

4 March 2025 at 7pm

Council Chamber, Civic Centre, Chelmsford

Membership

Councillor J. Sosin (Chair)

and Councillors

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

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

PLANNING COMMITTEE

4 March 2025

AGENDA

1. Chair's Announcements

2. Apologies for Absence

3. Declarations of Interest

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

4. Minutes

To consider the minutes of the meeting on 4 February 2025.

5. Public Question Time

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

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

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

6. 23/01583/FUL & 23/01583/OUT – Strategic Growth Site 7A Moulsham Hall Lane, Great Leighs. Chelmsford, Essex

MINUTES
of the
PLANNING COMMITTEE
held on 4 February 2025 at 7pm

Present:

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

Councillors J. Frasca, S. Hall, R. Hyland, J. Lardge, R. Lee, A. Thorpe-Apps, C. Tron, N. Walsh and P. Wilson

1. Chair's Announcements

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

2. Apologies for Absence

Apologies for absence were received from Cllrs Armstrong and Sampson. Cllr Walsh substituted for Cllr Sampson.

3. Declarations of Interest

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

4. Minutes

The minutes of the meeting on 21 January 2025 were confirmed as a correct record and signed by the Chair.

5. Public Question Time

Public Questions and Statements had been submitted in advance for Items 7 and 10, they are summarised under the relevant item. [The questions and statements submitted in advance can be viewed via this link.](#)

6. 23/01105/FUL- Land West of the Fox and Raven, Chelmer Village Way, Chelmer Village, Chelmsford, Essex

Declarations of Interest – Cllr Hall declared an interest in this item as the local ward member and left the Committee for this item, as they had done at the previous meeting.

Cllrs Lee and Walsh who were not at the previous meeting, did not take part in this item. Cllr Thorpe-Apps also did not take part in this item.

The Committee were asked to consider the detailed reasons for refusal that had been suggested by officers following the deferral of the item at the previous meeting. The Committee noted that the first four refusal reasons, covered their initial concerns on the Harm to the Green Wedge, Harm to Listed Buildings and the Conservation Area, Loss of protected trees and that the Development did not meet policy standards. The Committee also noted a further refusal reason, proposed by officers regarding the absence of a signed Section 106 agreement.

Committee members noted that they were content with the reasons and the wording, as set out by officers.

RESOLVED that the application be refused for the reasons detailed in the report.

(7.05pm to 7.07pm)

7. 24/01373/FUL – Land South West of Brooklands, Sheepcotes Lane, Little Waltham, Chelmsford, Essex

Cllrs Hall, Lee, and Walsh returned to the Committee at this point. Cllr Thorpe-Apps also joined the meeting at 7.10pm.

The Committee were asked to consider an application for the demolition of a domestic storage building and replacement with a single residential dwelling including a bin store. The Committee heard that the application had been called in by a Ward Councillor to consider whether it was appropriate development in the Green Wedge. The Committee were informed that the proposal would not satisfy various policies, due to it not having the same use proposed as the existing building, not filling an infill gap and would harm the character and beauty of the Green Wedge and Rural Area. The Committee were also informed that it would be of a greater scale, size, mass and spread than the existing building with a greater visual impact and a higher impact of consequential activities from the site. The Committee also heard that the proposal was of a high quality of form and detailing and could meet the required provisions for living accommodation and neighbour relationships, but those considerations did not overcome the overall policy conflict in the planning balance, therefore officers had recommended the application for refusal.

The Committee heard from members of the public who were in support of the scheme. In summary, they highlighted that the proposal would improve the surrounding landscape policies supported redevelopment of brownfield land in the Green Wedge and that it would not have a negative impact on the Green Wedge. The Committee also heard that it would provide a sustainable and low impact family home, the proposal was of high quality and would not have any material or visual impact on the rural character of the area, providing much needed housing. The Committee were also informed, that the site was already

domestic in nature, the benefits outweighed any perceived increase in activity, it demonstrated sustainable growth and the site was not suitable for other applications.

The Committee had also received questions, which spoke against the proposal, highlighting risks to the natural ecosystem, a lack of information on sewage safety, an urban feeling that would occur if approved, a lack of affordable housing being provided, previously rejected applications on the site and that it had not been supported by the Parish Council.

The Committee also heard from the ward Councillor, who had called the application in. They stated that the proposal would look the same from the road as the current Nissen Hut, the applicants had carried out work to address concerns on water treatment and sewage, and that conditions had been proposed regarding other environmental concerns that the applicant could meet. The Committee also heard that it was within the Green Wedge, but other large housing developments were being built nearby, this would just be one house and they felt that residents objections had been addressed. They also suggested that the Committee could undertake a site visit to consider concerns.

In response to the points raised, officers stated that;

- The site fell outside of the defined settlement boundary and was within the Green Wedge, therefore against policy. This had not changed between the adopted local plan and Regulation 19 pre submission document.
- A greater level of activity would occur with the proposed development.
- Each application had to be decided on it's own merits and this site went quickly from a suburban to rural context.

In response to questions from the Committee, officers confirmed that;

- Internal light standards had been met but the proposal remained in a large gap between existing buildings and therefore could not be considered as an infill plot.
- The proposal would lead to a site occupied regularly, in turn generating its own vehicular movements.
- Officers had considered the application upon it's own merits, so had not been able to give significant weight to other possible uses that may have been preferable.

Members of the Committee agreed that the site was within the Green Wedge and of the importance to protect it, they also noted that it was outside of the defined settlement boundary of Little Waltham.

RESOLVED that the application be refused for the reasons detailed in the report.

(7.08pm to 7.45pm)

8. [24/01723/FUL – Dovedale Sports Centre, Vicarage Road, Chelmsford, CM2 9BP](#)

The Committee were asked to consider a proposal for two single storey extensions, to form a new reception area, internal alterations, along with the installation of three Air Source Heat Pumps at Dovedale Sports Centre. The Committee were informed that due to the Council's joint use agreement with the college to enable community use, it therefore

had an interest in the site, hence why the application had been presented to the Planning Committee in accordance with the Council's Constitution for a decision, due to a public objection that had been received. The Committee were informed that the development would modernise the facility for College students and the local community and that the extensions were minor in size and form, located between two existing buildings and would not relate in any harm to the character of the area.

The Committee also noted the location of the heat pumps near to rear boundaries on Rothesay Avenue, and that conditions would restrict the noise levels of the heat pumps, leading to the impact on the living conditions of neighbouring properties being considered as acceptable. The Committee noted that the application had been recommended for approval.

In response to a question from the Committee, officers confirmed that members did not need to declare an interest in the application due to the Council's interest in it and that was why the application had come before them, rather than being considered under delegation to officers. Members of the Committee also acknowledged the important community benefit of the application.

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

(7.46pm to 7.50pm)

9. 21/02490/OUT – Banters Field, Main Road, Great Leighs, Chelmsford, Essex

The Committee were asked to consider an outline planning permission application for the development of an integrated retirement community comprising of up to 190 units (C2 use) with all matters reserved for access. The Committee heard that the site proposed the development of part of Strategic Growth Site Policy 7b, known locally as Banters Field and in addition to the retirement units, a financial contribution towards affordable housing. The Committee were also informed that the application extended across Moulsham Hall Lane due to underground drainage works. The Committee also noted other elements of the application, including tree planting, walking and cycle improvements, NHS contributions as referred to on the green sheet of amendments and Highway works.

The Committee heard that the Highway Authority did not have concerns with the application, it demonstrated conformity with the Local Plan and the previously approved masterplan, would deliver key infrastructure along with an affordable housing contribution and had therefore been recommended for approval subject to the conditions and the completion of the Section 106 agreement.

In response to questions from the Committee, officers stated that;

- The shortfall of 60 units in comparison to the masterplan and the outline planning application, could be delivered within the rest of the site parcel, the allocation had not changed and it was for the developer to decide how they sectioned up the area of land. Officers still expected the total of 250 units to be delivered in the future.

- The viability assessment found that no affordable housing could be delivered on the site, so officers instead entered negotiations along with their consultants to agree with the developers a level of surplus money, that could be afforded instead as affordable housing contributions. This meant that the Council could use the contribution towards affordable housing schemes elsewhere. It was also noted that the finer details of the Section 106 agreement were still to be completed.
- A mixture of property sizes had been included by the developer and some of the larger properties may be aimed at those downsizing from even larger properties and that officers felt the mix of property sizes and bedroom's was acceptable. They also confirmed the C2 Class use on the application which meant the planning permission would require the specialist retirement properties, whereas a C3 application would have instead been a policy conflict. A condition had been included to ensure occupants were over 55, but members could ask for this to be in the legal agreement instead, however officers felt the condition was sufficient.
- Officers would prefer the affordable housing contribution to be paid as soon as possible and that would form part of the S106 negotiations.

The Committee agreed that the outline application met policy requirements and complied with the previously agreed Masterplan.

RESOLVED that the application be approved subject to the completion of a S106 Agreement and compliance with the conditions detailed in the report, the details/minor variations of which were delegated to the Director of Sustainable Communities/Planning Development Services Manager in liaison with the Chair and Vice Chair of the Planning Committee.

(7.51pm to 8.23pm)

10.88/01205/S73 – Daniel Kirby House Care Home, Moulsham Street, Chelmsford, CM2 9AQ

The Committee were asked to consider an application to remove a condition and vary two others to approved planning application 88/02105 which in summary would lead to the current age restrictions on the C2 use of the property being removed, so that the premises could be occupied by younger residents in need of care. The Committee heard the property was a much extended 1930's home which gained lawful use as a C2 care home in 1989, but with restrictions to females and males being above 60 and 65 years respectively.

The Committee heard that local residents had objected to the application, based on concerns that the change would lead to inappropriate occupants with more challenging behaviours adversely causing noise disturbances and changes to the living conditions of those nearby and threats to safety. The application had been called in by the Ward Councillor to consider if the development was appropriate in the location and whether if granted the use would be effectively controlled.

The Committee heard that officers had fully considered the concerns, but that the premises would be subject to oversight from other bodies such as the Care Quality Commission, rather than the Council, Essex County Council's Adult Social Care team had supported the scheme and had approved it through their onboarding processes. The Committee heard therefore that officers had recommended the application be approved, as it was

within a well connected urban location, with no unacceptable level of harm being caused to the locality or neighbouring properties and had sufficient parking spaces.

The Committee heard from members of the public in support of the application, who in summary stated that, the use class would not change, there would be no material change to the operations of the site, concerns on public nuisance and noise were matters for other public safety legislative and regulatory processes, the owners were regulated by the Care Quality Commission and that the proposal would meet the high demand for the accommodation type in the area. The Committee also heard that the owners operated similar services nearby without issue and the need for the service was urgent. The Committee also heard from a family member of someone who may use the care home if approved and they spoke of the importance of facilities being well located and suitable for all ages.

The Committee also heard from members of the public speaking against the application, who raised concerns about the revised age limits leading to disturbances, a lack of parking, what need was there for the condition to change if it had been appropriate back in 1989, neighbour amenity, a lack of evidence as the facility had not yet opened, loud and threatening behaviour from future residents, staffing numbers and safety fears.

The Committee also heard from the Ward Councillor who had called in the application. They stated that the application had first appeared straight forward, but upon further investigation had not been as simple. They raised concerns about the initial planning permission and what was different now that permitted conditions to be removed, especially when the residential area had increased since 1989. They also highlighted that the conditions had presumably been put in place for a reason and that the area had become busier since 1989. They referred to the elderly persons care home being a valued community asset, which would be lost and that an unfettered C2 planning permission would effectively be granted if approved. They also highlighted the need for a conditioned management plan if approved.

In response to the points raised, officers stated that;

- The application needed to be considered on its own merits and officers had taken into account the more intensely developed surroundings since 1989.
- The loss of the existing elderly persons care home had been accepted, but there was a pressing need for C2 care home facilities for younger members of the community.
- The premises would be managed and any arising incidents would be dealt with by other bodies such as the CQC or Essex County Council.
- They were not in favour of conditions involving the Council with any management plan as it did not meet the necessity test.

In response to questions from the Committee, officers stated that, the property had been vacant for a while prior to the relatively recent refurbishment and that staffing levels were a matter for the CQC and the home itself and were not planning considerations.

Members of the Committee acknowledged the high demand and need for the type of care that would be provided and noted that other legislation was in place to prevent neighbours from noise disturbances. Members of the Committee also noted that some of the objections raised were not material planning considerations.

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

(8.24pm to 9.09pm)

11. Planning Appeals

RESOLVED that the information submitted to the meeting on appeal decisions between 9th January 2025 and 21st January 2025 be noted.

The meeting closed at 9.09pm.

Chair



Planning Committee
4th March 2025

Application No	:	23/01583/FUL Full Application
Location	:	Strategic Growth Site 7A Moulsham Hall Lane Great Leighs Chelmsford Essex
Proposal	:	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.
Applicant	:	C/O agent
Agent	:	Savills
Date Valid	:	12th October 2023

1. Executive summary

- 1.1. This is a full application, which forms part of the hybrid application 23/01583/OUT. The officer report for this proposal is covered under application 23/01583/OUT.

RECOMMENDATION

The Application be APPROVED subject to the completion of a S106 Agreement together with compliance with the following conditions, the details of those items and any variations that may be considered necessary and appropriate to be delegated to the Director of Sustainable Communities/Planning Development Services Manager in consultation with the Chair and Vice Chair of the Planning Committee:

Procedure

Condition 1 – Time limit

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

Reason:

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

Condition 2 – Approved plans

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

Reason: In order to achieve satisfactory development of the site

Pre-commencement

Condition 3 - Levels

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

Reason:

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

Condition 4 - Construction Management Plan

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

- i. provision of a safe and suitable access to the site;
- ii. vehicle routing;
- iii. the parking of vehicles of site operatives and visitors;
- iv. loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development;
- vi. wheel and underbody washing facilities;
- vii. measures on site to control the deposition of dirt / mud on surrounding roads during the development;
- viii. treatment and protection of public rights of way during construction;

- ix. hours of deliveries;
- x. highway safety considerations;
- xi. Before and after condition survey to identify defects to highway in the vicinity of the access to the site and where necessary ensure repairs are undertaken at the developer expense where caused by developer.

Reason:

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 5 - Archaeology

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

Reason:

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

Condition 6 – 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 1:1 Greenfield runoff rates for all storm events up to and including the 1 in 100 year rate plus 45% allowance for climate change and to provide long term storage with discharges at 2l/s
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event. or, if impracticable;
- Demonstrate that features are able to accommodate a 1 in 10 year storm event within 24 hours of a 1 in 30 year event plus climate change
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.

- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- 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 7 - Minimise off-site flooding

No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works, and prevent pollution, has been submitted to, and approved in writing by the local planning authority. The scheme shall subsequently be implemented as approved.

Reason:

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

Condition 8 - 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 9 - Construction Environmental Management Plan: Highways

Prior to commencement within any phase or sub-phase 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

- control measures for noise and vibration during the period of construction;
- construction dust and dust monitoring;
- waste management and management of earthworks;
- good practices for construction vehicles and stationary plant;

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 10 - CEMP: Biodiversity

Prior to commencement of the development hereby permitted a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) relating to bats, Great Crested Newt, reptiles, Barn Owls, breeding birds, Badger, Brown Hare and Hedgehog.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Containment, control and removal of any invasive non-native species present on site

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

Reason:

To ensure that the construction of the development does not result in harmful impacts on the biodiversity in accordance with Policy DM16 of the Chelmsford Local Plan.

Condition 11 – 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.

Condition 12 – Time limit for surveys

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 (Priority habitats & species).

Condition 13 - Badgers

No badger sett closure shall commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant Badger Protection Act 1992 authorizing the specified activity/development to go ahead; or
- b) a statement in writing from the 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 and Badger Protection Act 1992 and s17 Crime & Disorder Act 1998.

Condition 14 - Great Crested Newt

Any works which will impact the breeding / resting place of Great Crested Newt, shall not 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 the 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.

