



Planning Committee
4th February 2025

Application No	:	21/02490/OUT Outline Application
Location	:	Banters Field Main Road Great Leighs Chelmsford Essex
Proposal	:	Application for outline planning permission for the development of an integrated retirement community comprising up to 190 units (C2 use) with all matters reserved except for access
Applicant	:	Great Leighs Estates Limited
Agent	:	-
Date Valid	:	23rd June 2022

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1. Executive summary

- 1.1. This application proposes the development of part of Strategic Growth Site Policy 7b, land east of London Road, known locally as BanTERS Field. The scheme will provide up to 190 specialist residential homes for older persons, which the application confirms will fall within use class C2 (residential institutions). The application is outline with all matters reserved except for access.
- 1.2. The proposal delivers 190 homes for older persons, in addition to a financial contribution towards affordable housing. The Highway Authority consider the proposal will not be detrimental to highway safety, capacity or efficiency. The requirements of the growth site policy are achieved, in so far as they can be for a part development of the allocated site, in a manner consistent with the previously approved masterplan.
- 1.3. 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. Site and context

- 2.1. Within the site policy, the Strategic Site 7 allocations are described as follows:
 - 7a: Great Leighs – Land at Moulsham Hall
 - 7b: Great Leighs – Land East of London Road
 - 7c: Great Leighs – Land North and South of BanTERS Lane
 - 7d: Great Leighs – Land East of Main Road
- 2.2. The allocation sites are generally located to the west, north and east of Great Leighs village. The largest allocation site is 7a and is located northwest of the village. 7b is located north of the existing village envelope. 7c adjoins the south side of 7b and crosses BanTERS Lane southwards. 7c is split by BanTERS Lane, with the larger segment being to its south. 7d is effectively an extension of the existing village and all houses built following the grant of planning permission in 2016. See Policy Map extract for Great Leighs at Appendix 2.
- 2.3. The application site is roughly 6.2 hectares of relatively flat agricultural land to the east of London Road, north of Great Leighs, known as BanTERS Field. Intermittent trees run along the front edge of the site. The application site forms the northern portion of the field allocated under 7b. The red line application site also contains a narrow strip of land to the west of London Road which runs to Moulsham Hall Lane, to include drainage works.
- 2.4. To the south of London Road is the junction with Main Road, which leads into Great Leighs village and onto a roundabout which provides access onto the A131 and Moulsham Hall Lane. To the west, is a narrow field which sits between London Road and the A131. Beyond the A131 to the west sits Chelmsford City Racecourse. The field and the Racecourse are designated as a Special Policy Area within the Rural Area. To the north is Bushy Wood, an Ancient Woodland, designated as a Local Wildlife Site. The boundary between the Council and Braintree District Council runs along the northern edge of Bushy Wood. To the east, is an agricultural field.

3. Details of the proposal

- 3.1. The application is submitted in outline for the development of an integrated retirement community comprising up to 190 units (use class C2 – residential institutions). All matters are reserved except access.

- 3.2. As access is not reserved, details are included for the entry point into the site which is roughly in the centre of the site frontage with London Road. A pedestrian footway and cycleway is proposed at the front of the site, set back behind the existing frontage hedge.
- 3.3. Further highway works are proposed within the blue edged land to connect the proposed pedestrian and cycleway to Great Leighs village, speed control measures, Toucan crossing, bus stop, improvements to the junctions with Main Road and the roundabout with A131, and an access into the southern portion of Banters field. These works beyond the red line application site do not form part of the proposal to be considered, however this application seeks to secure the land to deliver the scheme through the legal agreement.
- 3.4. An indicative layout is provided indicating how an integrated retirement community of up to 190 units could be achieved on site. It takes the form of numerous separate blocks accompanied by parking courts, with a 'community hub building' located roughly centrally.

4. Other relevant applications

- 4.1. The below lists applications relevant applications to Sites 7a, b & c, with a short explanatory note.

Adjacent site to the north west

21/02475/FUL – resolution to approve subject to legal agreement

Provision of 5 fully serviced travelling showperson plots each containing a workshop for maintenance/storage, space for large vehicles and siting of 10 static and touring caravans. Formation of access points along London Road. Ancillary development including electricity substation, pumping station, drainage works, bin stores, fire point structures, fencing and landscaping.

- 4.2. Planning application for five travelling showperson plots situated on a strip of land between A131 and London Road. This application was presented to Committee in April 2024. The Committee resolved that the application be approved, subject to legal agreement.

Strategic Growth Site 7b

21/02491/FUL – pending consideration

Proposed infrastructure for the location and design of the various junctions to serve the proposed development on Banters Field. Works to London Road to provide a new footpath/cycle way.

- 4.3. This application includes works to London Road and within the southern segment of 7b to detail works for a proposed cycleway and footway. The details are currently being finalised.

Strategic Growth Site 7 – Great Leighs

22/00002/MAS - approved 14 March 2023

- 4.4. The masterplan was subject to negotiation and revision. The substantive points to evolve from its consideration through two separate Policy Board meetings, and directly relevant to Site 7b, were the inclusion of highway improvements at the London Rd / Main Rd junction, provision of cycle / pedestrian routing along Main Road, and acceptance of the location for the Travelling Showperson Site outside of the allocation site within a parcel of land opposite Site 7b.
- 4.5. The approved masterplan is a material planning consideration in the determination of the planning application.

Strategic Growth Site 7a

23/01583/FUL & OUT – pending consideration

Hybrid planning application for EIA (Environmental Impact Assessment) development to include:

- 1. Outline application with all matters reserved for residential development of up to 750 homes (Use Class C3) including affordable and self/custom-build homes; a Neighbourhood Centre comprising commercial, business and service (Use Class E) of which the anchor retail store is not more than 500 sqm (GIA); medical services (Use Class E(e)), a children's nursery (Use Class E(f)) and a residential care home (Use Class C2) of up to 80 beds; a new primary school (Use Class F1) with co-located early years and childcare facility; landscaping works, provision of strategic and local open space; biodiversity enhancements, all associated highways infrastructure, pedestrian, cycle, PROW and bridleway routes; drainage infrastructure and all associated ancillary works including services and utilities.*
- 2. Full application for the principal means of vehicular access to the site, on site highways works, surface water attenuation basins and associated ancillary works including services and utilities.*

- 4.6. Hybrid planning application submitted for EIA (Environmental Impact Assessment) development, currently pending consideration. It represents the substantive parcel of the Growth Site in terms of scale of development and infrastructure.

Strategic Growth Site 7a

23/01769/FUL - pending consideration

Construction of spine road and formation of new road access junction with associated realignment of Moulsham Hall Lane to serve future development at Strategic Growth Site 7a (Land at Moulsham Hall), including provision for cyclists, pedestrians and equestrians, and all associated highways infrastructure works including drainage features, lighting and landscaping.

- 4.7. Planning permission sought for construction of spine road and formation of new road access junction with associated realignment of Moulsham Hall Lane to serve future development at Strategic Growth Site 7a (Land at Moulsham Hall). The application would effectively act as a separate standalone permission to the main hybrid application, in theory facilitating earlier commencement on site if approved.

Strategic Growth Site 7c

23/01637/FUL – pending consideration

Application for Full Planning Permission for the construction of 8no. dwellings (Use Class C3), access, car parking, landscaping and associated works.

- 4.8. Planning permission is sought for residential development on a small segment of 7c which sits to the south side of Banters Lane. Pending consideration following submission of amended plans.

Strategic Growth Site 7c

24/00695/FUL – pending consideration

Construction of 105 residential dwellings including affordable housing and custom build housing (Use Class C3) and principal means of site access, provision of resident's and visitor car parking, open space including children's play space, a new shared pedestrian/cycle route, enhancements to existing routes, hard and soft landscaping, highways works, new drainage basin, and all associated infrastructure works.

- 4.9. Planning permission sought for the largest element of Strategic Growth Site 7c. Application is pending consideration following submission of amended plans.

5. Summary of consultations

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

- Essex Police - welcome the opportunity for further consultation.
- ECC Development and Flood Risk, Waste & Environment - no objection, subject to conditions.
- NHS Mid and South Essex ICB – no response.
- Essex Fire and Rescue - issue raised with dead ends in layout, comments on access, Building Regulations, water supplies and sprinkler systems.
- Natural England – query whether RAMS will be applicable
- Sport England – outlined potential contributions
- Anglia Water – currently no capacity at recycling centre, capacity required to be made available by Anglian Water, request for condition.
- ECC Growth and Development – various topic comments
- ECC Minerals – previous holding objection withdrawn
- ECC Historic Environment – recommend conditions for trial-trenching and open area excavation.
- Public Health and Protection Services – no objection subject to compliance with internal noise levels

5.2. No public representations were received on the planning application.

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 7b

- 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 7b – Land East of London Road. This site policy requires the following amount and type of development:

- Around 250 new specialist residential homes for older persons
 - Main vehicular access to the site from London Road
 - Pedestrian and cycle connections
 - Well-connected internal road layout
- 6.4. This application follows the approval of a masterplan for the wider site allocation. The development of the masterplan began in 2018 and was brought forward by a consortium of developers, namely Moulsham Hall Estates, Bellway, Redrow / Harrow and Landvest Developments Ltd. Community and technical stakeholder workshops were held in April and May 2022. Public consultation in March 2022 and July 2022 with a further consultation following a revised masterplan in December 2022. The masterplan was considered by Chelmsford Policy Board on 12 January 2023 and then 28 February 2023. The masterplan was approved by Cabinet on 14 March 2023. It is a material planning consideration.
- 6.5. In terms of land use, the proposed development meets the requirements of Strategic Growth Policy 7 (specialist residential for older persons). The applicant has chosen to submit a proposal for C2 use, this was not a requirement of the policy and is not problematic to its acceptability in principle. Although the application is submitted in outline, an illustrative layout plan has been provided to show how the development might be laid out. The merits of the layout are considered later in this report. The land uses are consistent with the approved masterplan, which required a landscape led approach with suitable perimeter buffering and landscaping.
- 6.6. The land was allocated in the Chelmsford Local Plan as part of a strategic growth site, with the intention that the development would be a sustainable extension to the existing settlement of Great Leighs. The principle of the development is acceptable.
- 6.7. The site has been the subject of a detailed masterplan for the whole allocation and the application submission is broadly in accordance with that masterplan. The development therefore contributes to fulfilling the Council's strategic priorities for special housing 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. This mix indicates 33 x one bedroom apartments, 81 x two bedroom apartments, 66 x two bedroom bungalows/cottages and 10 x three bedroom cottages. No four-bedroom properties are proposed. The indicative mix in comparison to the adopted Local Plan mix and the revised mix based on the latest SHNA is shown in the below table.

Dwelling size	Proposed Mix	Adopted LP Mix	SHNA mix
One bed	33 (17.4%)	6.2%	5-10%

Two beds	147 (77.4%)	28%	30 - 35%
Three beds	10 (5.3%)	46.3	35 - 40 %
Four or more	0 (0%)	19.5%	20 - 25%
Total	190	100%	100%

- 6.9. The proposed mix does not reflect the adopted Local Plan mix and those reflected in the latest SHNA. The proposal is for specialist residential homes for older persons, in accordance with the site allocation policy. This type of accommodation would be expected to have a different mix to general market housing, for instance to enable older occupants to be provided with accommodation that requires less maintenance. It would also be anticipated that such occupants are 'downsizing' so it would be unusual to expect an abundance of 3 or 4 bed units. Based on the site allocation, the proposed mix is considered appropriate.
- 6.10. Policy DM1 requires 50% of the total units to be delivered as Accessible or Adaptable dwellings in compliance with Building Regulation M4(2). This can be achieved through planning condition.

Affordable Housing

Context

- 6.11. Policy DM2 requires 35% of developments of 11 or more residential units to be provided as affordable housing. The Council's Planning Obligations SPD (POSPD) sets out the required mix for affordable housing. The reasoned justification for Policy DM2 states that affordable housing is expected to be provided "in kind and on-site".
- 6.12. The proposal would provide self-contained units of accommodation accessed by a front door which only one household can use - it is therefore captured by Policy DM2.
- 6.13. At the time of the submission paragraph 65 of the previous version of the NPPF excluded the requirement for shared ownership within developments providing 'specialist accommodation' (purpose-built accommodation for the elderly, as an example given). Therefore, at the time, under Policy DM2 was seeking an affordable housing provision of 22% (35% minus the 13% home ownership element).
- 6.14. Within the revised NPPF (2024) this paragraph, and reference to exemptions for such development, has been deleted. However, given the presence of a Financial Viability Assessment (FVA) as part of the application the relevance of the NPPF deletion may be considered somewhat academic for reasons discussed below.

Application details and consideration

- 6.15. The application is accompanied by a FVA by Richard Garside of Newsteer, which sets out that the development is unviable in their opinion.
- 6.16. The introduction of new RICS Guidance back in 2019 (updated in March 2021) and changes to both the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG) mean that the Council is now unable to give significant weight to an application-based viability report in most circumstances.

