispersed farmsteads, but the expansion of Chelmsford reached Crows Farmhouse in the second half of the twentieth century and this rural setting has been eroded. It maintains a rural setting to the northwest and west, which contributes to its significance. Development to the southwest on the development site would alter the landscape character and reduce the expansive rural setting. The site would be partly screened from Crows Farmhouse and would be at least 460m at its closest point, this together with the retained rural setting to the west means that there would be a limited impact on the setting of Crows Farmhouse. This impact could be mitigated through landscaping the northern end of the site, and careful design of the development in terms of building layout, height, scale, form and materials. These matters can be further addressed through future reserved matters applications.
- 6.66. New Barn Farm lies to the west of the development site within a rural setting. It comprises a late nineteenth century house and traditional barn of nineteenth century or earlier origins. The remainder of the buildings date from the twentieth century. The traditional buildings can be considered as non-designated heritage assets, due to their architectural and historic interest, the early-mid twentieth century buildings are of historic interest due to their association with Marconi wireless experiments and also as a WWII radio listening and transmission post. The rural setting to this group contributes to its significance. The proposed development would alter the landscape character and reduce the expansive rural setting. New Barn Farm would retain a rural setting on all sides, which would be reduced to the east, where sports pitches would be located. It would still remain legible within a rural landscape. There would be minor harm to the setting of the non-designated heritage assets. This harm could be minimised through the detailed landscape design, but there would still be a minor harmful impact to be weighed in the planning balance in accordance with Policy DM14 and NPPF para 209.
- 6.67. The minor harm identified to the designated heritage assets (even with potential landscaping through reserved matters) should be balanced at this stage in light of the delivery of a large quantum of housing (and affordable housing) for a strategic allocation.

Archaeology

- 6.68. Essex County Council Historic Environment Branch advise that there are cropmarks within the area which comprise some undated pits and ditches and a possible Bronze Age round barrow. A cropmark of a probable prehistoric enclosure lies just to the north of the area. It is possible that there may be further archaeological features surviving within this area. A condition is included for trial trenching followed by open area excavation.
- 6.69. Subject to a condition, the development would not result in any significant harmful impacts on heritage assets that cannot be satisfactorily mitigated through layout, design and landscaping.

Design and Layout

- 6.70. The application is submitted in outline with all matters reserved except access. Phase 1A details four reserved matters (access, layout, scale & appearance) so that only landscape is reserved for that section.

Development parcels

- 6.71. The overall character of the site would obviously change, as the land is currently agricultural. The site was allocated in the Local Plan in 2020 and the evidence base for the Local Plan included landscape character assessments. The site was considered to be suitable for residential development. The proposed scheme is landscape led.
- 6.72. Those development parcels not detailed, and only shown indicatively through parameter plans, should not prejudice the wider development. An illustrative masterplan is also included. The indicative layout broadly follows the principles set by the approved masterplan. The scheme shows three remaining parcels of residential development, divided by an east / west open space and north / south internal bus route. School and neighbourhood centre are to be located on the western edge of the residential development, with recreation space shown to the west. The TSP site is identified to the south west corner, and whilst its layout is indicative its access is fixed and consequently its location is effectively fixed by this application.
- 6.73. The scheme provides a total of 27.7ha of public open space, comprising 3.6ha for the sports facilities, 2.9ha for the ecology park and 21.2ha of other open space. The last figure contains allotments, natural and semi-natural green space, formal parks and garden, play provision for children and young people, green corridors and amenity green space, with the details to be submitted for approval through the reserved matters. This figure exceeds the 7.3 hectares required by Table 12 in Appendix B to the Local Plan.
- 6.74. The Writtle Neighbourhood Plan (December 2021) highlights the opportunities at the Warren Farm for creation of a landscape buffer to Roxwell Road and improving cycle routes in the locality. Cycle routes would be improved and new ones provided. The development frontage is set back from Roxwell Road; the two entry residential parcels within Phase 1A have been redesigned to provide a greater setback and a deliberately unsymmetrical appearance. The Plan also transposes 'design principles' and 'design considerations' into Policy WNP D3: Warren Farm Growth Area. The proposed frontage suitably balances active frontage with a landscape buffer. The peripheral built development to the wider site will be a detailed matter for future reserved matters applications. Green spaces are integral to the overall layout and the detailed phase. Landscaping is a reserved matter, but it is evident from the submission that soft landscaping will play a major role in street scenes. Materials will be a matter to be controlled through planning condition, indicatively the details are of high quality.
- 6.75. Policy DM24, and more widely the strategic policies, require public art to be embedded within major development schemes. A condition is proposed to secure public art for the scheme.
- 6.76. Overall, the illustrative layout and parameter plans show a development scheme that would be compliant with the masterplan and likely to have an acceptable character and appearance. No conflict is identified with the Neighbourhood Plan.

Phase 1A

- 6.77. As noted, the layout, scale and appearance is detailed for Phase 1A (and is not a reserved matter) so can be considered at this stage. Those details have been significantly altered during

the lifetime of the application. The layout of roads and dwellings, along with the design of dwellings has been amended to reflect a less rigid, less road dominated, layout.

- 6.78. The spine road, which represents the first stage of the bus route has been given a more angular shape. The majority of the dwellings are set within perimeter blocks, utilising a combination of rear and side parking (both covered and uncovered).
- 6.79. There is a distinct absence of apartments within the layout. Instead, maisonettes are utilised, which have the appearance of two storey houses. Those units have been designed to offer garden space and restrict mutual overlooking. The maisonette units include frontage parking, but those units form part of a symmetrical street scene in most cases where the built form of the maisonettes is set back and 'book-ended' by other properties. Frontage parking is a necessity numerically, but has been suitably designed into streetscapes. Landscaping will supplement where appropriate.
- 6.80. The entrance parcel serving Phase 1A has been significantly reworked from initial submission stage. The overall concept for the entrance balances the desire for focal properties to front the new roundabout with properties which are not overscaled and respect the setback from Roxwell Road desired by the Parish Council through the masterplan process and the Neighbourhood Plan.
- 6.81. The context of the site and the settlement of Writtle to the south-west has been well researched and analysed; from this a strong design concept has been formed which seeks to reflect the layout and architecture of Writtle in the design of the new dwellings within the proposal. Built form, scale, construction details, materials and building typologies have used the existing settlement as a design cue; this forms the architectural approach to the layout and detailed design of the dwellings within the scheme. The proposed development includes greenways which extend into the scheme, as they do in Writtle itself which has an irregularly shaped village green bordered by trees; onto which the settlement has evolved over successive periods of development over time. A variety of architectural styles are present which is reflective of the settlement which has inspired it.
- 6.82. The parkland separation from the suburban areas to the east has been maintained with landscaping and planting carried into the site through the development along the routes and streets which form the layout each side of a central spine road.
- 6.83. The 'Lanes' character area features outward facing perimeter blocks with the scale and building heights rising to 2 ½ storeys amid a scale dominated by predominantly two-storey development. Through routes and other loops enable vehicular access with cul-de-sacs at the outermost extremes of the layout on the parkland edges to the proposal.
- 6.84. Front gardens are delineated by railings and landscaping to provide defensible spaces to the front at the boundary between public and private areas. Building forms reflect the traditional Essex vernacular with shallow building depths and steep roof pitches.
- 6.85. The variation evident in the established settlement of Writtle has also been expressed in the architectural design of the dwellings and enables the use of detailing to create dwellings inspired by the Georgian, Victorian and Edwardian periods. These include hung tiles, slates, white and pale boarding, render and a variety of brick colours. Plinth details, bay windows, porches/Georgian door canopies, parapet details, open eaves, brick chimneys and through brick chimneys are elements of the architectural details which add character and interest to the streetscape.

- 6.86. Materials also bring variation to each dwelling with a variety of materials at various heights on the building elevations. Fenestration details also add interest and correspond well to the architectural design of the dwellings, supporting their references to various historic periods in addition to their other details, materials, and building form. Blind window details add interest whilst enabling sensitive neighbour relationships to be managed. Corner turning units occupying prominent positions have been carefully designed with windows providing interest on two main street-facing elevations. Double bay fronted detached character properties mimic the former shop frontages of Writtle. Variety in roof heights across the terrace blocks adds interest and disguises the deeper house types within the terrace.
- 6.87. In terms of house detailing, brick stretcher horizontal banding details have been used extensively and pick out key details such as the parapets to the front of many dwellings. Also brick detailing above window apertures resemble the many examples that are present in Writtle. Although based on a palate of materials, there is variation across the site with variety provided by landscaping, boundary treatments, doors, porches and porch canopies. Streets present different and varied appearances with character properties in prominent locations to add to the quality of the design and assist in wayfinding within the site.
- 6.88. The quality of the architectural design achieved across the proposal is high, with a significant contribution made by the materials design and detailing of each dwelling. The result is a series of streets and spaces which are inspired by the layout and design of the existing settlement of Writtle.
- 6.89. Overall, the residential properties have been designed so that the inter-relationships avoid overbearing or overlooking. Where some properties do not strictly adhere to the standards set out in Appendix B of the Local Plan, there exists a design rationale or bespoke design response (i.e. corner plots, or use of obscure windows). Back-to-back relationships, where they exist, are satisfactory.
- 6.90. Garden sizes across the unit types are compliant with Appendix B standards, with the odd exception where design has necessitated a minor deviation.
- 6.91. All properties conform to the Nationally Described Space Standards.
- 6.92. Parking standards reflect those required through the Essex Parking Standards (2009), as directed by Policy DM27. There is some differential in the offering to some of the affordable units but this is in the context of a designed product whereby the design quality of those units is indistinguishable from the market units. The differentiation is essentially an over-provision for some market units (double garages in addition to spaces, for example) and not an under-provision for affordable.
- 6.93. Neighbour relationships with the nearest residential properties, along Roxwell Road, are acceptable. Separation distances between new and existing properties in Avon Road would be sufficient for the development not to be harmful to their amenity.
- 6.94. It is recognised however that the use of the pedestrian/cycle links (both) would be set between existing residential properties. Those existing entrances to allotments/play space are not redundant, however their nature and frequency of use would change through the granting of this application. The Local Plan highlighted those links, and the masterplan considered them in more detail (deleting the use of buses specifically). Their planning principle has been established by previous documents. Large scale details are to be requested through condition, in addition to

the standard levels condition, in order to address concerns regarding levels. Landscaping is obviously reserved, but can ultimately provide some mitigation. Any increased frequency, and thereby impact on existing residential amenity, must also be balanced with the delivery of these sustainable (non-vehicular) routes so that both existing and new residents may more easily access schools, sports pitches shops, and open spaces.

Sustainable development

- 6.95. The National Planning Policy Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three overarching objectives to sustainable development; economic, social and environmental.

Economic

- 6.96. The proposal would generate jobs through the construction process and in the longer term through the occupation of the neighbourhood centre, onsite open space management and sports facilities. The construction of up to 880 dwellings on the site would also increase spending in the local economy. These benefits carry weight in favour of the proposed development.

Social

- 6.97. The proposed development would provide a range of house types and sizes and would meet the City Council's identified growth needs. The development would provide affordable homes of varying type, self or custom build, wheelchair user homes and accessible or adaptable homes. It would also provide contributions towards specialist residential accommodation. Five much needed travelling showperson plots would be provided.
- 6.98. The scheme includes facilities that would encourage social interactions and the growth of a new community, whilst also physically connecting with the St Andrews Ward to the east via new bridge connections. The onsite facilities will include strategic and local open space, sports provision and play spaces. The development would also be mitigating its own impacts in relation to education through the provision of financial contributions.
- 6.99. The scheme has been designed to connect pedestrian and cycle links to enable improved connections with the city centre and provide good walking and cycling routes throughout the site. Active and sustainable modes of transport are a realistic prospect.
- 6.100. It is recognised that the development will result in additional private motor vehicles on the existing highway network. The applicant has sought to mitigate the impacts of the additional traffic through a financial contribution, and physical facilitation of a new bus route to the city centre.
- 6.101. The proposal provides social benefits, which weighs in favour of the development.

Environmental

- 6.102. The scheme is landscape led, providing significant areas of open space. It is acknowledged, however, that the development would result in a loss of open countryside. The proposal seeks to retain most of the existing trees and hedgerows and would result in no harm to protected species. A biodiversity net gain above 10% will be achieved.

- 6.103. The application provides environmental benefits through the provision of a network of pedestrian and cycle links, and financial contributions towards an improved bus service to encourage sustainable modes of transport.
- 6.104. Conditions are recommended to ensure the development is built sustainably by requiring the installation of electric vehicle charging infrastructure, by requiring water efficiency building regulations to be met and also for non-residential buildings to be built to BREEAM 'Very Good' level.
- 6.105. Minor harm would be caused to existing heritage assets in the area and a condition is attached to ensure that the archaeology of the site is properly recorded.
- 6.106. Overall, with the provision of appropriate conditions and s.106 obligations, the proposal is considered to comply with the three strands of sustainable development.

Legal Obligations

Key Strategic Priorities: 2 (new homes), 5 (strategic infrastructure), 6 (local infrastructure);

Local Plan Strategic Policies: S6, S9, S10;

Site Policies: Growth Site Policy 2; Local Policies: DM1, DM2, DM16, DM20

- 6.107. The nature of the requirements for mitigation of this type of application will necessitate a s.106 agreement to be signed. The head of terms are agreed with the applicant and are summarised as follows.
- 6.108. Contributions listed are correct at the time of publication.

Housing

Affordable Housing

- 35% of total units to be provided as affordable housing - 22% affordable rent, 9% first homes (includes financial contribution), and 4% shared ownership in line with current policy requirements but with proviso that mix may be altered should First Homes no longer be a requirement in a revised NPPF due to be published end 2024/early 2025
- Wheelchair User M4(3)(2)(b) units to be secured at 5% of the total number of affordable homes
- Affordable housing scheme to be submitted to address phasing, delivery and mix for each phase

Specialist residential accommodation

- Financial contribution £457.50 x 880 dwellings = £402,600

Self/Custom Build

- Self/Custom Build housing to be provided at 5% of the total number of units
- Design code to be submitted and agreed

Travelling showperson site

- Provision of 5 serviced plots
- Provision of shared access

Education

The figures provided by Essex County Council, are based on up to 880 dwellings as the mix and final number is unknown at this stage. The figures would be adjusted accordingly subject to the final mix and number. Financial contributions are requested for Early Years, Primary Education, Secondary Education, Post 16 Education, Employment and Skills.

- Siting of standalone nursery within neighbourhood centre

Transport/Infrastructure

- Footway / cycleway to adoptable standard internally within the site
- Footway / cycleway improvements to Lawford Lane
- Footway / cycleway improvements for journeys into city centre and Hylands School
- New roundabout along Roxwell Road
- Enlarged roundabout Lordship Road / Roxwell Road
- Financial contribution to delivering new bus service/s
- New bus stops (plus temporary)
- Local highways improvements and sustainable transport measures
- Submission of travel plan

Open Space / Recreation

- Open Space Delivery
- Open Space Phasing and Delivery Plan
- Strategic Open Space. Safeguarding of land and transfer to CCC with a commuted maintenance sum or transfer to Management Company
- Provision of play areas
- Financial contribution to Avon Road play area
- Landscape and Open Space Management and Maintenance Plan
- Provision of a sports pavilion/community centre
- Provision of sports pitches
- 2,640 trees to be planted (based on 880 dwellings) on site or financial contributions in lieu of on-site provision in accordance with the City Council's Tree Planting Planning Advice Note

Health Care

- Siting of building capable of adaptation for surgery within neighbourhood centre
- Financial contribution towards floorspace provision

Biodiversity / RAMS

- RAMS financial contribution per dwelling £163.86 x 880 dwellings = £144,196.80

Other

- Monitoring fees for numerous schedules

7. Community Infrastructure Levy (CIL)

7.1. The development is CIL liable and CIL payments will be levied on the CIL chargeable elements of the development.

8. Conclusion

- 8.1. The site was allocated in the Chelmsford Local Plan as a sustainable urban extension to the Urban Area (noting it lies within the Parish of Writtle due to current boundaries). The application follows an approved masterplan, which has shaped both its form and detailing. This application is accompanied by an Environmental Statement because it is EIA development. Positive amendments have been made to the scheme from its initial submission in 2021, in terms layout and architectural approach.
- 8.2. For reasons listed in Section 6, the development would be a positive contributor economically and socially. Any minor negative environmental impacts can be mitigated. Any harm to heritage assets are weighed in the context of delivery of this strategic site. All material considerations have formed part of the planning balance.
- 8.3. The development is required to meet the Council's identified growth needs and is a direct consequence of the plan-led system. The proposal is in accordance with the approved masterplan and would satisfactorily meet the requirements of Strategic Growth Site Policy 2 (West Chelmsford) of the Chelmsford Local Plan.
- 8.4. The proposed development accords with the Chelmsford Local Plan and would deliver a sustainable development as sought by the National Planning Policy Framework. The proposal is acceptable, subject to conditions and the completion of the S106 agreement.

RECOMMENDATION

(a) Subject to an agreement, as indicated in the report presented to the Committee, being entered into pursuant to the Town and Country Planning Act 1990, the Director of Sustainable Communities be authorised to grant the application subject to the following conditions:-

Procedure

Condition 1 – reserved matters

Details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place in each phase beyond 1A and the development shall be carried out as approved.

Reason:

The particulars submitted are insufficient for consideration of the details mentioned.

WEB
03FCOM

Condition 2 – reserved matters Phase 1A

Details of the landscaping for Phase 1A (no. 311 dwellings) as labelled on drawing no (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.

Reason:

The particulars submitted are insufficient for consideration of the details mentioned.

Condition 3 – time limit submission

Application for approval of the reserved matters shall be made to the local planning authority no later than 10 years from the date of this permission.

Reason:

In order to comply with Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 4 – time limit implementation

The development hereby permitted shall take place no later than 2 years from the date of approval of the last of the reserved matters to be approved.