Pre-occupancy

Condition 15 – SuDS maintenance plan

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

Reason:

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

Post occupancy monitoring and management

Condition 16 - Unbound material

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

Reason:

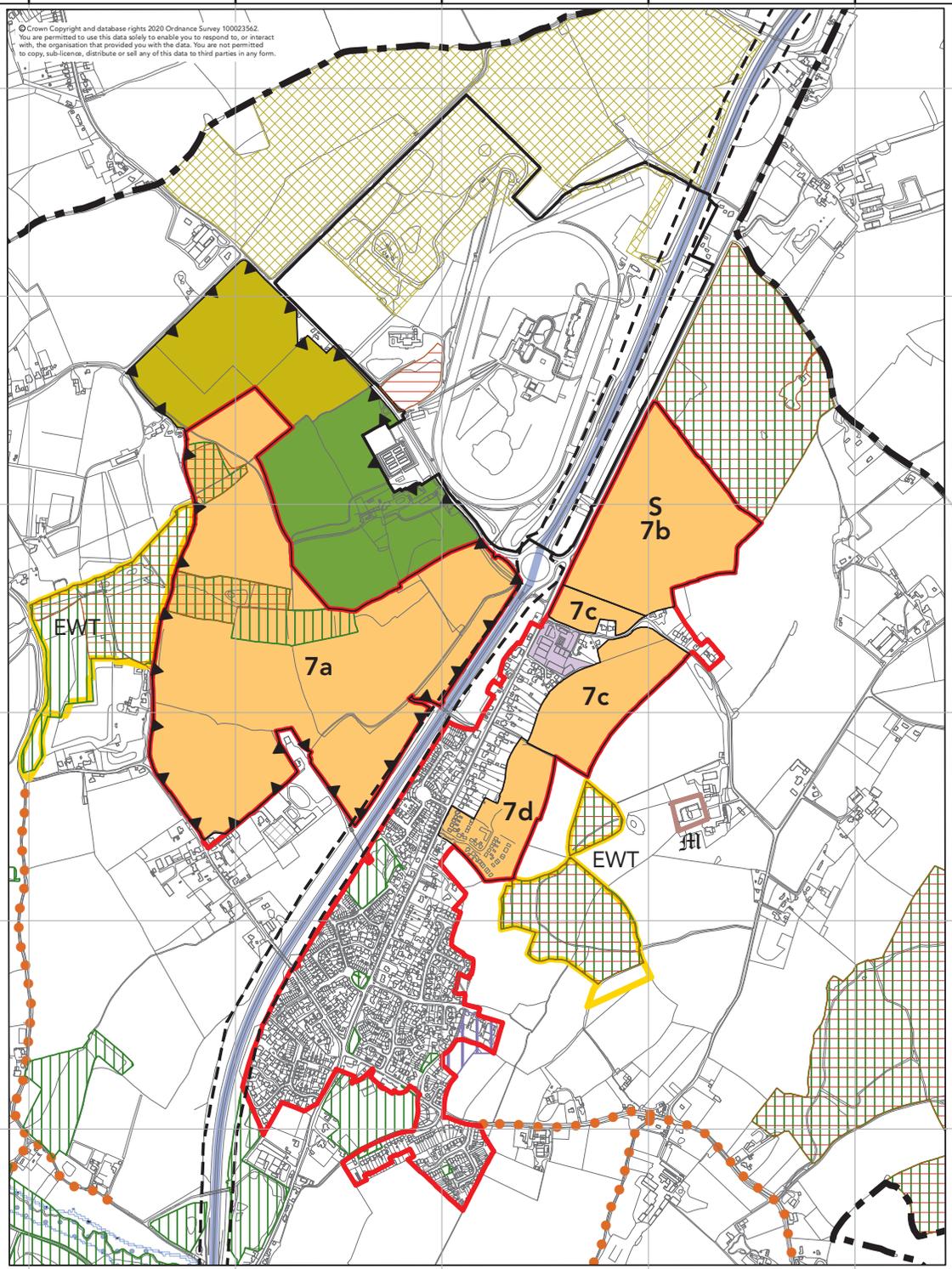
To avoid displacement of loose material onto the highway in the interests of highway safety.

Condition 17 – Landscaping visibility splays

Any proposed street trees shall be planted clear of any visibility splay, boundary planting shall be planted a minimum of 1 metre back from any visibility splay.

Reason:

To ensure that the future outward growth of the planting does not encroach upon the visibility splays, to preserve the integrity of the highway and in the interests of highway safety.



Adopted Policies Map May 2020

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.

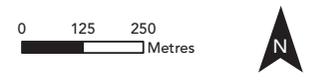
For the application of relevant policies within the Local Plan, the designation of the Rural Area includes all those areas outside of Urban Areas, Defined Settlement Boundaries, Green Belt and specific allocations or Policy Areas. The Rural Area has no notation so appears as 'white land' on the Policies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

Spatial Planning Services
Directorate for Sustainable Communities

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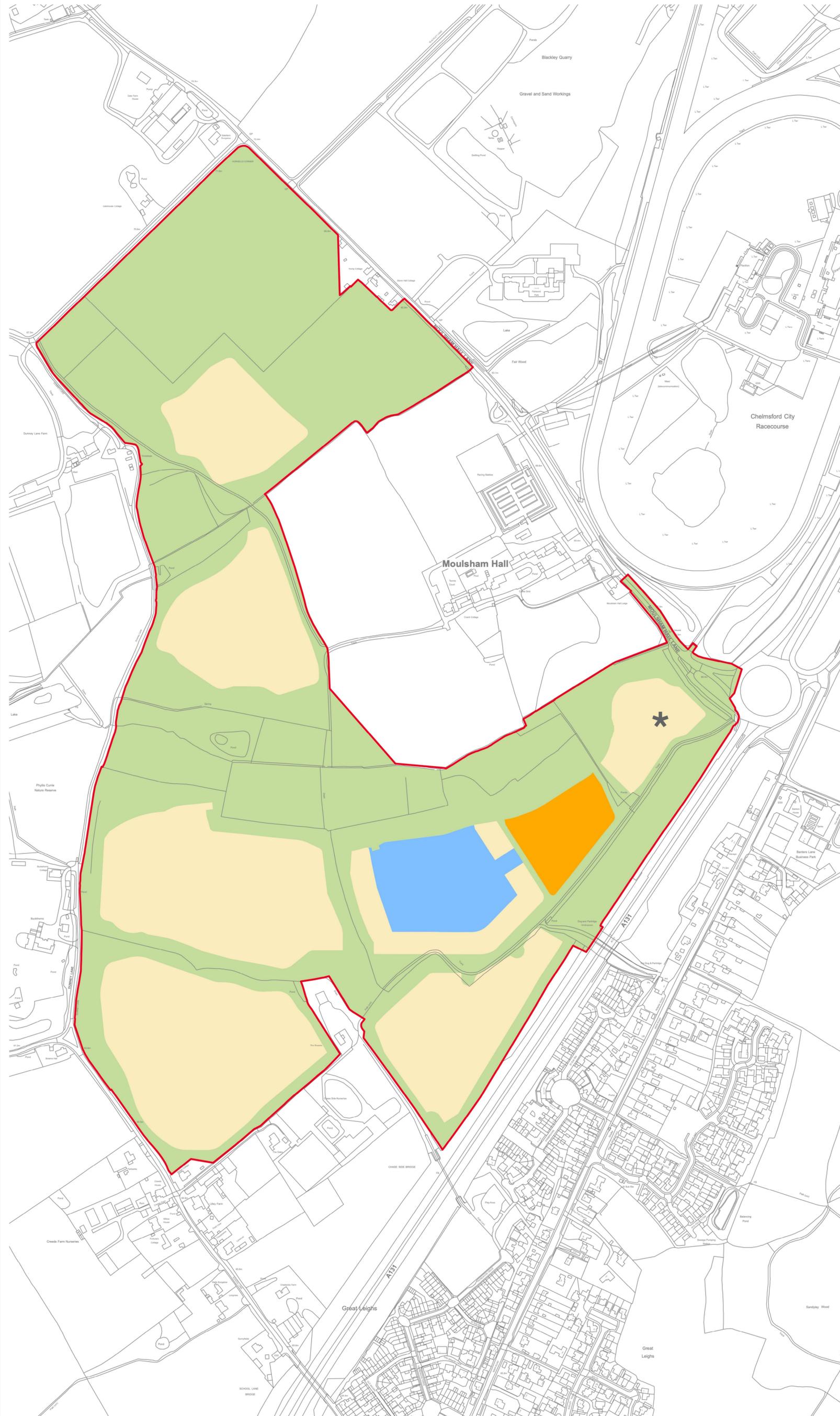


This drawing is to be read in conjunction with drawings prepared by the architects, structural engineers and service consultants and all other relevant details and information.
 Any queries or discrepancies must be reported immediately to the architect.
 Do not scale: use figured dimensions only.
 All dimensions must be verified by the main contractor before the commencement on site of any item of work or the preparation of shop drawings for their own work or that of sub-contractor or suppliers.

- Application boundary
- Residential (includes incidental open space, drainage and ancillary infrastructure)
- Indicative location for Care Home
- Mixed Use (includes retail, commercial, health, nursery, community uses and residential)
- Primary School Site
- Green Infrastructure (includes informal open space, youth and children's play, equestrian use, ecological buffers, access routes, SuDS and ancillary infrastructure)

NOTES:

1. All features and areas subject to a tolerance of +/- 5m.
2. Utility infrastructure may need to be located in Green Infrastructure areas



Rev	Date	Drawn by	Description
H	27/11/23	TBS	Planning issue- key text updated

PLANNING

Great Leighs,
Chelmsford

Bellway HARROW ESTATES
Moulsham Hall Estates Ltd

Drawing title			
Parameter Plan - Land Use			

Date	drawn by	checked	Phase
July 23	KS	TBS/RS	
Scale 1:2500@A1		Rev. H	
Drawing number: 1391-1- 307			Previous Dwg no:

architecture master planning urban design

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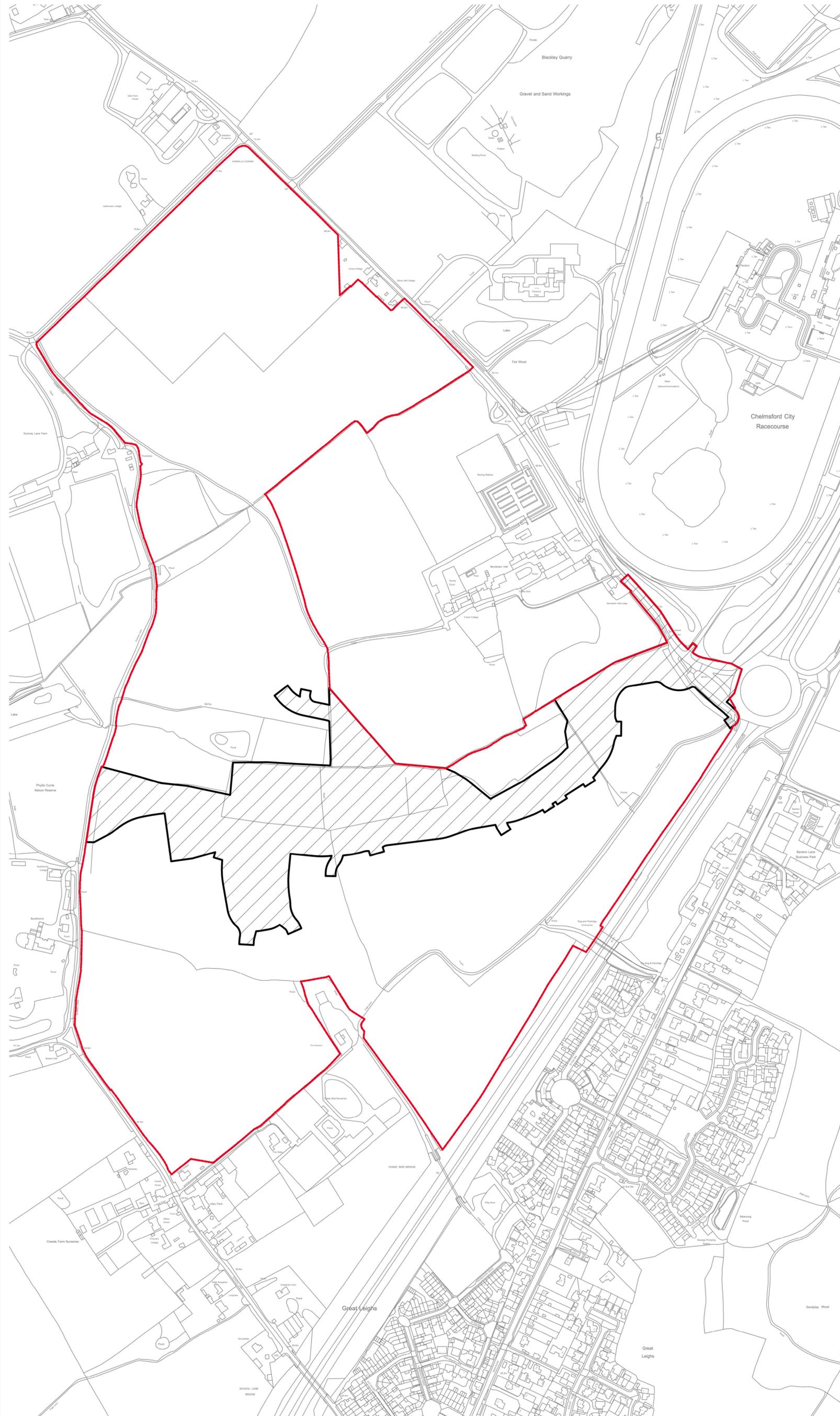
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 Outline Application Boundary- 59.54 ha

 Detailed Infrastructure Application Boundary- 9.44 ha



Rev	Date	Drawn by	Description
-	170823	LR	Preliminary Issue.
A	060923	TBS	Planning issue- minor amendments to OPA boundary and area
B	140923	TBS	Planning issue- minor amendments to infrastructure boundary and area

PLANNING

Great Leighs,
Chelmsford

Bellway HARROW ESTATES
Moulsham Hall Estates Ltd

Drawing title
**Site Location Plan-
Outline Application**

Date	drawn by	checked	Phase
Aug'23	LR	TBS/RS	
Scale	1:2500@A1	Rev.	B
Drawing number:	1391-1- 315		Previous Dwg no:

architecture master planning urban design

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Planning Committee
4th March 2025

Application No	:	23/01583/OUT & 23/01583/FUL Full Application
Location	:	Strategic Growth Site 7A Moulsham Hall Lane Great Leighs Chelmsford Essex
Proposal	:	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.
Applicant	:	C/O agent
Agent	:	Savills
Date Valid	:	12th October 2023

Contents

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

Appendices:

Appendix 1	Drawings to be approved
Appendix 2	Extract – Adopted Policies Map – Great Leighs
Appendix 3	Consultation responses summary

1. Executive summary

- 1.1. This application proposes the development of Strategic Growth Site Policy 7a - Land at Moulsham Hall. The scheme will provide a mixed use development comprising up to 750 dwellings, neighbourhood centre, care home, and primary school. The application is submitted in hybrid form - outline with all matters reserved, and full permission sought for vehicular access, highways works and drainage basins.
- 1.2. The development would deliver 35% affordable homes. Following review of the applicant's viability appraisal 19% of homes would be for affordable rent. The viability appraisal has been independently tested and the agreed provision is considered acceptable to the Council. The application would also provide a mechanism to deliver five travelling showperson plots, within the nearby site opposite allocation 7b.
- 1.3. The proposal delivers up to 750 dwellings, in addition to the other requirements of the growth site policy, in a manner consistent with the previously approved masterplan for the site.
- 1.4. 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 are built following the grant of planning permission in 2016. See Policy Map extract for Great Leighs at Appendix 2.