- 6.17. The NPPF and PPG both direct that a viability assessment shall be carried out by the Local Authority through its Local Plan and the Strategic Viability Assessment which must form part of the evidence base for a Local Plan. It is for the applicant to justify, based on tests expressed within the PPG why they consider application-based viability assessment should be given any weight in the application assessment, but those opportunities are limited.
- 6.18. The framework for considering viability through the application process is set out in the PPG (paragraph 007 reference ID 10-007-20190509 and paragraph 008 reference ID 10-008-20190509). This sets out that where up-to-date policies have set out the contributions expected from development, planning applications that fully comply with them should be assumed to be viable. The onus is on the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at application stage. Such circumstances includes where a recession or similar significant economic changes have occurred since the plan was brought into force or where particular types of development are proposed which may significantly vary from standard models of development for sale (for example housing for older people).
- 6.19. Where a viability assessment is submitted to accompany a planning application this should be based upon and refer back to the viability assessment that informed the plan; and the applicant should provide evidence of what has changed since then. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and viability evidence underpinning the plan is up to date, and site circumstances including any changes since the plan was brought into force, and the transparency of assumptions behind evidence submitted as part of the viability assessment.
- 6.20. The Chelmsford Local Plan, together with the viability assessment forming a part of its evidence base went through Examination in Public and was adopted in May 2020 and covers the period 2013-2036. The Council is now reviewing the adopted Local Plan so that the Local Plan will run until 2041. As part of this review the Council commissioned a Viability Update. The Local Plan Viability Update (August 2023) produced by HDH Planning & Development Ltd, comprehensively updates the Local Plan Viability Study Including CIL Viability Review (January 2018) also produced by HDH, considering changes in national policy and in the market and to test the Council's updated policies.
- 6.21. It is the Council's position, that any viability reports submitted need to be based upon and refer to the typologies of development tested and to the standardised inputs used in the Local Plan Viability Update (August 2023). This Update tested Sheltered and Extra-care sectors of older people's housing, and an Integrated Retirement Community (IRC) was also modelled. These were modelled without First Homes due to the nature of the schemes. An allowance of £2,000 per unit was allowed for s106 contributions. Based on this analysis specialist older people's housing schemes are able to bear 35% affordable housing.
- 6.22. The Viability Update Note (November 2024) refers to the information in the 2023 Update and states that the delivery of Sheltered Housing, Extracare Housing and IRCs schemes are all shown as being viable and generating a Residual Value well in excess of the Benchmark Land Value, suggesting that the inclusion of such schemes into larger sites is unlikely to render large sites unviable.
- 6.23. The scheme was submitted prior to the Viability Update and Update Note. The FVA does not utilise standardised inputs referred to in the adopted Local Plan or the Local Plan Viability Update or justify any deviations from the assumptions used in the Local Plan Viability Update

(August 2023). However, the Local Plan Viability Update (August 2023) was not available to the applicant at the time that they were preparing their FVA.

- 6.24. If given the nature of the allocation, for specialist accommodation, the characteristics of such a site would negate the desire for affordable housing to be provided on site then affordable housing could be dealt with through off-site contribution. The Council commissioned an independent Viability Report by Bailey Venning Associates (BVA) to review the applicant's submitted FVA, to consider the content and conclusions reached by Newsteer. This independent report concludes that the site cannot support affordable housing at the policy requirement. However, the outcome of the report established that the scheme would be viable with a contribution of £1.275m.
- 6.25. As the PPG states that the weight to be given to a viability assessment is a matter for the decision maker, it is for the Council to consider whether the conclusions of the independent reports should be given weight.
- 6.26. In this case, the applicant's submission was during a technical recession and our independent review finds that the FVA has clearly demonstrated the scheme is unviable. Given the above, in this instance greater weight should be given to the viability conclusion as it is a more unique circumstance to this development and is not a factor that would likely repeat within these typologies.
- 6.27. The Council faces an unprecedented challenge in meeting the need for affordable housing and schemes not delivering affordable housing units will reasonably be resisted. The Council's assessment in this instance has accepted that this scheme cannot provide affordable housing in the conventional manner. The report has found the scheme to be viable with a financial contribution of £1.275m – this can be secured through legal agreement.

Self-Build and Custom Build and Specialist Residential Housing

- 6.28. 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 Council's self-build and custom build register does not identify a demand specifically for self-build or custom build for older people. As this scheme would provide accommodation for older people in accordance with the Strategic Policy and there is no demand for older people, it would be inappropriate to require self-build or custom build on site for other occupants. Self-build or custom build accommodation will therefore not be sought.
- 6.29. Policy DM1 (c) also requires the provision of specialist residential accommodation, taking account of local housing needs. The scheme provides 100% specialist residential accommodation.

Education

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

Local Plan Strategic Policies: S9, S10; Site Policies: Growth Site Policy 7b; Local Policy: DM20

- 6.30. Given the nature of the site allocation and prospective occupiers, no education contribution is necessary.

Health

Key Strategic Priorities: 5 (strategic infrastructure), 6 (local infrastructure) Local Plan Strategic Policies: S9, S10. Site Policies: Growth Site Policy 7b, Local Policy: DM20

- 6.31. Strategic Growth Site Policy 7b states that ‘healthcare provision’ will be required for community facilities as required by the NHS/ Clinical Commissioning Group (CCG).
- 6.32. The NHS Mid Essex Clinical Commissioning Group (CCG) were consulted on this planning application, however have not responded to date. The formula for healthcare contributions is evident through their consult responses to the 7a and 7c planning applications. A contribution figure has been agreed as part of the heads of terms for the legal agreement based upon the Council’s knowledge of the formula.

Open Space / Sports provision

- 6.33. The design response of the indicative layout (as endorsed by the approved masterplan) insets development from the edges of the site. This serves a practical function for buffering of the woodland to the north but will also aid the policy requirement for a coherent network of open space. The Council’s open space requirements through Policy DM26 are not compromised by the indicative layout; if there were to be a shortfall in the typologies within the Open Space Planning Advice Note (April 2021), the legal agreement will secure a financial contribution in lieu of any shortfall.
- 6.34. The allocation policy seeks provision of or financial contributions to sport, leisure and recreation facilities. Sport England have provided a calculation method for the development, but indicated it would be difficult to justify having regard to average age of prospective residents. This application also represents only part of the allocation site. Officers would seek, through the legal agreement, the community use of any on-site sports facilities such as pool, gym, bowls, for example. A financial contribution is not therefore justified.

Transport

*Key Strategic Priorities: 5 (strategic infrastructure), 6 (local infrastructure)
Local Plan Strategic Policies: S9, S10; Local Policy: DM24*

- 6.35. The NPPF states 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, following mitigation, would be severe, taking into account all reasonable future scenarios“ (paragraph 116).

Access and routes

- 6.36. The Strategic Growth Site Policy for 7b sets out masterplanning principles for movement and access, namely access from London Road, pedestrian and cycle connections and a well-connected internal road layout.
- 6.37. The main vehicular access would be from London Road. It would be a single point of access in order to limit the number of new potential conflict points along the road. Due to the existing national speed limit of the road, the visibility splays are required to be 2.4m x 215m. This is achieved in both directions, with some vegetation loss as described later in the report. The details submitted demonstrate that, subject to conditions, the access would be safe to use and its impact upon the highway network would be an acceptable one.

- 6.38. A comprehensive scheme of highway improvement works for London Road (and Main Road to a lesser degree) has been developed through negotiation on this application and the separate planning application ref 21/02491/FUL. This includes the delivery of new and enhanced walking and cycling facilities, crossing points, bus stops, and a speed management strategy for London Road, all of which will tie into wider improvements in Great Leighs. The improvements scheme will provide connections for active travel to Great Leighs village and towards Great Notley, and the provision of bus infrastructure and services, in the interests of accessibility and sustainability. This application does not detail all of those works but it is integral in securing and delivering both the land required and the infrastructure itself.
- 6.39. The proposed Block Plan shows how the new footway/cycleway route could interact with the vehicular access (which would be fixed by this application). The route would be inset from the site frontage, to its east side, set back from the existing highway. In some circumstances it is possible to widen the existing highway (utilising highway controlled land). This is not feasible in this case on the eastern side of the carriageway – there is no existing footway and the highway boundary does not extend deep enough into the field. A new footway/cycleway (measuring 5m in width) is proposed ‘off-line’ to London Road, which will run roughly parallel southwards towards Main Road, utilising land all in the same ownership. This will effectively enable the remainder of 7b and part of 7c to ‘plug into’ this new infrastructure. More widely it will also benefit the connections to the Travelling Showperson Site (TSP) and the cycle network north towards the Notley roundabout. This planning application shows part of the route within the application site (indicatively) – any future reserved matters will need to conform to that route, if not exactly then in a manner which permits north south movement of pedestrians and cyclists in a reasonable manner. This application, being the first part of 7b to come forward, seeks to secure the route down to Main Road through the legal agreement. A separate planning application will deal with the exact details (ref 21/02491/FUL, details which are still under revision), but this application for the retirement village will secure the land to achieve the route, as it is the first parcel of 7b to come forward.

Transport Modelling

- 6.40. The submitted Transport Assessment is considered robust and the Highway Authority is satisfied that the development will not have a significant or severe impact at this location, or on the wider highway network.

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

- 6.41. The site currently comprises agricultural land. The site is classed as grade 3 (good quality). This would be permanently lost. 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

- 6.42. 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

- 6.43. 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 Special Protection Area and Ramsar site, and the corresponding component of Essex Estuaries Special Area of Conservation (SAC). These sites have national, European and international importance. The Council have carried out an Appropriate Assessment. The Appropriate Assessment concludes that RAMS is deemed applicable to the C2 use and that a Construction Environmental Management Plan (CEMP) would reduce potential effects to a level which is not significant. A financial contribution in accordance with the requirements of the Essex Coast RAMS is to be secured through the s.106 agreement and CEMP secured by planning condition.
- 6.44. The site is 2.3km to the north of the River Ter SSSI and within its Impact Risk Zone. The site is beyond Great Leighs Village and there is no hydrological connectivity in between. The site does not contain similar/connected habitats nor is it required for functionality. It is unlikely that a development of this nature would impact the River Ter.
- 6.45. Bushy Wood Local Wildlife Site (LoWS) is directly to the north. This contains ancient woodland and lowland deciduous woodland, which are irreplaceable/Priority Habitats. No impact is proposed to the wood and suitable buffering has been indicated on the indicative layout in recognition of its status.

Ecology - on site

- 6.46. The Preliminary Ecological Survey (PES) undertook a Phase 1 Habitat Survey. This also included protected/priority species scoping in respect of bats, Great Crested Newts, dormice, otters, water voles, reptiles, birds and badgers.
- 6.47. The PES recommended updated bat surveys, lighting to be controlled and enhancement recommendations. An updated bat survey was undertaken in December 2022. The results of the survey identified several bat species foraging and commuting within or near to the site, including Barbastelle bat species. The document has recommended the need for buffer planting in relation to the nearby woodland, precautionary mitigation measures and a wildlife sensitive lighting plan. A Landscape and Ecological Management Plan (LEMP) would detail buffer planting and be secured by a condition. The precautionary mitigation measures should be detailed within a Construction Environmental Management Plan (CEMP) and wildlife sensitive lighting plan secured by conditions.
- 6.48. The PES recommended further survey to determine the impact of the proposal on Great Crested Newts and that District Level Licencing Scheme could be used as an alternative means of compensation. The Great Crested Newt eDNA Survey Report (2022) has identified that onsite pond was positive for Great Crested Newt. The applicant has provided a countersigned Impact Assessment and Conservation Payment Certificate (IACPC) document as proof of joining the District Level Licence Scheme. Great Crested Newt has been sufficiently considered. A copy of the District Level Licence will need to be submitted and secured by a condition.

- 6.49. The PES recommends that subject to the eastern boundary hedgerow and Bushy Wood being retained and protected with suitable buffers further surveys are likely to be required for dormice, and no impacts predicted upon otters and water voles.
- 6.50. The PES recommended further surveys to determine any reptile population and establish mitigation as appropriate. Reptile surveys (2022) recorded a single Grass Snake during the course of other surveys. Reptiles were appropriately assessed sufficient areas of suitable habitat are being retained. Precautionary mitigation measures will be detailed within a CEMP secured by condition.
- 6.51. The PES recommends further bird surveys, any vegetation removal/management outside of nesting period and if not possible an ecologist to check for active nests and ensure these ones are left undisturbed. The results of the Breeding Bird Survey Report (2022) identifies a range of bird species breeding within the red line boundary. This included notable farmland birds such as Skylark. The document also states a Barn Owl was observed foraging across the site, but not roosting. Additionally, it is stated the proposals will result in the loss of grassland used as nesting habitat for Skylark and other red and amber listed BoCC species. With regard to compensation for the loss or displacement of Skylark territories the document recommends off-site compensation for loss of skylark nesting habitat. The off-site location will need to be secured by a legal agreement, additionally, details of compensation measures in a Farmland Bird Mitigation Strategy secured by a condition.
- 6.52. Either planning conditions or matters within the legal agreement can satisfy the ecological constraints of the site.