Reason:

In order to comply with Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 5 - parameter plans

Plans and particulars of the Reserved Matters referred to in Condition 1 for each phase of the development shall accord with the following Parameter Plans:

- Parameter Plan - Land Use (Drawing no. DR-001 S5-P2)
- Parameter Plan - Density (Drawing no. DR-0002 S5-P2)
- Parameter Plan - Heights (Drawing no. DR-0003 S5-P2)
- Parameter Plan - Access and Movement (Drawing no. DR-0004 S5-P2)
- Parameter Plan – Green infrastructure (Drawing no. DR-0005 S5-P2)

Reason:

In order to achieve satisfactory development of the site.

Condition 6 - access plans

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

- Proposed Site Plan Layout (Drawing no.29713B_10 rev R7)
- Western Site Access Roundabout (Drawing no.110123/A/02 rev M)
- Eastern Site Access Roundabout (Drawing no.110123/A/03 rev R)
- Proposed Showperson Access Roxwell Road (Drawing no.110123/A/26 rev H)
- Proposed Northern Cycle Link (Drawing no.110123/A/56 rev D)
- Proposed Southern Cycle Link (Drawing no.110123/A/55 rev E)

Reason:

In order to achieve satisfactory development of the site.

Condition 7 - Phasing

WEB
03FCOM

Prior to, or concurrently with, the first application for Reserved Matters a Phasing Plan shall be submitted to and agreed in writing with the Local Planning Authority. The Phasing Plan shall include details of the phasing of the development. The development shall thereafter be carried out in accordance with the agreed details of phasing.

Reason:

In order to achieve satisfactory development of the site.

Pre-commencement

Condition 8 - Levels

Prior to any development works within each phase or sub-phase, detailed drawings and sections showing the finished levels of all parts of the development within that phase or sub-phase in relation to the levels of the adjacent phases, surrounding area and neighbouring buildings shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason:

To ensure that the development is constructed at suitable levels in relation to its surroundings in accordance with Policy DM23 of the Chelmsford Local Plan.

Condition 9 – Large scale details

Prior to the construction of either pedestrian / cycle bridges across One Bridge Brook and their associated ramps, large scale drawings, including sections, shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.

Reason:

In order to achieve satisfactory development of the site with Policy DM23 of the Chelmsford Local Plan. Also to ensure that privacy of nearby residential properties can be maintained.

Condition 10 - Construction Management Plan

No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for;

- i. provision of a safe and suitable access to the site;
- ii. vehicle routing;
- iii. the parking of vehicles of site operatives and visitors;
- iv. loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development;
- vi. wheel and underbody washing facilities;
- vii. measures on site to control the deposition of dirt / mud on surrounding roads during the development;
- viii. treatment and protection of public rights of way during construction;
- ix. hours of deliveries;
- x. highway safety considerations;
- xi. Before and after condition survey to identify defects to highway in the vicinity of the access to the site and where necessary ensure repairs are undertaken at the developer expense where caused by developer.

Reason:

WEB
03FCOM

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.

Condition 11 - Archaeology

1. No development or preliminary groundworks within any phase or sub-phase of the development shall commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has previously been submitted by the applicant and approved by the planning authority.
2. A mitigation strategy detailing the excavation/preservation strategy for any archaeological deposits shall be submitted to the local planning authority following the completion of this work.
3. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been previously approved by the local planning authority in consultation with its historic environment advisors.
4. The applicant shall submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork. This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Reason:

This information is required prior to the commencement of the development because this is the only opportunity for archaeological investigation work to be undertaken. These works are required to ensure that adequate archaeological records can be made in respect of the site in accordance with Policy DM15 of the Chelmsford Local Plan.

Condition 12 – surface water drainage

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.
- Limiting discharge rates to 1:1 Greenfield runoff rates for all storm events up to and including the 1 in 100 year rate plus 40 allowance for climate change All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event. or, if impracticable;
- Demonstrate that features are able to accommodate a 1 in 10 year storm event within 24 hours of a 1 in 30 year event plus climate change
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.

WEB
03FCOM

- 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.

Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

Condition 13 - minimise off-site flooding

No works 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.

Reason:

To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Condition 14 - Biodiversity enhancement strategy

Prior to the commencement of the development hereby permitted a Biodiversity Enhancement Strategy (BES) demonstrating how the development will achieve a minimum of 10% biodiversity net gain shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with that strategy, with a timetable for implementation and details of maintenance of biodiversity features within each phase to be included with the submission of landscaping details to address the reserved matters.

Reason:

To ensure that the development delivers Biodiversity Net Gain in accordance with the Council's Making Places SPD.

Condition 15 - Contamination

a) No development within any phase or sub-phase of the development shall take place until a scheme to assess and deal with any contamination within that phase or sub-phase has been submitted to and approved in writing by the local planning authority.

b) Prior to the occupation or first use of the development within any phase or sub-phase, any remediation found necessary as a result of the scheme to be approved under part (i) of this condition shall be carried out, and a validation report to that effect submitted to the local planning authority for written approval and the development shall be carried out in accordance with that scheme.

Reason:

This information is required prior to the commencement of the development because this is the only opportunity for contamination to be accurately assessed. This is to ensure the development does not give rise to problems of pollution or contamination in accordance with Policy DM30 of the Chelmsford Local Plan.

Condition 16 - Construction Environmental Management Plan

WEB
03FCOM

Prior to commencement within any phase or sub-phase of the development hereby permitted a Construction Environmental Management Plan (CEMP) relating to that phase or sub-phase shall be submitted to and approved in writing by the local planning authority.

The CEMP shall include, but not be limited to the following

- control measures for noise and vibration during the period of construction;
- construction dust and dust monitoring;
- waste management and management of earthworks;
- good practices for construction vehicles and stationary plant;
- mitigation measures for biodiversity as set out within section 9 of the Environmental Statement

Reason:

To ensure that the construction of the development does not result in harmful impacts on the local environment in accordance with Policies DM29 and DM30 of the Chelmsford Local Plan.

Condition 17 - Badgers

No development, including demolition, ground works or vegetation clearance, shall take place until the local planning authority has been provided with a badger walkover and/or monitoring survey including mitigation measures in the form of a method statement. The method statement shall set out the organisation or person responsible for implementing and supervising the method statement including whether a development licence will be required from Natural England for the closure of any sett(s). The scheme shall be implemented as approved.

Reason:

This information is needed prior to commencement of the development to ensure there is no harm caused to badgers in accordance with Policy DM16 of the Chelmsford Local Plan.

Condition 18 – Arboricultural method statement

No development shall take place until an arboricultural method statement setting out details of ground protection, service routes and levels changes has been submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.

Reason:

To safeguard the existing trees in accordance with Policy DM17 of the Chelmsford Local Plan.

Pre-occupancy

Condition 19 – SuDS maintenance plan

Prior to the first occupation of the development within any phase or sub-phase of the development, a maintenance plan detailing the maintenance arrangements for SuDS features within that phase or sub-phase, including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies shall be submitted to and approved in writing by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements shall be provided.

Reason:

To ensure that the development is constructed sustainably in accordance with Policies S2 and Policy DM18 of the Chelmsford Local Plan.

Condition 20 – Pumping station access

WEB
03FCOM

Prior to first use of the pumping station, the access arrangement shown in principle on dr no.110123/SK34, shall be provided to include, but not limited to; clear to ground visibility splays of 2.4 metres by 120 metre visibility splays in both directions and be provided with an appropriate vehicle crossover.

Reason:

To provide adequate inter-visibility between users of the access and the public highway and to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety.

Condition 21 – Pumping station restrictions

- (i) Prior to first use of the pumping station, the parking and turning area shall be provided. The vehicle parking area and associated turning area shall be retained in this form at all times.
- (ii) No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
- (iii) Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the footway.

Reason:

To ensure that appropriate parking and turning is provided and to ensure that on-street parking does not occur on the A1060. To avoid displacement of loose material onto the highway. To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed. In the interests of highway safety.

Condition 22 - Vehicle parking

No dwelling or community facility shall be brought into use until such time as the approved vehicle parking for that dwelling or community facility has been made available for use. The spaces shall not thereafter be used for any purpose other than the parking of motor vehicles in conjunction with the dwelling or community facility which they serve.

Reason:

To ensure that parking provision is acceptably integrated within the development avoiding car dominated spaces and to prevent on-street parking in the interests of highway safety and the amenities of the area in accordance with Policy DM27 of the Chelmsford Local Plan.

Condition 23 - Visibility splays

- (i) The 2.4 metre by 31 metre visibility splays at the cycle route crossing near to and across plots 146 and 200, as shown on dr no.110123/SK28 rev C shall be provided clear to ground and maintained free of any obstruction in perpetuity.
- (ii) The visibility splays at the cycle route crossings, of the spine road and minor roads, as shown on dr no.110123/SK28 rev C shall be provided clear to ground and maintained free of any obstruction in perpetuity.
- (iii) The junction and forward visibility splays for the spine road, as shown in principle on dr no.110123/SK29 rev C shall be provided clear to ground prior to first use of the road and shall be maintained free of any obstruction in perpetuity.

Reason:

To provide adequate inter-visibility between users, in the interest of highway safety.

Condition 24 - Part M4 (2)

A minimum of 50% of the dwelling units as approved shall be constructed to comply with Building Regulations 2015 Approved Document Part M4(2) Category 2.

Reason:

WEB
03FCOM

To ensure the development provides sufficiently adaptable homes to meet current and future needs of residents in accordance with Policy DM1 of the Chelmsford Local Plan.

Condition 25 - Pedestrian and cycle surfacing and lighting

The network of pedestrian and cycleway routes within the site shall, where to be adopted by the highway authority, be hard surfaced and illuminated in accordance with details to be submitted to and approved in writing by the Local Planning Authority and designed to accord with the adoptable highway standard applicable at the time. The pedestrian and cycle routes shall be implemented as part of the overall phased delivery of the development in accordance with an agreed timetable.

Reason:

In the interests of establishing a logical route network which permeates the development encouraging sustainable methods of travel and minimising the need for travel by car.

Condition 26 - Cycle parking Phase 1A

In relation to Phase 1A, no terraced dwelling or maisonette shall be occupied until secure and covered bicycle parking has been laid out within the site in accordance with details which shall previously have been submitted to and approved in writing by the local planning authority. Those spaces shall thereafter be kept available for the parking of bicycles only.

Reason:

To ensure that cycle storage provision is acceptably integrated within the development in a safe and convenient manner to encourage cycling as a sustainable mode of transport in accordance with Policy DM27 of the Chelmsford Local Plan.

Condition 27 - Refuse and recycling – specific to Phase 1A

In relation to Phase 1A each dwelling shall not be occupied until the facilities for the storage of refuse and recyclable materials for that dwelling have been provided in accordance with the approved details.

Reason:

To ensure that suitable facilities for refuse disposal are provided and that such facilities are visually satisfactory in accordance with Policy DM23 and DM26 of the Chelmsford Local Plan.

Condition 28 - samples of building materials

Prior to their use, samples of the materials to be used in the construction of buildings shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved details.

Reason:

To ensure that the development is visually acceptable in accordance with Policy DM23 of the Chelmsford Local Plan.

Condition 29 - noise insulation

The residential properties shall be constructed so that the internal noise levels in habitable rooms, with windows closed, does not exceed 35 dBA LAeq (0700-2300 hours) and 30 dBA LAeq (2300-0700 hours).

Reason:

In the interests of protecting the living environment of occupiers of the dwellings in accordance with Policy DM29 of the Chelmsford Local Plan.

Condition 30 – Broadband

WEB
03FCOM

Each dwelling shall be provided with a connection to superfast broadband prior to the first occupation of that dwelling.

Reason:

Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being in accordance with the objectives of the National Planning Policy Framework and Making Places Supplementary Planning Document.

Condition 31 - Boundary treatments

- a) Details of the proposed treatment of all boundaries, including drawings of any gates, fences, walls, railings or piers, shall be submitted to and approved in writing by the local planning authority.
- b) Each dwelling shall not be occupied until the boundary treatments for that dwelling have been provided in accordance with the approved details.

Reason:

In the interests of the visual amenities of the area and to safeguard the residential living environment of the occupiers of the proposed dwellings and the existing neighbouring dwellings in accordance with Policy DM29 and Policy DM23 of the Chelmsford Local Plan.

Condition 32 - EV Charging

No dwelling or building shall be occupied until that dwelling or building has been provided with one electric vehicle charging point for a dwellinghouse with dedicated off-road parking or one electric vehicle charging point per 10 parking spaces for a non-residential building or where off-road parking is unallocated. Electric vehicle charging points shall be installed and retained in accordance with details that shall have been previously submitted to and agreed in writing by the local planning authority.

Reason:

To ensure that the development is constructed sustainably in accordance with Policy DM25 of the Chelmsford Local Plan.

Condition 33 - Tree retention

No trees or hedges within any phase or sub-phase of the development shall be felled, uprooted, damaged, or disturbed or removed prior to the commencement of development within that phase or sub-phase until the details submitted under condition of this permission have been approved in writing by the local planning authority. If any such tree is removed, uprooted, destroyed or dies prior to commencement of development or within a period of 5 years following commencement another tree shall be planted within the next available planting season. The location, size and species of replacement planting shall be as agreed in writing by the local planning authority.

Reason:

To safeguard the existing trees which are of amenity value and add character to the development in accordance with Policy DM17 and Policy DM23 of the Chelmsford Local Plan.

Condition 34 - Public Art

Within six months of the commencement of the development, a public art statement shall be submitted to and approved in writing by the local planning authority. The statement shall include the following:

- a) Details of the artist (including an explanation of why they have been selected for this scheme),
- b) Details of the proposed public art (including an explanation of the chosen theme and medium) and its intended siting,
- c) Details for the installation including timing,
- d) Future maintenance regime.

The approved public art scheme shall be implemented in accordance with the approved statement.

WEB
03FCOM

Reason:

To ensure that Public Art is provided in accordance with Policy DM24 Chelmsford Local Plan.

Post occupancy monitoring and management

Condition 35 - SuDs maintenance logs

The applicant, or any successor in title or maintenance body nominated by the applicant, 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 that the development is constructed sustainably in accordance with Policies S2 and Policy DM18 of the Chelmsford Local Plan.

Condition 36 - Water efficiency

All new dwelling units as hereby approved shall be constructed to achieve water efficiency to a standard of no more than 110 litres of water per person per day.

Reason:

To ensure the development reduces water dependency in accordance with Policy DM25 of the Chelmsford Local Plan.

Condition 37 - Unbound material

No unbound material shall be used in the surface treatment of any vehicular access within 6 metres of the highway boundary.

Reason:

To avoid displacement of loose material onto the highway in the interests of highway safety.

Condition 38 - Community use agreement

Use of the primary school shall not commence until a community use agreement, prepared in consultation with Sport England, has been submitted to and approved in writing by the Local Planning Authority and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the indoor and outdoor sports facilities of the school and shall include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

Reason:

To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy DM20.

Condition 39 - BREEAM commercial over 500sqm

- a) All new non-residential buildings with a floor area in excess of 500sqm shall be built to a minimum sustainability standard of BREEAM Very Good (or its successor);
- b) Prior to the commencement of any building with a floor area in excess of 500sqm, a Design Stage Assessment (under BREEAM or its successor) for each building shall be carried out and a copy of the Interim Certificate or the Assessor's summary score sheet shall have been submitted to and approved in writing by the Local Planning Authority;

WEB
03FCOM

- c) any building with a floor area in excess of 500sqm shall not be occupied until a Post Construction Review (under BREEAM or its successor) has been carried out in respect of that building and a copy of the Final Certificate or the Assessor's final summary score sheet has been submitted to the Local Planning Authority verifying that the agreed standards have been met in respect of that building.
- d) a copy of the Final Certificate, if it is not submitted prior to the first occupation of the relevant building, shall be submitted within six months following approval of the final summary score sheet.

Reason:

To ensure that the development is constructed sustainably in accordance with Policy DM25 of the Chelmsford Local Plan.

Notes to Applicant

- In order to cause minimum nuisance to neighbours, the applicant is strongly advised to follow guidelines for acceptable working hours set out by the Council's Public Health and Protection team.

Noisy work

 - Can be carried out between 0800 and 1800 Monday to Friday
 - Limited to 0800-1300 on Saturdays
 - At all other times including Sundays and Bank Holidays, no work should be carried out that is audible beyond the boundary of the site

Light work

 - Acceptable outside the hours shown above
 - Can be carried out between 0700 and 0800; and 1800-1900 Monday to Friday

In some circumstance further restrictions may be necessary.
For more information, please contact Chelmsford City Council Public Health and Protection Services, or view the Council's website at www.chelmsford.gov.uk/construction-site-noise
- You are reminded that this permission is also subject to a legal agreement, and that the terms of this agreement must be complied with.
- More information about BREEAM is available on the BRE website: www.breeam.org .
- The proposed development is liable for a charge under the Community Infrastructure Levy Regulations 2010 (as Amended) which will be applied to any Reserved Matters application(s) submitted in connection with this outline application. Reserved Matters application(s) must be accompanied by a CIL Additional Questions Form as well as CIL Form 2 - Claiming Exemption or Relief if claiming Social Housing relief. There are further details and links to these forms on the Council's website at www.chelmsford.gov.uk/cil.
- Please note that the Council will contact you at least annually to gain information on projected build out rates for this development. Your co-operation with this request for information is vital in ensuring that the Council maintains an up to date record in relation to Housing Land Supply.
- All work within or affecting existing and future highways is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org.

WEB
03FCOM

- 8 All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.
- 9 Any tree planting proposed within the highway must be agreed with the Highway Authority. Trees must be sited clear of all underground services and visibility splays and must be sympathetic to the street lighting scheme. All proposed tree planting must be supported by a commuted sum to cover the cost of future maintenance, to be agreed with the Highway Authority.
- 10 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 26 and 26 Writtle shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.
- 11 Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the Essex Climate Action Commission proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the Essex Developers' Group Climate Charter [2022] and to view the advice contained in the Essex Design Guide. Climate Action Advice guides for residents, businesses and schools are also available

Positive and Proactive Statement

The Local Planning Authority provided advice to the applicant before the application was submitted and also suggested amendments to the proposal during the life of the application. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework to promote the delivery of sustainable development and to approach decision taking in a positive way.