- 2.3. Site 7a encircles the grounds to the Grade II listed Moulsham Hall. The application site is roughly 60 hectares of open fields mostly enclosed by hedgerows and woodland areas. Numerous field parcels are included with 7a. The site abuts Moulsham Hall Lane to the east, Hornells Corner to the north, Dumney Lane and School Lane to the west, and the A131 to the south. Beyond the site to the west is the Phyllis Currie Nature Reserve. Beyond the site and Moulsham Hall Lane to the east is Chelmsford City Racecourse.

3. Details of the proposal

- 3.1. This submission is a hybrid planning application - part outline and part full. The outline application seeks permission for 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. All matters are reserved.
- 3.2. The full part of the planning application seeks permission for the primary vehicular access to the site, internal highways works, surface water attenuation basins and associated ancillary works including services and utilities.
- 3.3. The application is accompanied by an Environmental Statement.

4. Other relevant applications

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

*Strategic Growth Site 7 – Great Leighs
22/00002/MAS - approved 14 March 2023*

- 4.2. The masterplan was subject to negotiation and revision. One of the substantive points to evolve from its consideration through two separate Policy Board meetings, directly relevant to 7a, was the acceptance of the location for the Travelling Showperson Site (TSP) outside of the allocation site within a parcel of land opposite Site 7b (known as the Island Site).
- 4.3. The approved masterplan is a material planning consideration in the determination of the application.

*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.*

- 4.4. 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

21/02490/OUT – resolution to approve subject to legal agreement

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

- 4.5. This application was presented to Committee in January 2025. 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.

- 4.6. 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 being finalised.

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 3.

- Essex Police - comments received regarding road safety.
- Felsted Parish Council - raised concerns regarding the access and traffic impacts. Requested; additional footpaths, the education centre is built before or during the construction of the new dwellings, inclusion of a new Doctors Surgery.
- Chelmsford Garden Community Parish - raised concerns regarding traffic impacts
- Great & Little Leighs Parish Council - raised concerns regarding existing amenities, infrastructure and traffic and safety impacts.
- Braintree District Council - comments made previously to 22/00002/MAS are still pertinent to this case.
- Essex County Council Highways – no objection subject to conditions
- Public Health & Protection Services – request for condition on internal noise levels
- Ramblers Association - advised the phasing of all construction work should allow use of the PRoW at all times, or alternatives should be put in place. Request for detailed specification of the new/enhanced PRoW.
- Active Travel England – No response received
- NHS Mid and South Essex ICB – The GP practice does not have capacity for the additional growth and welcomes the inclusion of a healthcare centre which should be secured via a S106 agreement.
- ECC Development and Flood Risk, Waste & Environment - no objection, subject to conditions.
- Essex Fire and Rescue - comments on access, Building Regulations, water supplies and sprinkler systems.
- Natural England – initial objection overcome by proposed walking route
- Sport England – objection due to lack of confirmed provision. Comments on financial contributions and recommendations and requirements for provision. Condition required if approved.
- Anglia Water – currently no capacity at recycling centre, capacity required to be made available by Anglian Water
- ECC Growth and Development – various topic comments
- ECC Minerals – no objection, request for conditions
- ECC Historic Environment – recommend conditions for trial-trenching and open area excavation.

- Essex Wildlife Trust – raised concerns regarding adverse impacts on Phyllis Currie Nature reserve and designated habitats and protected species. Advised insufficient biodiversity net gain proposals, no consideration of SANGS
- Environment Agency – comments with no objection.
- Historic England – no comments; seek the views of your specialist conservation and archaeological advisers.
- Essex Bridleway Association – comments received; additional information requested
- Cycling Action Group – no response received
- National Highways – no objection
- Parks & Open Spaces – no objection, preference is now for fewer play areas but to neighbourhood standard

5.2. Below is a summary of responses from representations across both applications. There were 14 contributions, some of which were from the same representative.

- Residential amenity - Loss of privacy and security to existing properties due to proposed locations of the bridleway, footpath, cycle path and emergency access; adverse impacts on mental and physical health from development; overbearing for properties nearby.
- Supporting infrastructure – existing roads and accesses need to be improved; requirements for a school as the existing schools would not have the capacity to accommodate the residents of the new development; concerns regarding reduction in water pressure to residents; upgrades required to existing sewage works; inadequate details regarding proposed healthcare centre and what this includes; requirement for local shops; infrastructure should be delivered as part of phase 1.
- Environmental impacts - resulting from loss of green space; adverse effects of traffic increase; adverse impact on wildlife; destruction of habitats; lack of mitigation for wildlife; including protected species; loss of high-quality farmland which should be used for UK food production; concerned for impacts on Phyllis Currie Nature Reserve.
- Transport matters – Great Leighs is poorly serviced by public transport; no public transport alternatives proposed; requires additional pedestrian crossings; concerns over a single vehicular access to the development; Moulsham Hall Lane, the hamlet of Willows Green and access to Felsted should be considered in terms of traffic impact; cycle links/ footpaths should be connected more widely; pedestrian safety concerns due to proximity to A131; request for inclusion of speed restrictions and traffic calming measures; proposed pathways too narrow; concerns that the NE bypass will not be complete before the development commences
- Air pollution/noise pollution – concerns expressed.
- Trees/biodiversity - mature trees; extensive ancient hedgerows; ponds and mature woodlands will all be destroyed to accommodate development.
- Housing development - loss of village feel/does not respect the countryside; unaffordable, no advantages of development for the local community
- Existing property impact - groundworks will cause structural issues to existing properties; increase in antisocial behaviour; emergency access location.

5.3. The following sections will deal with a number of planning matters, some issues raised through representations are not material planning considerations or issues covered through other

legislation (i.e. Environmental Health). This report will not comment on requests for amendments or further information, as the application is considered on its submitted details (substantive elements of which are in outline only) and appraised on its individual merits.

6. Planning considerations

Principle of Development

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

Local Plan Strategic Policies: S1, S6, S7. Site Policies: Growth Site Policy 7a

- 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 7a – Land at Moulsham Hall. This site policy requires the following amount and type of development:
 - Around 750 new homes of mixed size and type to include affordable housing
 - Travelling Showpeople site for 5 serviced plots.
 - Neighbourhood centre
 - Provision of a new primary school with co-located early years and childcare nursery
 - Provision of new stand-alone early years and childcare nursery
 - Main vehicular access to the site will be from Moulsham Hall Lane
 - Provide pedestrian and cycle connections
 - Provide a well-connected internal road layout which allows for bus priority measures.
- 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 7a. Although the substantive development of the application is submitted in outline, conceptual plans have been provided to show how the development might be laid out. Such elements are shown in greater 'indicative' detail within the Design & Access Statement. The merits of the design and 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 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 delivery

Strategic Priority 2 (new homes)

Local Plan Strategic Policy: S6, Local Policies: DM1, DM2, DM3

Travelling Showpeople (TSP)

- 6.8. As evident within the submission, Site 7a does not include an indicative area for a TSP site. Instead, in accordance with the approved masterplan, the TSP site is to be located opposite Site 7b along London Road. That location has been agreed in the masterplan and now benefits from a resolution to grant planning permission following consideration by Planning Committee in April 2024. The Local Plan Review also proposes to crystallise the site as an extended allocation of Growth Site 7. The legal agreement for 7a will need to provide a mechanism for delivery of the approved TSP site in order to ensure site policy compliance.

Market Housing

- 6.9. 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. The housing mix is indicative but is generally acceptable. As the application is made in outline (for elements that include housing), the future mix of specific parcels will be a matter to be secured through the legal agreement.
- 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. Policy DM1 also requires 5% of the affordable units to meet requirement M4(3) of the Building Regulations 2015 (wheelchair user dwellings). This will be secured through legal agreement.

Affordable Housing

Context

- 6.11. The application is for "up to" 750 dwellings. Policy DM2 requires 35% of developments of 11 or more residential units to be provided as affordable housing. The affordable housing requirement equates to 263 dwellings overall (when rounded up). The Council's Planning Obligations SPD (POSPD) sets out the required mix for affordable housing. The Council will expect the affordable housing to include 22% of the total number of dwellings within the development as either social or affordable rented accommodation.

Application details and consideration

- 6.12. During the lifetime of the application, the applicants submitted a Financial Viability Assessment (FVA) from Turner Morum, which set out that the development was unviable at 35% affordable housing in their opinion.
- 6.13. 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.
- 6.14. The Council commissioned an independent Viability Report by Gerald Eve (GE) to review the applicant's submitted FVA, to consider the content and conclusions reached by Turner Morum. This independent report initially concluded that the site could not support affordable housing at the full policy requirement, but was relatively close at 33% being viable. Following further review of the S106 contributions, most significantly infrastructure related contributions that were no longer deemed necessary, a further assessment was conducted. The Council's report concluded that the site could support 35% affordable housing. This position continued to be disputed by the applicant's consultant, however an offer was presented by the applicant at 35%, with a tenure mix of 55/45 between affordable rent and shared ownership. This mix represents a difference from a policy compliant split of 63/37 (with roundings), securing 145 affordable rent units and 118 shared ownership units.
- 6.15. 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.
- 6.16. 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 offer is considered to be an acceptable one based upon the viability position of both consultants.

Self-Build and Custom Build and Specialist Residential Housing

- 6.17. Policy DM1 C) states that within all developments of more than 100 dwellings the Council will require 5% self-build homes, which can include custom housebuilding. The development would include 5% of the new homes as self-build plots in a location to be determined in future reserved matters applications (but indicatively shown within the most northern parcel). The provision of these units, as well as design coding, would be secured through the s.106 agreement.
- 6.18. Policy DM1 C) also requires the provision of specialist residential accommodation, taking account of local housing needs. The Planning Obligations SPD states that at the time a formal application is submitted, the Council will consider the specialist residential accommodation needs identified in the Council's Housing Strategy as well as the latest assessments of need. The Council has produced a Planning Advice Note relating to specialist residential accommodation (SRAPAN). This states that the latest assessment of housing need is contained within the Housing Strategy. The Planning Advice Note explains that obtaining a commuted sum in lieu of on-site specialist residential accommodation provision would enable flexibility in the location of units but also the ability to align revenue funds to match this capital contribution towards the identified housing needs. However, the circumstances of this allocation are somewhat unique. Firstly, the presence of an FVA has sought to challenge such contributions. Secondly, Growth

Site 7 includes a specific allocation (in Site 7b) for specialist residential accommodation. On the basis of these two factors, a financial contribution has not been sought.

Education

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

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

- 6.19. The site allocation policy includes the requirement for a new co-located primary school and early years and childcare nursery. These are outlined within the land use plan and application details, and to be secured through the s.106 agreement.
- 6.20. A two-form entry primary school is proposed in the location agreed in the masterplan. The applicant is agreeable to the land being offered up, plus a financial contribution. Design details will need to be resolved at reserved matters.
- 6.21. The application proposal would mitigate its impacts on education through contributions to Early Years, Primary Education and Secondary Education, all secured through the s.106 agreement. Indicative figures were provided by Essex County Council, which are now agreed with the applicant.

Health

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

- 6.22. Strategic Growth Site Policy 7a states that 'healthcare provision' will be required for community facilities as required by the NHS/ Clinical Commissioning Group (CCG).
- 6.23. The NHS Mid Essex Clinical Commissioning Group (CCG) were consulted on this planning application and have advised that the proposed development is likely to have an impact on the services of the surgeries that operate within the vicinity and that the GP practices do not have capacity for the additional growth resulting from this development. They have requested the safeguarding of a site within the proposal, in addition to a financial contribution towards the creation of additional floorspace. The medical centre will be secured through the s.106 agreement, to mitigate the impact of the development on healthcare services. Site 7a will be responsible for the physical delivery on site (it being the largest site), therefore a contribution will only be applicable should that facility not come forward on this site.

Open Space / Sports provision

- 6.24. The design response of the indicative layout (as endorsed by the approved masterplan) generally insets development from the edges of the site. This serves a practical function for buffering of the outer edges close to field boundaries 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.
- 6.25. The allocation policy seeks provision of or financial contributions to sport, leisure and recreation facilities. Land to the north of the allocation was identified on the Policies Map for Suds/recreation. Suds are dealt with more landscape specifically. The use of this northern zone for formal sport (pitches, for example) poses some difficulties logistically in terms of access and

proximity to the road network. Informal recreation may be more appropriate. Sport England have provided a calculation method for the development in order to mitigate the requirement for outdoor sports provision – this will overcome their initial concerns regarding provision. This financial contribution is agreed as part of the legal agreement in lieu of on-site provision.

Transport

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

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

- 6.26. 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

- 6.27. The Strategic Growth Site Policy for 7a sets out masterplanning principles for movement and access, namely access from Moulsham Hall Lane, pedestrian and cycle connections and a well-connected internal road layout allowing for bus priority measures.
- 6.28. The primary vehicular access would be from Moulsham Hall Lane, through the construction of a new secondary roundabout to the west of the existing larger roundabout on the A131. 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.
- 6.29. A comprehensive scheme of highway improvement works are proposed to cover - the existing Dog & Partridge underpass, crossing of A131, crossings along Main Road, footway improvements to School Lane, new circulatory bridleway proposal. This includes the delivery of new and enhanced walking and cycling facilities. 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. The works are to be secured through the legal agreement.
- 6.30. No formal vehicular access is proposed to School Lane – it will have the ability to work as an emergency vehicular access only. Whilst some public representations raise concerns about impact on residential properties, the definitive position will be determined at reserved matters stage. Existing field parcels off School Lane will be subject to physical change due to development at 7a, it is important that pedestrian and cycle routes are given the opportunity to access via School Lane in order to improve non vehicular access into the site.

Transport Modelling

- 6.31. The submitted Transport Assessment has been considered acceptable (following additional work during the lifetime of the application). 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

- 6.32. The site currently comprises agricultural land. The site includes a combination of grade 2 (very good) and grade 3 (good to moderate 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

- 6.33. 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, subject to request for a condition for impact assessments to be submitted.

Ecology - Designated Sites

- 6.34. 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 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.
- 6.35. The site is north of the River Ter SSSI and within its catchment, a potential water quality impact therefore exists. Surface water will be attenuated before reaching the Blackwater Estuary. This effect has been concluded to be minor (by the submitted reports), as confirmed by the Environment Agency.
- 6.36. Phyllis Currie Nature Reserve abuts the site to the west. Both Natural England and the Essex Wildlife have raised concern with the impact of new residential development (due to proximity and increased usage, for example). This is reflected in the reasoned justification for the site policy, which refers to potential for mitigation (following such comments made through the Local Plan designations). The applicant is agreeable to some form of financial contribution or mitigation works, to be secured through the legal agreement. During the lifetime of the application the applicant also demonstrated how a Suitable Alternative Natural Greenspace (SANG) could be created along with a circular walking route within the development site, to address concerns about population pressure on the nearby nature reserve.

Ecology - on site

- 6.37. An initial preliminary ecological appraisal (PEA) and desk study have been undertaken, along with extended Phase I Habitat Surveys and Phase 2 Habitat and Species Surveys. These covered protected/priority species in respect of bats, badgers, Great Crested Newts, dormice, otters, water voles, reptiles, birds and invertebrates. Comments have been sought on these matters from the Council's ecology consultant (ECC Place Services).