Ecology - Biodiversity Net Gain

- 6.53. The application does not mandatorily need to provide for 10% (as submitted pre 12th February 2024), as such it is proposed to achieve a net gain as required by current Policy DM16. A Biodiversity Enhancement Strategy is to be secured by condition.

Trees

- 6.54. 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.
- 6.55. The northern adjoining land, known as Bushy Wood, is an Ancient Woodland and Local Wildlife Site protected by a Tree Preservation Order (TPO). A buffer zone of at least 15m from the boundary of the Ancient Woodland to avoid root damage is expected by Government guidance. This buffer would be achieved by the scheme and no trees will be lost.
- 6.56. The trees along the rear eastern boundary are also protected by a TPO. A 20m ecological buffer is proposed to the eastern boundary, which would ensure that these trees are adequately protected, and no trees will be lost. This buffer also ensures a green link between the Local Wildlife Site and the land to the south.
- 6.57. There are trees and hedgerows along the front western boundary. There will be a loss of trees and hedgerow along this boundary to achieve the vehicular access, and to provide a cyclist/pedestrian access and route. This will result in a loss of mostly category C trees and hedgerows (lower quality trees/hedgerows). No category A (large, high quality) trees will be

removed. Four category B trees (T5, T7, T17 and T19) will be removed to facilitate the vehicular access and the pedestrian/cycle access and the route. The removal of good quality category B trees is regrettable however essential in this case for the access onto London Road and the pedestrian/cycle route. Replacement trees will be planted to mitigate for the loss.

- 6.58. There is a discrepancy in the position of the access on the submitted Tree Protection Plan, nevertheless there is sufficient information within the assessment for the tree impact to be properly assessed. An updated Tree Protection Plan can be secured via a suitably worded condition.
- 6.59. The submitted assessment also covers the land to the south, beyond the confines of the site, which indicates further potential tree loss along the western boundary to enable the development of the remainder of Strategic Growth Site 7b. This is a matter for a future application.
- 6.60. Tree planting of three trees per residential unit will be achieved through the legal agreement.
- 6.61. The loss of trees is regrettable, but also essential; they will however be compensated through provision of new trees. Some tree loss was anticipated through the masterplan process. The allocation, and now the access detail, provide much needed specialist residential properties which would contribute towards meeting an unmet need across Chelmsford – any harm to the natural environment needs to be balanced against that provision.
- 6.62. Subject to an updated Tree Protection Plan, the provision and retention of buffers and protective measures to retained trees, the proposal would have an acceptable impact upon trees.

Noise

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

Local Policy DM29

- 6.1. An environmental noise assessment has been submitted as part of the application. A noise survey was undertaken which found that traffic on London Road and the A131 generate significant levels of noise, day and night. Noise arising from the commercial estate to the south was considered and found that any noise generated from the commercial activities would be dominated by passing traffic noise. The assessment considers that suitable glazing and ventilation can be achieved to maintain appropriate internal noise levels. At present the layout shows no indication of private garden spaces, but areas of open space. The open spaces closest to London Road is deemed by the report to potentially struggle to be within acceptable limits. If private garden spaces were provided, suitable barriers could be provided to bring these in line with acceptable limits. A suitably worded condition is proposed to secure acceptable noise levels for future occupants.
- 6.2. During operation, the proposed would not result in unacceptable levels of noise to nearby residents.
- 6.3. The City Council's Public Health and Protection Service have reviewed the content of the submitted noise report and raise no concerns subject to the implementation of mitigation measures as set out in the report.

Air Quality

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

Local Policy DM30 and DM29

- 6.4. An air quality impact assessment has been submitted. The assessment considers the air quality from the nearby roads on the future occupants and concludes that the site is suitable for the proposed use without the implementation of protective mitigation measures.
- 6.5. The assessment also takes into account the air quality from the construction period and the generated road traffic impacts during the operational phase of the development. During the construction phase, assuming good practice measures are implemented the air quality impacts was predicted to be not significant. The impact of the operational phase on air quality at all sensitive receptors within the vicinity of the site has been deemed as negligible. A suitably worded condition is proposed for a Construction Environmental Management plan to include good practices measures are implemented.
- 6.6. The assessment has been reviewed by the Council's Public Health and Protection Service and they are content that the operational phase of development will not be significant on amenity.

Flood risk and Drainage

Local Policy DM18

Flood risk

- 6.7. The Environment Agency Flood Zone map indicates that the site lies within Flood Zone 1 'Low Probability', therefore not at risk from fluvial flooding (river/stream).

Surface Water

- 6.8. 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).
- 6.9. A SuDs drainage strategy is included as part of the application. 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. The principle of the drainage strategy is to ensure that the water draining from the site would be no more than the existing situation. The strategy is to drain to a basin in the south west corner of the application site, then release to a natural watercourse in land surrounding Moulsham Hall via a piped network under London Road and the A131.
- 6.10. 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.
- 6.11. The amended plans amalgamated the SuDs details for this application with the adjoining planning application (ref 21/02491/FUL) so this application could be a standalone entity. ECC Suds have not objected to the separate entities. Conditions are included.

Foul Water

- 6.12. Anglian Water note that the foul drainage from this development is in the catchment of Great Leighs Water Recycling Centre, which currently does not have capacity to treat the flows the development site. This matter was known at Local Plan allocation stage. Anglian Water themselves note that they are obligated to accept the foul flows from development with the benefit of planning permission and treatment capacity is their responsibility. A site specific condition is recommended so that they are made aware of discharge rates.

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

- 6.13. 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.
- 6.14. The application site lies to the north and northwest of Batemans Farmhouse, North Whitehouse Farmhouse, Blue Barns Farmhouse and Gubbions Hall, each Grade II listed and a Scheduled Monument moat at Gubbions Hall.
- 6.15. The rural character of the areas forms part of the setting to the listed buildings and contributes to their significance. The indicative proposals indicated mainly two storey development, with three storey elements at the centre of the site. There would be retained hedgerows to the east of the site and an ecology buffer. The site is screened by existing mature hedgerows and dense ancient woodland to the north. The closest listed building would be circa. 480m away.
- 6.16. Given the distance and screening from the listed buildings there is likely to be no adverse impact on their settings. Reserved matters would need to consider the scale and design, particularly to the edges of the development and also landscaping.
- 6.17. There would be no harm identified to the designated heritage assets (with suitable landscaping through reserved matters).

Archaeology

- 6.18. Essex County Council Historic Environment Branch advise that the proposed development is located on the site of a series of cropmarks identified from aerial photography that have been interpreted as historic woodland boundaries. A recent geophysical survey on the development site has reinforced this interpretation and identified several additional historic landscape features. In addition, the proposed development is directly adjacent to Main Road, which is on the line of the original Roman Road between Chelmsford and Braintree. There is the possibility of Roman remains surviving adjacent to this historic routeway, including roadside ditches, extramural remains and agricultural evidence. There is the possibility that archaeological features and deposits may survive in the proposed development area. A condition is included for archaeological excavation and evaluation.
- 6.19. 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

Local Plan Policies: DM23, DM24, DM26

- 6.20. The application is submitted in outline with all matters reserved except access. Whilst the matter of layout is reserved for subsequent approval, an illustrative layout has been provided as part of the application to show how the development might be laid out. The illustrative layout was amended during the lifetime of the application due to changes to the location of the access onto London Road.
- 6.21. The layout broadly follows the principles of the approved masterplan. The scheme shows one parcel of development with an ecological/vegetation buffer to the northern and eastern boundaries, a single access from London Road, access into the adjoining parcel to the south and a SuDS pond in the south west corner.
- 6.22. The development scale indicates between one and three storeys. The suggested three storey community hub building is focused in the centre of the site roughly aligning with the location of the potential location of 'key buildings up to a maximum of three storeys or equivalent (12.5m)' as shown in the masterplan. Beyond the community hub building nine further three storey buildings are proposed, which exceeds the expectations of the masterplan. This may not necessarily be problematic if designed in appropriate manner, and it will be for future reserved matter to demonstrate high quality development.
- 6.23. As the scheme is illustrative, details such as the relationship between properties, parking and design will need to be looked at carefully at the stage of reserved matters. For instance, the three storey community hub building and surrounding smaller three storey units creates a dense pattern of development in the centre of the site. These are mainly separated by parking courts creating an urban environment at odds with the sites position at the edge of Great Leighs. Furthermore, no private or communally allocated amenity areas are proposed, increasing the opportunity for the units to be tighter than would be expected on a traditional housing scheme. This also gives rise to potential for adverse levels of overlooking between residential properties. Furthermore, the position of buildings to the street frontages needs improvement to create street enclosure and vista points, which are necessary to create a scheme of high-quality design and character. The internal road layout of the development is not determined at this stage. At the stage of reserved matters this would need to be considered carefully to ensure that a cycleable recreational route is achieved and an appropriate internal layout. The indicative layout provides large groupings of parking spaces within exposed parking courts, which could result in a scheme dominated by parked vehicles.
- 6.24. Essex Fire and Rescue raise an issue with the layout due to the existence of dead end situations with no turning. It should be noted that the block plan is indicative, layout is not being determined by this application.
- 6.25. Concern is raised with the number of three storey buildings, dominance of parking, relationship between properties and overall design and character of the scheme. These issues are not insurmountable through reserved matters. The Council acknowledges that a retirement village product may provide a design and layout which may not conform to the Council's standards (in terms of private gardens, proximity to neighbours, nature of parking provision, for example) due to its conceptual differences. However, the Council will still expect a development which demonstrates a high quality of built form and urban design, and one which is well connected.

- 6.26. Overall, the illustrative layout shows a development scheme that would be broadly compliant with the layout principles within the masterplan. However, the indicative drawings provided whilst not for consideration at this stage require further negotiation. An informative to that effect is included.
- 6.27. 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.

Sustainable development

- 6.28. 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

- 6.29. The proposal would generate jobs through the construction process and in the longer term through the leisure facilities on site. The construction of dwellings on the site would also increase spending in the local economy. These benefits carry weight in favour of the proposed development.

Social

- 6.30. The proposed development would provide a range of dwelling types and sizes as part of a specialist residential offering. The development would also provide a financial contribution towards affordable housing
- 6.31. The scheme would include facilities that would encourage social interactions and the growth of a new residential community, whilst also physically not constraining further development to the south of the field.
- 6.32. The scheme has been designed to connect pedestrian and cycle links with the village to the south. Active and sustainable modes of transport are a realistic prospect.
- 6.33. It is recognised that the development will result in minor additional private motor vehicles on the existing highway network. The applicant has sought to mitigate the impacts of any additional traffic, and the requirements of the masterplan to link 7b with the rest of the village, by physically facilitating a new cycle and pedestrian route along the east side of London Road.
- 6.34. The proposal provides social benefits, which weigh in favour of the development.

Environmental

- 6.35. The scheme is landscape led, providing areas of open space and a buffering around the north and eastern edges. 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 subject to conditions. A biodiversity net gain will be achieved.
- 6.36. 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.

- 6.37. There would be no adverse impact on nearby heritage assets. A condition is attached to ensure that the archaeology of the site is properly recorded.
- 6.38. 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

- 6.39. 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.
- 6.40. Contributions listed are correct at the time of publication.

Affordable Housing

- Financial contribution of £1.275m in lieu of on-site provision

Transport/Infrastructure

- Construction of footway / cycleway with crossing points along London Rd within applicant's land and highway land
- Implementation of improvements to Main Road / London Road
- Financial contribution towards passenger transport

Open Space / Recreation

- Open Space Delivery
- Open Space Phasing and Delivery Plan
- Landscape and Open Space Management and Maintenance Plan
- Financial contribution in lieu of any shortfall in any of the open space categories
- 570 trees to be planted (based on 190 dwellings) on site or financial contributions in lieu of on-site provision in accordance with the City Council's Tree Planting Planning Advice Note
- Community use agreement for on-site sports facilities

Health Care

- Financial contribution towards floorspace provision

Biodiversity / RAMS

- Off-site habitat provision

- RAMS financial contribution per dwelling - £163.86 x 190 dwellings = £31,133.40

Other

- Monitoring fees for numerous schedules

7. Community Infrastructure Levy (CIL)

- 7.1. The development would be CIL liable but zero rated if implemented as a C2 use (residential institutions).