Background Papers

Case File

Plans to be listed on any Decision Notice:

CN079-MP-LP-001 A
29713B_10 R7
2982-4-4-5 DR-0001 S5-P2
2982-4-4-5 DR-0002 S5-P2
2982-4-4-5 DR-0004 S5-P2
2982-4-4-5 DR-0005 S5-P2
29713B_300 DI
29713B_500A RI
29713B_501 A
29713B_502 A
2982-5-2 DR-0112 S4-PI
2982-5-2 DR-0113 S4-PI
2982-5-2 DR-0114 PI
2982-5-2 DR-0115 S4-PI
2982-5-2 DR-0200 PI
2982-5-2 DR-0201 PI
2982-5-2 DR-0202 PI
110123/A/02 M
110123/A/03 R
110123/A/26 H
110123/A/55 E
110123/A/56 D
29713B_20 R3
29713B_21 R3
29713B_22 R3
29713B_23 R3
29713B_25 R3
29713B_26 R4
29713B_27 R3
29713B_29 R2
29713B_100 R5
29713B_101 R3
29713B_102 R2
29713B_103 R2
29713B_104 R2
29713B_105 R4
29713B_106 R3
29713B_107 R3
29713B_108 R3
29713B_109 R4
29713B_110 R3
29713B_111 R3
29713B_112 R4
29713B_113 R5
29713B_114 R3
29713B_115 R3
29713B_116 R4
29713B_117 R3
29713B_118 R2
29713B_119 R2
29713B_120 R3
29713B_121 R3
29713B_122 R3
29713B_123 R2
29713B_124 R3
29713B_125 R4

WEB
03FCOM

29713B_126 R3
29713B_127 R3
29713B_128 R3
29713B_129 R3
29713B_130 R4
29713B_131 R4
29713B_132 R4
29713B_133 R3
29713B_134 R3
29713B_135 R3
29713B_136 R3
29713B_137 R5
29713B_138 D1
29713B_150 R3
29713B_151 R2
29713B_152 R3
29713B_153 R3
29713B_157 R3
29713B_158 R1 R2
29713B_200 R4
29713B_201 R4
29713B_202 R3
29713B_203 R3
29713B_204 R3
29713B_206 R4
29713B_207 R3
29713B_208 R3
29713B_209 R3
29713B_210 R3
2982-5-2 DR-0100 P5
2982-5-2 DR-0101 P4
2982-5-2 DR-0102 P4
2982-5-2 DR-0103 P4
2982-5-2 DR-0104 P4
2982-5-2 DR-0105 P4
2982-5-2 DR-0106 P4
2982-5-2 DR-0107 P4
2982-5-2 DR-0108 P5
2982-5-2 DR-0109 P5
2982-5-2 DR-0110 P5
110123/AT/L01 B
110123/AT/N01 B
110123/AT/P01 B
110123/AT/T01 B
110123/AT/U01 C
110123/AT/U02 C
110123/AT/U03 C
110123/AT/U04 C
110123/AT/V01 B
110123/AT/V02 B
110123/AT/V03 B
110123/AT/V04 B
110123/SK25 C
110123/SK25.I C
110123/SK28 C
110123/SK29 C
110123/SK29.I B
110123/SK29.2 B
110123/SK30 E
110123/SK31 D

WEB
03FCOM

Appendix 2 – Highways mitigation measures (as outlined by Transport Assessment addendum April 2024)

Proposed Sustainable Mitigation Measures:

- Lighting and drainage work on pedestrian and cycle routes to Chelmsford and Writtle Village;
- Streetlighting and crossing improvements on route to Hylands School;
- New gateway features on A1060 Roxwell Road and Writtle Village; Widening of Lordship Road footway;
- New build out at Writtle Doctors Surgery to replace existing hatched markings;
- New splitter islands on Lordship Road;
- Two pedestrian and cycle links between the Proposed Development and the existing urban area;
- A contribution towards the Melbourne Way/Avon Road cycleway;
- Two new bus services serving the development, Writtle University College, Chignal Housing Estate and Roxwell Road, with a contribution agreed by the developer to be secured via S106 agreement;
- Public Transport Vouchers;
- Electric vehicle charging facilities;
- The provision of a mobility hub in the Neighbourhood centre which could include:
 - Information on travel choices;
 - Electric vehicle parking, and
 - Car clubs (if feasible);
- Cycle parking at each property and cycle maintenance vouchers.

Proposed Highway Mitigation Measures:

- Site Access East – New 3-arm roundabout with the A1060 Roxwell Road;
- Site Access West – Enlarged roundabout at A1060 Roxwell Road/Lordship Road Junction with new fourth arm into the site;
- Travelling Showpersons Access with A1060 Roxwell Road as a new priority junction;
- A signalled toucan crossing on Roxwell Road close to the new eastern access roundabout;
- Toucan crossing on Roxwell Road close to the Lordship Road roundabout;
- A new segregated footway/cycleway within the site to the north of Roxwell Road between the two access roundabouts extended to connect to the existing footway;
- Roxwell Road/Chignal Road junction improvement scheme (extension of left-turn lane);
- Rainsford Road/Park Avenue junction improvement scheme (MOVA and crossing detectors);
- Improvements at the junctions between the A1060 and A1016 at the Parkway junctions (improved lining); and, Potential extension of 30/40mph limit on Roxwell Road and 30mph limit on Lordship Road.

Full copies of consultation responses can be found on the Council's website.

- Essex badger protection group - no objection, subject to conditions requested.

As confirmed in the latest Wildlife and Countryside Link Report, the badger remains the most persecuted protected mammal in the UK and it is therefore imperative that the location of any badger setts remains strictly confidential and is not published on public forums. As the commentary which follows relates to the location of known badger setts, we ask that it is not uploaded to the planning portal and is instead treated with the utmost sensitivity.

The Essex Badger Protection Group has long standing records relating to numerous setts on and around the application site and we note that the presence of these setts is further confirmed by the accompanying badger survey from Aspect Ecology. As noted, there are eleven setts in total and we hold similar records of two more, offsite, within a 1Km radius. The main sett on site, referred to as S2 by Aspect Ecology, has been known to the Essex Badger Protection Group for over 50 years. Overall, it is our considered opinion that all setts are likely to relate to the same family group (clan) of badgers, with the application site forming a key part of their territory given its close proximity to all of the setts in question. We note that Aspect Ecology holds a similar view as confirmed in section 2.1.9 of the confidential badger appendix.

From a badger protection perspective, this makes the site less than ideal for development purposes with mitigation needing to be employed very carefully in order to ensure that the badger clan remains protected. It must also be borne in mind that badgers are creatures of habit and will continue to try and utilise the application site during, and after, the completion of the project. Ultimately, there is a significant danger of creating a housing estate beset with 'badger problems' i.e. broken fences and damaged lawns. The creation of protected areas and the maintenance of green corridors around the site are therefore vital in order to try and minimise these risks and ensure the long term effects on the badger clan, and the homeowners, are minimal. Given the habitat offered by the wider area, notably to the North and West, this ought to be achievable with enough care and attention at the planning/design stages.

We are generally supportive of the Aspect Ecology report, although we do remain concerned regarding the new roads through the site and believe that these need to be considered more carefully within the final mitigation proposals. In our view, tunnels under the new roads should be adopted at regular intervals, in addition to other measures, in order to reduce the risk of road accidents for the benefit of both badgers and motorists. Badgers readily adapt to such tunnels although their position does need to be considered in relation to established paths and routes. Reduced speed limits are rarely adhered to by drivers and warning signs are largely ignored. As far as we are aware, there is little evidence to support the usefulness of "reflective" material to try and dazzle and deter badgers from crossing roads. Speed bumps would be our preferred method from those suggested but, ultimately, badgers will quickly adapt to any deterrent methods employed to keep them away from roads and learn to ignore them. Providing a safe method of crossing at suitable locations is more likely to provide the mitigation required and has been successfully employed on other similar sites.

Ultimately, we have no objection to this development in principle but believe that any permission granted should be conditional upon the following:

The provision of a final badger mitigation plan to cover:

The wildlife protection measures to be adopted for the new roads

Full details of the exclusion areas around the protected setts with details of habitat enhancement for those sites

Details of green corridors linking the protected setts and providing access to the wider habitat offsite.

Full details of construction related mitigation to be followed including:

All workmen on site should be fully briefed concerning the presence of badgers on site.

Any trenches or deep pits should be securely covered overnight to stop any badgers falling in and becoming trapped. Alternatively, a rough plank can be provided, at an angle no steeper than 45 degrees, to allow any badgers a suitable means of escape.

Any trenches/pits should be inspected each morning and evening to ensure no badgers have become trapped.

The storage of topsoil or other 'soft' building materials within the site should be given careful consideration. Badgers will readily adopt such mounds as setts, which would then be afforded the same protection as established setts. So as to avoid the adoption of any mounds, they should be subject to daily inspections before work commences.

During the work, the storage of any chemicals should be contained in such a way that they cannot be accessed or knocked over by any roaming badgers.

Open pipework with a diameter of more than 120mm should be properly covered at the end of the work day to prevent badgers entering and becoming trapped. Again, should a badger trap itself then formal ecological advice must be sought before work commences for the day.

Litter on site should be cleared at the end of the working day or otherwise kept to a minimum.

Security lighting should be kept to a minimum so as not to disturb the badgers on site.

- CERA (Chignal Estate Residents Association) - request further information and amendments.

Southern cycle/pedestrian link

With reference to the southern cycle and pedestrian access linking Warren Farm and Avon Road, CERA request the following:

1. Cross sections and long sections showing existing and proposed spot levels and topography.
2. Detail and design of link seem greatly over engineered - the width of the path and extent of the bridge should be scaled down to the size of similar links constructed elsewhere. All recent combined cycle and pedestrian links in new developments (such as Beauleigh Park and Channels) are 3m in width except in specific locations where they are a maximum of 3.4m. Considering the number of links from Warren Farm, eg; via the northern link to Avon Rd and Roxwell Rd to the south, 3m to 3.5m in width should be sufficient to accommodate projected pedestrian and cycle traffic. Government guidelines suggest 4m width where the rate is <1000/hr
3. Further detail on street lighting, including lux levels, location, height and type of luminaire and columns.
5. A document or report should be provided to demonstrate how the proposals will enhance the safety and security of the neighbouring properties, who form the boundaries of the links, due to the increased exposure to potential issues such as anti social behaviour, that come with the public realm.
6. Detail of finishing materials, street furniture, planting, soft landscaping details. Chignal Estate residents should be given the opportunity to input into these aesthetics as they will directly influence the environment of the Chignal Estate. It would be easy to design just a black tarmac path with no thought to using the opportunity to better the quality of the area. Involving the local community in the design on things such as planters, flower beds, benches etc, and with the right approach from the designers, the green corridor between Warren Farm and Chignal estate could be a great outdoor park and area real asset to the community.

7. Explanation on how the path will not compromise the RPZ or adjacent piled foundations to neighbouring property adjacent to the entrance to the link from Avon Rd. The tree in question has a TPO, so under no circumstances should the tree routes be damaged or the tree removed.

8. Confirmation from Chelmsford City Council should be given on how access to the driveways, which have a shared entrance with the cycle link, will be maintained and consideration given to the new proposed public right of way that will affect access to and ownership of the properties.

9. Consideration given to boundary security and access arrangement of neighbourhood properties to ensure these are not compromised.

10. Relocation of turning head for maintenance access (as required by Parks Dept) as far west as possible away from neighbouring houses and gardens to mitigate disruption. Topography suggests this would be feasible with minimal impact on the scheme.

Northern cycle/pedestrian link

Bus link

This outline application is being submitted against the Approved Master Plan Addendum, Approved by Chelmsford Council, NOT the original Master Plan which included a bus link. It is frustrating to see wording included in the submission, which references a road safety audit carried out on the Avon Rd link. Following the numerous and extremely detailed public debates surrounding the Avon Road link, the bus link was removed and no longer has relevance to the new proposals - which is submitted against the Masterplan Addendum.

Reason: In accordance with the provisions of the Approved Master Plan Addendum. Motor car or bus traffic between the development and Avon Road would be harmful to amenity and road safety in the established residential area.

- Active Travel England - references standing advice

In response to the above consultation, Active Travel England's (ATE's) statutory consultee remit applies to qualifying planning applications that were made valid on or after 1st June 2023. ATE notes that this planning application was submitted in August 2021 and that the current consultation has resulted from the submission of amended plans and documents following discussions with key stakeholders, including the highways team at Essex County Council.

Based on the information currently available, ATE therefore consider it appropriate to issue its standing advice note at this stage in the process to guide the local planning authority's (LPA's) assessment of the application rather than to provide a comprehensive response that may delay a decision further. Our standing advice note can be found here:

<https://www.gov.uk/government/publications/active-travel-england-sustainable-development-advice->

However, where the LPA considers that advice from ATE can help to unblock any specific issues, then ATE would be happy to review elements of the application upon request.

- Essex Swifts - request the addition of integral Swift nest bricks/boxes in meaningful numbers throughout the development.

May we request the addition of integral Swift nest bricks in meaningful numbers throughout the development. Swifts are colonial breeders:-

"Number of Swift Boxes Recommended for a New Build Development:-

The latest recommendation via the RIBA's 'Designing for Biodiversity' is to allow one box per dwelling / flat for the development in question. For example, a development of 50 houses would require 50

Swift boxes and these could be installed in clusters of 2 to 4 boxes on gable ends as close as practical under the eaves. But we are open to discussion on this o/a numbers aspect. Bungalows & garages are not suitable as they are too low"

"Legislation & Policy Guidance

Under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, public bodies have a duty to protect and enhance all biodiversity. This is supported by the national Planning Policy Framework (NPPF) 2018 in paragraph 175d: When determining Planning Applications, Local Planning Authorities should apply the following principles.....opportunities to incorporate biodiversity improvements in and around developments should be encouraged. Many Local Authorities now include Swift nest site provision in Local Plans and Supplementary Planning Guidance documents. One of the first to do was the Exeter City Council (Exeter City Council 2010) and other authorities around the country have followed suit; for example the Local Plans for the London Boroughs of Hackney and Islington require Swift bricks to be used in many new developments".

Essex Swifts is available to discuss this issue in more detail via the email address lodged for this comment.

- Environment Agency - no objection, providing flood risk considerations have been taken into account.

31.05.24

We have no objection to this planning application, providing that you have taken into account the flood risk considerations which are your responsibility. We have highlighted these in the flood risk section below.

Flood Risk

Our maps show the site lies within fluvial Flood Zone 3a defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. The proposal is for an outline application for Strategic Growth Site 2 comprising up to 880 new homes, primary school with co-located early years and childcare nursery, travelling show persons site for five serviced plots, sports facilities including a pavilion/community centre, neighbourhood centre (including retail, community, healthcare, office and residential uses), plus associated landscaping and habitat creation, public open space and play facilities, roads and infrastructure (all matters reserved except access), together with a detailed scheme in the south east

corner for Phase 1A comprising 177 no. houses plus associated roads, parking and infrastructure (Landscaping reserved for Phase 1A), which is classified as a 'more vulnerable' development, as defined in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance.

Therefore, to comply with national policy the application is required to pass the Sequential and Exception Tests and be supported by a site specific Flood Risk Assessment (FRA). To assist you in making an informed decision about the flood risk affecting this site, the key points to note from the submitted FRA, prepared by Stantec, referenced 41939/4004 Revision H and dated March 2024, are:

- o The site lies within the flood extent for a 1% (1 in 100) annual probability event, including an allowance for climate change. However, all proposed development is to be provided within flood zone 1, based upon the modelling completed as part of the initial assessment.
- o As the proposed buildings are to be provided within flood zone 1, finished ground floor levels will be above the 1% (1 in 100) annual probability flood level including climate change.
- o Two crossings of One Bridge Brook Chignall, a designated Main River are proposed. Section 6.6 of the submitted FRA confirms that these crossings will be for pedestrians and cyclists and will be formed by way of a bridge. Any bridges should be designed to ensure that flow for the 1% annual probability flood, inclusive of climate change can pass beneath it, and should be constructed from bank to bank, without building within the cross-section of the river.
- o The FRA does not provide any details of land raising or any alterations of ground levels within the floodplain that may alter the route of flow or nature of flooding within the floodplain. If ground levels are to be altered within the modelled floodplain then we would expect further

information/modelling to be submitted to demonstrate that flood risk on and off site will not be increased as a result of the proposals.

Other advice: Other Sources of Flooding

In addition to the above flood risk, the site may be within an area at risk of flooding from surface water, reservoirs, sewer and/or groundwater. We have not considered these risks in any detail, but you should ensure these risks are all considered fully before determining the application. Informative - Environmental Permit for Flood Risk Activities

The applicant may need an environmental permit for flood risk activities if they want to do work in, under, over or within 8 metres (m) from a fluvial main river and from any flood defence structure or culvert or 16m from a tidal main river and from any flood defence structure or culvert. The One Bridge Brook Chignall, is designated a 'main river'.

Application forms and further information can be found at: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. Anyone carrying out these activities without a permit where one is required, is breaking the law. It should be noted that approval is unlikely to be granted for a culvert.

- Essex Police - welcome the opportunity to assist developer achieve Secured by Design Homes award. 16.09.2021 –

Essex Police recognise the level of complexity and challenges the proposed growth within Chelmsford district comprises of, but view this as an opportunity for Chelmsford to thrive and become a vibrant location for people to want to live and visit; whilst achieving an ambitious longterm vision that delivers high quality and sustainable development. Further to our response (dated 24th June 2020) to the initial proposals, the Essex Police Designing out Crime Office (DOCO) have not been approached and would welcome initial consultation regarding the project. Please note that all the below comments and observations have been garnered through the Design and Access Statement for the project only. Traditionally, the DOCO would review a plethora of documentation such as lighting plans, landscape plans and transport management, however, due to technical difficulties this information was unable to access via the planning portal.