- 6.38. In respect of bats, the preliminary ground level and aerial assessments of trees identified 82 trees within the survey area as potentially suitable for roosting bats, of varying suitability. The subsequent emergency and re-entry surveys detected Pipistrelle bat day roosts within three trees. Nevertheless, the Ecological Impact Assessment (EclA) states that all trees with bat roosting potential should be considered as part of the wider resource and precautionary measures are still likely to be necessary. Bats were found to be utilizing all hedgerows for commuting, with a concentration around wooded areas along Dumney Lane and around linking hedgerows to those areas. Those identified potential roosting trees will be retained and protected to ensure that all trees with bat roost potential are dealt within in a precautionary manner, and these measures can be detailed in a construction environmental management plan (CEMP). A wildlife sensitive lighting scheme would ensure that an increase in artificial light would not negatively impact roosting, commuting and foraging bats. Bat boxes will also be secured by condition to provide enhancement for roosting bats, and appropriate soft landscaping to provide enhancements to foraging and commuting bats. These can all be secured by conditions.
- 6.39. The EclA assessed the habitat suitability of the site, including the onsite and surrounding ponds, for Great Crested Newts. The non-survey method has been adopted and the applicant has joined the District Level Licensing Scheme. A copy of the Great Crested Newt District Level Licensing Impact Assessment and Conservation Payment Certificate has been submitted. A copy of the DLL licence should be submitted as proof and secured as condition. Precautionary measures should be detailed within a CEMP to ensure no Great Crested Newts are recklessly injured and/or killed during construction. Suitably worded conditions can ensure these matters. Retained habitat will be enhanced by the sites wider biodiversity strategy and managed through the site Habitat Management and Monitoring Plan (HMMP), and new aquatic habitats will be delivered as part of the drainage strategy, to provide enhancements for amphibians.
- 6.40. Reptile surveys recorded a single juvenile Grass Snake and a single Common Lizard was also incidentally observed along B14A (on the western boundary to Dumney Lane) during the course of other surveys. Reptiles were appropriately assessed, and sufficient areas of suitable habitat are being retained. The precautionary mitigation measures will be detailed within a CEMP secured by condition. Enhancements will also be delivered through new habitat creation and sensitive on-going management specified in the HMMP.
- 6.41. Multiple Badger setts are present, the works will need to be carried out under a Natural England Mitigation Licence to close active/outlier setts. The licence will include details relating to precautionary mitigation measures. Where setts are being retained precautionary mitigation measures will be detailed within a CEMP secured by condition. Loss of foraging habitat will be mitigated through enhancement of retained habitats, and the creation of green corridors to ensure badgers can move through the landscape post development. Footpaths will be sited to avoid retained badger setts and protected using landscaping and other measures.
- 6.42. Breeding and wintering bird surveys were undertaken at this site. The species assemblage recorded across the survey area as a whole included one Schedule 1 species (barn owl), nine red-list BoCC, and 12 amber list BoCC. This included notable farmland birds such as Skylark. The EclA states the assemblage of birds recorded is of District importance. The document states a pair of Barn Owls were regularly observed but the roost was not located. 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. The document recommends a pre-construction Barn Owl survey to ensure they are not impacted during the works, which can be secured via condition as part of the CEMP. To compensation for the loss of Skylark territories the EclA

recommends “Off-site compensation for loss of skylark nesting habitat; plots delivered locally to the site.” The off-site location will be secured by a legal agreement. Place Services recommends the need for details of this compensation measures in a Farmland Bird Mitigation Strategy, which would form part of the legal agreement. The EclA also recommends bird boxes and habitat creation and enhancements to provide for habitat loss and disturbance during construction, which will be secured by condition.

- 6.43. Satisfied priority species including Hedgehog, Brown Hare, Common Toad and Harvest Mouse have been appropriately considered and will be appropriately mitigated by providing ‘hedgehog highways’ and through new habitat creation secured by condition.
- 6.44. In respect of invertebrates, three species of conservation concern were recorded, of which two are specialists (one on bark and sapwood decay and one on open short sward grassland): Tanner Beetle, Small Heath and Cinnabar Moth. A condition can ensure that the soft landscaping includes measures to enhance the site habitats for invertebrates.
- 6.45. Surveys did not detect any evidence of dormice, otter and water vole within the site.
- 6.46. Either planning conditions or matters within the legal agreement can satisfy the ecological constraints of the site.

Ecology - Biodiversity Net Gain

- 6.47. 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

- 6.48. 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.
- 6.49. To the east of the site, on the opposite side of Moulsham Hall Lane, is an Ancient Woodland known as Fair Wood 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 within this Ancient Woodland would be lost.
- 6.50. There are trees and hedgerows along the perimeter of the application site as well as within the field parcel boundaries which form part of the natural landscape within 7a. Over 300 individual trees are present, with some groupings and woodlands in addition. Tree loss is necessary in order to facilitate the new roundabout, internal roads connecting the parcels and new public routes (cycleways/footways/bridleways). In total 19 trees are to be removed, five are category A trees (high quality/value), seven category B trees (moderate quality/value) and seven category C trees (low quality/value). There is one hedge and 1 shrub to be removed, both are of poor structural condition.
- 6.51. Tree planting of three trees per residential unit will be achieved through the legal agreement.

- 6.52. 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 the necessary physical infrastructure that flows from such an allocation will facilitate and provide housing and a mix of uses – any harm to the natural environment needs to be balanced against that provision.

Noise

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

Local Policy DM29

- 6.1. A noise assessment has been submitted as part of the application. Sources of noise include the A131, Blackley Quarry and construction of development.
- 6.2. Based on the noise survey results and the noise model, the majority of the site would be considered low risk. The eastern boundary of the site close to Moulsham Hall Lane would be considered low to medium risk and the southern boundary close to the A131 would be considered medium to high risk. The noise sources would not prohibit development, but represent constraining factors to the location of residential and education uses. The location of residential and education parcels has been considered through the masterplan stage. Detailed design of the nearest parcels to the A131 can mitigate impact as well as physical barriers (acoustic fencing). These factors are recognised in the acoustic design statement, which will need to inform the reserved matters applications.
- 6.3. A suitably worded condition is proposed to secure acceptable noise levels for future occupants.
- 6.4. During operation, the proposed would not result in unacceptable levels of noise to nearby residents provided mitigation measures are employed.
- 6.5. 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

- 6.6. Air quality is considered within the Environmental Statement. 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.
- 6.7. 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 (CEMP) to include good practices measures are implemented.
- 6.8. 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

- 6.9. 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). No objection is raised by the Environment Agency.

Surface Water

- 6.10. 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).
- 6.11. 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.
- 6.12. The submitted SuDS scheme has been considered by the Lead Local Flood Authority at Essex County Council. They do not object to the granting of planning permission for this development and recommend conditions to secure the SuDS scheme, together with its management and maintenance.

Foul Water

- 6.13. 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.

Historic Environment

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

Local Plan Strategic Policy: S3 and Growth Site Policy 7a, Local Policies DM13, DM14 and DM15

Heritage

- 6.14. The application site does not include any designated or non-designated heritage assets. There are many heritage assets adjacent to the site and in the wider area. These comprise mainly farmhouses, barns and cottages reflecting the character of the rural landscape.
- 6.15. The proposal has been informed by a built heritage assessment which identifies 50 listed buildings and 1 scheduled monument within 1km of the development site. There are also 17 non-designated heritage assets in the vicinity of the site. The majority of these are sufficiently distant from the development to have no impact on their settings. A harmful impact is identified to the following designated heritage assets (Grade II listed):

- Moulsham Hall
- Fortunes, Creeds Twine, Hobby Croft and Chadwicks
- Breams Farmhouse
- Triceratops
- Hump Cottage and Stone Wall Cottage
- Peeches Farmhouse
- Gate Farmhouse

The following non-designated heritage assets in the wider area, settings are impacted:

- Breams Hall
- Great Barn House
- Gatehouse Cottage

- 6.16. The rural landscape forms part of their individual settings and contributes to their significance. The introduction of built form and the erosion of the rural landscape will therefore have an adverse impact upon the above designated and non-designated heritage assets.
- 6.17. The heritage statement finds that subject to mitigation, there would be, the following harms which is largely concurred with in the context that any heritage harm is a matter of great weight:
- Moderate level of less than substantial harm to the setting of Moulsham Hall and Triceratops
 - Low level of less than substantial harm to the setting of Chadwicks, Creeds Twine, Hobby Croft, Fortunes, Hump Cottage, Stone Wall Cottage, Breams Hall and Great Barn House
 - Very low level of less than substantial harm to the setting of Gatehouse Cottage
 - With no harm to the setting of Stonewall Farmhouse and Peeches Farmhouse
- 6.18. This mitigation takes the form of:
- Landscaping proposals to create and enhance the parkland character around Moulsham Hall
 - Landscaping enhancements and retentions
 - Retention of existing field patterns and hedgerow
 - Limiting height and density in sensitive locations
 - Green buffer adjacent to Dumney Lane
 - Areas of green infrastructure
- 6.19. The application wraps around the parkland to Moulsham Hall, and the creation of a parkland is a requirement of the allocation under Strategic Growth Policy 7a. The parkland is a substantial green infrastructure separating Moulsham Hall from the built development to mitigate the impact. The proposal seeks to enhance this parkland setting with for example, tree planting, reinforcement of boundaries, areas of pasture and wildflower meadows, screening and creation of views and interpretation. The parkland is beyond the application site. The applicant has agreed to secure mitigation through terms to be outlined in the legal agreement.
- 6.20. The parameter plan provides an indication of the building heights, and proposes height limits in key areas, such as 1.5 storey near Triceratops, two storey on the rural edges and three storey elsewhere combined with the lower densities in defined areas help to provide a strong landscape setting and village reflecting local character. Many of the indicative house types have a suburban character, and it is important that those houses in sensitive locations reflect the local vernacular. The density, design and height of the development will be finalised at the stage of reserved matters.

- 6.21. Utility infrastructure may be required within the green infrastructure zones, the extent of which will be clarified at the reserved matters stage. The extent of proposed indicative landscaping to mitigate along with existing planting to one area of high sensitivity to the southeast of Moulsham Hall is currently inadequate. As this is indicative only, adequate landscaping could be achieved at the reserved matters stage.
- 6.22. Nevertheless, even with mitigation there would be harm to the designated heritage assets and this needs to be weighed against any public benefits of the scheme in accordance with Local Plan Policies DM13 and DM14 and the NPPF.
- 6.23. The proposal would provide up to 750 homes, both private and affordable, including a mix of different sizes and tenures, plus self build homes. It would enable the Council to deliver its housing objective and would help address the housing crisis identified by the Council. Specialist residential housing would be provided, in the form of a care home, meeting a need for housing and care for the elderly. A new school and medical centre are proposed, alongside a nursery and other commercial uses, which would serve the proposed dwellings and those within Great Leighs. The proposal would enhance the local transport network to support travel by foot, bicycle and horse, and provide a network of paths for residents. Overall, the proposal would provide a package of public benefits, some of which are outlined above, which are considered to outweigh the moderate, low level and very low level, less than substantial harm to the nearby identified designated and non-designated heritage assets.
- 6.24. Subject to appropriate details provided at the reserved matters stage, the creation and enhancement of the parkland and its management through the legal agreement, and the other mitigation measures proposed, the proposal would mitigate and reduce the harm to designated and non-designated heritage assets to moderate, low level, very low level, less than substantial harm, depending on the asset. This harm is outweighed by the public benefits of the scheme.

Archaeology

- 6.25. 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 the presence of medieval field boundaries and post historic woodland divisions, and a post medieval brick kiln. The submitted geophysical survey exposes further evidence of historical agricultural activity, consistent with the series of cropmarks. A condition is included for archaeological excavation and evaluation.
- 6.26. Subject to a condition, the development would not result in any significant harmful impacts on archaeological deposits.

Design and Layout

Local Plan Policies: DM23, DM24, DM26

- 6.27. Whilst the new roundabout, spine road and some drainage elements are detailed, the substantive parcels of development are in outline form. The conceptual plans show how the existing field parcels have predominantly dictated the residential, education and commercial parcels, linked by punctuations through natural boundaries. The layout follows the principles of the approved masterplan.
- 6.28. From the access point off Moulsham Hall Lane the width of the site is constrained by the A131 and the boundary of Moulsham Hall. This is the only realistic vehicular access point and

therefore the first field parcel is given over to the new roundabout and beginning of the spine road. In layout terms the proposal to site the care home in the first parcel will provide a degree of flexibility to its shape and form. The next parcel will be mixed use (neighbourhood centre) which then leads to the school site roughly centrally, the field parcel there enabling a more regular shape for the education site with the opportunity for residential to surround it. As the field parcels widen and get larger moving westwards, the largest residential parcels are proposed. The spine road will venture northwards to achieve access, beyond the dip in the topography roughly centrally within the site, to the two further residential parcels. Beyond those parcels to the north is open space and informal recreation.

- 6.29. Overall, the illustrative layout shows a development scheme that would be 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.
- 6.30. 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

- 6.31. 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

- 6.32. The proposal would generate jobs through the construction process and in the longer term through the occupation of the neighbourhood centre, on-site open space management and community facilities. The construction of up to 750 dwellings on the site would also increase spending in the local economy. These benefits carry weight in favour of the proposed development.

Social

- 6.33. The proposed development would provide a range of house types and sizes and would meet the City Council's identified growth needs. The development would provide affordable homes of varying type, self or custom build, wheelchair user homes and accessible or adaptable homes. Five travelling showperson plots would also be provided through the allocation and secured through this application.
- 6.34. The scheme includes facilities that would encourage social interactions and the growth of a new community, whilst also improving physical connections with the existing village. The onsite facilities will include strategic and local open space, and play spaces. The development would also be mitigating its own impacts in relation to education through the provision of financial contributions and a school site.
- 6.35. The scheme has been designed to connect pedestrian and cycle links with the village to the south east. Active and sustainable modes of transport are a realistic prospect.

- 6.36. It is recognised that the development will result in additional private motor vehicles on the existing highway network. The applicant has sought to mitigate the impacts of the additional traffic through local highways improvement, and facilitation of a new bus route.
- 6.37. The proposal provides social benefits, which weigh in favour of the development.

Environmental

- 6.38. The scheme is landscape led, seeking to respect the historic field patterns as far as practicable and providing significant areas of open space. It is acknowledged, however, that the development would result in a loss of open countryside and some loss of trees. 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. Additional tree planting will be secured.
- 6.39. 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.
- 6.40. Less than substantial harm would be caused to existing heritage assets in the area but such is outweighed by the public benefits of the scheme, as discussed earlier in the report. A condition is attached to ensure that the archaeology of the site is properly recorded.
- 6.41. For the reasons outlined above the environmental impact can be considered as neutral.
- 6.42. Overall, with the provision of appropriate conditions and s.106 obligations, the proposal is considered to comply with the three strands and therefore represents 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 7; Local Policies: DM1, DM2, DM16, DM20

- 6.43. 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.
- 6.44. Any contributions listed are correct at the time of publication.

Affordable Housing

- 35% of total units to be provided as affordable housing – split 55% affordable rent (minimum of 145 units), 45% shared ownership
- Wheelchair User M4(3)(2)(b) units to be secured at 5% of the total number of affordable homes
- Affordable housing scheme to be submitted to address phasing, delivery and mix for each phase

Transport/Infrastructure

- Improvements to Dog & Partridge underpass
- Implementation of crossings to Main Road
- Bus stop improvements along Main Road
- Improvement works to School Lane
- Improvements to London Road
- Improvement works to Chase Side Bridge
- Implementation of crossing of A131
- 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
- Parkland improvements to Moulsham Hall
- Creation of new bridleway route
- Financial contribution in lieu of any shortfall in any of the open space categories
- 3 trees per dwelling on site or financial contributions in lieu of on-site provision in accordance with the City Council's Tree Planting Planning Advice Note
- Financial contribution to outdoor sports provision
- Community use agreement for on-site sports facilities

Self/Custom Build

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

Travelling showperson site

- Mechanism to deliver provision of 5 serviced plots within nearby site

Education

The figures provided by Essex County Council, are based on up to 750 dwellings as the mix and final number is unknown at this stage. The figures would be adjusted accordingly subject to the final mix and number.

- Financial contributions are requested for Early Years, Primary Education, Secondary Education, Secondary School transport
- Provision of site (circa 2.1ha) for primary school with co-located early years and childcare facility

Health Care

- Siting of new building capable of accommodating a new surgery
- Financial contribution towards floorspace provision should a surgery not be required on site

Biodiversity / RAMS

- Financial contribution / mitigation works for Phyllis Currie
- Farmland bird mitigation - compensation
- RAMS financial contribution per dwelling

Other

- Monitoring fees for numerous schedules

7. Community Infrastructure Levy (CIL)

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

8. Conclusion

- 8.1. The site is 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. 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.
- 8.3. The development is required to meet the Council's identified growth needs and is a direct consequence of the plan-led system. The proposal is in accordance with the approved masterplan and any design and layout concerns will be addressed through reserved matters. The application would satisfactorily meet the requirements of Strategic Growth Site Policy 7a of the Chelmsford Local Plan.
- 8.4. The proposed development accords with the Chelmsford Local Plan and would deliver a sustainable development as sought by the National Planning Policy Framework. The proposal is acceptable, subject to conditions and the completion of the S106 agreement.