8. Conclusion

- 8.1. The site was allocated in the Chelmsford Local Plan as a sustainable extension to the settlement of Great Leighs. The application follows an approved masterplan for the Site 7 allocations, which has shaped both its form and detailing.
- 8.2. Amendments were made to the access location along London Road during the lifetime of the application in order to provide satisfactory visibility splays. A scheme of works to facilitate a new footway / cycleway nears a resolution through a separate planning application. This application for the retirement village will secure land required to implement the footway / cycleway, and implement that scheme, through its S106 legal agreement. ECC Highways are content with the details of the application and the means by which to deliver such infrastructure.
- 8.3. For reasons listed in Section 6, the development would be a positive contributor economically and socially. Any minor negative environmental impacts can be mitigated. All material considerations have formed part of the planning balance.
- 8.4. 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 general accordance with the approved masterplan and any layout concerns will be addressed through reserved matters. The application would satisfactorily meet the requirements of Strategic Growth Site Policy 7b of the Chelmsford Local Plan.
- 8.5. 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

The Application be APPROVED subject to the completion of a S106 Agreement and compliance with the following conditions, the details/minor variations of which would be delegated to the Director of Sustainable Communities/Planning Development Services Manager in liaison with the Chair and Vice Chair of the Planning Committee):

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 and the development shall be carried out as approved.

Reason:

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

Condition 2 – Time limit submission

Application for approval of the reserved matters shall be made to the local planning authority no later than 3 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 3 – 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 4 – Occupation restriction

Other than staff or visitors the premises shall only be occupied by persons above 55 years of age.

Reason:

In order to comply with the requirements of the Strategic Growth Site Policy 7b.

Condition 5 - Access plans

The development hereby permitted shall be carried out in accordance with the following access plans:
Proposed IVG Access to London Road (Drawing no.48274/C/LR/030 Rev A)

Reason:

In order to achieve satisfactory development of the site.

Pre-commencement

Condition 6 - Levels

Prior to any development works, detailed drawings and sections showing the finished levels of all parts of the development in relation to the levels of the surrounding area 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 7 – 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 by the 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.

Condition 8 - Archaeology

1. No development or preliminary groundworks shall commence until a programme of archaeological investigation has been secured and completed 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.
4. The applicant shall submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of archaeological 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 9 – 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:

- Limiting discharge rates to 19.35l/s 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.
- 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, finished floor levels and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

Reason:

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment.

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 10 - Minimise off-site flooding

No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water runoff 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 11 - Biodiversity enhancement strategy

Prior to the commencement of the development hereby permitted a Biodiversity Enhancement Strategy (BES) demonstrating how the development will achieve a positive 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 12 – Ecological mitigation

All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Hybrid Ecology Ltd, November 2021). This may include the

appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason:

To conserve and enhance protected and Priority species and allow the local planning authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended).

Condition 13 – Ecological surveys time limit

If the development hereby approved does not commence within 12 months from the date of the planning consent, the approved ecological mitigation measures secured through condition shall be reviewed and, where necessary, amended and updated.

The review shall be informed by further ecological surveys commissioned to:

- i. establish if there have been any changes in the presence and/or abundance of Badgers and bats; and
- ii. identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason:

To allow the local planning authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

Condition 14 – Natural England mitigation licence

Any works which will impact the breeding / resting place of Great Crested Newt, shall not in in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
- b) a GCN District Level Licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
- c) a statement in writing from Natural England to the effect that it does not consider that the specified activity/development will require a licence.

Reason:

To conserve protected species and allow the local planning authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998.

Condition 15 – Farmland Bird mitigation strategy

A Farmland Bird Mitigation Strategy shall be submitted to and approved by the local planning authority to compensate for the loss or displacement of any Farmland Bird territories identified as lost or displaced. This shall include provision of offsite compensation in nearby agricultural land, prior to commencement.

The content of the Farmland Bird Mitigation Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed compensation measure e.g. Skylark plots;

- b) detailed methodology for the compensation measures e.g. Skylark plots must follow Agri-Environment Scheme option: 'AB4 Skylark Plots';
- c) locations of the compensation measures by appropriate maps and/or plans;
- d) persons responsible for implementing the compensation measure.

The Farmland Bird Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained for a minimum period of 10 years.

Reason:

To allow the local planning authority to discharge its duties under the NERC Act 2006 (as amended).

Condition 16 - Construction Environmental Management Plan

Prior to commencement of the development hereby permitted a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority.

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

- Risk assessment of potentially damaging construction activities;
- Identification of "biodiversity protection zones";
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) relating to bats, Great Crested Newt, reptiles, Barn Owls, breeding birds and Badger;
- The location and timing of sensitive works to avoid harm to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works;
- Responsible persons and lines of communication;
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period in accordance with the approved details.

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 – 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 18 – Lighting design strategy for biodiversity

Prior to the first occupation of the development a lighting design strategy for biodiversity shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme.

Reason:

To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

Condition 19 – SuDS maintenance plan

Prior to the first occupation of the development a maintenance plan detailing the maintenance arrangements for SuDS features 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 - Vehicle parking

No residential unit or non-residential building shall be brought into use until such time as the approved vehicle parking for that residential unit or 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 residential unit or non-residential unit 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 21 - Visibility splays

Prior to occupation of the development, the provision of an access onto London Road, as shown indicatively on Dr no. 48274/C/LR/003 REV. F, dated 02/12/2024 (Highway Improvement Works and Cycle and Footway Provision to Serve Proposed Development – Sheet 3), shall be provided at its centre line a clear to ground visibility splay with dimensions of 2.4 metres by 90 metres to the north and 2.4 metres by 90 metres to the south, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

Reason:

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

Condition 22 - 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:

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 23 - 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 24 - 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 25 - 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 26 – Broadband

Each residential unit 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 27 - 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 28 - EV Charging

No residential unit or building shall be occupied until that residential unit or building has been provided with one electric vehicle charging point per 10 parking spaces. 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 29 - Tree retention

No trees or hedges shall be felled, uprooted, damaged, or disturbed or removed prior to the commencement of development until the details submitted under this 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 30 - 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.

Reason:

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

Condition 31 – Foul water drainage

Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

Reason:

To prevent environmental and amenity problems arising from flooding.

Post occupancy monitoring and management**Condition 32 - 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 33 - Water efficiency

All new residential 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 34 - 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 35 - Landscaping

Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility related to a pedestrian or vehicular access splay.

Reason:

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

Condition 36 - BREEAM commercial over 500sqm

- a) Any non residential building above 500sqm shall be built to a minimum sustainability standard of BREEAM Very Good (or its successor);
- b) Prior to the commencement of the relevant building, 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;
- c) any relevant 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:

A minimum sustainability standard of BREEAM Very Good is required to ensure that any non-residential element of the development is constructed sustainably in accordance with Policy DM25 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 You are reminded that this permission is also subject to a legal agreement, and that the terms of this agreement must be complied with.
- 3 More information about BREEAM is available on the BRE website: www.breeam.org .
- 4 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.
- 5 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.
- 6 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.
- 7 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
- 8 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.

- 9 Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.
- 10 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 as security in case of default.
- 11 All highway works associated with the development are to be delivered fully at the applicant / developer's expense.
- 12 Any non-standard specification materials, signal equipment or structures proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for an agreed period following construction. To be provided prior to the works license / adoption of the relevant sections of Public Highway.
- 13 Any landscaping proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for an agreed period following adoption.
- 14 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.
- 15 The Applicant should provide for agreement, information regarding their drainage proposals i.e. draining by gravity/soakaways/pump assisted or a combination thereof. If it is intended to drain the new highway into an existing highway drainage system, the Developer will have to prove that the existing system is able to accommodate the additional water.
- 16 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, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.
- 17 Under Section 23 of the Land Drainage Act 1991, prior written consent from the Lead Local Flood Authority (Essex County Council) is required to construct any culvert (pipe) or structure (such as a dam or weir) to control, or alter the flow of water within an ordinary watercourse. Ordinary watercourses include ditches, drains and any other networks of water which are not classed as Main River. If you believe you need to apply for consent, further information and the required application forms can be found at www.essex.gov.uk/flooding. Planning permission does not negate the requirement for consent.

Positive and Proactive Statement

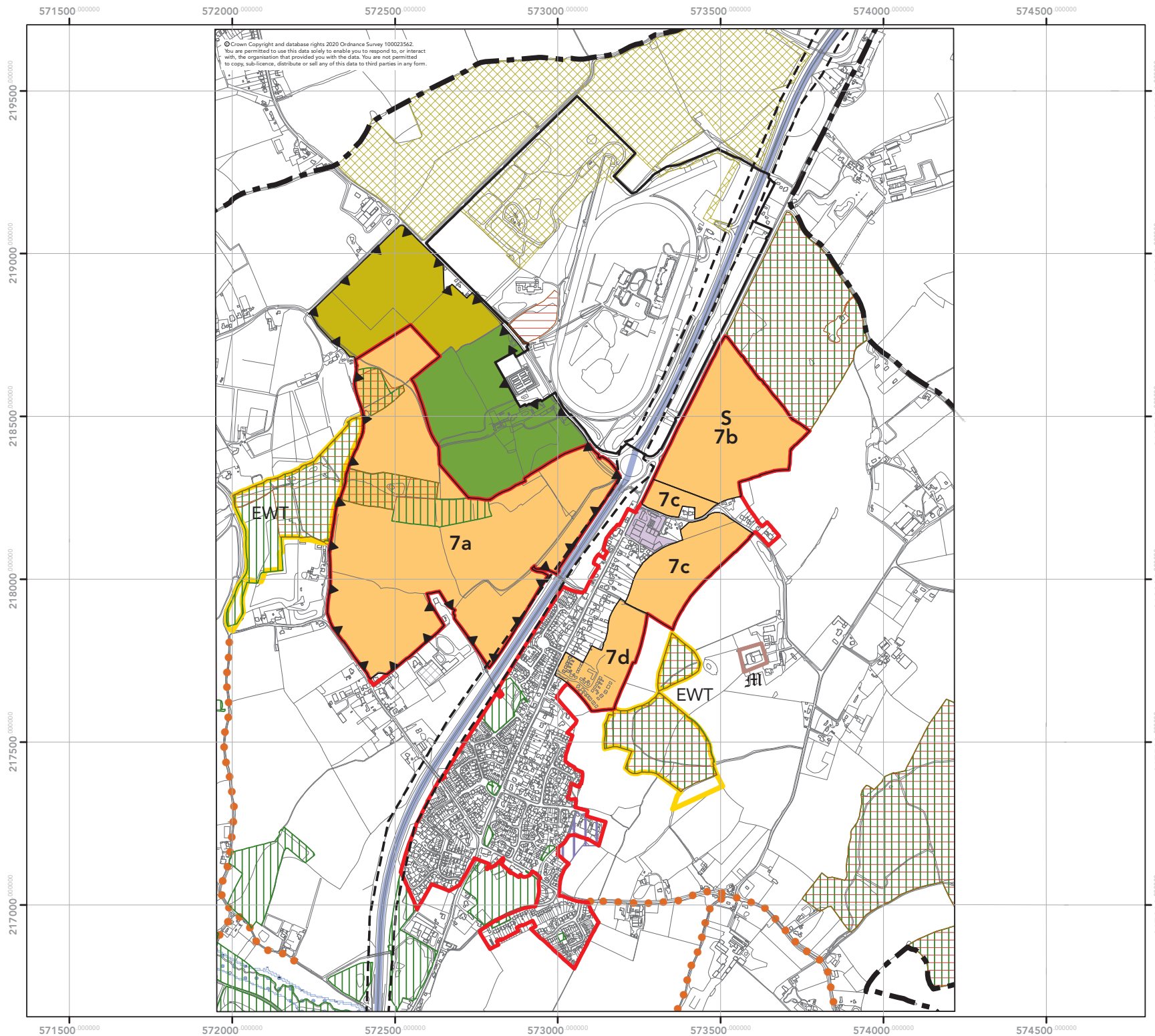
During the life of the application the Local Planning Authority suggested amendments to the proposal in order to improve the development. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. 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:

- 024-LF Rev A Site Location Plan
- Master Plan 02
- 48274/C/LR/030 REV A Proposed IVG Access to London Road (60mph)



18 **Great Leighs**
(Great and Little Leighs Parish)

The Policies Map shows the spatial definition of policies. It includes Policy Areas proposed by the Chelmsford Local Plan.

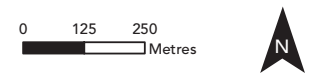
For the application of relevant policies within the Local Plan, the designation of the Rural Area includes all those areas outside of Urban Areas, Defined Settlement Boundaries, Green Belt and specific allocations or Policy Areas. The Rural Area has no notation so appears as 'white land' on the Policies Map and its insets.

Important Note

This Policies Map shows areas at a higher risk of flooding. Areas at a higher risk from flooding are defined and regularly updated by the Environment Agency.