The 'Essex Police - Designing out Crime Office' (DOCO) would wish to raise the below observations for further consultation:

That the actuality and perception of crime is considered throughout the design: Adopting the concept that crime is deemed as a "material consideration" throughout will ensure the health and wellbeing of residents and increase the overall sustainability. Essex Police recommend the consideration of 'designing out crime concepts' throughout all aspects of the design. During the planning process the DOCO would recommend undertaking a 'Security Needs Assessment' to identify ongoing risk of crime and Anti-Social behaviour (ASB). This will ensure that the building design and specification decisions create both a healthy and safe environment that does not promote vulnerability. It is imperative that design specifications of buildings and the surrounding community are risk commensurate (i.e. correlate to the Security Needs Assessment) and it is important that an effective and realistic level of physical security is commensurate with the risk. Opportunity for liaison with the Designing out Crime Team at the earliest opportunity to discuss design specifics: Essex Police recommend essential engagement between the 'Essex Police DOCO' and Project Design Team on the following:

Masterplan proposals:

We note that the Masterplan is a concept plan and holistic vision and would welcome the prospect of further discussion with the developers on the below; to benefit and gain a clearer understanding of the emerging proposed development, its scale, height, and definitive building footprint. We appreciate that it is important to create a sense of place and build communities with the provision of accessible services and facilities that encourage walking and cycling etc. It is also important to ensure that the design is such, that any community spaces and broader public realm, do not become a

central point for ASB or generate a fear of crime when using that space, thus having an adverse effect on those communities. Constructing well designed places, buildings and communities that promote both sustainable communities and health and wellbeing is an objective that the Essex Police DOCO widely supports; however, it is imperative that they must also be safe, secure, and accessible. This can similarly be evidenced within the Health Impact Assessment, as mitigating the opportunities for crime is not only about reducing and preventing injury and crime, but it is also about building strong, cohesive, vibrant, and participatory communities. Furthermore, Essex Police DOCO would wish to discuss the below:

Ensuring the design garners the appropriate level of permeability with connectivity across the development and the wider community. The rationale is to mitigate any potential community tension. Design of the community facility and surrounding infrastructure inclusive of residential and commercial parking, access and egress and management and maintenance procedures. With a focus on sustainable travel across the site, consideration needs to be given to the secure external storage facilities and bicycle security, be this within the home environment or within communal bicycle stores. Essex Police would recommend inclusion of detailed lighting design, evidencing current relevant standards and or relevant industry standards. It is important that the landscape architect and lighting designers coordinate their plans to avoid conflict between lighting, planting strategies and conservation. In this vein, Essex Police would wish further clarification and information regarding the proposed 'cycle height street lighting that is designed to illuminate the route without light spillage' as this could potentially raise the fear of crime and undermine the lighting uniformity. Throughout, careful consideration needs to address the materials used for external furniture and aesthetics such as seating, planters, and play equipment, ensuring they are risk commensurate and fit for purpose i.e. vandal, graffiti, and arson resistant. Adopting appropriate policy plans will be required to embed the management and maintenance schemes, for areas such as community facilities and landscape management. Design of proposed 'Green Bridges' to ensure for all that use that space can do so safely and consider potential risks associated with such proposals. Essex Police would wish to review the detailed Landscape Plans for the proposal (as this was not clear through the Design and Access Statement) and would wish to query the use of timber knee rails and proposed boundary treatment.

Travelling Show People Site

Regarding the Travelling Show People Site, Essex Police would wish for discussions with the developer to consider the following:

Essex Police would recommend careful consideration appertaining to the road infrastructure, as this will not only promote a safe haven for occupants but may also discourage criminal activity. Road access to the site and the ongoing farm raises concerns over access and egress onto the site for emergency services and safety of the staff. Along that stretch of road what traffic calming measures will be in place, will this be replicated across the development? Essex Police would request detailed border treatments for the site as judicious planting may not be of a robust nature. Boundaries delineation between the public and public realm space needs to be clearly defined, with any open spaces displaying features which mitigate any potential unauthorised access. Consideration of the 'Communities and Local Government, Designing Gypsy and Traveller Sites, Good Practice Guide' when fine tuning the detail across the site. The DOCO would strongly advocate liaison with the Essex Police - Roads Policing Team regarding the layout and strategic routes in and around the development and surrounding community, such as the proposals for Roxwell Road. Consideration is requested by developers to use the "Safe system approach" when designing local roads. This will take into consideration the various road user groups who wish to access these roads.

Detailed Design Scheme:

Essex Police welcome Crest Nicholson's ambition to achieve Secured by Design (SBD) Gold accreditation across the whole development. As a police initiative, SBD seeks to improve the security

of buildings and their immediate surroundings, seeking to achieve sustainable reductions in crime through design and other approaches to help communities live in a safer society. Essex Police would wish for urgent discussions with the developer to ensure that the design embeds the necessary CPTED agendas and clarifies proposals. Additionally, the DOCO have the following observations that would require further clarification and detail: (NB: Essex Police acknowledge that the detail requested may have been provided, however, due to restricted access via the portal, this information was unavailable to the DOCO at time of review.)

Public Realm: Adopting risk commensurate measures to secure public realm areas inclusive of the effective use of landscaping. We recommend that landscape provision is carefully considered across the scheme. It is imperative that the planting design takes full account of all other opportunities for crime that it may generate. Essex Police would encourage discussions to ensure alignment to the wider connectivity to adjacent communities (via the proposed bus route and cycle / pedestrian footpaths) and the desired public realm across the development, ensuring these areas are designed for a safer future.

Bin Collection: Essex Police DOCO would wish to seek clarification regarding the proposed secure independent access to the rear garden so that bins can be stored and moved appropriately where required. Unfortunately, the Design and Access Statement does not clarify the design proposal and identifies a potential security risk.

Landscaping: Within the landscape plans (where appropriate) we would strongly recommend utilising a layered planting schedule that incorporates planting that has a defensive nature, whilst being aesthetically pleasing. The DOCO would wish to review the landscape legend for the proposal and would wish to discuss with Project Design Team.

Lighting Provision: Due to the significance of lighting, the DOCO would wish to seek clarity regarding proposed lighting uniformity and standards across the development, resulting in a detailed Lighting Impact Assessment (LIA). The Essex Police Designing out Crime Team would welcome early consultation regarding the development and if there are any further queries around embedding designing out crime practices within the project, please do not hesitate to contact designingoutcrime@Essex.police.uk.

Have nothing further to add to our comments of 16/9/21, except to reiterate that we would welcome the opportunity to consult on this development to assist the developer demonstrate their compliance with these policies by achieving a Secured by Design Homes award.

- ECC Development and Flood Risk, Waste & Environment - no objection, subject to conditions.
- NHS Mid and South Essex ICB - impact on primary healthcare provision, request for healthcare facility in addition to financial contribution.
- Essex Fire and Rescue - comments on access, Building Regulations, water supplies and sprinkler systems.

April 2024

Draw attention to following comments:

Access

Access for Fire Service purposes has been considered in accordance with the Essex Act 1987 - Section 13.

The Brigade has been consulted with regards to the above-mentioned proposal and makes the following observations:

Essex County Fire and Rescue Service is not satisfied with the proposals for the following reasons:

The arrangements should be in accordance with the details contained in the Approved Document to Building Regulation Volume 1 Sec B5. When referring to the submitted plans access for a pumping appliance should be provided to within 45m of all points inside the dwellinghouse this cannot be achieved on Plot 28

When referring to submitted plan 28713B_22 Rev D1 Proposed Site Plan Layout Fire Strategy Diagram, the emergency access road measures under the required 3.7m therefore a fire service vehicle would not be able to use this road.

Where compliance with ADB Volume 1 Sec B5 cannot be achieved due to excessive travel distance between the fire appliance and all points within the dwelling, this Authority considers that the provision of a sprinkler system installed throughout the affected dwelling allows the distance criteria referred to above to be increased by up to 50%.

More detailed observations on access and facilities for the Fire Service will be considered at Building Regulation consultation stage.

Building Regulations

It is the responsibility of anyone carrying out building work to comply with the relevant requirements of the Building Regulations. Applicants can decide whether to apply to the Local Authority for Building Control or to appoint an Approved Inspector.

Local Authority Building Control will consult with the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority (hereafter called "the Authority") in accordance with "Building Regulations and Fire Safety - Procedural Guidance".

Approved Inspectors will consult with the Authority in accordance with Regulation 12 of the Building (Approved Inspectors etc.) Regulations 2010 (as amended).

Water Supplies

The architect or applicant is reminded that additional water supplies for firefighting may be necessary for this development. The architect or applicant is urged to contact Water Section at Service Headquarters, 01376 576000.

Sprinkler Systems

"There is clear evidence that the installation of Automatic Water Suppression Systems (AWSS) can be effective in the rapid suppression of fires. Essex County Fire & Rescue Service (ECFRS) therefore uses every occasion to urge building owners and developers to consider the installation of AWSS. ECFRS are ideally placed to promote a better understanding of how fire protection measures can reduce the risk to life, business continuity and limit the impact of fire on the environment and to the local economy.

Even where not required under Building Regulations guidance, ECFRS would strongly recommend a risk-based approach to the inclusion of AWSS, which can substantially reduce the risk to life and of property loss. We also encourage developers to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met."

- Natural England - no objection, satisfied with on-site mitigation, note agreement to RAMS payment, Habitat Regulations Assessment acceptable.

Thank you for sending us the further information as requested in our consultation response letter and the revised HRA. We have looked at the information and, in this instance, we are we are satisfied that sufficient on-site mitigation has been provided to mitigate for alone impacts on the Essex Coast Habitats Sites and we also note the availability of existing accessible open spaces nearby in particular, West Park, which is within easy walking distance from the application site. We also note that the applicants will provide the required financial contribution to the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) to account for any residual 'in combination' effects from other developments within the Zone of Influence of the Essex Coast RAMS.

We can confirm that we are in agreement with the HRA for this application and have no further objection.

- Sport England - objection subject to issues being addressed through planning application or alternatively via planning conditions or obligations.

16.09.2021

Summary:

Residential Development: Community Sports Needs

An objection is made to the proposals for community sports facility provision to meet the needs of the proposed residential development. More specifically, it is requested that the following matters be addressed before the planning application is determined and/or through a planning obligation/conditions where appropriate:

The proposed quantum of outdoor sports facility provision should be secured through a planning obligation with provision for the delivery of the facilities within a defined timescale;

It is requested that the sports ground be designed to accommodate a potential 3G artificial grass pitch in the future plus provision is made for delivering a 9 wicket fine turf cricket square plus all weather wicket instead of the single all weather cricket wicket proposed as set out in this response;

The location of the community centre/pavilion should be reviewed if possible because the proposed location is not desirable from a cricket perspective;

A schedule of the minimum facilities that would be provided in the community centre/pavilion that supports the sports ground plus the minimum level of car parking should be agreed and secured through a planning obligation;

Submission and approval of the design and layout of outdoor sports facilities, supporting facilities and a sports pitch feasibility study;

Securing management and maintenance arrangements for the outdoor sports facilities through a planning obligation;

Financial contributions should be secured towards off-site indoor sports facility provision for meeting the additional demand generated for facilities such as swimming pools and sports halls;

A community use agreement for the primary school's facilities should be secured.

Active Design

Advisory comments are made in relation to how the proposals have considered Sport England's Active Design principles and it is requested that the comments and suggestions are considered before the design is finalised. It is also requested that a condition is imposed requiring subsequent reserved matters applications (for the areas covered by the outline application) to demonstrate how Active Design principles have been considered in the detailed design of the development.

Sport England - Non Statutory Role and Policy

The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications. <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space>. This application falls within the guidance as it relates to the creation of one or more playing pitches.

Sport England assesses this type of application in line with its planning objectives and with the National Planning Policy Framework (NPPF). Sport England's planning objectives are to PROTECT existing facilities, ENHANCE the quality, accessibility and management of existing facilities, and to PROVIDE new facilities to meet demand. Sport England's Planning for Sport guidance can be found here: <https://www.sportengland.org/facilities-and-planning/planning-for-sport/planning-for-sport-guidance/>. In this context, I would like to comment on the following matters:

Community Sports Facility Provision

Introduction

In accordance with paragraph 98 of the NPPF, Sport England seeks to ensure that the development meets any additional community sports facility needs that are generated by the development. The occupiers of new development, especially residential, will generate demand for community sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site. As advised in paragraph 98 of the NPPF, the level and nature of any provision should be informed by a robust evidence base such as an up to date Sports Facilities Strategy, Playing Pitch Strategy or other relevant needs assessment.

The proposal comprises an outline planning application for up to 880 dwellings and supporting development on land at Warren Farm to the west of Chelmsford. Land use and green infrastructure parameter plans and an illustrative masterplan has been submitted which show a 3.6 ha sports ground to the west of the development that would be proposed for two senior football pitches, a junior football pitch and an artificial cricket wicket. This would be supported by a community centre/pavilion to the north west of the sports ground. The population of the proposed development is estimated to be up to around 2,120 people based on information provided in the Environmental Statement. In this context, I would wish to make the following comments on the community sports provision aspects of the planning application.

Evidence Base and Policy Context

The evidence base for community sport and local planning policy context can be summarised as follows:

The adopted Chelmsford Local Plan (2011-2031) includes policy S9 which includes a requirement for development to provide community infrastructure which includes sport, leisure and recreational facilities. The site allocation policy (Strategic Growth Site Policy 2 - West Chelmsford) includes a site infrastructure requirement for the development to provide, or make financial contributions to, new or enhanced sport, leisure and recreation facilities.

Chelmsford City Council's Playing Pitch and Outdoor Sports Strategy (2016) and Indoor/Built Sports Facility Strategy (2016) <https://www.chelmsford.gov.uk/planning-and-building-control/planning-policy-and-new-local-plan/new-local-plan/evidence-base/> collectively provide a robust evidence base for community outdoor and indoor sports facilities in Chelmsford and both strategies identify a range of existing and future deficiencies in facility provision;

Chelmsford City Council's Planning Obligations SPD (2021) requires Strategic Open Space (including outdoor sports facilities) to be provided in accordance with the requirements of the Local Plan and

includes a formula for calculating financial contributions towards parks, sport and recreation grounds.

In view of the local planning policy and evidence base context, it is considered that in accordance with Government policy in paragraph 98 of the NPPF, a robust local basis exists for justifying the provision of outdoor and indoor community sports facility provision to be made by this development proposal.

Outdoor Sports Provision

It is acknowledged that the masterplan is illustrative and that only limited detail has been provided at this stage about the outdoor sports facility provision proposed in the development as detailed proposals would come forward at the reserved matters stage. The proposals for outdoor sports provision are broadly welcomed in principle as they would appear to represent a positive response to the Local Plan policy. In this context, Sport England's advice on the approach to outdoor sports provision is as follows:

Quantity of Provision: An area of 3.6 ha of is proposed for the sports ground. As the Council's Planning Obligations SPD does not provide advice on how outdoor sports facility provision made in new development should be quantified it is not possible to make an informed assessment of the proposals. The Council will therefore need to consider whether the amount of provision proposed is adequate based on local circumstances. It is advocated that if the 3.6 ha is considered acceptable by the Council that provision is made for securing this quantum in a section 106 agreement to ensure that this level of provision is delivered in practice when subsequent reserved matters applications are prepared. It is therefore requested that the proposed quantum of formal outdoor sports provision to be provided on-site as part of the development is secured through a planning obligation with arrangements for its delivery within a defined timescale linked to the phasing of the residential elements of the development.

Form of Provision: I have consulted the Football Foundation (who represent the FA and Essex County FA) and the England & Wales Cricket Board (ECB) for advice on the indicative layout of the sports ground and the types of pitches proposed and their feedback has been as follows:

Football: It has been advised that there are 467 community football team in Chelmsford and the three main clubs local to the application site (Chelmsford City Youth FC, Writtle Minors FC and Old Chelmsfordians FC) have growing youth sections that will be expected to expand further with the additional population associated with the proposed development which in turn will increase the demand for football pitches. The nearest community football pitch to the site is Melbourne Park which caters mainly for adult football. The highest priority football facility need in Chelmsford is for additional 3G artificial grass pitches which have been identified in both the Chelmsford Playing Pitch Strategy and the Chelmsford Local Football Facilities Plan. The potential to accommodate a 3G artificial grass pitch as part of the sports ground is therefore advocated as this would be more responsive to meeting local needs than providing additional natural turf pitches. As it would not be possible to accommodate an artificial grass pitch on the cricket outfield area, it is requested that the proposed sports ground be extended to allow space for a full size 3G artificial grass pitch to be accommodated. Providing a space sufficient to accommodate two full size 11v11 football pitches is welcomed as this would offer flexibility to accommodate junior and mini pitches if required instead;

Cricket: The ECB has advised that there is significant local demand in Chelmsford for new cricket facilities, in particular from Chelmsford Super Kings CC, who currently rent a pitch from the cricket club locally in Writtle and have been seeking a long-term "home" site." In the context of the growing local demand from clubs such as Chelmsford Super Kings, and the increase in demand that will be created from this development and other significant residential developments within the city, the ECB would advocate the inclusion of a fine turf square (with a supporting all weather wicket) within the playing fields provided on-site (with an irrigation system built in), so that senior cricket can be played at the site. An all weather wicket (also known as a non turf pitch) would only be suitable for

some junior matches and training. It would not be suitable for adult cricket matches. The ECB would not therefore support just an all weather wicket being provided as currently proposed. A fine turf square would require a minimum of 9 grass wickets in addition to a non-turf pitch to provide sufficient capacity for matches and training requirements. The square and outfield construction would need to be in full accordance with ECB TS4 guidance following a specification provided by a fine turf consultant. In addition, the pavilion will be expected to meet the ECB's TS5 pavilion guidance, including key principles such as accessibility to and a visual connection to the cricket pitch. The ECB would also advocate the inclusion of a non-turf net practice facility in accordance with ECB TS6 guidance for training purposes, and storage for grounds equipment to allow the square and outfield to be maintained.

In view of the above feedback from the governing bodies, Sport England would advocate that the sports ground is designed to future proof the accommodation of a full size 3G artificial grass pitch to allow the full football needs arising from the development to be met e.g. through extending the sports ground to the north. Sport England would also share the ECB's view that the cricket pitch should be designed as a 9 wicket fine turf square with a supporting non-turf pitch that accords with ECB design guidance rather than just a non-turf pitch because this would be more responsive to local needs. A section 106 agreement should therefore make specific provision for the sports ground to include a 9 wicket fine turf square (with irrigation system built-in) with a supporting non-turf pitch that accords with ECB design guidance as well as two full size 11v11 football pitches therefore to provide clarity about what would be expected to be included in a reserved matters application.