RECOMMENDATION

The Application be APPROVED subject to the completion of a S106 Agreement together with compliance with the following conditions, the details of those items and any variations that may be considered necessary and appropriate to be delegated to the Director of Sustainable Communities/Planning Development Services Manager in consultation with the Chair and Vice Chair of the Planning Committee:

Procedure

Condition 1 – reserved matters

With the exception of the highway works and surface water attenuation works specified in the approved plans under Condition 4, no development shall commence within any phase until plans and particulars showing precise details of the access, appearance, landscaping, layout and scale (hereinafter called the "Reserved Matters") within that phase have been submitted to and approved in writing by the Local Planning Authority. All development shall be carried out in accordance with the Reserved Matters details approved.

Reason:

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

Condition 2 – Time limits

- (i) 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.
- (ii) Application for the approval of the remainder of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 10 years from the date of this planning permission.
- (iii) Implementation of a Reserved Matters Approval shall commence no later than 2 years from the date of the approval of the Reserved Matters for the relevant phase.

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 - Parameter plans

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

- Parameter Plan - Land Use (Drawing no. 1391-1-307 rev H)
- Parameter Plan - Density (Drawing no. 1391-1-305 rev E)
- Parameter Plan – Building Heights (Drawing no. 1391-1-306 rev F)
- Parameter Plan - Access and Movement (Drawing no. 1391-1-303 rev G)
- Parameter Plan – Green infrastructure (Drawing no. 1391-1-304 rev E)

Reason:

In order to achieve satisfactory development of the site.

Condition 4 - Compliance with approved plans

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

- Drawing no. 1391-1-302 rev E – Site Location Plan-Detailed Infrastructure Application
- Drawing no.2107731-010 rev B - Hybrid Application Full Area Drainage Strategy (Sheet 1 of 2)
- Drawing no.2107731-011 rev C - Hybrid Application Full Area Drainage Strategy (Sheet 2 of 2)
- Drawing no.2107731-005 rev B - Hybrid Application Full Area Road & Basin Levels Strategy (Sheet 1 of 2)
- Drawing no.2107731-006 rev B - Hybrid Application Full Area Road & Basin Levels Strategy (Sheet 2 of 2)
- Drawing no. 2107731-015 rev B - Hybrid Application Full Area Adoption Plan (Sheet 1 of 2)
- Drawing no. 2107731-016 rev B - Hybrid Application Full Area Adoption Plan (Sheet 2 of 2)

Reason:

In order to achieve satisfactory development of the site.

Condition 5 - Phasing

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

of the development. The development shall thereafter be carried out in accordance with the agreed details of phasing.

Reason:

In order to achieve satisfactory development of the site.

Condition 6 - Minerals

All reserved matters for development within 250m of a permitted mineral site shall be submitted with a Mineral Infrastructure Impact Assessment and a Waste Infrastructure Impact Assessment for approval by the local planning authority.

Reason:

To ensure the development does not have an adverse impact upon the effecting working of a permitted mineral and/or waste site in accordance with Mineral Local Plan Policy S8 and Waste Local Plan Policy 2.

Pre-commencement

Condition 7 - Levels

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

Reason:

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

Condition 8 - Construction Management Plan

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

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

Reason:

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 9 - Archaeology

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

Reason:

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

Condition 10 – 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 1:1 Greenfield runoff rates for all storm events up to and including the 1 in 100 year rate plus 45% allowance for climate change and to provide long term storage with discharges at 2l/s
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event. or, if impracticable;
- Demonstrate that features are able to accommodate a 1 in 10 year storm event within 24 hours of a 1 in 30 year event plus climate change
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- 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 11 - Minimise off-site flooding

No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works, and prevent pollution, has been submitted to, and approved in writing by the local planning authority. The scheme shall subsequently be implemented as approved.

Reason:

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

Condition 12 - 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 13 - Construction Environmental Management Plan

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

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

- control measures for noise and vibration during the period of construction;
- construction dust and dust monitoring;
- waste management and management of earthworks;
- good practices for construction vehicles and stationary plant;

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 14 - CEMP: Biodiversity

Prior to commencement within any phase or sub phase of the development hereby permitted a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".

- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) relating to bats, Great Crested Newt, reptiles, Barn Owls, breeding birds, Badger, Brown Hare and Hedgehog.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Containment, control and removal of any invasive non-native species present on site

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

Reason:

To ensure that the construction of the development does not result in harmful impacts on the biodiversity in accordance with Policy DM16 of the Chelmsford Local Plan.

Condition 15 – 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.

Condition 16 – Time limit for surveys

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 (Priority habitats & species).

Condition 17 - Badgers

No badger sett closure shall commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant Badger Protection Act 1992 authorizing the specified activity/development to go ahead; or
- b) a statement in writing from the 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 and Badger Protection Act 1992 and s17 Crime & Disorder Act 1998.

Condition 18 - Great Crested Newt

Any works which will impact the breeding / resting place of Great Crested Newt, shall not 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 the 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.

Pre-occupancy

Condition 19 – 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 20 – SuDS maintenance plan

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

Reason:

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

Condition 21 - Vehicle parking

No building shall be brought into use until such time as the approved vehicle parking for that building 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 building 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 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 - 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 24 - 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 25 – Broadband

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

Reason:

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

Condition 26 - 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 27 - EV Charging

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

Reason:

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

Condition 28 - Tree retention

No trees or hedges within any phase or sub-phase of the development shall be felled, uprooted, damaged, or disturbed or removed prior to the commencement of development within that phase or sub-phase until the landscape details submitted under condition 1 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 29 - 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.

Post occupancy monitoring and management

Condition 30 - 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 31 - Water efficiency

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

Reason:

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

Condition 32 - 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 33 – Landscaping visibility splays

Any proposed street trees shall be planted clear of any visibility splay, boundary planting shall be planted a minimum of 1 metre back from any visibility splay.

Reason:

To ensure that the future outward growth of the planting does not encroach upon the visibility splays, to preserve the integrity of the highway and in the interests of highway safety.

Condition 34 - BREEAM commercial over 500sqm

- a) All new non-residential buildings with a floor area in excess of 500sqm shall be built to a minimum sustainability standard of BREEAM Very Good (or its successor);
- b) Prior to the commencement of any building with a floor area in excess of 500sqm, a Design Stage Assessment (under BREEAM or its successor) for each building shall be carried out and a copy of the Interim Certificate or the Assessor's summary score sheet shall have been submitted to and approved in writing by the Local Planning Authority;
- c) any building with a floor area in excess of 500sqm shall not be occupied until a Post Construction Review (under BREEAM or its successor) has been carried out in respect of that building and a copy of the Final Certificate or the Assessor's final summary score sheet has been submitted to the Local Planning Authority verifying that the agreed standards have been met in respect of that building.
- d) a copy of the Final Certificate, if it is not submitted prior to the first occupation of the relevant building, shall be submitted within six months following approval of the final summary score sheet.

Reason:

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

Notes to Applicant

- 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 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.
- 8 All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.
- 9 Any tree planting proposed within the highway must be agreed with the Highway Authority. Trees must be sited clear of all underground services and visibility splays and must be sympathetic to the street lighting scheme. All proposed tree planting must be supported by a commuted sum to cover the cost of future maintenance, to be agreed with the Highway Authority.
- 10 The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpaths shall be maintained free

and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

- 11 Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the Essex Climate Action Commission proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the Essex Developers' Group Climate Charter [2022] and to view the advice contained in the Essex Design Guide. Climate Action Advice guides for residents, businesses and schools are also available

Positive and Proactive Statement

The Local Planning Authority provided advice to the applicant before the application was submitted. 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:

Drawing no. 1391-1-302 rev E – Site Location Plan-Detailed Infrastructure Application

Drawing no.2107731-010 rev B - Hybrid Application Full Area Drainage Strategy (Sheet 1 of 2)

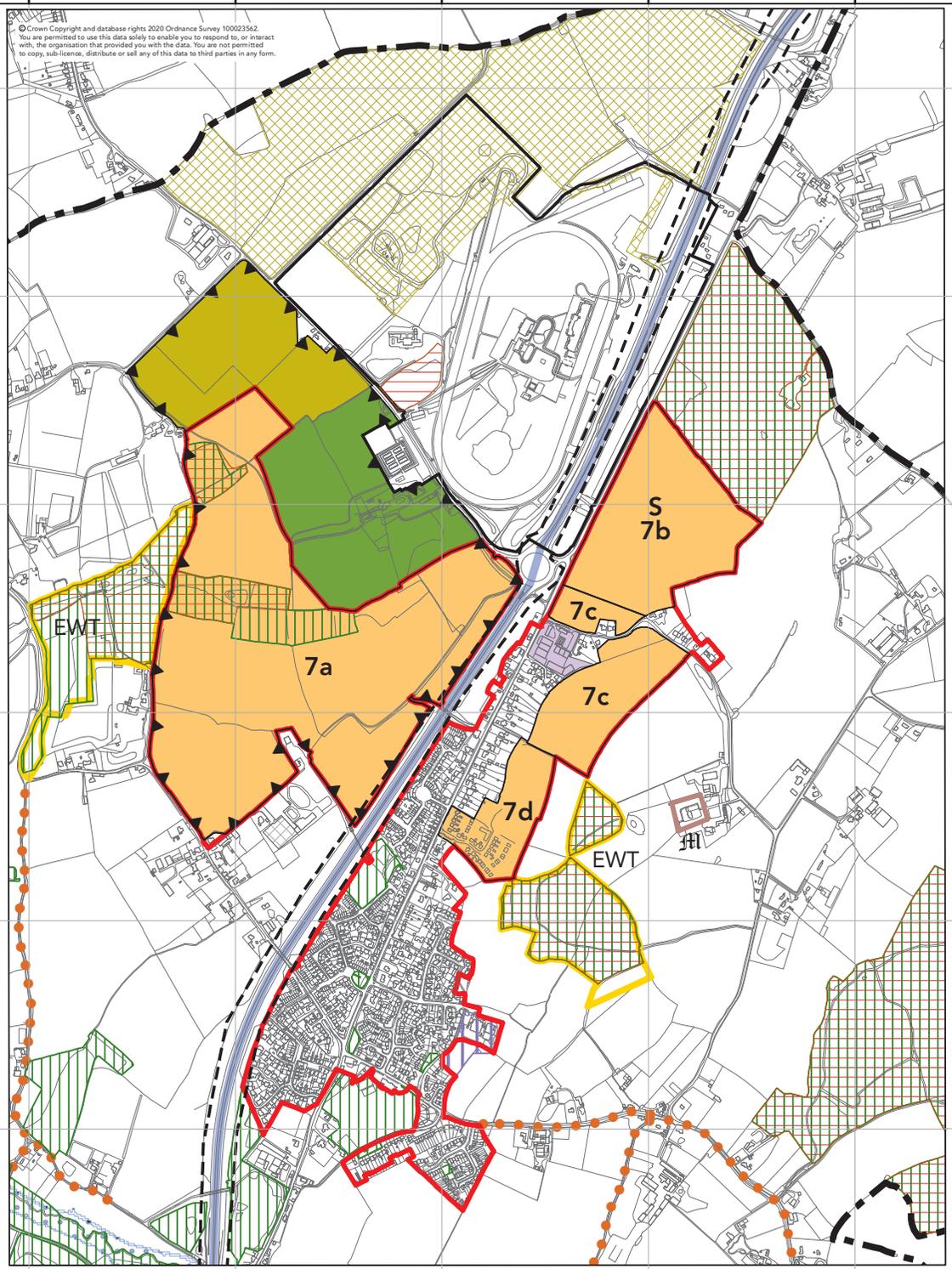
Drawing no.2107731-011 rev C - Hybrid Application Full Area Drainage Strategy (Sheet 2 of 2)

Drawing no.2107731-005 rev B - Hybrid Application Full Area Road & Basin Levels Strategy (Sheet 1 of 2)

Drawing no.2107731-006 rev B - Hybrid Application Full Area Road & Basin Levels Strategy (Sheet 2 of 2)

Drawing no. 2107731-015 rev B - Hybrid Application Full Area Adoption Plan (Sheet 1 of 2)

Drawing no. 2107731-016 rev B - Hybrid Application Full Area Adoption Plan (Sheet 2 of 2)



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Adopted Policies Map May 2020

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.

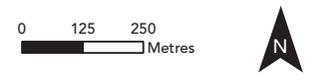
For the application of relevant policies within the Local Plan, the designation of the Rural Area includes all those areas outside of Urban Areas, Defined Settlement Boundaries, Green Belt and specific allocations or Policy Areas. The Rural Area has no notation so appears as 'white land' on the Policies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

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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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Police - Strategic Planning Team

Comments
<p>With a large quantity of Construction traffic, entering and exiting whilst in build stage, we would like to see some reassurance from the project manager that the road surface is safely maintained and kept fit for purpose for all road users.</p> <p>Noted within the documents, is an identification of potential increase in vulnerable road users that the new development will attract, this classified as 'Very High' in the Sensitivity of Receptors. Therefore measures to ensure safe crossings and foot/cycle pathways within the development is key to road safety, especially in light of crossing roads which will pose a delay potentially, due to the increase in volume of traffic and the speed limit on certain key roads.</p> <p>It has been identified that properties will be built next to A131 and therefore a 'Very High' risk in the Sensitivity of Receptors has been identified in the case of vulnerable road users crossing. The access to business, facilities and communities will be essential across the new development. Currently there are three crossing points, which do not meet sufficient road safety standards and need to be reviewed. Two current road safety concerns on the A131 include events at the racecourse - pedestrians trying to cross the road at various non designated locations and addressing anti-social driving/riding behaviour occurring frequently at weekends. Although KSI data does not support intervention, camera enforcement is key to prevention, keeping the increase of vulnerable road users safe, and reducing anti-social behaviour which forms part of current force priorities.</p> <p>The installation of average speed cameras along the A131 would be essential to support a safe system approach and ultimately the national Vision Zero campaign.</p> <p>Across the area of development there are limited existing foot and cycle pathways, this will need to be reviewed especially in light of joining communities, businesses and for leisure.</p> <p>The existing road network needs to be reviewed for effectiveness and to encompass an increase in use, with suitable linking between new communities including roads, cycle/footpaths and bridle paths. This will be an opportunity to utilise the safe system approach to enable the correct installation of road safety features including street furniture, cameras and speed limits.</p> <p>Please note, any comments relating to crime prevention and secured by design considerations will be provided by the Essex Police Designing Out Crime Office (DOCO) and submitted under separate cover.</p>

Felsted Parish Council

Comments
<p>Felsted Parish Council have concerns regarding the proposed access to the new neighbourhood of up to 800 dwellings, primary school and day nursery. It is felt that having just one access to this development could cause issues regarding highway safety should the roundabout/ access become blocked for any reason. The amount of traffic coming out of this development especially in the mornings could also cause delays for traffic coming along Moulsham Hall Lane on to the new roundabout. Moulsham Hall Lane is the main access to the hamlet of Willows Green and a main through road to the rest of Felsted so it's important that any</p>

new development does not impede the flow of traffic to these areas. It should also be noted from a safety aspect that there are no footpaths along Moulsham Hall Lane , so including these near the development site would be beneficial to all new and existing residents living in the vicinity.

In respect of the education centre Felsted Parish Council would ask that this should be built before or during the building of the new dwellings so as not to put added pressure on the existing school places in the area. Whilst it notes that Medical Services are being included in this application, it asks whether this would be in the form of a New Doctors Surgery. Currently residents of Willows Green use the surgeries at Notley Garden Village and Little Waltham and it is felt that a substantial development like this will only put added pressure on these surgeries. With this in mind Felsted Parish Council would ask that this development should include a new Doctors Surgery.