For further details please see the flood maps published on the Environment Agency's website at:

www.environment-agency.gov.uk



Spatial Planning Services
Directorate for Sustainable Communities

Chelmsford City Council
Civic Centre
Duke Street
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CM1 1JE

Telephone 01245 606330
planning.policy@chelmsford.gov.uk
www.chelmsford.gov.uk



Chelmsford Local Plan

Legend for Adopted Policies Map May 2020

Relevant Key Policy References are shown in brackets

- Chelmsford City Council Area
- Inset
- Chelmsford and South Woodham Ferrers Urban Areas (S7)
- Chelmsford City Centre (S1, S8, S12, DM5)
- South Woodham Ferrers Town Centre (S12, DM5)
- Defined Settlement Boundary (S7, DM2)
- Area for the former Runwell Hospital Major Developed Site (7.320)
- Boundary of Strategic Growth Site Allocations 2, 3a, 6 and 7
- New Housing Site (S7 and Relevant Site Policy)
- New Garden Community for Major Housing and Employment Development (SGS6)
- Specialist Residential Accommodation (SGS7b, GS12)
- New Gypsy and Traveller Site (GT1)
- Proposed Employment Area (S7, SGS6, SGS3b, DM4)
- Existing Employment Area (S8, DM4)
- Rural Employment Area (S8, DM4)
- Green Belt (S11, DM6, DM9, DM10, DM11, DM12)
- Special Area of Conservation (SAC) (S4, S9, DM16)*
- Special Protection Area and Ramsar Site (S4, S9, DM16)*
- Marine Conservation Zone (S2)*
- Site of Special Scientific Interest (SSSI) (S4, DM16)*
- Scheduled Monument (S3, DM13)*
- Registered Park and Garden of Special Historic Interest (S3, DM13)*
- Local Nature Reserve (S4, DM16)*
- Local Wildlife Site (LoWS) (S4, DM16)
- Essex Wildlife Trust Nature Reserve (S4, DM16)*
- Green Wedge (S11, DM7, DM9, DM10, DM11, DM12)
- Protected Lane (S3, DM17)
- Conservation Area (S3, DM13)
- Area for Conservation / Strategic Landscape Enhancement (SGS7a)
- Country Park*
- Proposed Country Park (SGS3, SGS6)
- Land Allocated for Future Recreation Use and / or SUDS (SGS2, SGS7a)
- Open Space (S11, DM21)
- New Railway Station (S9)
- Railway Station Access Road (S9)
- Radial Distributor Road (RDR1) (S9)
- Proposed RDR2 Detailed Design within New Garden Community Masterplan Area (S9, SGS6)
- Proposed Link Road (SGS3a, SPA5)
- Route Capacity Improvement (S9, SGS10)
- Proposed Cycle Route*
- Proposed Bridge (S9, SGS1a, SGS10)
- Existing Park and Ride
- Park and Ride Area of Search (S9)
- Proposed Chelmsford North East Bypass - Detailed Design within Masterplan Area (S9, SGS6)*
- Proposed Chelmsford North East Bypass - Safeguarded Corridor (S9, SGS6)*
- Route Based Strategy (S9)
- Strategic Trunk Route
- Strategic Non-Trunk Route
- Regional Route
- Location for Primary School
- Existing School, Further / Higher Education Establishment (DM22)
- Retail Allocation (SGS10)
- Primary Shopping Area (S12, DM5)
- Primary Frontage (S12, DM5)
- Secondary Frontage (S12, DM5)
- Principal Neighbourhood Centre (S12, DM5)
- Retail Frontage of Principal and Local Neighbourhood Centres (S12, DM5)
- Special Policy Area (S7, SPA1-SPA6)
- Hazardous Substance Site Safeguarding Zone (DM30)*
- Flood Zone 2 (S2, DM18)*
- Flood Zone 3 (S2, DM18)*
- Flood Alleviation Scheme
- Air Quality Management Area (DM30)
- Minerals and Waste Site*

*These notations are designated by third parties not Chelmsford City Council and are subject to change

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Great & Little Leighs Parish Council

Comments
No response received.

ECC Historic Environment Branch

Comments
<p>29.07.22</p> <p>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 (EHER) shows that the proposed development site is located on the site of a series of cropmarks identified from aerial photography that have been interpreted as historic woodland boundaries (EHER 13951). A recent geophysical survey on the development site has reinforced this interpretation and identified several additional historic landscape features. In addition, the proposed development is directly adjacent to Main Road, which is on the line of the original Roman Road between Chelmsford and Braintree. Accordingly, there is the possibility of Roman remains surviving adjacent to this historic routeway, including roadside ditches, extramural remains and agricultural evidence. As described above, there is the possibility that archaeological features and deposits may survive in the proposed development area. In view this, the following recommendation is made in line with the National Planning Policy Framework, paragraph 205:</p> <p>RECOMMENDATION: Archaeological evaluation and excavation</p> <p>(i) 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 (WSI) which has been submitted by the applicant, for approval by the Local Planning Authority.</p> <p>(ii) No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological evaluation identified in the WSI defined in Part 1 and confirmed by the archaeological advisors to the Local Planning Authority.</p> <p>(iii) No development or preliminary groundworks of any kind shall take place until the submission of a mitigation WSI detailing the excavation/ preservation strategy for approval by the Local Planning Authority.</p> <p>(iv) No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation WSI, and approved by the Archaeological Advisors to the Local Planning Authority.</p> <p>(v) The applicant will submit a Post Excavation Assessment and/or Updated Project Design for approval by the Local Planning Authority. This shall be done within 6 months of the date of completion of the archaeological fieldwork unless otherwise agreed in advance in writing by the Local Planning Authority. This</p>

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.

A professional team of qualified archaeological contractors should undertake the work. The work will consist of a programme of trial-trenching across the entire site to evaluate its archaeological potential. Depending on the results of this evaluation a subsequent programme of archaeological excavation will be undertaken on any deposits identified and/or any groundworks associated with the development will be archaeologically monitored. 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 should be acquired prior to the production of a WSI.

Public Health & Protection Services

Comments

The air quality impact assessment identifies that the impact of the operation phase of the proposed development will be not significant on air quality.

Providing the recommendations and specifications outlined in the acoustic report are implemented it appears that the criteria in 'BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings' in respect of internal noise levels will be met.

Essex County Council Highways

Comments

24.01.25

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. The application is for Strategic Growth Site Policy 7 – Great Leighs, an allocated site in Chelmsford City Council's Local Plan, adopted May 2020. The assessment of the application was undertaken with reference to the National Planning Policy Framework 2024. The following was considered: access and safety; capacity; the opportunities for sustainable transport; and mitigation measures. The Highway Authority has assessed the application and submitted information, visited the site, and has concluded that in highway terms, the application is not contrary to national and local highways and transportation policy and current safety criteria. The Highway Authority has undertaken extensive investigation and analysis of the submitted supporting documentation, and all additional information supplied by the applicant. The submitted Transport Assessment is considered robust and the Highway Authority is satisfied that the development will not have a significant or severe impact at this location, or on the wider highway network. The proposed

access and junction improvements fully complies with current highway design standards and have been subjected to a Road Safety Audit. Further to this there is being offered a comprehensive package of highway works, sustainable transport measures and financial contributions, as set out in this recommendation. A comprehensive scheme of highway improvement works for London Road has been developed. This includes the delivery of new and enhanced walking and cycling facilities, crossing points, bus stops, and a speed management strategy for London Road, all of which will tie into wider improvements in Great Leighs. The improvements scheme provides connections for active travel to Great Leighs village and towards Great Notley, and the provision of bus infrastructure and services, in the interests of accessibility and sustainability. Consequently, the Highway Authority has concluded that the proposal will not be detrimental to highway safety, capacity and efficiency. From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following measures:

Construction Management Plan 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. 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: 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.

Essex County Council (SUDS)

Comments
<p>02.08.22</p> <p>Thank you for your email received on 2 August 2022 which provides this Council with the opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned planning application. As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We have been statutory consultee on surface water since the 15th April 2015. In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents: • Non-statutory technical standards for sustainable drainage systems • Essex County Council’s (ECC’s) adopted Sustainable Drainage Systems Design Guide • The CIRIA SuDS Manual (C753) • BS8582 Code of practice for surface water management for development sites. Lead Local Flood Authority position Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission based on the following:</p> <p>Condition 1 No works except demolition shall takes 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</p>

authority. The scheme should include but not be limited to:

- Limiting discharge rates to 19.35l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change subject to agreement with 2 the relevant third party/ 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.
- 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.
- 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. It should be noted that all outline applications are subject to the most up to date design criteria held by the LLFA. 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 2 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 The National Planning Policy Framework paragraph 163 and paragraph 170 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. 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. Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

Condition 3 Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided. Reason To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

Condition 4 The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority. Reason To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk. We also have the following advisory comments:

- We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below. <https://www.essex.gov.uk/protectingenvironment>
- Please note that the Environment Agency updated the peak rainfall climate change allowances on the 10 May 2022. planning application with outline approval are not required to adjust an already approved climate change allowance, however, wherever possible, in cases that do not have a finalised drainage strategy please endeavour to use the updated climate change figures

Flood risk assessments: climate change allowances - GOV.UK (www.gov.uk)

4 Any questions raised within

this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us. Summary of Flood Risk Responsibilities for your Council We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team. • Sequential Test in relation to fluvial flood risk; • Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements); • Safety of the building; • Flood recovery measures (including flood proofing and other building level resistance and resilience measures); • Sustainability of the development. 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. Please see Appendix 1 at the end of this letter with more information on the flood risk responsibilities for your council. INFORMATIVES: • Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk. • Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office. • Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note. • It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners. • The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise. • We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information. Yours sincerely, Alison Vaughan, Development and Flood Risk Officer Team: Development and Flood Risk Service: Waste & Environment Essex County Council Internet: www.essex.gov.uk Email: suds@essex.gov.uk Appendix 1 - Flood Risk responsibilities for your Council The following paragraphs provide guidance to assist you in determining matters which are your responsibility to consider. • Safety of People (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements) You need to be satisfied that the proposed procedures will ensure the safety of future occupants of the development. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise LPAs formally consider the emergency planning and rescue implications of new development in making their decisions. We do 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. • Flood recovery measures (including flood proofing and other building level resistance and resilience measures) We recommend that consideration is given to the use of flood proofing measures to reduce the impact of flooding when it occurs. Both flood resilience and resistance measures can be used for flood proofing. Flood resilient buildings are designed to reduce the consequences of flooding and speed up recovery from the effects of flooding; flood resistant construction can help prevent or minimise the amount of water entering a building. The National Planning Policy Framework confirms that resilient construction is favoured as it can be achieved more consistently and is less likely to encourage occupants to remain in buildings that could be at risk of rapid inundation. Flood

proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. Consultation with your building control department is recommended when determining if flood proofing measures are effective. Further information can be found in the Department for Communities and Local Government publications 'Preparing for Floods' and 'Improving the flood performance of new buildings'. • Sustainability of the development The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF recognises the key role that the planning system plays in helping to mitigate and adapt to the impacts of climate change, taking full account of flood risk and coastal change; this includes minimising vulnerability and providing resilience to these impacts. In making your decision on this planning application we advise you consider the sustainability of the development over its lifetime.

Essex County Fire & Rescue Service

Comments
<p>01.08.2022</p> <p>Access</p> <p>Access for Fire Service purposes has been considered in accordance with the Essex Act 1987 - Section 13.</p> <p>Access for Fire Service is considered unsatisfactory, the proposed development is not fully compliant with Building Regulations Approved Document B, B5. Your attention is drawn to following.</p> <p>There are two roads that cause dead-end situations that exceed the 20m as set out in ADB B5 with no turning circles set out within the plans provided.</p> <p>ADB B5 15.10 Dead-end access routes longer than 20m require turning facilities, as in Diagram 15.3.</p> <p>It must be noted that any new roads or surfaces being developed are compliant with the table below, it is not currently confirmed whether the newly built road or parking area can withstand the standard 18 tonne fire appliances used by Essex County Fire and Rescue Service.</p> <p>For the provision of Fire Service Access Approved Documents B, B5 compliance is required. Also, when referring to ADB V1 Table 13.1 and ADB V2 Table 15.1, please refer to note 1, (Referring to not all fire appliances are standardised).</p> <p>Where the development involves flats, mixed use buildings or non-residential buildings, more detailed observations on access and facilities for the Fire Service will be considered at Building Regulation consultation stage.</p>

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."

ECC Community Infrastructure Planning (Education)

Comments

23.08.2022 –

ECC is a key infrastructure and service provider and is responsible for delivering and commissioning a wide range of strategic and local infrastructure requirements and public services to support and shape inclusive and healthy communities. ECC's role covers a wide range of statutory services including (but not limited to) highways and transportation, education, early years and childcare, minerals, waste, surface water management, passenger transport, adult social care, and public health. We also advise on, and have a

material interest in, a number of other related placemaking matters to assist in the determination of planning applications.

The Growth and Development team at ECC is responsible for coordinating single corporate responses for major development schemes and Nationally Significant Infrastructure Projects to ensure that the Council's interests and responsibilities to deliver quality and sufficient infrastructure in the right places and at the right time are effectively communicated, and to support good place-making and place-keeping for existing and future communities.