Location & Accessibility: The location of the sports ground within the development is broadly welcomed as it would be readily accessible from the residential areas and would in close proximity to the local centre and primary school. Attention will need to be given at reserved matters stage to ensure that the sports ground can be accessed directly from the proposed road network to allow access by away teams and officials without creating residential amenity issues associated with traffic and parking at peak times of use. Attention will also need to be given to cycle and pedestrian access to the sports ground from across the whole development to help ensure that the facility can easily be accessed by active travel modes to reduce car use within the development and promote active forms of travel to the facility.

Ancillary Facilities: The principle of providing a community centre that would provide the pavilion facilities to support the sports ground is welcomed. However, it should be noted that siting the facility to the north east of the sports ground as currently proposed is not ideal from a cricket perspective because the view of the cricket pitch for spectators from the pavilion will be directly into the afternoon sun. There will also need to be a visual connection between the pavilion and the sports pitches especially to support cricket use. The community centre/pavilion should therefore be integrated into the sports ground and should not be separated by fencing or other constraints. While active travel to the site is encouraged, provision will need to be made for adequate car parking to support the use of the sports ground in recognition that a large proportion of users will not reside locally (i.e. away teams and officials in particular) It is requested that a schedule of the minimum facilities which the pavilion must provide should be included in a section 106 agreement to avoid potential disputes between the applicant and the local planning authority over the scope of facilities that need to be provided at reserved matters stage given the costs associated with delivery of the required pavilion facilities. The minimum level of car parking to support the sports ground should also be included in a section 106 agreement. The design and layout of the pavilion facilities will be expected to accord with Sport England's Clubhouses design guidance <https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/clubhouses>, the Football Foundation's Changing Accommodation guidance and the ECB's Pavilions and Clubhouses guidance <https://www.ecb.co.uk/be-involved/club-support/club-facility-management>

Detailed Matters: Planning Obligations and Conditions: A range of matters will need to be addressed at the reserved matter stage to help ensure that the detailed planning, design and layout of the sports ground provided is acceptable in practice. Securing these matters through an outline planning permission is required to ensure that the matters raised above are satisfactorily addressed in practice including consideration of whether the actual facilities proposed are responsive to local community needs at the time, whether the design and layout is fit for purpose and whether appropriate and sustainable facility management is in place. Sport England has model planning conditions that can assist the Council in this regard which are on our website at https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport?section=playing_fields_policy. It is requested that the following matters be addressed:

Submission and approval of the design and layout of the sports ground if not required as part of a wider reserved matters requirement - see condition 9a of model conditions schedule;

Submission and approval of a sports pitch feasibility study and construction specification for the natural turf playing fields to ensure that the construction and design of natural turf playing pitches is fit for purpose - see condition 10a of model conditions schedule;;

Submission and approval of the design and layout of the pavilion/community centre, car parking and other ancillary facilities proposed to support the use of the sports ground - see condition 9a of model conditions schedule;

Securing in a section 106 agreement, details of agreed management and maintenance arrangements for the sports ground including details of long term facility maintenance contributions;

Indoor Sports Provision

As acknowledged in the Environmental Statement (paragraph 7.82) the development does not provide for the additional indoor sports facility needs that it generates and therefore it will have an adverse effect on existing indoor facilities due to increasing demand for such provision. While reference is made to the primary school potentially providing a sports hall that could be accessed by the community, unless a significantly enhanced specification is proposed, a conventional primary school would only usually provide a school hall that meets the DfE's BB103 guidance. While such halls may be suitable for activities such as dance and fitness they would not be conventional sports halls that are suitable for the majority of the most popular indoor sports played by the community such as badminton, netball and basketball.

As indoor sports facilities are strategic facilities that serve large populations and as the population generated by the proposed development in isolation would not be sufficient to justify the provision of a conventional facility on-site (see below Sports Facility Calculator figures), it is considered that off-site provision in the form of a financial contribution secured through CIL or a planning obligation towards the provision or improvement of off-site facilities would be the most suitable form of provision on this occasion.

Sport England's established Sports Facilities Calculator (SFC) <https://www.sportengland.org/facilities-and-planning/planning-for-sport/planning-tools-and-guidance/>.

can help to provide an indication of the likely demand that will be generated by a development for certain facility types. The SFC indicates that a population of 2,120 in Chelmsford City will generate a demand for 0.15 sports halls (£379,007), 0.10 swimming pools (£405,818) and 0.02 rinks of an indoor bowls centres (£58,565). The attached WORD document provides more detail of the calculations. Consideration should be given by the Council to using the figures from the Sports Facility Calculator for informing the level of a financial contribution if a planning obligation is secured. Further details of the Sports Facilities Calculator are available on our website at <https://www.sportengland.org/facilities-and-planning/planning-for-sport/planning-tools-and-guidance/>.

Conclusion on Sports Facility Provision

As there are a number of matters that require consideration and addressing as requested above before the application is determined, an objection is made to the planning application in its current form. However, I would be willing to withdraw this objection in due course if the above advice is considered and positive proposals are made to address the matters through the planning application or planning obligation/condition requirements.

Primary School

The proposed primary school would be expected to provide some sport and recreation facilities for meeting educational needs that could also be used by the community outside of school hours such as the playing field and the school hall. While these facilities are principally for school use and would be designed for primary school aged children and should not be considered as a substitute for dedicated community facilities, they would offer potential to complement provision made for dedicated community sports facility provision. It has been noted from the Planning Statement that the facilities would be intended to be made available for community use when not in school use which is welcomed.

While there is limited detail of what would be provided on the school site, to ensure that the school's facilities are secured for community use in practice, I would request that any planning permission makes provision for securing the community use of the sports facilities provided on the school site. A formal community use agreement would be the appropriate mechanism for securing community use. Without a formal community use agreement being secured there would be no certainty that the facilities would be accessible to the community in practice after they have been built. Model condition 16 from our model planning conditions schedule should be used as a basis for securing this through planning permissions. Any planning permission should also make provision for full details of the design and layout of the school sports facilities to be submitted as part of reserved matters.

Active Design

Sport England, in conjunction with Public Health England, has produced 'Active Design' (October 2015) <https://www.sportengland.org/facilities-planning/active-design/>, a guide to planning new developments that create the right environment to help people get more active. The guidance sets out ten key principles for ensuring new developments incorporate opportunities for people to take part in sport and physical activity. The Active Design principles are aimed at contributing towards the Government's desire for the planning system to promote healthy communities through good urban design which is consistent with section 8 of the NPPF. Sport England commends the use of the guidance in the master planning process for new residential developments. It should also be noted that the latest version of the Essex Design Guide (February 2018) <https://www.essexdesignguide.co.uk/> has embedded the Active Design principles into guide.

I have noted that the applicant has positively considered comments made by Sport England during the preparation of the masterplan that was prepared in advance of this application being submitted in relation to Active Design considerations. In general terms, the masterplan for the scheme demonstrates an attractive and accessible landscape with housing and supporting infrastructure and the layout is permeable and well connected to the existing urban area and infrastructure. The development is also set within landscaped buffers providing a pleasant transition between the site and surrounding countryside whilst also providing opportunities for amenity and recreation. I would make the following comments on specific active design themes:

Opportunities for Active Travel: A key feature for active travel is the connection into the wider Chelmsford cycle network where national cycle route 1 runs to the south of the site and provides car free access to Chelmsford and the railway station. The proposals connect into this network at the southeast corner of the site and there are further cycle connections on the eastern boundary to the existing settlement. This should be highlighted with wayfinding signage in the detailed design and within the residential travel packs. The development has been designed to maintain the existing footpath alignment whilst providing further connectivity with alternative pedestrian and cyclist

routes through the buffer landscaping areas. Areas of higher density and mixed use are at the centre of the site, with development applying good urban design principles, such as a hierarchy of streets, block sizing, back to back relationships and well overlooked streets with landscaping, footpaths and public realm providing a walkable connected layout. There is a wide range of sustainable transport options including public transport. It is good to see additional support to encourage sustainable transport within the travel plan. Features such as cycle parking for each property, a mobility hub at the neighbourhood centre, travel information packs and bicycle maintenance and training vouchers demonstrate activity promotion. It is requested that such infrastructure is included within the detailed design of the non-residential areas of the site with cycle storage, showers and lockers provided to incentivise cycling to work. The detailed proposals include a southern cycle link through to Avon Road which provides good connectivity to the allotments and connection to the neighbouring areas.

However, there appears to be a lack of a clear cycle connection between the primary cycle access route at the site entrance and the southern cycle link to Avon Road. This should be reviewed as a complete cycle connection would prevent cyclists from needing to join the spine road and cycle for this short section. The connectivity of the circular footpath in phase 1A should also be reviewed to make the connections across the proposed spine road more attractive and direct. At present, the footpath on the east side of the residential area joins the footpath than runs along the main Roxwell Road and there is no obvious crossing place of the proposed spine road to join up with the circular footpath on the west side of the development. Furthermore the circular footpath to the west does not directly join the spine road. There is a concern that this design may break the continuity of the circular route and deter users from using the route in its entirety due to a lack of visibility and concerns over how to cross the spine road.

Active Environments: It is positive to see the co-location of uses included within the development meaning site users have access to a range of facilities and services within walking distance, such as the school, neighbourhood centre and sports facilities. Opportunities for formal physical activity are provided with sport and leisure facilities, play spaces, recreational routes. Informal physical activities are also provided with recreational routes, areas of landscaping including the woodland blocks, ecology parks and green infrastructure. The significant amount of open space proposed in the development which is in close proximity to the residential areas is welcomed. The east-west green corridor through the centre of the site which links the principal open spaces is particularly welcomed as this integrates the open spaces with the community facilities and allows good connectivity between all of the open spaces for pedestrians and cyclists. The circular footpath around the periphery of the site is supported as this would encourage walking and cycling around the development for leisure purposes and the positive relationship of the footpath to the principal green spaces is welcomed and the connections with existing footpaths that link to the surrounding countryside.

At the reserved matters stage, attention should be given to the design of the footpath so that it is suitable for a range of users e.g. adequate seating to support use by the elderly, waymarking to support walking from the footpath to the countryside and distance markers and the provision of informal exercise equipment. In the detailed proposals for the landscape strategy for phase 1A, the footpath that is proposed along the boundary of the residential area adjoining the attenuation ponds is welcomed. However, it is requested that consideration be given to providing a footpath along the eastern side of the ponds to allow a circular walk around the ponds for all potential users;

In conclusion, the proposals suggest that the infrastructure appears to be in proposed to enable active lifestyles, however it is requested that the additional suggestions made above considered and incorporated into the detailed design. We would also request that Active Design is considered through the maintenance and management proposals for the open spaces that would expect to be secured through a planning obligation. It would be welcomed if active travel options are promoted in residents welcome packs to encourage walking and cycling.

The Active Design guidance includes a checklist that can be applied to developments and it is recommended that the checklist is used in the preparation of subsequent reserved matters planning applications for the outstanding individual phases to ensure that opportunities for encouraging active lifestyles have been fully explored in the planning and design of the development. It is also requested that a planning condition be imposed requiring the submission and approval of details to demonstrate how the reserved matters applications have considered Active Design principles. Sport England would welcome discussions with the applicant in due course to provide further advice on how Active Design can be considered in the detailed proposals.

We would recommend that this scheme applies for the Livewell Development Accreditation as it aligns with many of the key health and wellbeing principles and the scheme would present an opportunity for wider recognition. The details on the Livewell process and information on how to sign up can be found here: <https://www.essexdesignguide.co.uk/supplementary-guidance/livewell-development-accreditation/>.

Sport England would be happy to provide further advice to the applicant or how opportunities for maximising physical activity opportunities can be incorporated into the development through consideration of Active Design.

I hope that these comments can be given full consideration when a decision is made. I would be happy to discuss the response with the local planning authority and/or the applicant as the determination of the application progresses. Please contact me if you have any queries

13.05.2024

I can advise that Sport England has no comments to make on the amended plans submission. Sport England's position on the application therefore remains as set out in our original response to the consultation dated 15th September 2021 i.e. an objection is made to the proposals for community sports facility provision to meet the needs of the proposed residential development.

Reference is made in the applicant's covering letter (dated 28th March 2024) to a draft section 106 agreement and an updated Infrastructure Delivery Scheme being prepared. Sport England would welcome consultation on these documents when they are available as they may be relevant in relation to addressing the comments made in our original response.

- Anglia Water - no objection, capacity available.

ASSETS

Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement.

Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Chelmsford Water Recycling Centre that will have available capacity for these flows

Planning Report

Section 3 - Used Water Network

This response has been based on the following submitted documents: dwg. 41939/2002/001 B. The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. (1) INFORMATIVE - Notification of intention to connect to the public sewer under

S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. (2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

INFORMATIVE – Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be reconsulted to ensure that an effective surface water drainage strategy is prepared and implemented. If the developer wishes Anglian Water to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed. We would recommend the applicant contact us at the earliest opportunity to discuss their SuDS design via a Pre-Planning Strategic Enquiry. The Lead Local Flood Authority (LLFA) are a statutory consultee for all major development and should be consulted as early as possible to ensure the proposed drainage system meets with minimum operational standards and is beneficial for all concerned organisations and individuals. We

WEB
03FCOM

promote the use of SuDS as a sustainable and natural way of controlling surface water run-off. We please find below our SuDS website link for further information.

<https://www.anglianwater.co.uk/developers/drainage-services/sustainable-drainage-systems/>

26.04.2024

We have reviewed the submitted documents and we can confirm we have no additional comments to add to our previous response PLN-0130172.

- ECC Growth and Development – request for conditions on green infrastructure and minerals; request for education contributions.
- ECC Historic Environment – recommend conditions for trial-trenching and open area excavation.

There are some cropmarks within the area which comprise some undated pits and ditches and a possible Bronze Age round barrow. A cropmark of a probable prehistoric enclosure lies just to the north of the area. It is possible that there may be further archaeological features surviving within this area.

RECOMMENDATION: An Archaeological Programme of Trial Trenching followed by Open Area Excavation of significant deposits identified

1. No development or preliminary groundworks shall commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has previously been submitted by the applicant, and approved by the planning authority.
2. A mitigation strategy detailing the excavation/preservation strategy for any archaeological deposits shall be submitted to the local planning authority following the completion of this work.
3. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been previously approved by the local planning authority in consultation with its historic environment advisors.
4. The applicant shall submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

The Council should inform the applicant of the archaeological recommendation and its financial implications. An archaeological brief will be produced from this office detailing the work required on request.

- Writtle Parish Council - submission of several responses following initial plans and amendments. Parish Council note that previous comments remain relevant.
- Latest plans – object to increase in number of units for Phase 1A related to lack of services; absence of internal bus route; absence of on-site play area/s or other play features; amendments to ‘village green’ area in centre of scheme has reduced its community/environmental value; welcome amendments to Centenary Way (provided suitably lit).

- Previous comments summarised as concerns predominantly related to layout, sustainability, dwelling types, dwelling design, heritage, affordable housing, access and highways, landscaping, CIL.
- Layout - minimal detail on phasing of housing and infrastructure (and thereby service provision), unit number raises concerns over sustainability; Development lacks a locally distinctive character or historical theme; Concerns regarding access to the TSP site; The current layout/planned usage of the recreational area is unsupported; Location of the community centre/pavilion is not suitable; Seek planning obligation to secure a schedule of the minimum facilities to be provided in the community centre/pavilion and the minimum level of car parking; Shorter lanes rather than boulevards are considered a little too stylised and formal in form. The proposed road leading north raises concerns for possible future development; Welcome the level of green areas although there needs to be specific improvement as follows-
 - i) Dwellings too close to rear of car wash/Enterprise car rental, providing poor outlook and amenity, not supporting the separation spacing originally planned.
 - ii) The separation between the Centenary Circle footpath and development is insufficient, lacks regard for the footpath that travels SW/NE to join with the junction of Lordship Road and Roxwell Road.
 - iii) Location of Play areas should be revised.
 - iv) Better planting/screening for cycleway/footpath south of Roxwell Road.
- Sustainability: More detail required on types of construction, water /energy saving measures and drainage.
- Dwelling types - scale too regular to represent a village environment; request for greater number of single storey development; self build homes not identified and some should be included in earlier phase; lower height dwellings would aid skyline variety; site entrance adversely impacts character and appearance of area; significant planting for dwellings required to assimilate it into the countryside gap.
- Design of Dwellings: Design of individual properties is generally high, although appears to be a lack of black horizontal weatherboarding that is prevalent in the village. Character of the built form does not currently meet the higher expectations of the NPPF 2021, designs are insufficiently varied with little reference to established development in the parish, more composite forms and less regular layout more appropriate; Would have been more sensitive to the local area if names of dwelling types had been labelled relating to local areas of Essex; New lighting will impact the area/no lighting strategy to accommodate safety/low energy and biodiversity concerns in Phase 1 site.
- Frontage properties (off eastern roundabout) - design comment submitted regarding site frontage redesign
- Heritage: The Geophysical site survey results are not in the public domain, although no objection from ECCs Historic section, this is based on limited information supplied. Strongly consider the established historical significance of Writtle Parish should be acknowledged, strengthened and not subsumed by this development. Two non-designated assets, New barns farm and Warren Malthouse, to the south, shows landscaping performing sufficient screening from the new development, this should be taken through in final proposal.
- Affordable housing: No reference to affordable housing in the more detailed element; Elsewhere it says provision will be subject to the burden of obligations and their impact on viability which is not in line with the NPPF 2021 or Local Plan; Insufficient detail on affordable housing aspect within the 177 units, essential this element is in the first phase; Should be more mobility dwellings and should be included in first phase.

- Access and Highways: Seek reduction in speed beyond that of the A1060 and into the City Centre. Impacts of increased traffic to Ongar Road, The Green and Lodge/Margaretting Roads for the 177 units, let alone projected overall 885 units; Measures included are acknowledged, query over weight limit to bridge; If scheme approved, a condition specifying the route for construction traffic should be issued to avoid use of the village, especially Lordship Road.