Braintree District Council

Comments

Braintree District Council (BDC) note that this application is a follow up to 22/00002/MAS which BDC previously commented on in January last year. This consultation request specifically refers to growth site 7A, while the previous application 22/00002/MAS also included site 7b and 7c on the opposite side of the Great Leighs bypass.

Nonetheless, BDC consider that the comments it made previously to 22/00002/MAS are still pertinent to this case, and have been appended to the end of this response for ease.

BDC do not wish to raise any further matters at this stage and trust that the application will be fully assessed by CCC in line with standard policy and procedure. Please consult us further during the next stages of development.

Essex County Council Highways

Comments

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 transport assessment (TA), subsequent addendum, and all additional information supplied by the applicant has been analysed. Jacobs, the Highway Authority’s modelling consultants, have reviewed the TA and modelling information on behalf of the Highway Authority. Additional work has been undertaken by the developer’s transport consultants, and reviewed by Jacobs, to ensure that the TA conclusions are satisfactory. Following extensive analysis, it has been concluded that the development will not have a significant or severe impact at this location, or on the wider highway network, subject to a package of highway works, sustainable transport measures and financial contributions, as set out in this

recommendation. The mitigation includes a contribution towards a new bus service between the site and Chelmsford and Braintree to connect to local facilities and services, improved pedestrian and cycle connectivity to the existing village centre and new and enhanced walking and cycling facilities for London Road, provision of new crossing facilities on Main Road, and new public rights of way. 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.

Site access roundabout

2.

Prior to occupation, a new site access roundabout on Moulsham Hall Lane as shown indicatively on DWG no. 2107731-015 REV. B, dated 24/10/2024, Titled - Hybrid Application: Full Area Adoption Plan, Sheet 1 of

2) and on DWG no. 2107731-055 REV. B, dated 15/10/2024 (Titled - Infrastructure Application: Access Roundabout Geometry Plan), shall be provided. The roundabout, and any associated highway works, shall be constructed to the specification of the Highway Authority and provided prior to occupation.
Reason: To enable the construction of an access and to ensure that pedestrians cyclists and vehicles can access the site and the surrounding area from the site, in the interests of highway safety.

Highway Works near site access roundabout

3.

Prior to occupation of the development, the following highway works, as shown indicatively on DWG no. 2107731-015 REV. B, dated 24/10/2024, Titled - Hybrid Application: Full Area Adoption Plan, Sheet 1 of 2) and on DWG no. 2107731-055 REV. B, dated 15/10/2024 (Titled - Infrastructure Application: Access Roundabout Geometry Plan), shall be provided and include, but not limited to;

i.

Dualling of Moulsham Hall Lane between the A131 and proposed site access roundabout,

ii.

the provision of an LTN 1/20 complaint 3.5m footway/cycle route on the southern side of Moulsham Hall Lane from the A131 toucan crossing westwards to connect into pedestrian cycle facility adjacent to the spine road,

iii.

re-provision of a dedicated bridleway route (public bridleway no. 13, Gt and Lt Leighs),

iv.

provision of a short stretch of bridleway route on the northern side of spine road to tie into Moulsham Hall Lane, with appropriate merge for bridleway users onto/off carriageway, and adequate inter-visibility splays from bridleway route onto Moulsham Hall Lane.

v.

the provision of a dropped kerb crossing point of the spine road.

vi.

A Traffic Regulation Order (TRO) for the reduction of the speed limit to 40mph on Moulsham Hall Lane, from the A131 roundabout to a point west of the site roundabout access. Details to be agreed in association with the technical approval for the highway works. The associated signing and lining to be implemented by the developer as part of the highway works.

The highway works shall be fully implemented, prior to occupation. All works to be agreed with the Highway Authority.

Reason: To provide footway and cycleway connections and crossing facilities, in the interests of highway safety.

Highway Improvements and Mitigation

Dog and Partridge Underpass

4.

Prior to occupation, a scheme of works to improve the Dog and Partridge Underpass, public bridleway no. 13 Gt and Lt Leighs, as shown in principle on DWG no. 2107730-SK04 REV. D, dated 05/08/2024 (Titled - Underpass Cycle Route Alignment, Option 2) to be undertaken, and shall include, but not limited to;

i.

Widening of the route,

ii.

Gradient improvements to route, where achievable.

iii.

Regrading of banks and/or provision of supporting structure,

iv.

Drainage improvements,

v.

Provision of new surfacing, suitable for all bridleway users,

vi.

Provision of a signage and lining scheme, on approaches and either side of the underpass entrance, to ensure bridleway users are aware of each other and the reduced width within underpass,

vii.

A street lighting improvement scheme to be provided on the approaches to the underpass and within the underpass.

Details of the underpass scheme to be submitted to, agreed, and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and designed to accord with the adoptable highway standards. The scheme to be implemented by the developer as part of the highway works, prior to occupation.

Reason: To provide an improved route to the existing village and local facilities, in the interests of accessibility and highway safety.

Improvements to Main Road

5.

Prior to 50th occupation, the provision of a parallel crossing on Main Road between Dog and Partridge underpass (public bridleway no. 12 Gt and Lt Leighs and public footpath no. 14 Gt and Lt Leighs, as shown in principle on DWG no. 2107730-003 REV. C, dated 16/05/2024 (Titled - Proposed Crossing on Main Road, Parallel), to include but not limited to;

i.

Widening of the footway on the western side of Main Road to provide a shared ped/cycle route, from Dog and Partridge underpass to parallel crossing.

ii.

Widening of the footway on the eastern side of Main Road to provide a shared ped/cycle route, from parallel crossing to public footpath 14 Gt and Lt Leighs on eastern side of Main Road.

iii.

Provision of cycle scoops onto Main Road, both sides of the carriageway.

iv.

Carriageway narrowing in vicinity of parallel crossing, retaining a minimum carriageway width of 6 metres.

v.

Associated signing and lining.

vi.

Provision of wayfinding signage on Main Road, to direct pedestrians and cyclists to and from the development site and key destinations.

Details of the works to be agreed with the Highway Authority. The works to be completed by the developer as part of the highway works prior to 50th occupation.

Reason: To improve pedestrian and cycle connectivity, in the interests of highway safety.

6.

Prior to 50th occupation, a zebra crossing on Main Road, south of the point public footpath no. 8 Gt and Lt Leighs adjoins Main Road, as shown in principle on DWG no. 2107730-004 REV. C, dated 02/10/2024 (Titled - Proposed crossing on Main Road), shall be provided. Details of the scheme to be agreed with the Highway Authority. The highway works to be fully implemented, prior to 50th occupation.

Reason: To provide a safe and suitable pedestrian crossing, in the interests of highway safety.

Improvements to School Lane

7.

Prior to occupation of phase (to be agreed) a footway to be provided along School Lane from the pedestrian cycle access at the south-western site boundary to the existing footway provision near the A131 bridge, extent of the widening shown in principle on DWG no. 2107730-017 REV. D, dated 02/10/2024 (Titled - Proposed Off Site Works - School Lane). The footway width shall be 1.5 metres, where achievable. Details of the footway scheme, and any associated highway works to facilitate the footway, to be submitted to, agreed, and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and designed to accord with the

adoptable highway standards. The scheme to be fully implemented by the developer as part of the highway works, prior to occupation of Phase (to be agreed).

Reason: To provide an improved route to the existing village and local facilities, in the interests of accessibility and highway safety.

8.

Prior to occupation of phase (to be agreed), a 5-metre-wide segregated pedestrian cycle access onto School Lane shall be provided from the development site, as shown in principle on DWG no. 2107730-017 REV. D, dated 02/10/2024 (Titled - Proposed Off Site Works - School Lane). The pedestrian cycle access, and associated works on School Lane, shall be provided to include, but not limited to;

-

Visibility splays from the access onto School Lane in accordance with LTN 1/20 and the signed speed limit and/or recorded vehicle speeds (85th percentile).

-

Minimum route width of 5 metres.

-

Appropriate measures to prevent use of the access by motor vehicles.

-

Provision for cyclists to merge onto and off School Lane from the pedestrian cycle access.

-

For the avoidance of doubt, the raised table and parallel crossing on School Lane, as shown on the submitted plan, should not be included within the scheme of works.

Details of the access and works to School Lane to be submitted to, agreed, and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and designed to accord with the adoptable highway standards. The scheme to be fully implemented by the developer as part of the highway works, prior to occupation of phase (to be agreed).

Trigger: To be agreed - Linked to the initial occupation of each of the relevant parcels of land within the development that abut the routes.

Reason: To provide pedestrian and cycle connectivity, in the interests of highway safety.

Toucan crossing on A131

9.

Prior to occupation, a toucan crossing shall be provided across the A131, south of the Moulsham Hall Lane / London Road roundabout, as shown in principle on DWG no. 2107730-039, dated 25/10/2024 (Titled - Proposed Toucan Crossing A131).

To toucan crossing scheme shall include, but not limited to;

-

Re-surfacing on approach to the crossing to High Polish Stone Value (PSV) surface, including on the roundabout circulatory.

-

An appropriate street lighting scheme on approaches to the crossing; either an extension of the existing scheme of lighting and/or full replacement, whichever is deemed necessary.

-

Provision of high mask traffic signals,

-

Provision of advanced warning signage,

-

Any necessary traffic regulation orders, and associated signing and lining, including speed limit alterations.

-

Provision of speed cameras, if required.

-

Alterations to and provision of new vehicle restraint system (VRS),

-

Any other highway works required to facilitate the provision of the toucan crossing,

-

Undertaking and submission of a stage one road safety audit (RSA1), with designers' response.

Details of the scheme to be submitted to, agreed and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and designed to accord with the highway standards. The scheme to be fully implemented by the developer as part of the highway works, prior to occupation.

Reason: To provide pedestrian and cycle connectivity and a safe and suitable crossing facility, in the interests of highway safety.

10.

Prior to occupation, the pedestrian cycle connection between the A131 Toucan crossing, eastwards, to Main Road shall be widened to a minimum of 4 metres, as shown in principle on DWG no. 2107730-039, dated 25/10/2024 (Titled - Proposed Toucan Crossing A131). For the avoidance of doubt, the works to include resurfacing of the full width of route, improvements to the alignment and provision of a dropped kerb / merge onto Main Road.

Reason: To provide an improved route to the existing village and local facilities, in the interests of accessibility and highway safety.

Improvements to London Road.

11.

Prior to occupation of 100 dwellings, a highway scheme on London Road should be implemented, as shown in principle on DWG no. 2107730-019.1 REV. F, dated 02/10/2024 (Titled - London Road Proposed Foot/cycleway Improvements, sheet 2 or 3) and DWG no. 2107730-019.2 REV. F, dated 02/10/2024 (Titled - London Road Proposed Foot/cycleway Improvements, sheet 3 or 3), to include but not limited to;

i.

The provision of a new footway and/or widening of the existing footway on the western side of London Road to a width of 3.5 metres, where achievable, from north of the Travelling Show Persons site (21/02475/FUL) to the existing footway near Dagnets Lane.

ii.

The provision of a dropped kerb crossing point of London Road, near to Dagnets Lane.

iii.

Full re-surfacing of the route, to include the existing footway width.

iv.

Any other highway works required to facilitate the provision of the footway.

Details of the scheme to be submitted to, agreed, and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and designed to accord with the highway standards. The scheme to be fully implemented by the developer as part of the highway works, prior to occupation.

Reason: To provide an improved route towards Great Notley and local facilities and services, in the interests of accessibility and highway safety.

Bus service and bus stop infrastructure

Public Transport Contribution

12.

The developer to pay a contribution of £1.89m (index linked to April 2023) towards the provision of a new bus services between the site and Chelmsford and Braintree.

Triggers - to be agreed in s106.

Reason: To provide sustainable travel routes to/from the site, in the interests of reducing the need to travel by car and promoting sustainable development and transport.

Bus stop infrastructure

13.

Prior to occupation of the development, the existing bus stops on both sides of Main Road near to The Dog and Partridge Pub shall be upgraded/improved. The bus stop improvements shall comprise of, but not limited to, the provision of the following facilities: raised kerbs, a shelter with seating, lighting and power connection, 23m bus cage with bus clearway markings and signage, a bus stop flag, timetable frame and real time information (if required).

Reason: To improve the bus stops to/from local services, in the interests of sustainable travel.

14.

Prior to occupation of the development, the existing bus stops on both sides of Main Road (near to the point public footpath no. 8 Gt and Lt Leighs adjoins Main Road) shall be upgraded/improved. The bus stop improvements shall comprise of, but not

limited to, the provision of the following facilities: raised kerbs, a shelter with seating,

lighting and power connection, 23m bus cage with bus clearway markings and signage, a bus stop flag,

timetable frame and real time information (if required). Reason: To improve the bus stops to/from local services, in the interests of sustainable travel.

Bus route and bus loop

15.

Prior to occupation of the 50th dwelling, the spine road and bus loop and/or bus turn around area, within the development site shall be constructed and open for public use.

Reason: To allow the bus services to enter the site, in the interests of sustainable development and transport.

Travel plans and travel information packs

16.

Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport. The packs, to be approved by Essex County Council, should include;

i.

Information on walking and cycling routes and public rights of way in the vicinity of the site.

ii.

Details of travel websites which include real time bus timetable information for local services.

iii.

Bus and rail timetables and routes.

iv.

Promotion of car sharing,

v.

6 x one day travel vouchers (or 12 x single journey) for use with the relevant local public transport operator.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

17.

Prior to first occupation of the proposed development, the Developer to submit a residential travel plan to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall then be actively implemented for a minimum period from first occupation of the development until 1 year after final occupation, with annual monitoring reports submitted to Essex County Council. It shall be accompanied by an annual Travel Plan monitoring fee of £4,105.70 (index linked to April 2024) to be paid to Essex County Council.

Reason: To monitor compliance with the Travel Plan targets, in the interests of sustainable travel.

Public Rights of Way (PROW)

18.

Prior to 100th occupation, the developer to pay a contribution of £60,000 (Index linked to April 2024) towards the maintenance of and/or improvements to the surfacing of public footpath no. 8 (Great and Little Leighs) and Chaseside Bridge, to ensure the continued functional use as a route from the development site to Fayrewood Drive.

Reason: To ensure that the public rights of way are maintained to a suitable standard to allow safe and convenient access for public use.

19.

Prior to commencement of the development, a formal diversion order for bridleway no. 13 (Gt and Lt Leighs), near to Moulsham Hall Lane and the new site access roundabout, to be secured. The order shall re-provide a suitable bridleway route from the development site onto Moulsham Hall Lane. The diversion of the bridleway to be agreed with the Highway Authority and shall be provided to ECC bridleway specification.

Reason: In the interests of highway safety and integrity of the public rights of way network.

20.

Provision of a new pedestrian, cycle and equestrian route through the development site and/or upgrades to and conversion of the existing public footpaths (8 and 11 Gt and Lt Leighs) to provide a route between Dumney Lane (south) and the existing bridleway within the development site, public bridleway no. 13 Gt and Lt Leighs, to create an east west link. The route, as shown in principle on DWG no. 2107731-130, dated 23/10/2024 (Titled - Public Rights of Way and Bridleway Diversion Plan), is to be of appropriate width to allow for future segregation (as required), to cater for all users, shall be surfaced appropriately, together with waymarking. The route shall have no planting within 1 metre of the approved width. The route should have pedestrian and cycle connections to the adjoining residential phases.

Details of the scheme to be submitted to, agreed, and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and designed to accord with the highway standards. The route to be fully implemented by the developer as part of the highway works. All associated costs shall be borne by the applicant.

Trigger: To be agreed - Linked to the initial occupation of each of the relevant parcels of land within the development that abut the routes.

Reason: To provide a good quality sustainable travel route for horse-riders, cyclists and pedestrians to/from the site.

21.