This application forms part of the Strategic Growth Site 7 - Great Leighs which is made of 4 sites 7a, 7b, 7c and 7d. Together they will provide comprehensive development at Great Leighs. The proposal for 190 units as part of this application falls within the Local Plan Growth Site 7b & 7c. The policy for Growth Site 7b in the Local Plan provides for the development of around 250 specialist new homes for older persons.

Statutory responses from statutory services will be provided by ECC in the usual process for this particular development. However, given the nature of these proposals which has focus on specialist housing, and to help ensure consistency of approach across all 4 sites, this response looks to compliment and add to ECC statutory consultee responses, and focuses on a couple of services who have comments that may aid the development proposals in the context of the wider Strategic site area.

ECC trusts that the following comments will be considered in the spirit within which they are provided, to assist with and be taken into account, in the determination of this planning application.

The nature and scope of this ECC's consultation response addresses the following service areas with remaining comments from other statutory consultees being provided in the usual manner.

- o Adult Social Care and Independent Living
- o Zero Carbon and Low Energy Generation
- o Environment and GI
- o Digital Connectivity

Infrastructure and Housing Infrastructure Fund

It should be noted that the Great Leighs sites benefit from the delivery of the Chelmsford North East Bypass (CNEB) which is being funded by forward funding from the Housing Infrastructure Fund. ECC and CCC are responsible for ensuring that the funding of the new road is recovered from the delivery of new development at Great Leighs and we look forward to working with the developers of the site to establish a sustainable recovery mechanism as planning discussions progress.

Other infrastructure requirements/contributions are either listed within this letter or will be provided by ECC statutory consultees as part of their individual responses to the planning application.

Adult Social Care and Independent Living

ECC, in our capacity as the Adult Social Care Authority, must ensure that the needs of vulnerable people are reflected in line with our duty under the Care Act 2014 and the wider prevention and maximising independence agendas. This includes reviewing both general needs housing, and any specialist housing

provision. As part of this proposed development, it needs to be ensured that housing and communities are accessible and inclusive over the life course and enable people to age with dignity in their homes.

In providing advice on new housing, care and support to vulnerable people, ECC's overriding strategic goal includes enabling people to live independently throughout their life. The adopted ECC Housing Strategy (2021 - 2025) seeks to ensure that new homes and places are designed for residents to live independent and healthy lives; homes are adapted and digital technologies adopted, to support residents to live independently; and access to high quality specialist and supported accommodation for those who need it. We therefore having the following comments as the Adult Social Care Authority:

- o ECC would request that the applicant is more specific about the percentage of dwellings that will be Part M(4)1, Part M(4) 2 Part M(4)3 particularly given the target demographic and housing need cohort for these dwellings. Chelmsford City Local Plan Policy DM1 is clear on its expectations around the delivery of Part M dwellings and that a site of this number of units should deliver 50% of dwellings at M4(2) and 5% at M4(3). However, given the target demographic for this development we would hope (and expect) that the developer would seek to exceed these targets and enable people to age in place.

- o In term of parking, we note that the parking at the site is proposed so that the majority of spaces are provided to accessibility standards (2.75m wide x 5m long). Given the client group for the proposed development, and to accommodate those who may be wheelchair users or need some form of equipment to aid mobility, we suggest that parking also needs to be Part M compliant - i.e. 3.3m or capable of being widened. As a minimum, the number of spaces provided to this standard should reflect the number of Part M4(3) dwellings provided at the development.

- o ECC as lead Adult Social Care Authority recommend that the Local Planning Authority should be completely satisfied that this development falls under C2 use rather than C3. If it is deemed that some, or all of the development falls within C3 use, we would wish to be part of any detailed discussion on affordable housing for older people/people with disabilities on this site.

- o ECC are keen to understand the rationale behind the stipulation that the "Residents must be 65 and over and have a care need". This does not align with ECC strategic ambitions or national health and care ambitions around prevention, meeting the needs of people with health and care needs under-65 or meeting the needs of people with disabilities who could benefit from housing with care.

- o Whilst we appreciate that the mix of the different size properties is subject to change at detailed design stage, we suggest the applicant should provide the evidence used to develop the mix proposed and the need for care.

- o It is stated by the Applicant that there will be an assessment of "care needs". ECC would like to understand from the applicant who it is envisaged will carry out these assessments of care needs and the reassessments.

Net Zero Carbon and Renewable Energy Generation

The UK is legally bound by the Climate Change Act 2008 to achieve net zero Green House Gas (GHG) emissions by 2050. This shift to net zero target from the previous target of 80% reductions on a 1990

baseline has brought into sharp focus the need to radically tackle GHGs across all sectors including the built environment.

Furthermore, the National Planning Policy Framework (NPPF) recognises the key role of the planning system in supporting the transition to a low carbon future in a changing climate, mitigating and adapting to the impacts of climate change; including minimising the impacts of new developments through reducing GHG emissions.

In reviewing this application, as well as national legislation and considerations, local climate goals and targets should also be considered. Chelmsford City Council declared a 'climate and ecological emergency' in 2019 and the independent, cross-party 'Essex Climate Action Commission' in their report published in 2021 included recommendations such as "all new homes and all new commercial buildings granted planning permissions to be carbon zero by 2025 and carbon positive by 2030", and "All new build houses, industrial and commercial units to have solar panels fitted immediately."

Significant steps therefore must be made to help reach targets for all new consented developments and it should be recognised that failure to meet net zero standards now will further add to the size of the challenge to meet net zero by 2050 at the latest.

In the above context, we are supportive of a fabric first approach as proposed for this development. We also acknowledge the net-zero carbon (regulated energy target) and the suggestion that if this target cannot be met, the shortfall will be evaluated and strategies will be developed to achieve the target through suitable on site and/or off-site means. We would, however, wish to highlight that unregulated energy can make up a significant part in overall operational energy use. Therefore, to achieve operational net zero at the development, regulated and unregulated energy should be included in an overall net-zero target. The LETI Climate Emergency Guide provides guidance on such an approach to regulated and unregulated energy.

We would also recommend that renewable energy generation is maximised onsite to meet all, or close to all of the energy demand on site. Any proposed offsetting should be the last resort and all efforts should be made in first instance to ensure that the development is net-zero.

We would suggest that proposals should monitor and report energy performance for at least 5 years post completion to ensure that actual carbon performance of the development is achieved.

As well as operational carbon, embodied carbon from activities such as construction also needs to be managed from the development. We therefore welcome the principle of 'Considerate Construction' but do recommend, however, that the aim should be to reduce embodied carbon emissions to net-zero or as close to net-zero as possible.

In terms of both operational and embodied carbon, we would expect at the detailed design stage further details on proposed sustainability measures to be incorporated into the development to meet net-zero targets and would also recommend that a whole-life cycle assessment should be requested to show how both embodied and operational carbon will be managed.

Green Infrastructure

ECC currently provides advice on green infrastructure schemes (GI) for major developments. ECC have been consultees on GI since 2018. Although there are no statutory requirements for GI, the 25 Year Environment Plan and emerging Environment Bill will place significant importance on protecting and enhancing GI, accessibility and biodiversity net gain.

In providing advice we look to ensure that adequate provision, protection and improvements of high-quality GI comply with the objectives and planning principles set out in the following documents:

- o Chelmsford City Council's Chelmsford Local Plan 2013-2036 and Chelmsford Green Infrastructure Strategic Plan 2018-2036.
- o Essex Green Infrastructure Strategy, 2020, which aims to enhance the urban and rural environment, through creating connected multi-functional GI that delivers multiple benefits to people and wildlife. It meets the County Council's aspirations to improve GI and green spaces in our towns, city, and villages, especially close to areas of deprivation.
- o Essex Green Infrastructure Standards, 2022, which aims to provide clear guidance on the requirements on both planning policy and planning application and processes.

ECC GI Position

Having reviewed the Design and Access Statement, Landscape plans and the associated documents which accompanied the planning application, ECCs GI team wish to raise the following comments.

Biodiversity Net-Gain

At present, the Environment Act identifies a minimum 10% gain required in biodiversity. The Environment Bill received Royal Assent on 9 November 2021, meaning it is now an Act of Parliament. At present mandatory biodiversity net gain is likely to become law in Winter 2023 including the following key components:

- o Minimum 10% gain required calculated using Biodiversity Metric and approval of net gain plan
- o Habitat secured for at least 30 years via obligations/ conservation covenant
- o Habitat can be delivered on-site, off-site or via statutory biodiversity credits
- o There will be a national register for net gain delivery sites
- o The mitigation hierarchy still applies of avoidance, mitigation and compensation for biodiversity loss
- o Will also apply to Nationally Significant Infrastructure Projects (NSIPs)
- o Does not apply to marine development
- o Does not change existing legal environmental and wildlife protections

The following guidance has already been produced to assist the calculation and delivery of biodiversity net gain:

- o an updated Biodiversity Metric 3.1 was published in April 2022.
- o CIEEM, IEMA and CIRIA have set out Good Practice Principles for Development and an associated Practical Guide and Case Studies.
- o a British Standard on biodiversity net gain and development projects: BS 8683:2021 Process for designing and implementing Biodiversity Net Gain

ECCs GI team expects this proposal to deliver Biodiversity Net-Gain (BNG) in line with the Environment Act. GI features within the site boundary, and the boarding hedgerow and trees, should be protected and retained where possible to support the delivery of BNG. However, it is recognised that on-site BNG might not always be conceivable, and additional off-site delivery can provide additional benefits and be used to protect areas of land that are of local natural and wildlife value. Moving forward, ECCs GI team recommends a Biodiversity Metric and Biodiversity Statement are completed and submitted to assess the biodiversity net-gain of the proposal.

Ancient Woodland

ECCs GI Team note that the ancient woodland of Bushy Woods (16.4ha) is located to the north of the site boundary. Paragraph 180(d) of the National Planning Policy Framework (NPPF) states that "development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists". ECCs GI team expects ancient woodland to be protected. Developments that infringe upon these locations are expected to be designed to avoid detrimental direct and indirect impacts with the appropriate landscape buffers applied. This includes, risk of water-borne pollution, air pollution, dust deposit, change to local hydrology, increased recreational pressure and informal access points and soil compaction.

Access Routes and Public Rights of Way

ECCs GI team supports the provision of an access networks which encourages and supports active travel. In terms of the proposed footpaths, cycleways, and other sustainable transport routes (both within the proposal and those that connect the site to the village of Great Leighs) green infrastructure can be integrated along the network to enhance nature through the delivery of biodiversity net-gain, habitats, and green corridors. Therefore, ECCs GI team recommends that routes are designed to include wildlife corridors and GI features along sustainable transport routes such as paths, cycle, and bridleways.

Country Parks

It should be considered how the development site could have wider recreational impacts including on Great Notley Country Park. In Paragraph 7.13 of the Planning Statement submitted, it is stated that:

"There are other recreation areas, such as the Great Notley Country Park, and footpaths which are more accessible from the application site which are more likely to be used by future residents.

It therefore should be demonstrated what impact this development may have on visitor numbers to the park. If there is a significant increase in visitor numbers, it should be demonstrated how any impacts of

increased visitor numbers could be mitigated and ECC would wish to have further discussions around any such potential mitigation measures.

Sustainable Design

ECCs GI team support a focus on sustainability, both in terms of the long-term objectives of environmental protection and resource management and sustainable design and delivery. To further deliver these objectives, ECCs GI team recommends consideration of the following: -

- o Green Roofs/Walls: The provision of these features allow ecosystems to function and deliver their services by connecting urban, peri-urban and rural areas. Alongside biodiversity habitat creation, green roofs and walls can provide water storage capacity, flood alleviation and energy saving potential. In addition to buildings, these features can be provided on sustainable transport infrastructure (such as on bus stop/ cycle storage facilities).
- o Wildlife Bricks: The provision of wildlife bricks creates habitats for invertebrates.
- o Dual street furniture/seating (i.e., a bench including a planter): The design of the street furniture and bin stores can contribute to the landscape character, reduce clutter of an area or street and act as a green corridor/link to the wider landscape scale GI network.

Green Infrastructure Strategy

Moving forward, ECCs GI team recommends the production of a Green Infrastructure Strategy for the site, based on the Essex Green Infrastructure Strategy (2020) and Emerging GI Standards to provide a more detailed an assessment of the ecological context of the development. The scheme should include but not be limited to:

- o The development should be designed to deliver Biodiversity Net Gain and wider environmental net gains, that forms an important component of nature recovery networks and the wider landscape scale GI network.
- o Demonstrate that the development site has been reviewed for multiple functions and benefits (as listed in the Essex GI Strategy, chapter 5.1, pg.35) and designed to protect existing assets and deliver multi-purpose and functional use.
- o Provided detailed layout design drawings and plans which provide information on the locations on retained GI and new landscape features.
- o Establish how the GI has been designed to provide recreational facilities for different user groups. It should deliver social inclusive processes that are open to all and incorporate the knowledge and needs of diverse parties.
- o Ensure that there are good access links for all from the development to existing settlements, urban centres, rural areas, active travel networks and green spaces.
- o Provide a detailed outline of the green and blue infrastructure features that will be retained, and new features that will be implemented, the timescales for the implementation of each aspect and, the details of the GI management and maintenance that will occur.