Shortcomings of the proposal are as follows: -

1. No mitigation planned for village; request for permanent enforcement cameras.
2. 20 mph speeds though the village green area should be implemented as part of mitigation.
3. Lack of regard for the narrow bridge on Lordship Road and its capacity.
4. Clarification required regarding upgrading of the footpath on the western side of Lordship Road.
5. Request for Village Gateway Sign at the Chelmsford/Writtle Parish boundary.

Lack of detail of cycle routes and surfacing within the site; Footpath linking development south to Roxwell Road needs consideration; All roads on the development should be 20mph; Independent and up to date surveys should be undertaken; The measures planned should be expanded and a programme of works that engages these prior to occupation of the first phase and an agreement that these works are to be funded solely by the developer.

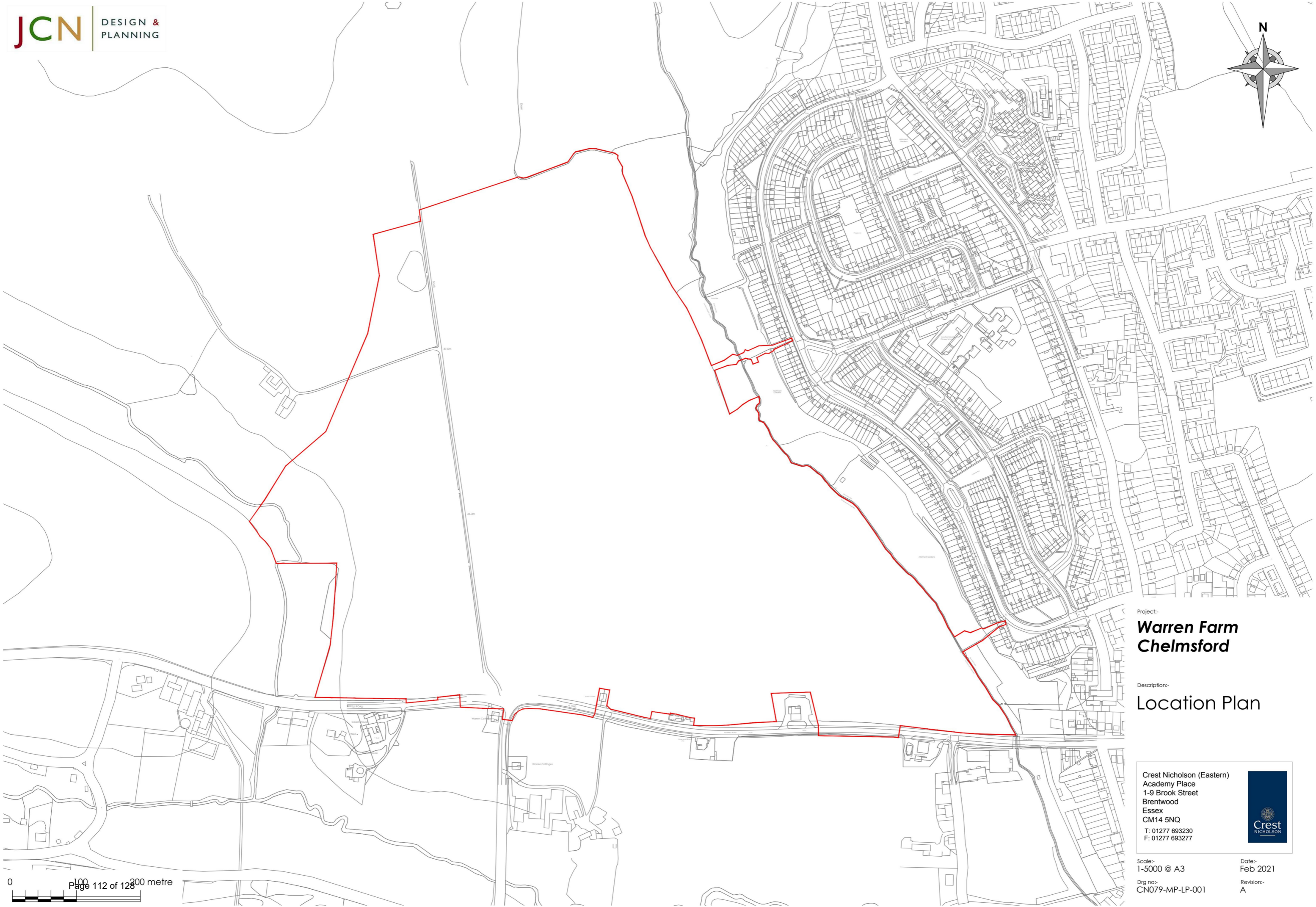
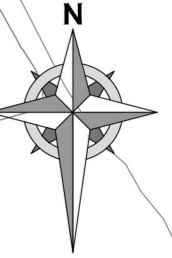
- Landscaping - level of green areas should have greater purpose; limited use if drainage swales or ponds; potential for green roofs; absence of tree planting on secondary routes; note policy requirement for +1000 trees, with request for bolder landscaping; request for wider range of landscaping available to improve biodiversity.
- CIL - request clarification on phasing of development in order to plan projects related to Warren Farm
- Chignal Parish Council – concerns over traffic increase on local road; routing of construction traffic; impact on oversubscribed local healthcare facilities; concern over visibility, landscape impact and light pollution on the rural area to the north and west of the site.
- Good Easter Parish Council - concerns over increased traffic congestion on the A1060, concerns over capacity of Writtle Surgery.
- Cycling Action Group - request conditions and financial contributions.

September 2021

1. Access junctions, crossing points and offsite works need amending to comply with LTN 1/20 and to provide safe, continuous, attractive cyclist routes, including to Hylands School.
2. There should be a condition that cyclist routes including offsite are completed before first occupation of houses.
3. The proposed Roxwell Road/Chignal Road junction scheme needs amending to include improvements to facilitate cyclists using the junction and crossing e.g. to Beachs Drive to connect to cyclist routes to school and city centre.
4. Beeches Road needs a scheme to make it more acceptable as a cyclist route for schoolchildren.
5. The Design and Access statement that 'the footway on the eastern side of Lordship Road will be widened (to between 1.5 and 2.0 metres) to enable pedestrians and cyclists to travel to National Cycle Route 1' needs amending to comply with LTN 1/20.

May 2024

1. There should be a condition or agreement for financial contribution for a scheme to alleviate flooding on Lawford Lane near the junction with National Cycle Route 1. That route is part of the developer's proposed cyclist/pedestrian route to Hylands School. It is blocked by flooding on 2-3 days per month during rainy periods (photo available).
 2. Lordship Road, being a narrow 40mph road, is intimidating and risky for most cyclists. The use of a 1.5m to 2m footway on the eastern side for 2-way cycling is not acceptable. Neither of those options are compliant with Local Transport Note LTN 1/20
 3. Beeches Road needs a scheme to make it more acceptable as a cyclist route for schoolchildren.
 4. The proposed Roxwell Road/Chignal Road junction scheme needs amending to include improvements to facilitate cyclists using the junction and crossing e.g. to Beachs Drive to connect to cyclist routes to school and city centre.
 5. There should be a condition that provision is made for charging electric bicycles.
 6. There should be a condition that all cycle routes should be usable by cargo bikes.
 7. There should be a condition for implementation of cycle direction signage to agreed key destinations.
 8. There should be a condition that cycle routes are well-lit. Routes should not be located where there will be opposition to them being lit.
 9. There should be a condition that cycleways should be segregated from pedestrians for the safety and convenience of all users, including those of impaired hearing or vision. As specified in Local Transport Note 1/20, cycles must be treated as vehicles, not pedestrians.
 10. There should be a condition that offsite and onsite cycle routes shall be made available before first occupation of development (to facilitate and maximise the habit of active travel from the outset).
- Showmen's Guild of Great Britain London and Home Counties – welcoming of provision but object to detailing of location and access, request for trees to be retained, request for formalised ownership transfer and site management by Guild.
 - Ramblers Association – no objection, note some discrepancies in documents



Project:-
**Warren Farm
Chelmsford**

Description:-
Location Plan

Crest Nicholson (Eastern)
Academy Place
1-9 Brook Street
Brentwood
Essex
CM14 5NQ
T: 01277 693230
F: 01277 693277



Scale:-
1-5000 @ A3
Drg no:-
CN079-MP-LP-001

Date:-
Feb 2021
Revision:-
A



NOTES:
 Report all discrepancies, errors and omissions.
 Verify all dimensions on site before commencing any work on site or preparing shop drawings.
 All materials, components and workmanship are to comply with the relevant British Standards, Codes of Practice, and appropriate manufacturers recommendations that from time to time shall apply.
 For all specialist work, see relevant drawings.
 This drawing and design are copyright of Clague LLP
 Registration number OC335948.

Rev	Date	Description
D1	22.03.2024	First Issue
D2	13.05.2024	Cycle path width increased to 3.7m for fire access route only.
R1	06.06.2024	M4(2) parking added, plots 47, 50, 66, 74, 99, 124, 174, 232, 242, 265 roof plan updated.
R2	22.07.2024	Updated highways following further tracking and FOG incorporated within parking court adjacent to plots 35 & 37. Plots 220 & 256 tenure change.
R3	29.07.2024	Updated materials and setting out to site frontage plots 278 - 285. All house 3.5 Affordable now M4(2).
R4	14.08.2024	Footprints updated for Future Homes Standards
R5	13.09.2024	Highways Updates
R6	23.09.2024	Minor updates to garden areas, amended location of M4(3) units and handing of Plot 263 & 264
R7	26.09.2024	Main spine road traffic calming updated

COVERAGE AREAS		
Private Area	-	7.4ha
Affordable Area	-	2.4ha
Combined Areas	-	9.8ha

Project Title
**Proposed Residential Development,
 Land at Warren Farm, Chelmsford**

Drawing Description
Proposed Site Plan Layout

Scale
1:1000 @ A1

Drawn by
JJH/EM

Date
March 2024

Checked by
TWM

CLAGUE ARCHITECTS

62 Burgate, Canterbury
 Kent CT1 2BH 01227 762060

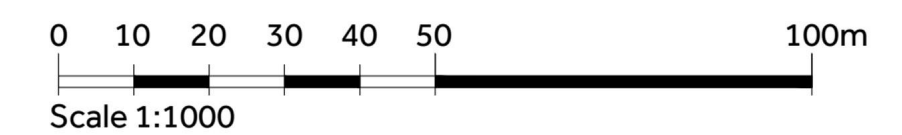
1 Kinsbourne Court, Luton Road,
 Harpenden, Hertfordshire AL5 3BL 01582 765102

8, Disney Street
 London SE1 1JF 0203 597 6112

CANTERBURY LONDON HARPENDEN

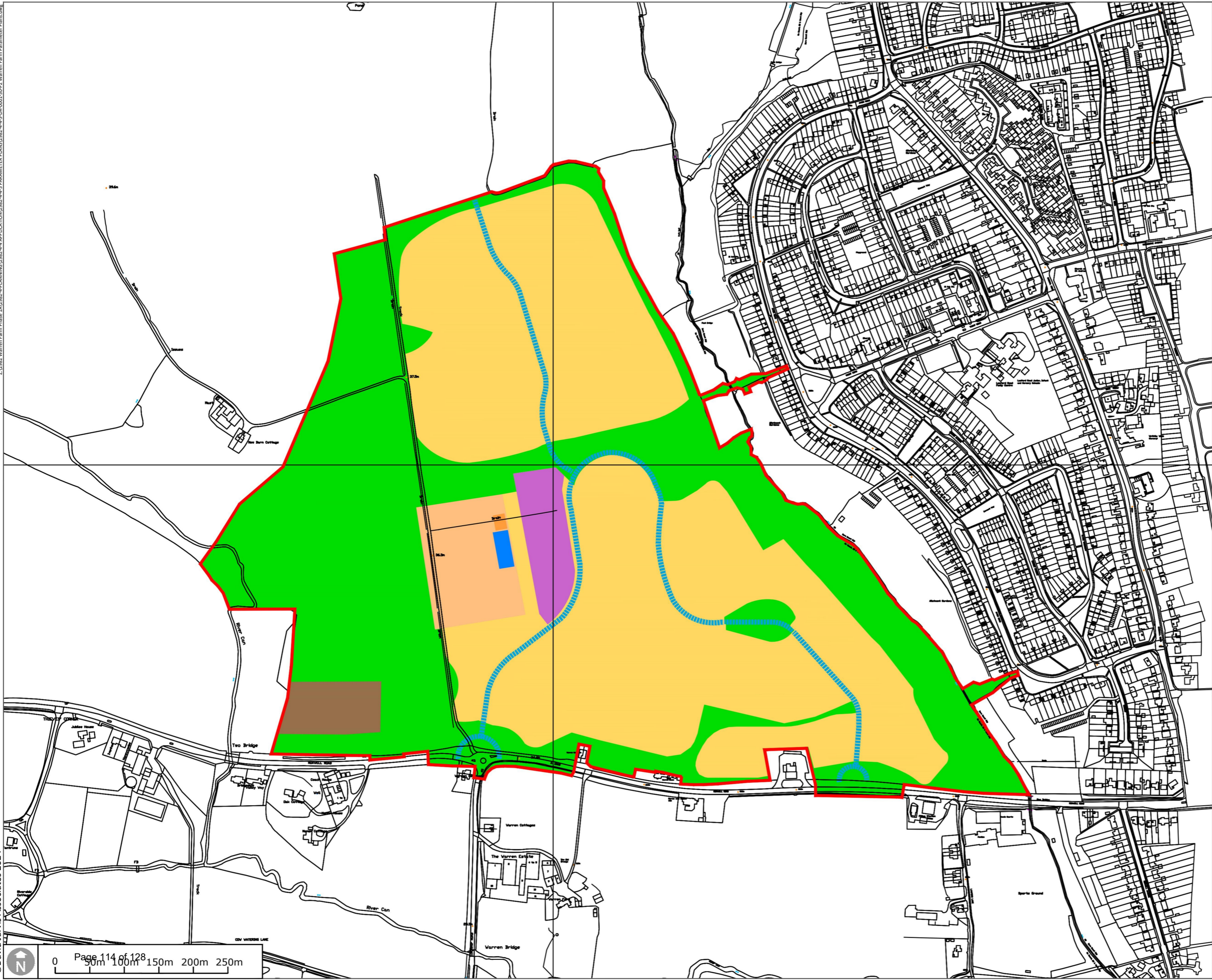
Drawing Number
29713B_10

Revision
R7

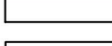
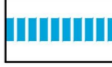





Z:\2982 Warren Farm Phase 1A\2982-4-PLANNING\2982-4-4-5 PARAMETER PLANS\2982-4-4-5-DR-0001-50-P2 Warren Farm Parameter Plans.dwg

©David Jarvis Associates 2024



KEY

-  Boundary:
-  Application Site
-  Primary Roads
-  Primary School
-  Built Development
-  Neighbourhood Centre
-  Travelling Showpersons
-  Green Space

Status **PLANNING**

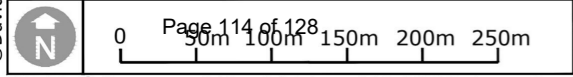
DAVID JARVIS ASSOCIATES
DAVID JARVIS ASSOCIATES LIMITED
 1 Tennyson Street Swindon Wiltshire SN1 5DT
 t: 01793 612173
 e: mail@davidjarvis.biz
 w: www.davidjarvis.biz

Client
CREST NICHOLSON EASTERN

Project
WARREN FARM, CHELMSFORD

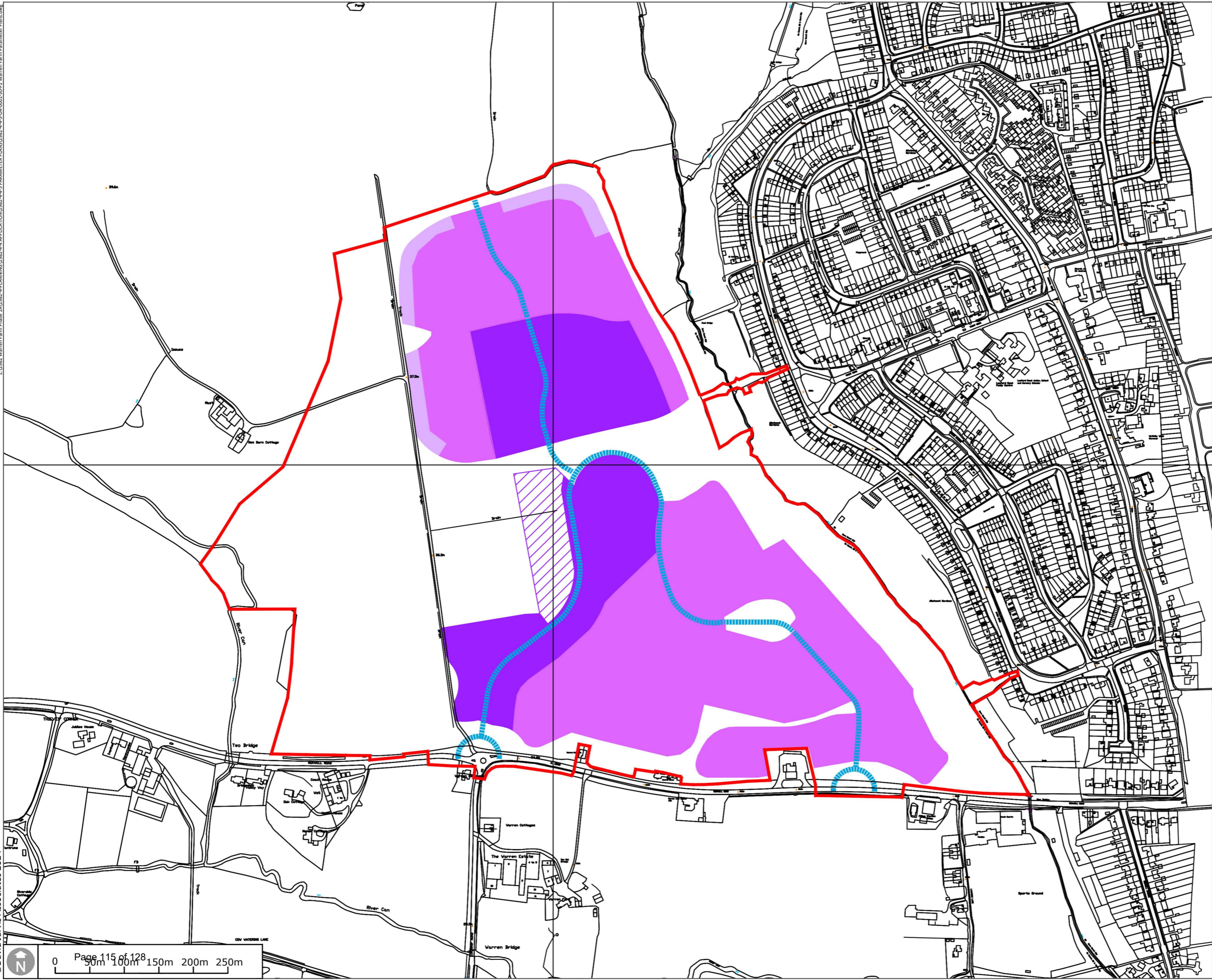
Drawing Title
PARAMETER PLAN - LAND USE

Scale 1:5000	Sheet Size A3	Date Plotted 27/03/2024
Client Ref. -	Drawing Ref. 2982-4-4-5	Drawing No. DR-0001
		Version S5-P2