Provision of a new pedestrian, cycle and equestrian route through the development site to provide a route between Dumney Lane (north) and Moulsham Hall Lane. The route, as shown in principle on DWG no. 2107731-130, dated 23/10/2024 (Titled - Public Rights of Way and Bridleway Diversion Plan), is to be of appropriate width to allow for future segregation (as required), to cater for all users, shall be surfaced appropriately, together with waymarking. The route shall have no planting within 1 metre of the approved width.

Details of the route to be submitted to, agreed, and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and designed to accord with the highway standards. The route to be fully implemented by the developer as part of the highway works. All associated costs shall be borne by the applicant.

Trigger: To be agreed - Linked to the initial occupation of each of the relevant parcels of land within the development that abut the routes.

Reason: To provide a good quality sustainable travel route for horse-riders, cyclists and pedestrians to/from the site.

Pedestrian / cycle / bridleway access from site

22.

Prior to completion of the new equestrian route / public bridleway through the development site within the southern area of the site, shall be provided with pedestrian, cycle and equestrian only access to be constructed onto Dumney Lane (south), as shown in principle on DWG no. 2107731-130, dated 23/10/2024 (Titled - Public Right of Way and Bridleway Diversion Plan). The access to include but not limited to;

-
minimum 3.5 metres width,

-
appropriate visibility splays to be provided from the site access onto Dumney Lane. Such visibility splays shall be provided before the access is first used and retained free of any obstruction at all times.

Details of the access to be agreed and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and designed to accord with the adoptable highway standards. The access to be fully implemented by the developer

as part of the highway works, prior to completion of the new equestrian / public bridleway route.

Reason: To provide pedestrian and cycle connectivity, in the interests of highway safety.

23.

Prior to completion of the new equestrian route / public bridleway through the development site near to Hornells Corner, shall be provided with pedestrian, cycle and equestrian only accesses to be constructed onto Moulsham Hall Lane and Dumney Lane (north), as shown in principle on DWG no. 2107731-130, dated 23/10/2024 (Titled - Public Right of Way and Bridleway Diversion Plan). The accesses to include but not limited to;

-
minimum 3.5 metres width,

-
dropped kerb and merge onto Moulsham Hall Lane.

-
visibility splays of 3 metres by 110 metres to be provided from site access onto Moulsham Hall Lane. Such visibility splays shall be provided before the access is first used and retained free of any obstruction at all times.

-
appropriate visibility splays to be provided from the site access onto Dumney Lane. Such visibility splays shall be provided before the access is first used and retained free of any obstruction at all times.

Details of the accesses to be submitted to, approved, and agreed in writing by the Local Planning Authority, in consultation with the Highway Authority, prior to occupation. The accesses to be fully implemented by the developer as part of the highway works, prior to completion of the new equestrian / public bridleway route.

Reason: To provide pedestrian and cycle connectivity, in the interests of sustainability and highway safety.

Development site and spine road

Spine Road

24.

Prior to completion of the bus loop / bus route, traffic regulation orders (TRO) shall be secured for the section of the spine road near the Primary School, to allow for the implementation of;

i.
a 20mph speed limit / zone in vicinity of the primary school.

ii.
parking restrictions in vicinity of the primary school.

The TROs shall be implemented as part of the spine road construction and include all associated signing and lining.

Reason: In the interests of highway safety.

Pedestrian and cycle routes within the site

25.

Prior to first occupation a signing strategy for walking and cycling to, from and around the development site shall be submitted to the planning authority for approval in writing. The approved strategy shall be implemented prior to occupation and at the appropriate phase of the development.

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

26.

3 x parallel crossings on the spine road, as shown in principle on DWG no. 2107731-015 REV. B (Titled - Hybrid application: Full Area Adoption Plan, sheet 1 of 2 - dated 24/10/2024) and DWG no. 2107731-016 REV. B, dated 08/09/2024 (Titled, Hybrid Application: Full Area Adoption Plan, sheet 2 of 2) shall be provided. The crossings, and associated pedestrian and cycle visibility splays, shall be fully implemented at an appropriate stage during construction of the spine road, as agreed with the Highway Authority. Visibility splays shall be provided clear to ground and maintained clear of obstruction in perpetuity

Reason: In the interests of highway safety.

Bus stop infrastructure within development

27.

The bus stops within the development shall be provided, to include but not limited to, raised kerbs, hardstanding, bus shelter, bus cage with bus clearway markings, lighting and power connection, flag, timetable, and real time passenger information (RTPI) (if required). Bus stops, as shown in principle of the submitted plans, shall be provided prior to occupation and all other bus stops in the remainder of the development shall be provided prior to 50th occupation and/or prior to occupation of adjacent dwellings (whichever is sooner).

Reason: In the interests of promoting sustainable development and transport.

Note: The final location of the bus stops associated with the development should be determined prior to commencement of works for each phase and clearly marked on site and plans to ensure visibility for perspective purchasers.

Landscaping

28.

Any proposed street trees shall be planted clear of any visibility splay and boundary planting shall be planted a minimum of 1 metre back from any visibility splay.

Reason: To ensure that the future outward growth of the planting does not encroach upon the visibility splays, to preserve the integrity of the highway and in the interests of highway safety.

General conditions

29.

No unbound material shall be used in the surface treatment of the 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.

30.

The pedestrian cycle route from the underpass routed via east of the primary school and west of the neighbourhood centre to the spine road, shall be a segregated provision, minimum of 5 metres in width (3 metre footway, 2 metre cycleway).

Reason: In the interests of accessibility and pedestrian and cycle safety.

The above conditions are required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance, and the NPPF 2024.

Informative:

i.

All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org

ii.

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.

iii.

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.

iv.

All highway works associated with the development are to be delivered fully at the applicant / developer's expense.

v.

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.

vi.

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.

vii.

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.

The area(s) directly adjacent to the carriageway(s) in which the trees are to be planted should not be less than 3 metres wide, exclusive of the footway and the trunks of the trees should be no nearer than 2 metres to the channel line of the road. The same dimensions should be used in situations where the footway is located adjacent to the carriageway.

viii.

Details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority. These details should conform to the Essex Design Guide or equivalent guidance.

ix.

Details of the lighting scheme is be considered and agreed during the Section 38 Technical Approval process.

x.

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.

xi.

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.

xii.

In situations where retaining walls or other similar methods are required to support land directly adjacent to the highway, their design, construction or composition (in the case of embankments) should be agreed in advance with the Highway Authority.

xiii.

The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The

public's rights and ease of passage over public bridleway 13 (Great and Little Leighs), public footpaths 8, 10 and 11 (Great and Little Leighs) and public byway 5 (Great and Little Leighs) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way. The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

xiv.

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

South Essex Parking Partnership

Comments

No response received

Public Health & Protection Services

Comments

If permission is given the dwellings should be constructed so that the internal noise levels meet the standards of BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings. That is, the internal noise levels in bedrooms at night (2300 hours - 0700 hours) with windows closed should not exceed 30dB(A) LAeq. The internal noise levels in habitable rooms during the day (0700hours - 2300hours) with windows closed should not exceed 35dB(A) LAeq. The submitted acoustic report indicates this is achievable and sets out information and criteria to comply with this standard. The report also indicates that noise from other sources/locations will not be significant to occupiers of the proposed dwellings.

Ramblers Association

Comments

The following PRoW cross and/or bound the site; Byway 5 Great and Little Leighs (to the west), Footpaths 8 and 11 Great and Little Leighs (to the south) and Bridleway 13 Great and Little Leighs (to the east).

The Framework Plan (David Lock Associates) and the Green Infrastructure Strategy Plan (CSA) both indicate these PRoW but do not provide the specific Parish Number. They are however identified in the Environmental Statement Chapter 9 - Highways and Accessibility (White Peak Planning).

These documents also indicate where enhancements are proposed, including a potential new Bridleway and additional Pedestrian and Cycle Routes. Improvements for crossing the A131 are also proposed.

With the above in mind our comments at this stage are as follows:-

We await to review the detailed specification of the new/enhanced PRoW.

The phasing of all construction work should allow use of the PRoW at all times, or alternatives should be put in place. Full details awaited to review.

Active Travel England

Comments

No response received

Mid And South Essex Integrated Care Board

Comments

1.0 Further to a review of the application details the following comments are made in regard to the primary healthcare provision on behalf of the health partners of the Mid and South Essex Integrated Care System (the ICS).

2.0 Existing healthcare position proximate to the planning application site

2.1 The proposed development would impact on the services of the surgery which is closest to the application site. The GP practice does not have capacity for the additional growth resulting from this development and cumulative development in the area.

2.2 The proposed development will be likely to have an impact on the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. The ICS would therefore expect these impacts to be fully assessed and mitigated.

3.0 Review of planning application

3.1 The planning application seeks planning permission for development of a site, known as Strategic Growth Site 7A Moulsham Hall Lane Great Leighs, allocated in the Chelmsford Local Plan. A master plan for the site was adopted by Chelmsford City Council in March 2023.

3.2 The material submitted in support of the planning application explains that the neighbourhood centre will comprise commercial uses including an anchor store, children's nursery and medical premises, residential care home (80 beds), land for primary school, social, green and physical infrastructure. The land use schedule includes up to 1000m² space for medical services (Use Class E(e)).

3.3 At paragraph 7.19 the planning statement says that the proposed Neighbourhood Centre contains a range of services and quantum of development that will meet the policy requirement to meet the needs of the new communities and be accessible by walking, cycling and public transport to the majority of residents in the development.

3.4 The ICB welcomes inclusion of a healthcare centre within the neighbourhood centre. To ensure that it meets the policy requirements and is a viable facility, its size, location, design and delivery should be controlled through an obligation secured in a S106 agreement. It will be necessary to define the minimum size of the facility, not just the maximum as currently stated. The ICB requests engagement on the terms of the S106 agreement.

3.5 The health impact assessment (HIA) question asking whether the part of the NHS with responsibility for estates infrastructure, the HIA states that the Council's public health team were contacted but did not respond. The Mid and South Essex Integrated Care Board (the ICB) are the relevant body and the ICB would welcome future engagement with the Council and applicant as outlined in this letter. The HIA's assessment of impact on healthcare infrastructure as neutral will only be likely if suitable mitigation is provided.

3.6 The inclusion of pedestrian and cycle links directly linking development parcels and open spaces should encourage residents to be active, and to access local facilities without the need to use cars. A convenient bus service is also important for longer journeys. The ICB asks that a bus route easily accessible to the whole community is secured through the grant of planning permission.

Together, attractive active travel and public transport options are important to increasing physical activity, reducing social isolation, expanding employment options, all of which support better health and reduced health inequalities. The details of the development to be determined at a later stage, as well as the principles proposed in this outline application, will be important to the success of the access and movement strategy.

3.7 The housing strategy describes how, given multiple ownerships of the site, the provision of affordable homes and the mix of homes of different sizes will be managed. It should also address the provision of adaptable and affordable homes. Housing quality is a wider determinant of health and housing design influences residents' ability to remain independent. Homes that are easily adaptable to changing needs and homes that accommodate less mobile residents can enable residents to live in their homes for longer. The amount of housing meeting accessible and adaptable dwelling (M4(2)) and wheelchair user dwelling (M4(3)) standards should be explained in the statement and controlled through any grant of planning permission.

4.0 Assessment of development impact on existing healthcare provision

4.1 The existing GP practice does not have capacity to accommodate the additional growth resulting from the proposed development. The development could generate approximately 2,000 new residents and subsequently increase demand upon existing constrained services.

4.2 The primary healthcare services directly impacted by the proposed development and the current capacity position are shown in Table 1.

4.3 Table 1 shows that the capacity of primary healthcare facilities in the area of the proposed development is already below the recognised standards of provision for the existing population. Additional population growth in the area resulting from new development would add to the deficit and so would be unsustainable if unmitigated.

5.0 Healthcare needs arising from the proposed development

5.1 Table 2 shows the population likely to be generated from the proposed development, the primary care floorspace needed to support this additional population and the costs of doing so. Using the accepted standards set out below the table, the capital required to create additional floorspace for support the population arising from the proposed development is calculated to be £413,400.

Table 2: Capital Cost calculation of additional health services arising from the development proposal

5.2 The development would have an impact on healthcare provision in the area where there is already a deficit of primary care facilities. If unmitigated, the development would be unsustainable. Planning obligations could be used to secure contributions to mitigate these impacts and make an otherwise unacceptable development acceptable in relation to healthcare provision.

5.3 The ICB notes the inclusion of financial contributions towards healthcare provision as required by the NHS in the draft heads of terms in the planning statement and requests that the sum of £413,400 be secured through a planning obligation in the form of a S106 agreement is linked to any grant of planning permission.

6.0 Conclusions

6.1 The ICS has identified that the development will give rise to a need for additional healthcare provision comprising a healthcare facility in the neighbourhood centre and a financial contribution to mitigate impacts arising from the development and requests that these are secured through a S106 legal agreement attached to any grant of planning permission. In the absence of such mitigation the development would impose an unsustainable burden on local healthcare services.

6.2 The terms set out above are considered appropriate having regard to the formulated needs arising from the development and the ICS is satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations set out in the NPPF.

6.3 The health partners of the ICS look forward to working with the applicant and the Council to satisfactorily address the issues raised in this consultation response and would appreciate acknowledgement of the safe receipt of this letter.

Housing Standards Team

Comments
No response received

ECC Historic Environment Branch

Comments
As attested by the submitted archaeological desk-based assessment and the Essex Historic Environment Record (EHER) the proposed development area has the potential to contain archaeological remains ranging in date from the prehistoric to the post-medieval period.
Areas of cropmarks, identified through aerial photography, are present in the south-west and north-east of the proposed development, and have been interpreted as indicating the presence of medieval field boundaries and post-medieval woodland divisions. A post-medieval brick-kiln has also been identified in the north-west.
The submitted geophysical survey report exposes further evidence of historical agricultural activity, consistent with the cropmarks detailed above.
Accordingly, a programme of archaeological investigation should be undertaken on the proposed

development site in order to assess the archaeological potential of the site and the impact of the proposed development's groundworks. The submitted Written Scheme of Investigation has been previously seen and approved by this office, and serves to suitably outline the required methodology and archiving requirements of the scheme of archaeological investigation.

As a result, this office recommends that the following conditions are attached to any consent, in line with the National Planning Policy Framework paragraph 205 and Chelmsford Local Plan Policy DM15:

RECOMMENDATION: Archaeological trial-trenching and open area excavation

1. No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological trial-trenching evaluation as identified in the submitted Written Scheme of Investigation and confirmed by the local planning authorities archaeological advisors.
2. A mitigation strategy detailing the excavation / preservation strategy shall be submitted to the local planning authority for approval following the completion of the archaeological evaluation.
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 approved in writing by the local planning authority.
4. The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

The archaeological work should be carried out by a professional and accredited contractor and will first comprise the undertaking of the approved scheme of archaeological evaluation. Following the completion and reporting of this work the applicant will submit an archaeological mitigation strategy for approval, detailing areas of in situ preservation of archaeological remains, open areas of archaeological excavation, and, if appropriate, archaeological monitoring, within the development area.

All subsequent archaeological fieldwork, and measures by which in situ preservation will be ensured within the development, should be undertaken in accordance with the approved mitigation strategy.

Following the completion of the archaeological works, an approved post-excavation assessment will be submitted to the local planning authority, in preparation for a publication report.

ECC Infrastructure Delivery Team

Comments

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. It is deemed that this application is within our remit for an ECC corporate response, due to its scale and size.

Given our statutory responsibilities, we are keen to ensure that the potential impact of this proposal on ECC's service areas is comprehensively considered by our relevant officers, and appropriate mitigation measures communicated to, and secured by (either through financial contributions or physical provision) Chelmsford City Council, wherever possible, as the Local Planning Authority.