Landscape and Ecology Management Plan

ECCs GI team would expect a Landscape Ecological Management and Maintenance Plan to be submitted to and approved in writing, by a SuDs and landscape specialist at the Local Planning Authority. Details should include who is responsible for GI assets (including any surface water drainage system), the maintenance activities/frequencies and how these shall be funded.

This is to ensure appropriate management and maintenance arrangements and funding mechanisms are put in place to maintain high-quality value and benefits of the GI assets. Failure to provide the above required information before commencement of works may result in reducing the value of the development, becoming an undesirable place to live that may increase the impacts from climate change, such as flood risk or air pollution from the site.

Essex GI Strategy and Standards

Consideration should be given to the use of the Essex Green Infrastructure Strategy (2020) and emerging Essex Green Infrastructure Standards in securing multifunctional green infrastructure. ECC is also establishing a Local Nature Partnership (LNP) covering Greater Essex along with a Local Nature Recovery Strategy. The works of this group should be supported and acknowledge moving forward.

Please see Appendix A for Green Infrastructure Informatives.

Digital Connectivity

In line with the objectives stated in the Government's Future Telecoms Infrastructure Review 2018, all new developments should include provision of future proofed internet access, ideally Fibre to the Premises.

Where this is possible, provision of fully operational 5G mobile connectivity may also be accepted as appropriate broadband coverage, if arrangements are made for all premises in the development to access this at affordable prices, comparable to a fixed-line fibre broadband service, and this access is fully available at the time of completion of the build. Plans for such an approach should be submitted for review by the Planning Authority.

Developers are expected to proactively contact a telecommunications network operator of their choice to plan for internet connectivity installation as part of the build process. Developers are expected to provide details of their plans to install internet connectivity as part of their planning applications.

Any new housing development over 30 homes is likely to be provided with full fibre internet access (FTTP) free of charge by the large network operators. For smaller developments the network operators may request a contribution to the build cost. Openreach and Virgin Media have New Sites teams where developments can be registered.

Other network operators are available and developers can work with them, but confirmation must be provided that fibre connections installed by alternative operators will be fully connected to the internet by appropriate backhaul links and broadband services will be available for customers to subscribe to at the time the development is complete.

Where smaller in-fill type developments are built in areas within existing part-copper fibre-to-the cabinet (FTTC) coverage, developers are expected to work with the network operators, either to seek installation of

full-fibre connections or to ensure that sufficient FTTC capacity to supply the new premises is made available when properties are completed.

Developers should be aware that in Essex, alternative network operator Gigaclear plc has a significant full-fibre network deployment in the Epping Forest, Uttlesford, Braintree and north Colchester areas. Gigaclear is likely to be keen to extend its own FTTP network to new housing, or business parks.

Conclusion

ECC is a key infrastructure and service provider with statutory responsibilities to ensure that the right infrastructure is delivered in the right place at the right time to support new and existing communities. Statutory responses from statutory services will still be provided by ECC for this particular development in the usual process. However, given the nature of these proposals which has focus on specialist housing, and to help ensure consistency of approach across all 4 sites, this response has looked to compliment and add to ECC statutory consultee responses, and focuses on a few services who have comments that may aid the development proposals in the context of the wider Strategic site area.

Appendix A - Green Infrastructure Informatives

- o Any GI features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
- o It is not within the scope of the GI team to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
- o We will advise on the acceptability of green infrastructure and the information submitted on planning applications based on the key documents listed within this letter. However, any relevant information relating to green infrastructure submitted as part of any previous applications should be submitted with the updated information.
- o The GI consultation responses provide a high-level review of the proposals onsite. However, the relevant specialists e.g. ecology and landscape specialists should still be consulted on the information submitted. It should be noted that detailed discharge of condition applications should be referred to technical specialists rather than the GI planning team.

ECC Minerals & Waste Planning

Comments

21.10.2022

Nature of Response: To respond to the Minerals Resource Assessment (MRA) prepared on behalf of Great Leighs Estates Limited and submitted in connection with an Outline Planning Application for an Integrated Retirement Community on part of Phase 7b, being one of a number of housing and related development

Allocations in the Chelmsford Local Plan at Great Leighs, Essex (Planning Ref 21/02490/OUT).

Location: Banters Field Main Road Great Leighs Chelmsford Essex.

Thank you for your email received 5th October 2022 consulting the Mineral and Waste Planning Authority (MWPA) on the above.

At 13.8ha, the total area of land associated with the Great Leighs Strategic Growth Site, following omission of the non-contiguous Site 7a and the previously developed Site 7d, that lies within an MSA for sand and gravel exceeded the 5ha threshold upon which local resource safeguarding provisions are applied for this mineral. These thresholds are defined in Policy S8 of the MLP. Policy S8 of the MLP therefore applied, and on that basis a Minerals Resource Assessment was requested by the MWPA to address issues relating to mineral safeguarding. This has since been submitted.

Having reviewed the MRA, the MWPA notes that after applying a 100m housing buffer, 100m woodland buffer and 100m highway buffer, the amount of land in an MSA reduces to 4.27ha (as set out in the figure on page 7 of the MRA). Section 5.0 of the MRA states, "The total potential mineral resource covers an area of 4.27ha. This figure is relevant as Minerals Local Plan Policy S8 does not seek to safeguard a mineral resource where the area of that resource is less than 5ha." The MWPA agrees with this assessment and therefore, the MWPA can confirm that the total area of land associated with the Great Leighs Strategic Growth Site, following omission of the previously developed Site 7d, that lies within an MSA for sand and gravel falls below the 5ha threshold upon which local resource safeguarding provisions are applied for this mineral.

Therefore, the MWPA accept that prior extraction is not required as the total workable area following buffer zones being placed around existing sensitive land is below the threshold at which safeguarding policy is engaged.

As such, the MWPA removes its holding objection and has no further comment to make on this application.

Recycling & Waste Collection Services

Comments

No response received.

NHS Mid & South Essex

Comments

No response received.

Anglian Water Services Ltd

Comments

08.08.2022

Section 1 - Assets Affected

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment The foul drainage from this development is in the catchment of Great Leighs Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission. Planning Report Section 3 - Used Water Network This response has been based on the following submitted documents: Application form, Site Location Plan, Application Documents Site Specific Flood Risk & Sustainable Drainage Assessment Part 2, Application Documents Site Specific Flood Risk & Sustainable Drainage Assessment Part 1 Development will lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. A full assessment cannot be made due to lack of information, the applicant has not identified a discharge rate. Anglian Water requires the rate so that they can make an accurate assessment on the public network. We therefore request a condition requiring an on-site drainage strategy

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 - 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. As such, we are unable to provide comments on the suitability of the surface water management. The applicant and the Local Planning Authority should seek the advice of the Lead Local Flood Authority, as they are the statutory consultee for surface water management, and the Internal Drainage Board if applicable. The Environment Agency should be also consulted if the drainage system directly or indirectly involves the discharge of water into a Main River. Section 5 - Suggested Planning Conditions Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval. Used Water Sewerage Network (Section 3)

We have no objection subject to the following condition: Condition Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

Reason To prevent environmental and amenity problems arising from flooding

Next steps Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy. If you have not done so already, we recommend that you submit a Pre-planning enquiry with our Pre-Development team. This can be completed online at our website <http://www.anglianwater.co.uk/developers/pre-development.aspx> Once submitted, we will work with you in developing a feasible mitigation solution. If a foul or surface water condition is applied by the Local Planning Authority to the Decision Notice, we will require a copy of the following information prior to recommending discharging the condition: Foul water: Feasible drainage strategy agreed with Anglian Water detailing the discharge solution including: Development size Proposed discharge rate (Should you require a pumped connection, please note that our minimum pumped discharge rate is 3.8l/s) Connecting manhole discharge location (No connections can be made into a public rising main) Notification of intention to connect to the public sewer under S106 of the Water Industry Act (More information can be found on our website) Feasible mitigation strategy in agreement with Anglian Water (if required)

Essex and Suffolk Water

Comments

No response received.

Police - Designing Out Crime

Comments

26.07.2022

Essex Police comments pursuant of the National Planning Policy Framework 2019 (NPPF) and Chelmsford City Council polices.

NPPF section 8 "Promoting Healthy and Safe Communities" paragraph 91(b), and section 12 "Achieving Well Designed Places" paragraph 127(c) address creating places that are safe. Chelmsford Local Plan DM23 & DM24 addresses security through "High Quality Design" and "Place Shaping" with a reasoned justification 9.6 - "The layout and design of a development are important in creating a safe environment where people are comfortable to live, work and visit".

We note within the Design and Access Statement in relation to this application that it states, "The principles of Secured by Design are incorporated into the design and operation of their communities where applicable, in some instances the design model of an inspired Village does not follow these principles and so a Secured by Design accreditation cannot be achieved". We have checked our records and can find no

record of any consultation between the applicant and the Essex Police Designing out Crime, and therefore are mystified as to how this comment can be substantiated. We also note that it states, "As such the design and operation of their villages incorporates measures which have been developed to the satisfaction of local police forces and would be integrated into this development." As Secured by Design is a nationally police approved scheme, we would wish to see further details of these 'measures which have been developed to the satisfaction of local police forces' and know the locations where they are. For the safety and security of an 'Inspired Village' or any other community it is imperative that risk commensurate security features are incorporated into its design. Constructing well designed places, buildings and places that promote both sustainable communities and health and wellbeing is an objective that Essex Police widely supports. Mitigating the opportunities for crime is not only about reducing and preventing injury and crime, but it is also about building strong, healthy, cohesive, accessible, vibrant, and participatory communities.

We have worked with many developers on other over 50's schemes where through consultation and where necessary coming to compromises which are not to the detriment of design or security the developer has still been able to achieve a Secured by Design Award. The area of this development is part of substantial growth area that sits adjacent to another major growth area for Chelmsford where developers have already achieved and continue to achieve Secured by Design Awards. This development has the potential to house vulnerable members of the community that may be or feel that they are at greater risk crime, the fear of crime and ASB therefore it is important for their Health and Wellbeing as well as Safety and Security that realistic security measures are incorporated into this development and that the design is not a contributing factor to potential crime.

We would welcome the opportunity to consult on this development to assist the developer demonstrate their compliance with these planning policies, and guide them through the process to achieve a Secured by Design Homes award. An SBD award is only achieved by compliance with the requirements of the relevant Design Guide ensuring the risk commensurate security is built into each property and the development as a whole.

Natural England

Comments
<p>24.01.24</p> <p>As submitted, the application could have potential significant effects on internationally designated sites. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.</p> <p>The following information is required: • Consideration of qualification for contribution to Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) • If the application is within scope of Essex Coast RAMS, then a Habitats Regulations Assessment (HRA) will need to be provided. Without this information, Natural England may need to object to the proposal. Please re-consult Natural England once this information has been obtained. Natural England's further advice on designated sites and advice on other issues is set out below.</p> <p>Additional Information required The Essex Coast RAMS Supplementary Planning Document (SPD) states that Class C2 Residential Institutions/Care Homes are to be considered on a case-by-case basis. The Preliminary Ecological Appraisal report (Hybrid Ecology, November 2021) states that the application site is within scope of the Essex Coast RAMS and a financial contribution is required to mitigate for recreational impacts on Essex coast (para 5.9). Having considered the information provided in the application, we suggest that the</p>

application would be covered by Essex Coast RAMS but we are content for the Page 2 of 4 final decision to be made by the local authority. Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence. Further general advice on the protected species and other natural environment issues is provided at Annex A. If you have any queries relating to the advice in this letter please contact consultations@naturalengland.org.uk Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our Discretionary Advice Service. Please consult us again once the information requested above, has been provided. Yours sincerely Alison Collins MCIEEM West Anglia Area Team Annex A –Natural England general advice Wider landscapes Paragraph 180 of the NPPF highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland, or dry-stone walls) could be incorporated into the development to respond to and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape and Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the Landscape Institute Guidelines for Landscape and Visual Impact Assessment for further guidance. Biodiversity duty The local planning authority has a duty to conserve and enhance biodiversity as part of its decision making. Further information is available here. Designated nature conservation sites Paragraphs 186-188 of the NPPF set out the principles for determining applications impacting on Sites of Special Scientific Interest (SSSI) and habitats sites. Both the direct and indirect impacts of the development should be considered. A Habitats Regulations Assessment is needed where there is a likely significant effect on a habitats site and Natural England must be consulted on 'appropriate assessments'. Natural England must also be consulted where development is in or likely to affect a SSSI and provides advice on potential impacts on SSSIs either via Impact Risk Zones or as standard or bespoke consultation responses. Protected Species Natural England has produced standing advice to help planning authorities understand the impact of particular developments on protected species. Natural England will only provide bespoke advice on Page 3 of 4 protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances. A protected species licence may be required in certain cases. Local sites and priority habitats and species The local planning authority should consider the impacts of the proposed development on any local wildlife or geodiversity site, in line with paragraphs 180, 181 and 185 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity to help nature's recovery. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies. Emerging Local Nature Recovery Strategies may also provide further useful information. Priority habitats and species are of particular importance for nature conservation and are included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest on the Magic website or as Local Wildlife Sites. A list of priority habitats and species can be found on Gov.uk. Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found here. Biodiversity and wider environmental gains Development should provide net gains for biodiversity in line with the NPPF paragraphs 180(d), 185 and 186. Major development (defined in the NPPF glossary) is required by law to deliver a biodiversity gain of at least 10% from 12 February 2024 and this requirement is expected to be extended to smaller scale development in spring 2024. For nationally significant infrastructure projects (NSIPs), it is anticipated that the requirement for biodiversity net gain will be