Z:\2982 Warren Farm Phase 1A\2982-4-PLANNING\2982-4-4-5 PARAMETER PLANS\2982-4-4-5-DR-0001-S0-P2 Warren Farm Parameter Plans.dwg

©David Jarvis Associates 2024



KEY

- Boundary:
- Application Site
- Primary Roads
- Residential - Medium high density (30-33)
- Residential - Medium density (25-32dph)
- Residential - Low medium density (24-26dph)
- Neighborhood Center and car parking

Status **PLANNING**

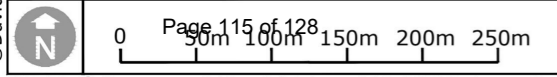
DAVID JARVIS ASSOCIATES
DAVID JARVIS ASSOCIATES LIMITED
 1 Tennyson Street Swindon Wiltshire SN1 5DT
 t: 01793 612173
 e: mail@davidjarvis.biz
 w: www.davidjarvis.biz

Client
CREST NICHOLSON EASTERN

Project
WARREN FARM, CHELMSFORD

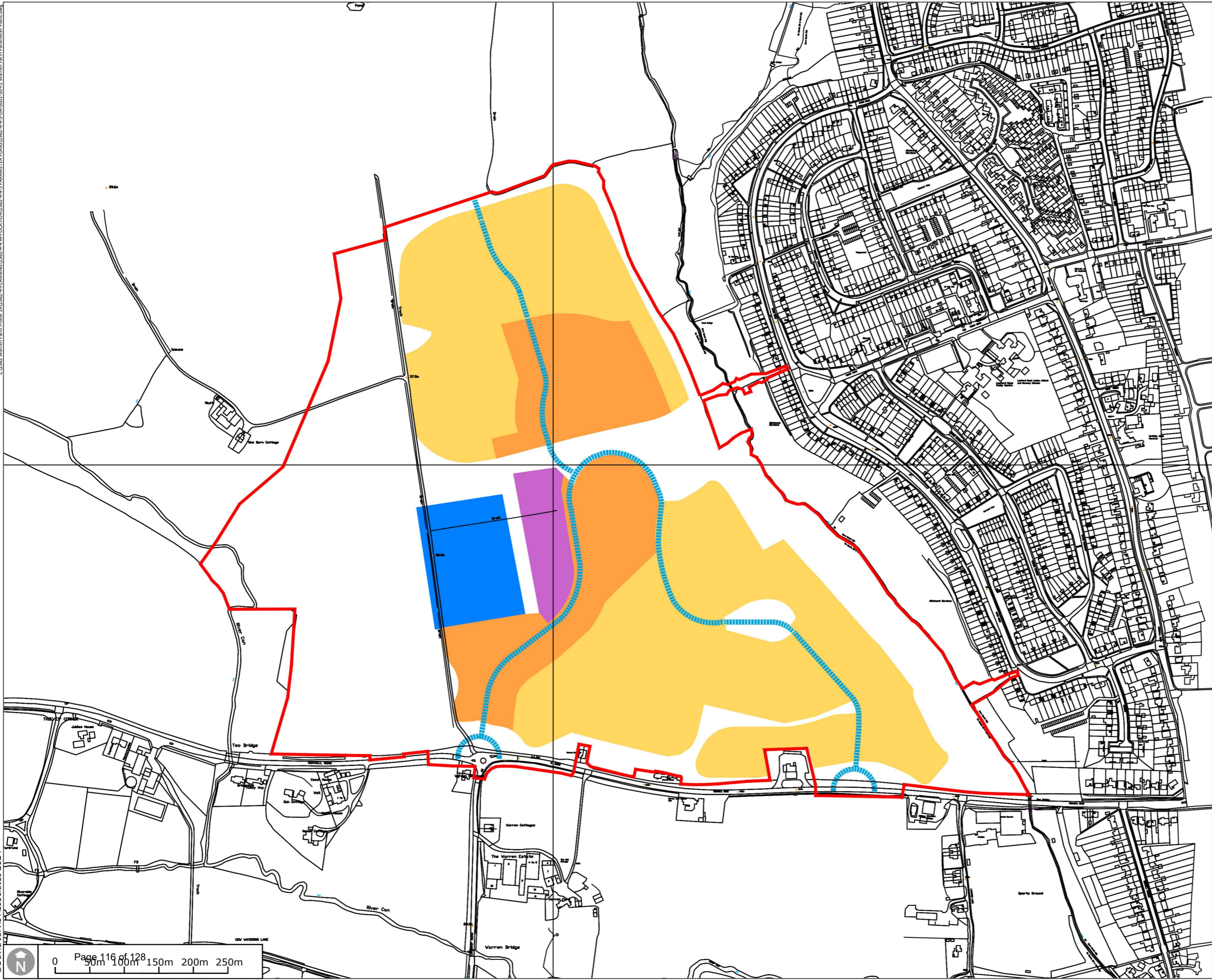
Drawing Title
PARAMETER PLAN - DENSITY

Scale 1:5000	Sheet Size A3	Date Plotted 27/03/2024
Client Ref. -	Drawing Ref. 2982-4-4-5	Drawing No. DR-0002
		Version S5-P2



Z:\2982 Warren Farm Phase 1A\2982-4-PLANNING\2982-4-4-5-PARAMETER PLANS\2982-4-4-5-DR-0001-S0-P2 Warren Farm Parameter Plans.dwg

©David Jarvis Associates 2024



KEY

- Boundary: Application Site
- Primary Roads
- Residential - up to 2.5 storeys
- Residential - Up to 3 storeys
- Neighbourhood centre mixed use - Up to 4 storeys
- Primary School buildings up to 3 storeys

Status **PLANNING**

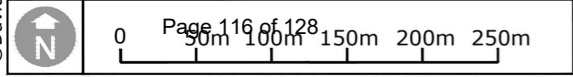
DAVID JARVIS ASSOCIATES
DAVID JARVIS ASSOCIATES LIMITED
 1 Tennyson Street Swindon Wiltshire SN1 5DT
 t: 01793 612173
 e: mail@davidjarvis.biz
 w: www.davidjarvis.biz

Client **CREST NICHOLSON EASTERN**

Project **WARREN FARM, CHELMSFORD**

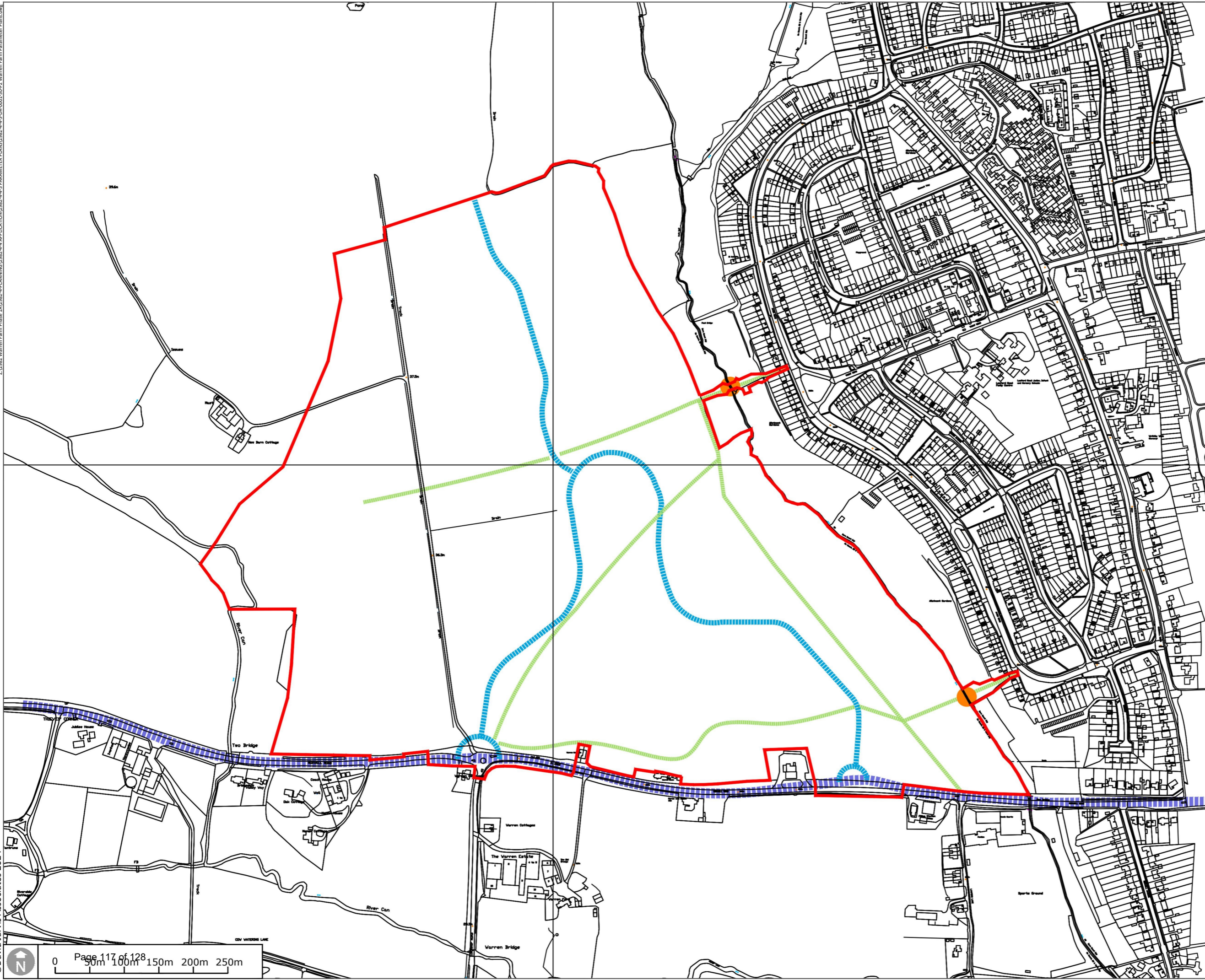
Drawing Title **PARAMETER PLAN - HEIGHTS**

Scale 1:5000	Sheet Size A3	Date Plotted 27/03/2024
Client Ref. -	Drawing Ref. 2982-4-4-5	Drawing No. DR-0003
		Version S5-P2



Z:\2982 Warren Farm Phase 1A\2982-4-PLANNING\2982-4-4-5-PARAMETER PLANS\2982-4-4-5-DR-0001-50-P2 Warren Farm Parameter Plans.dwg

©David Jarvis Associates 2024



KEY

- Boundary: Application Site
- Primary Roads
- Roxwell Road frontage
- Foot / Cycle Routes
- Foot / Cycle Bridges

Status **PLANNING**

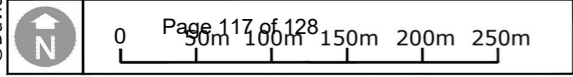
DAVID JARVIS ASSOCIATES
DAVID JARVIS ASSOCIATES LIMITED
 1 Tennyson Street Swindon Wiltshire SN1 5DT
 t: 01793 612173
 e: mail@davidjarvis.biz
 w: www.davidjarvis.biz

Client **CREST NICHOLSON EASTERN**

Project **WARREN FARM, CHELMSFORD**

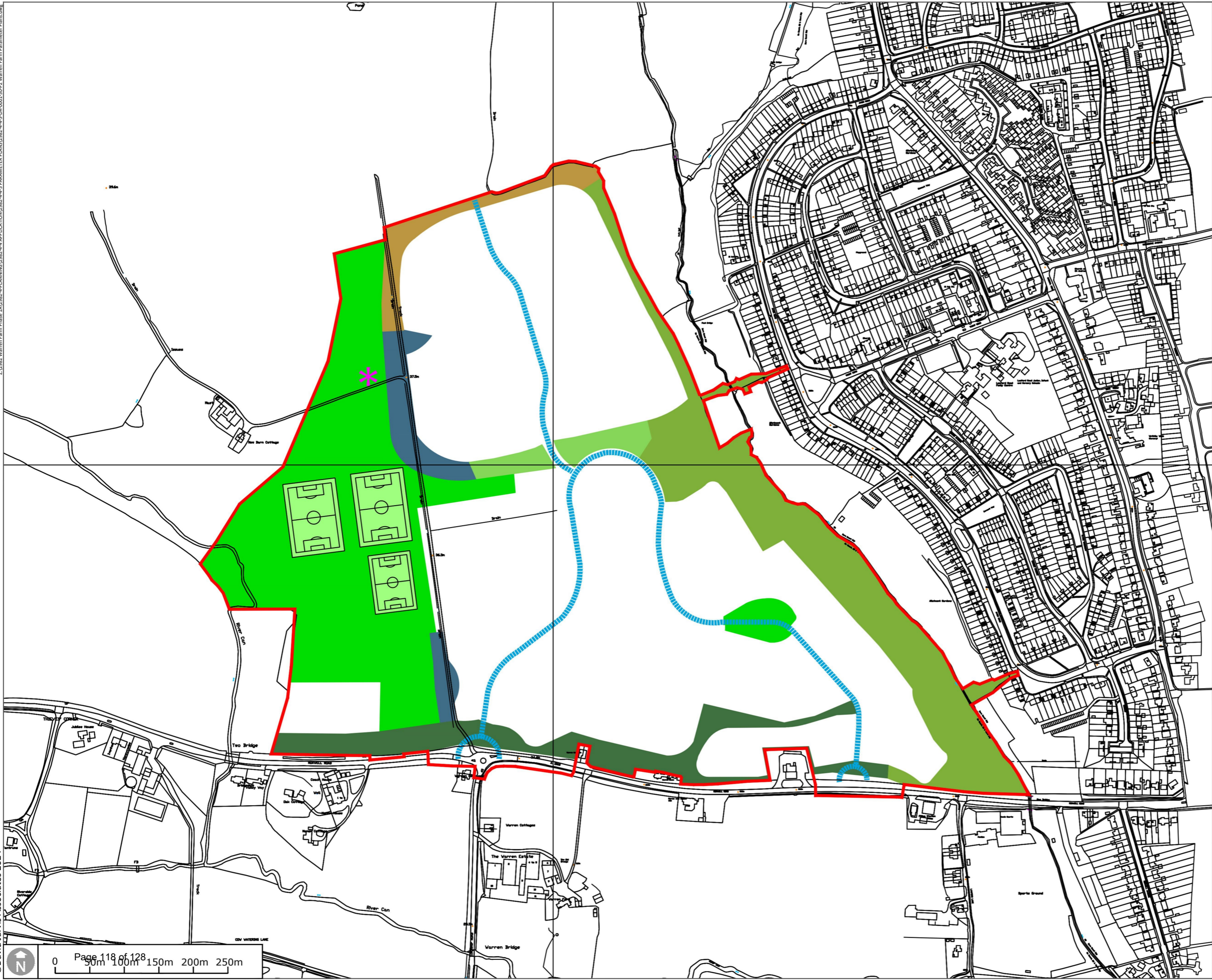
Drawing Title **PARAMETER PLAN - ACCESS AND MOVEMENT**

Scale 1:5000	Sheet Size A3	Date Plotted 27/03/2024
Client Ref. -	Drawing Ref. 2982-4-4-5	Drawing No. DR-0004
		Version S5-P2



Z:\2982 Warren Farm Phase 1A\2982-4-PLANNING\2982-4-4-5 PARAMETER PLANS\2982-4-4-5-DR-0001-50-P2 Warren Farm Parameter Plans.dwg

©David Jarvis Associates 2024



KEY

- Boundary: Application Site
- Primary Roads
- Sports Pitches
- Play Areas
- Green Edge
- Roxwell Road Edge
- Green Ways
- Parkland Edge
- Countryside Edge
- Green Spaces

Status **PLANNING**

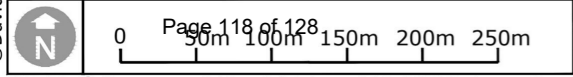
DAVID JARVIS ASSOCIATES
DAVID JARVIS ASSOCIATES LIMITED
 1 Tennyson Street Swindon Wiltshire SN1 5DT
 t: 01793 612173
 e: mail@davidjarvis.biz
 w: www.davidjarvis.biz

Client **CREST NICHOLSON EASTERN**

Project **WARREN FARM, CHELMSFORD**

Drawing Title **PARAMETER PLAN - GREEN INFRASTRUCTURE**

Scale 1:5000	Sheet Size A3	Date Plotted 27/03/2024
Client Ref. -	Drawing Ref. 2982-4-4-5	Drawing No. DR-0005
		Version S5-P2