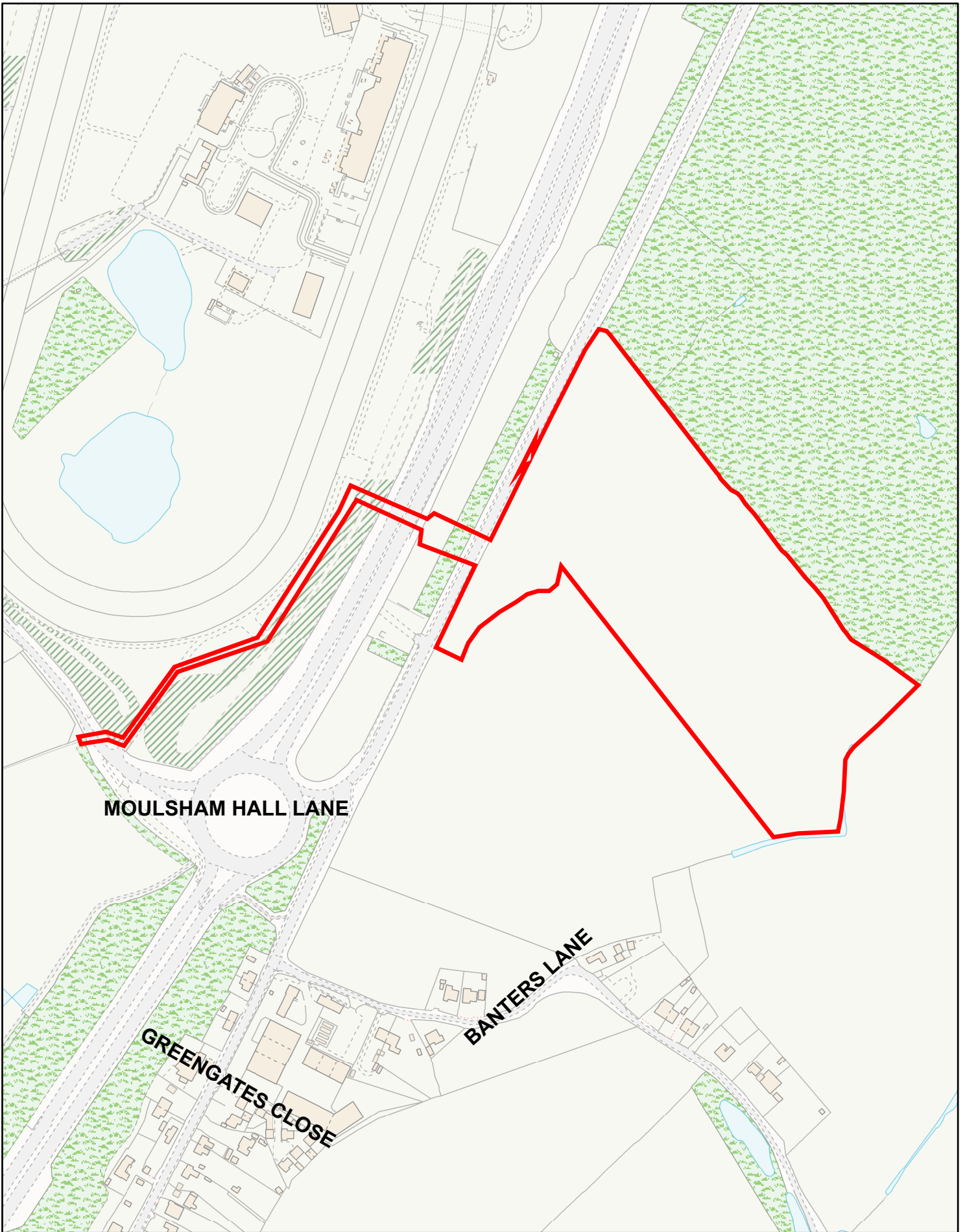
implemented from 2025. Further information on the timetable for mandatory biodiversity net gain can be found here. Further information on biodiversity net gain, including draft Planning Practice Guidance, can be found here. The statutory Biodiversity Metric should be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites, the Small Sites Metric may be used. This is a simplified version of the Biodiversity Metric and is designed for use where certain criteria are met. The mitigation hierarchy as set out in paragraph 186 of the NPPF should be followed to firstly consider what existing habitats within the site can be retained or enhanced. Where on-site measures are not possible, provision off-site will need to be considered. Development also provides opportunities to secure wider biodiversity enhancements and environmental gains, as outlined in the NPPF (paragraphs 8, 74, 108, 124, 180, 181 and 186). Opportunities for enhancement might include incorporating features to support specific species within the design of new buildings such as swift or bat boxes or designing lighting to encourage wildlife. Natural England's Environmental Benefits from Nature tool may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside the Biodiversity Metric and is available as a beta test version. Further information on biodiversity net gain, the mitigation hierarchy and wider environmental net gain can be found in government Planning Practice Guidance for the natural environment. Ancient woodland, ancient and veteran trees The local planning authority should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 186 of the NPPF. Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. Natural England and the Forestry Commission have produced standing advice for planning authorities in relation to ancient woodland and ancient and veteran trees. It should be taken into account when determining relevant planning applications. Natural England will only provide bespoke advice on ancient woodland, ancient and veteran trees where they form part of a Site of Special Scientific Interest or in exceptional circumstances. Best and most versatile agricultural land and soils Local planning authorities are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply NPPF policies (Paragraphs 180 and 181). This is the case regardless of whether the proposed development is sufficiently large to consult Natural England. Further information is contained in GOV.UK guidance Agricultural Land Classification information is available on the Magic website and the Data.Gov.uk website Guidance on soil protection is available in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, and we recommend its use in the design and construction of development, including any planning conditions. For mineral working and landfilling, separate guidance on soil protection for site restoration and aftercare is available on Gov.uk website. Detailed guidance on soil handling for mineral sites is contained in the Institute of Quarrying Good Practice Guide for Handling Soils in Mineral Workings. Should the development proceed, we advise that the developer uses an appropriately experienced soil specialist to advise on, and supervise soil handling, including identifying when soils are dry enough to be handled and how to make the best use of soils on site. Green Infrastructure Natural England's Green Infrastructure Framework provides evidence-based advice and tools on how to design, deliver and manage green and blue infrastructure (GI). GI should create and maintain green liveable places that enable people to experience and connect with nature, and that offer everyone, wherever they live, access to good quality parks, greenspaces, recreational, walking and cycling routes that are inclusive, safe, welcoming, well-managed and accessible for all. GI provision should enhance ecological networks, support ecosystems services and connect as a living network at local, regional and national scales. Development should be designed to meet the 15 Green Infrastructure Principles. The GI Standards can be used to inform the quality, quantity and type of GI to be provided. Major development should have a GI plan including a long-term delivery and management plan. Relevant aspects of local authority GI strategies should be delivered where appropriate. GI mapping resources are available here and here. These can be used to help assess deficiencies in greenspace provision and identify priority locations for new GI provision. Access and Recreation Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths, together with the creation of new footpaths and bridleways should be considered. Links to urban fringe areas should also be explored to strengthen access networks, reduce fragmentation, and

promote wider green infrastructure. Rights of Way, Access land, Coastal access and National Trails Paragraphs 104 and 180 of the NPPF highlight the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Consideration should also be given to the potential impacts on the any nearby National Trails. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts.

Local Residents

Comments

No representations received.



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**Planning Committee
21/02490/OUT**

**Planning & Development Management
Directorate for Sustainable Communities**

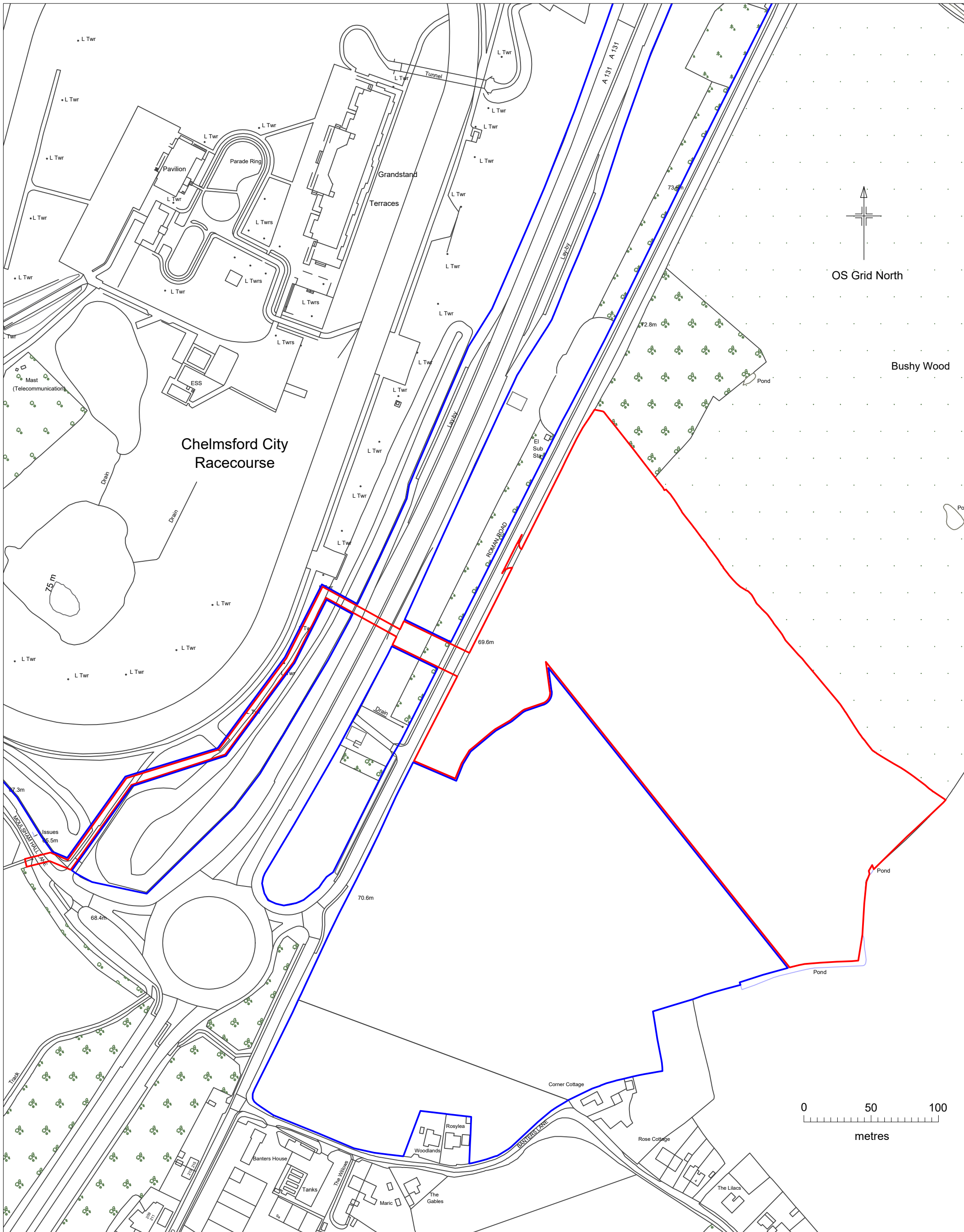
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Date: December 2024
 Scale: 1:2500 @ A3
 Revision: A / January 2025

21/02490/OUT
 Banter's Field at Great Leighs,
 for Great Leighs Estates Limited

Title: Site Location Plan
 Project: Great Leighs - Banter's Field
 DWG No. 024-LF

Revision.	
Date.	
Project.	BANTERSFIELD, GREAT LEIGHS, CHELMSFORD, ESSEX.
Description.	Proposed Retirement Community Block Plan.
Client.	
Drawing No.	Master Plan 02.
Sheet size.	A3
Scale.	1/ 1250
Date.	Oct. 2024.



Proposed Block Plan. 1 / 1250 @ A3.

- Single storey Buildings.
- 1.5 storey Buildings.
- 2 storey Buildings.
- Community Hub Building.
- 3 storey Buildings.