Appeal Decisions received between 01/09/2024 and 15/11/2024

PLANNING APPEALS

Total Appeal Decisions Received	30	
Dismissed	23	77%
Allowed	7	23%
Split	0	0%

Public Inquiry

Land South East Of Roselawn Farm Main Road Broomfield Chelmsford

Reference	23/01487/FUL
Proposal	Retrospective application for change of use of land to Showmen's Permanent Quarters
Appeal Decision	Appeal Allowed - 15/11/2024
Key Themes	Green Wedge; landscape harm; Intentional Unauthorised Development; planning balance; supply of Travelling Showpeople plots; personal circumstances; temporary permission.
Agreed with CCC on	The proposal represents urban sprawl, settlement coalescence, and harm to the character and appearance of the area. The proposal conflicts with Policies S1, S11, DM3, DM10, DM17, and the development plan read as a whole. The intentional unauthorised development carries significant weight against the proposal. The Neighbourhood Plan carries weight (albeit limited). Permanent planning permission is unacceptable. Even if allowed as a temporary permission, a full suite of mitigation conditions should be imposed relating to drainage, archaeology, contamination, and biodiversity).
Disagreed with CCC on	The Council cannot demonstrate an adequate 5-year supply of Travelling Showpeople sites (and therefore significant weight is attached to a temporary grant of planning permission). The proposal does not conflict with relevant policies of the Neighbourhood Plan. There are no other available sites for the Appellants to move to. Material considerations indicate that planning permission should be granted on a personal, temporary basis.
Costs Decision	None

Written Reps

Broadgates Barn The Street Roxwell Chelmsford CM1 4PA

Reference	21/02394/CLEUD
Proposal	The development and residential use for what permission was granted under planning permission 97/06068/FUL and listed building consent 97/06069/LBC dated the 24th november 1997 be certified as lawful and lawful use.
Appeal Decision	Appeal Dismissed - 03/10/2024
Key Themes	Implementation of historic permission; capability of conversion; preciseness and clarity of evidence; balance of probability.
Agreed with CCC on	Permission not implemented; building not capable of being converted; refusal is well-founded.
Disagreed with CCC on	N/a
Costs Decision	None

Land At Lodge Road Bicknacre Chelmsford Essex

Reference	22/01754/OUT
Proposal	Outline application for the construction of 18 affordable dwellings with public childrens play area and habitat creation. Access and layout being sought. Appearance, landscaping and scale reserved matters.
Appeal Decision	Appeal Dismissed - 10/09/2024
Key Themes	Local Housing Need, Design, Heritage, Trees and Protected Nature Sites
Agreed with CCC on	Local Housing Need not demonstrated, poor design and impact on rural area, heritage impact
Disagreed with CCC on	Impact on trees, impact on protected nature sites (UU signed for RAMS signed during appeal)
Costs Decision	None

Land Adjacent Daylands Farm Stock Road West Hanningfield Chelmsford Essex

Reference	22/02008/FUL
Proposal	Construction of a new dwelling with car port.
Appeal Decision	Appeal Dismissed - 21/10/2024
Key Themes	Whether inappropriate in GB; Do Very Special Circumstances exist
Agreed with CCC on	Not PDL & is inappropriate development; no VSC exist
Disagreed with CCC on	
Costs Decision	Council's application for costs: Costs refused

Communication Hub Adjacent 27 Duke Street Chelmsford Essex

Reference	23/01397/FUL
Proposal	The installation of a multifunctional communication hub with integral defibrillator and the display of an advertisement.
Appeal Decision	Appeal Dismissed - 11/10/2024

Key Themes	Effect on character and appearance of the area, highway safety
Agreed with CCC on	Blocks pedestrian visibility splays , harmful to highway safety
Disagreed with CCC on	
Costs Decision	None
Key Themes	Effect on character and appearance of the area, highway safety
Agreed with CCC on	Harmful impact on street scene
Disagreed with CCC on	
Costs Decision	None

Communication Hub Adjacent 27 Duke Street Chelmsford Essex

Reference	23/01398/ADV
Proposal	Lead Case: Installation of 1 internally illuminated digital lcd display screen.Linked Case: The installation of a multifunctional communication hub with integral defibrillator and the display of an advertisement.
Appeal Decision	Appeal Dismissed - 11/10/2024
Key Themes	
Agreed with CCC on	
Disagreed with CCC on	
Costs Decision	None

Communication Hub Adjacent 25-27 Exchange Way Chelmsford Essex

Reference	23/01399/FUL
Proposal	Installation of a multifunctional communication hub with integral defibrillator and the display of an advertisement
Appeal Decision	Appeal Dismissed - 25/10/2024
Key Themes	Effect on Central Conservation Area; setting of nearby listed buildings; highway safety; amenity
Agreed with CCC on	Harmful incongruous hub; harmful to charcater of the area including the conservation area; not perseve setting of nearby listed buildings
Disagreed with CCC on	Harmful impact on visually impared pedestrians
Costs Decision	None

Communication Hub Adjacent 19-21 Springfield Road Chelmsford

Reference	23/01403/FUL
Proposal	Installation of a multifunctional communication hub with integral defibrillator and the display of an advertisement
Appeal Decision	Appeal Allowed - 08/10/2024
Key Themes	
Agreed with CCC on	
Disagreed with CCC on	
Costs Decision	None

Communication Hub Adjacent 19-21 Springfield Road Chelmsford

Reference	23/01404/ADV
Proposal	Lead Case: Installation of 1 internally illuminated digital lcd display screen.Linked Case: Installation of a multifunctional communication hub with integral defibrillator and the display of an advertisement
Appeal Decision	Appeal Allowed - 08/10/2024

Key Themes	Impact on street scene, pedestrian safety
Agreed with CCC on	
Disagreed with CCC on	pedestrian safety
Costs Decision	None
Key Themes	Impact on street scene, pedestrian safety
Agreed with CCC on	
Disagreed with CCC on	Impact on street scene
Costs Decision	None

Land South West Of 13 Moulsham Street Chelmsford

Reference	23/01405/FUL
Proposal	The installation of a freestanding hub with integral defibrillator and the display of an advertisement
Appeal Decision	Appeal Dismissed - 07/10/2024
Key Themes	
Agreed with CCC on	
Disagreed with CCC on	
Costs Decision	None

Land South West Of 13 Moulsham Street Chelmsford

Reference	23/01406/ADV
Proposal	Installation of free standing illuminated LCD display screen
Appeal Decision	Appeal Dismissed - 07/10/2024
Key Themes	Impact on amenity - heritage assets, pedestrian safety
Agreed with CCC on	Impact on amenity - heritage assets
Disagreed with CCC on	Impact on pedestrian safety
Costs Decision	Council's application for costs: Costs refused

Communication Hub Adjacent 48 High Street Chelmsford

Reference	23/01426/FUL
Proposal	The installation of a multifunctional communication hub with integral defibrillator and the display of an advertisement
Appeal Decision	Appeal Dismissed - 11/10/2024
Key Themes	
Agreed with CCC on	
Disagreed with CCC on	
Costs Decision	None

Communication Hub Adjacent 48 High Street Chelmsford

Reference	23/01427/ADV
Proposal	Installation of 1 internally illuminated digital lcd display screen.
Appeal Decision	Appeal Dismissed - 11/10/2024
Key Themes	Amenity; heritage impact
Agreed with CCC on	Amenity harm, heritage harm
Disagreed with CCC on	
Costs Decision	None

The Oaks Wantz Road Margaretting Ingatestone Essex CM4 0EP

Reference	23/01528/FUL
Proposal	Retrospective application for existing wall and entrance gate
Appeal Decision	Appeal Allowed - 08/10/2024
Key Themes	Whether the development in each appeal constitutes inappropriate development inside the Green Belt, effect upon openness and character and appearance of the surrounding area.
Agreed with CCC on	The replacement boundary treatment has a greater impact on openness of the Green Belt than the existing development. Development is at odds with DM6 and SP11 of the local plan.
Disagreed with CCC on	The boundary treatments would not have a materially harmful effect on the character and appearance of the surroundings including natural and local environment. LP Policies DM17 would be met. Inspector disagreed that there would not be very special circumstances to overcome the harm of the boundary treatments on the Green Belt.
Costs Decision	None

Site At 116 Maldon Road Danbury Chelmsford

Reference	23/00682/FUL
Proposal	Demolition of existing residential dwelling. Proposed four dwellings with associated car parking and private amenity space. Widening of existing access.
Appeal Decision	Appeal Dismissed - 06/09/2024
Key Themes	- the effect of the proposal on the living conditions of occupiers of neighbouring properties, with particular regard to privacy, overshadowing and outlook for the occupiers of Hyde House;- whether the proposal would provide satisfactory provision for the storage and collection of waste;- the effect of the proposal on biodiversity net gain and protected species, with particular regard to badgers and great crested newts; and- the effect of the proposal on the character and appearance of the area.
Agreed with CCC on	- Plot 2 house will result in overlooking of Hyde House;- The refuse collection vehicle would be unable to safely enter, turn and exit the site in a forward gear;
Disagreed with CCC on	- the proposal would ensure that the ecological value of the site would be preserved and that satisfactory on-site BNG would be achieved. No conflict therefore arises with Policy DM16;- the proposal would not cause harm to the character and appearance of the area.
Costs Decision	Council's application for costs: Costs refused Appellant's application for costs: Costs refused

19 Broomhall Road Broomfield Chelmsford Essex CM1 7HB

Reference	23/01352/FUL
Proposal	Retrospective application for the use of garden outbuilding as a beauty salon.
Appeal Decision	Appeal Dismissed - 15/10/2024

Key Themes	
Agreed with CCC on	- Residential character of the area means that any non-residential use has the potential to disproportionately affect the living conditions of nearby occupiers, particularly though activity associated with vehicle movements and general comings and goings.- Increasing hours on Saturday would significantly reduce the period of respite- Reduced hours at weekdays would not mitigate the adverse effects of increased hours during quieter periods.- Potential benefits presented by the appellant would not outweigh the identified harm- Fail to safeguard nearby occupiers from noise and disturbance associated with business use, resulting in harm to their living conditions
Disagreed with CCC on	
Costs Decision	None

The Oaks Wantz Road Margaretting Ingatestone CM4 0EP

Reference	23/01839/CLOPUD
Proposal	Certificate of Lawfulness for the positioning of 3 no. containers (domestic storage) on land at The Oaks, Wantz Road, Margaretting, CM4 0EP
Appeal Decision	Appeal Allowed - 08/10/2024
Key Themes	Whether the containers subject of the certificate constitute a building with regards to Class E Part 1 of the Town and Country Planning (General Permitted Development) Order 2015Whether the containers are located within the residential curtilage of The Oaks.Whether the containers are reasonable are genuinely and reasonably required or necessary for a purpose incidental to the enjoyment of the dwellinghouse.
Agreed with CCC on	Did not agree with the Council on any matters.
Disagreed with CCC on	Disagreed with the Council that the development would constitute a change in use of the land. Disagreed with the Council that the development would be outside the Curtilage. Disagreed with the Council that Planning Permission would be required.
Costs Decision	None

1 Joseph Clibbon Drive Chelmsford Garden Community Chelmsford CM1 6AS

Reference	20/01519/DOC/1
Proposal	Condition 5 - Privacy Screens
Appeal Decision	Appeal Dismissed - 09/10/2024
Key Themes	The main issue is whether the submitted details address the requirements of condition No 5.
Agreed with CCC on	No sufficient details provided to satisfy the requirements of condition 5.
Disagreed with CCC on	none
Costs Decision	None

Hippodrome Barn Goatsmoor Lane Stock Ingatestone Essex CM4 9RS

Reference	23/00721/FUL
Proposal	Retrospective application for the change of use and conversion of an agricultural storage building to a home office.
Appeal Decision	Appeal Dismissed - 31/10/2024
Key Themes	Openness of the Green Belt; Any Very Special Circumstances (VSC)
Agreed with CCC on	Inappropriate Development; No VSC
Disagreed with CCC on	
Costs Decision	None

The Oaks Wantz Road Margaretting Ingatestone CM4 0EP

Reference	23/01844/FUL
Proposal	Change of use from a stable building to a residential dwelling falling within class C3. Alterations to the driveway and parking area
Appeal Decision	Appeal Dismissed - 08/10/2024
Key Themes	main issues are as follows: Whether the development constitutes inappropriate development inside the Green Belt, The effect upon openness and character and appearance of the surrounding area. The effect on living conditions of future occupiers.
Agreed with CCC on	Inspector agreed with the Council that the proposed conversion of the stable to a dwelling would be harmful to the openness of the Green Belt. The inspector viewed that The proposal would erode the open aspect of this part of the Green Belt and represent encroachment, which is a serious planning objection.
Disagreed with CCC on	Disagreed with the Council that the development would be harmful to the character and appearance of the area. Also disagreed with the Council that the development would harm the living amenities of future occupiers.
Costs Decision	None

Land East Of Riddens Croft West Hanningfield Road Great Baddow Chelmsford

Reference	23/01169/FUL
Proposal	Demolition of existing dwelling and livery buildings and erection of 3x three bedroom bungalows with amenity space.
Appeal Decision	Appeal Dismissed - 01/11/2024
Key Themes	- whether the proposed development would be inappropriate development in the Green Belt;- whether the proposed development would result in an unacceptable loss of an existing community facility;- whether the proposed development would provide a suitable site for housing, having regard to local policy and the proximity of services and sustainable modes of transport;- whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.
Agreed with CCC on	- the proposed development would constitute inappropriate development in the Green Belt - no very special circumstances exist to outweigh the harm to the Green Belt- the loss of the community facility was not justified - the proposed new housing would be in unsustainable location, contrary to the Local Plan objectives
Disagreed with CCC on	- nothing
Costs Decision	None

Land Rear Of 21 To 23A Broomhall Road Broomfield Chelmsford Essex CM1 7HB

Reference	23/01254/FUL
Proposal	Demolition of Nissen hut. Proposed New Dwelling.
Appeal Decision	Appeal Dismissed - 15/10/2024

Key Themes	
Agreed with CCC on	Activity resulting from development harmful to amenity of neighbouring occupiers of HMO
Disagreed with CCC on	
Costs Decision	None
Key Themes	
Agreed with CCC on	Backland development is out of character with the area
Disagreed with CCC on	
Costs Decision	None

Land North Of Hilltops Southend Road Sandon Chelmsford Essex

Reference	23/01680/OUT
Proposal	Outline application for the construction of two detached dwellings. Access and layout being sought. All other matters reserved.
Appeal Decision	Appeal Dismissed - 28/10/2024
Key Themes	Whether infill in a village in the Green Belt
Agreed with CCC on	Site is within a village but site is not a small gap in a built up frontage. Development is inappropriate development and is harmful to opennessNo very special circumstances exist to justify the development
Disagreed with CCC on	The site being an accessible location
Costs Decision	None

210 Baddow Road Great Baddow Chelmsford CM2 9QR

Reference	23/01975/FUL
Proposal	Demolition of garage and construction of detached dwelling with changes to access
Appeal Decision	Appeal Dismissed - 24/10/2024
Key Themes	
Agreed with CCC on	- Mansard and undercroft would be visible from Baddow Road. The undercroft would appear contrived and not befit the otherwise traditional design of the existing and proposed dwellings. The mansard roof would relate poorly to and be visually incoherent with the roof of the main part of the dwelling, which would feature a front facing hipped roof with a gabled double storey projection.- No comparable mansard roofs with front dormers on the existing housing fronting the highway. Side projection would include features that are not reflective of the prevailing character and appearance of the area as perceived from the highway.- Harm the character and appearance of the site and the surrounding area conflicting with Policy DM23 and Section 12 of the Framework
Disagreed with CCC on	
Costs Decision	None

Householder

Communication Hub Adjacent 25-27 Exchange Way Chelmsford Essex

Reference	23/01400/ADV
Proposal	Installation of 1 internally illuminated digital lcd display screen
Appeal Decision	Appeal Dismissed - 25/10/2024
Key Themes	
Agreed with CCC on	
Disagreed with CCC on	
Costs Decision	None

2 Brick Cottages Runwell Road Runwell Wickford Essex SS11 7QF

Reference	23/01865/FUL
Proposal	First floor side and rear extension over existing projection and alterations to fenestration
Appeal Decision	Appeal Allowed - 24/10/2024
Key Themes	Whether inappropriate development in the green belt
Agreed with CCC on	
Disagreed with CCC on	The level of additional visual bulk created by the extension and the harm that would have on the openness of the Green Belt
Costs Decision	None

16 Linge Avenue Chelmsford Garden Community Chelmsford CM1 6BY

Reference	24/00072/FUL
Proposal	Retrospective application for the conversion of the garage and approval of the internal layout changes and new window
Appeal Decision	Appeal Allowed - 07/10/2024
Key Themes	Chelmsford Garden Community off street parking, Essex Parking Standards
Agreed with CCC on	
Disagreed with CCC on	Amount of useable parking spaces to the front of the dwelling
Costs Decision	None

14 Ongar Road Writtle Chelmsford CM1 3NU

Reference	24/00450/FUL
Proposal	Retrospective application for the retention of fence to northeastern boundary and formation of new access.
Appeal Decision	Appeal Dismissed - 08/10/2024
Key Themes	Impact on non designated heritage asset, impact on preserved tree, highway safety
Agreed with CCC on	Impact on heritage asset
Disagreed with CCC on	Impact on preserved tree
Costs Decision	None
Key Themes	Impact on non designated heritage asset, impact on preserved tree, highway safety
Agreed with CCC on	Impact on highway safety
Disagreed with CCC on	Impact on preserved tree
Costs Decision	None

1 Joseph Clibbon Drive Chelmsford Garden Community Chelmsford CM1 6AS

Reference	24/00352/FUL
Proposal	Proposed soft landscaping and proposed parking space with hard standing and fence.
Appeal Decision	Appeal Dismissed - 13/09/2024
Key Themes	The effect of the proposal on the character and appearance of the area
Agreed with CCC on	Agreed with the Council that the development would harm the character and appearance of the area.
Disagreed with CCC on	Did not disagree with the Council on any particular points.
Costs Decision	None

Reference	24/00583/FUL
Proposal	Proposed Garage Conversion and Relocated Front Car Parking Space
Appeal Decision	Appeal Dismissed - 04/10/2024
Key Themes	Harm to the character and appearance of the street scene, lead to on-street parking
Agreed with CCC on	Harm to the character and appearance of the street scene
Disagreed with CCC on	Potential increase in on street parking
Costs Decision	None