ECC has reviewed the proposal and accompanying documents, and has a number of comments and recommendations to make on the proposed development at this site. 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 ECC's consultation response to planning applications 23/01583/FUL AND 23/01583/OUT addresses the following service areas:

- o Public Health and Wellbeing
- o Education and Early Years and Childcare
- o Adult Social Care and Independent Living
- o Libraries
- o Economic Growth & Skills
- o Adult Community Learning (ACL)
- o Flood Risk & Drainage
- o Minerals and Waste Planning
- o Climate and Planning Unit (CaPU)
- o Country Parks
- o Green Infrastructure
- o Broadband Connectivity

Please note that ECC Highway comments will be submitted separately and this letter should be read in conjunction with the ECC Highways response which will be received by Chelmsford City Council as part of this current consultation on the proposals.

Summary

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. ECC has carefully considered the information submitted in support of this planning application.

ECC is requesting financial contributions at this time to deliver infrastructure and services to support, and fully mitigate, the impact of this proposal on local residents, as per Essex Developers Guide to Infrastructure Contributions 2023 (or as updated). These financial contributions are vital to enable the delivery of key infrastructure including:

- o Additional EYCC capacity including land for a co-located primary school and EYCC facility
- o Additional Primary capacity including land for a co-located primary school any EYCC facility
- o Additional Secondary school capacity
- o School Transport
- o Additional library provision
- o An Employment and Skills Plan to be secured by Chelmsford City Council
- o Additional post-16 capacity to be secured by Chelmsford Council

Please note that any Highway works/s106 contributions will be sent separately by ECC Highways.

Any developer contribution figures referred to in this letter are calculations only, and the final payments will be based on the actual dwelling unit mix and the inclusion of indexation (index Jan 23).

If sufficient contributions are not secured on behalf of ECC, then there is risk that the right infrastructure will not be delivered in the right place and at the right time to meet the needs of our residents. This can impact on the inclusivity and sustainability of the proposed development and the wellbeing of residents if they are unable to access appropriate local services and facilities when needed.

Alongside the requested financial contributions, we are also seeking/ recommending a number of amendments/submission of further information for assessment including, but not limited to:

- o Further clarification and amendments in relation to the proposed school and co-located EYCC facility. This includes submitting a Land Compliance Study supported by evidence. Please see the EYCC and Education section for detailed points.
- o A higher percentage of new homes as part of this planning application to be constructed to Building Regulation Part M4(2) standards and at least 5% built to Part M4(3) wheelchair user standards, including the affordable housing contingent delivered on the site.
- o Suggestions around building in flexibility around the quantum/mix of the neighbourhood centre as well as other economic growth and skills points and suggestions.
- o A net-zero (in operation) target for buildings as part of this development.
- o Setting of Embodied carbon targets (details of recommended targets within relevant section of this letter)
- o Encouragement of any design opportunities to introduce low flow, water harvesting or water reuse into

the development to help reduce the water stress on the local water system.

- o Further assessment of the impact of the development on the nearby Great Notley Country Park.
- o Points and suggestions relating to Green Infrastructure provision.

Planning & Policy Context

This application forms part of the Strategic Growth Site 7 - Great Leighs which is made of 4 sites 7a, 7b, 7c and 7d as outlined in Chelmsford City Council's Adopted Local Plan (2020). Together they will provide comprehensive development at Great

Leighs. This proposal for up to 800 dwellings and associated infrastructure falls within the Local Plan Growth Site 7a.

The Growth and Development team have previously coordinated a response to the adopted Masterplan for the Great Leighs strategic site (approved 28.02.23), EIA Scoping Opinion (application 22/01113/SCOPE) for site 7A, and pre-application has taken place with some of ECC services.

Public Health & Wellbeing

We refer to colleagues in the Public Health Team at Chelmsford City Council to provide a comprehensive feedback in relation to health on these planning applications. We acknowledge that human health has been scoped in the EIA and a Health Impact Assessment has also been submitted.

Early Years & Childcare and Education

ECC is the Lead Local Education Authority (including Early Years & Child Care, primary, secondary, Special Education Needs, and Post 16 Education) for where this site is proposed.

Under the Childcare Act 2006, Essex County Council (ECC) must ensure that there is sufficient high quality and accessible early years and childcare places within the local area. Furthermore, Under Section 14 of the 1996 Education Act, ECC has a statutory responsibility to secure sufficient school places to serve their area. The available schools must be sufficient in number, character and equipment to provide all pupils with the opportunity of an appropriate education.

In understanding S106 infrastructure contributions required from this development, the Essex Developers Guide to Infrastructure Contributions (2023) is referred to.

Any developer contribution figures referred to in this letter are calculations only, and the final payments will be based on the actual dwelling unit mix and the inclusion of indexation (index Jan 23). The below calculations have been based on all dwellings being houses of two or more bedrooms.

Early Years and Childcare

Based on 800 dwellings (2+bedroom houses), a development of this size would generate the need for 72 Early Years & Child care (EY&C) places.

The land for a primary school co located with the EY&C facility is included in the application.

The below contribution is additionally requested:

o 56 place co-located EY&C facility (£23,192 new build cost per place) =

£1,298,752

o 16 expansion places (£19,425 per place)= £310,800

Total EY&C contribution = £1,609,552

Primary Education

The land for a primary school co located with the EY&C is included in the application.

Based on 800 dwellings (2+bed house) the below contribution is additionally requested:

o 240 pupils at £23,192 per place = £5,566,080

Primary School and Early Years and Childcare (EYCC) design comments

There are a number of comments in relation to design of the school and co-located early years and childcare facility. These are listed below and ECC are seeking amendments and further information to address the points as outlined.

o For clarity and consistency, all the documents submitted as part of this planning application need to refer to primary school with a co-located early years and childcare facility (EYCC). This includes the description included for the planning application - currently there is reference to a primary school but not a co-located EYCC facility. It is understood that the nursery referred to in the description of the planning application is for a separate nursery as part of the neighbourhood centre.

o A Land Compliance Study for the proposed Primary School and co-located EYCC facility does not seem to have been submitted as part of this planning application. A Land Compliance Study supported by evidence is required to fully understand the suitability of the proposed land. Further details on Land Requirements can be found in the Essex Developer's Guide 2023 (or as updated) in section 4.

o It should also be ensured that the standalone nursery meets the requirements in terms of design and specification. If the developer is proposed to build this standalone nursery, Appendix F of the Essex Developer's Guide, 2023 (or as updated) highlights the specification that should be met for any childcare facility and it should, in principle, be demonstrated that the new standalone facility would meet these requirements.

o It is currently not clear from plans submitted whether the entrance square the school site is proposed to be within the school boundary. Plans such as the Framework Plan (Drawing number 1391-1-110 Rev A) shows the boundary of the school site as including the entrance area where as the Phasing Plan (Drawing number 1391-2-109) shows entrance to school in white with no clear indication of whose land boundary this would fall into. o ECC's current position would be to not accept ownership of this pedestrian entrance square and suggest that this would be the developer(s) responsibility to ensure it is maintained long-term. This area we recommend should be considered a community space and should be designed so that it is well lit and a welcoming space. If it is deemed that this pedestrian square entrance was to be within the school

boundary, then the area would have to have a 2.4m gated fence around the whole area.

o Further consideration needs to be given to how the neighbouring uses of the proposed residential and educational uses will sit and interrelate. This is particularly pertinent on this proposal as residential uses are proposed on

three sides of the school/EYCC site including flats to the east. It needs to be ensured that the proposed school and EYCC facility does not have a detrimental impact on the residential and vice versa. This is in terms of amenity, design and operational requirements of the proposed school and EYCC facility. In the context set out above, further information/detail is required on the below points:

It should be ensured that neighbouring properties that back onto the proposed school and early years facility are subjected to acceptable noise/light levels from the school/EYCC facility and playing fields. It should be assessed what impact having a school/EYCC/playing fields would be if placed on any boundary of the school site. If evidence shows that there will be detrimental noise/light levels during school time or at evening/weekends if the playing fields are proposed to be used by the community, then appropriate mitigation as part of housing development proposal should be designed in. This is to ensure that at the detailed design stage, a school/EYCC design can be brought forward without any detrimental noise/light impact on neighbouring properties.

Careful design should be incorporated to ensure that overlooking is minimised particularly in relation to the flats. Further diagrams/ elevations should be provided to show that amenity issues such as overlooking/privacy can be effectively integrated into the proposals.

Given that residential car parking is proposed on some parts of the boundary with the school, mitigation of car fumes and visibility of the car parking will be pertinent design issues to address. There will also need to be an appropriate maintenance zone between the boundary of the school and the bordering land uses. It is suggested that further cross plans/elevations are submitted to show the interrelationship between the residential uses and school/EYCC use and what design features would be integrated.

o It should be ensured that all plans are consistent in showing a central access to the school site as well as an emergency/maintenance access to the west of the school site off the spine road to the north. The Concept Framework Plan (Drawing number 1391-1-110 Rev A) for example, seems to omit the central access to the school off the spine road. o It must also be ensured that there is an alternative appropriate emergency vehicle access to the school and early years site in addition to the main vehicular access as indicated off the Spine Road to the north. To ensure that fire engines would be able to get to the front of the school buildings, the pedestrian entrance to the east of the site seems the most appropriate as an alternative emergency vehicle entrance to the school. To ensure emergency access from this route, the width of this entrance must be maintained and links to this entrance must be wide enough to allow emergency vehicles to pass and manoeuvre. A fire hydrant would also need to be designed in and should be labelled on any plan.

o The phasing in relation to the path/access to the school and co-located EYCC facility isn't clear with the neighbourhood centre suggested to be in Phase 2 and the school unknown. It needs to be ensured that the proposed path running north to south adjacent to the proposed school and early years facility is delivered before the school. This is to ensure that there is an accessible pedestrian route.

o We strongly encourage any design proposals which support active forms of travel to the school and early years facility. A large amount of the proposed residential development is proposed to be to the west of the proposed school/EYCC facility. Therefore, further consideration/information should be given to how children residing to the west could walk/cycle to school in a safe and direct way.

o There should be some form of parking restriction or some sort of physical barrier along the spine road given grass verges are proposed. This is to effectively help prevent issues associated with parking by parents.

o There are clear interlinkages between the proposed school and co-located EYCC facility in relation to the neighbourhood centre to the east of the school site. The school frontage should be welcoming and traffic-free. We would therefore expect that the public urban square (the hatched area on the Concept Framework Plan referenced 1391-1-110 Rev A) should be moved to the front of the entrance to the school. As shown, the school seems to be located between 3 storey flats with car parking backing onto the school site and then facing an narrow gap between buildings which runs through to a car park. From plans, it is also not clear how the indicated blocks southwest of the square can be serviced without traffic cutting across areas which should be pedestrian only. It is therefore recommended that further plans/visuals are submitted to show how the school and co-located EYCC facility interact with the neighbourhood centre and neighbouring residential uses which builds upon principles of an inviting, child-friendly, traffic free environment around the proposed school and co-located EYCC facility. All plans for the neighbourhood centre should show the school to show this close interaction.

The above points should be addressed through amendments and/or submission of further information for ECC to review.

ECC would recommend that further pre-app discussions are had with ECC and Chelmsford City Council in relation to the proposed School and co-located EYCC facility and it's proposed wider environment.

We would also recommend that the outline scheme is taken to the Essex Quality Review Panel so that proposals including the interrelationship between the proposed school and neighbourhood centre can be independently assessed and further independent advice given to help develop the proposals going forward.

Secondary Education

Based on 800 2+ bed houses the below contribution is required for expansion of secondary school provision:

160 pupils x £26,717 per place = £4,274,720

School Transport

The Education Act 1996, as amended by Part 6 of the Education and Inspections Act 2006, places a duty on Local Authorities to make suitable travel arrangements free of

Charge for eligible children as they consider necessary to facilitate their attendance at school. Walking distance is defined by S 444(5) of the Education Act 2006 at two miles for those aged under 8 and three miles for those who have attained the age of eight years. These distances are measured by the shortest available walking route.

An 'available route' is one which a child, accompanied as necessary, may walk with reasonable safety to school. In excess of these distances ECC has to fund 'free' school transport. Where development is proposed in locations that may require ECC to provide school transport, developer contributions are sought to fund provision.

Secondary School Transport

The nearest secondary school provision to the application site is Notley High School. A School Transport contribution is requested where it is not demonstrated that the that the nearest secondary school provisions to the whole application site is under 3 miles from the development site via a safe walking and cycling route. Therefore the below contribution school transport contribution is requested:

$£6.26 \times 160$ (Secondary pupil product, based on 800 2+bed houses) $\times 190$ days $\times 5$ years = £951,520

Primary School Transport

In terms of primary school provision, a new primary school is proposed on the application site. If the proposed primary school never came forward/did not come forward early on within the development and safe walking/cycling routes were not established to the existing nearest primary provision however, a primary school transport contribution may be required.

Current assessment of existing provision of walking/cycling routes to the nearest primary school provision Great Leighs Primary School would be deemed as unavailable to be walked, accompanied as necessary by an Adult. If any primary school transport contributions are therefore requested, these would be in line with the Essex Developers' Guide (2023) or as updated.

In the above context, further discussion on any contribution towards primary school transport is required.

Special Educational Needs & Disabilities (SEND)

ECC has a statutory responsibility to plan for and deliver facilities appropriate for children and young people with SEND. The development will generate a need for some pupils who have SEND provision requirements.

Whilst the threshold for SEND requirements is 1000 dwellings, this site is part of a wider Masterplan area which may exceed 1000 homes. As per the Essex Developer's Guide, 2023 (p15), ECC may request contributions below set thresholds where it is deemed that thresholds could be met on the basis of cumulative delivery across multiple sites.

It has been calculated that there may be 5.6 pupils that may have SEND requirements from 800 dwellings. A SEND cost per place is 4 x an education place contribution (4x £26,717) = £106,868 per place.

Based on 5.6 pupils at £106,868 = £598,460.80 PUBSEC index linked from January 2023.

Post-16 Skills

ECC has a duty to secure sufficient and suitable education and training provision for all young people in their area who are over compulsory school age but under 19, or aged 19 to 25 and for whom an Education, Health and Care Plan (EHCP) is maintained. To fulfil this, ECC needs to have a strategic overview of the provision available across the county in order to identify and resolve gaps and ensure appropriate choice in

provision. This requires ECC to ensure training provision is holistic and reflective of local industry skills requirements. ECC determines 'sufficient' as having enough post 16 provision to meet need and choice. ECC determines 'suitable' as offering a range of academic, technical and vocational provision against demand. Revenue funding for all post 16 education is provided via the Education Skills Funding Agency (ESFA) and covers academic and vocational learning.

Due to a growing number of 16-19 year olds (up to 25 years old with an EHC plan) from local housing developments, where necessary, capital contributions should be sought to support additional full-time Post 16 education as referred to above.

This development gives rise to a Post 16 education capacity need for 32 places for young people.

Given the diversity of Post 16 education provision, by multiple providers and institutions, many of whom are privately run facilities, ECC would encourage Chelmsford City Council to explore Post 16 capacity/need provided by private Post 16 facilities in the area such as Colchester Institute (Braintree Campus), Chelmsford College and Writtle College as these facilities may have a need for a developer contribution to support demand from this development.

If a contribution is justified by any such provider, ECC advise that, subject to indexation, the cost per place for full-time post 16 places (expansion) is £26,717 based on the DfE National Scorecard. Therefore the Post 16 contribution from this development if pursued by Chelmsford City Council would be £854,944.

Specialist Housing, 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.

Therefore, as part of this proposed development, it needs to be ensured that housing and communities are accessible and inclusive over the life course and that new

homes are suitable for ageing households and those with disabilities so that they can live in their homes for longer if their mobility reduces. Allowing residents to live within their homes reduces their dependency on care provision and facilitates healthier, more independent lifestyles. Suitable housing can also allow people to live closer to their informal support networks (i.e. family and friends) as their mobility declines.

In the Health Impact Assessment submitted, it is suggested that a total of 50% of new dwellings will meet M4(2) of the Building Regulations, meaning they will be accessible or adaptable and a further 5% of the new affordable dwellings will be built to meet M4(3), which are wheelchair user dwellings. We would encourage and recommend that all new homes as part of this planning application should be constructed to Building Regulation Part M4(2) standards and at least 5% built to Part M4(3) wheelchair user standards, including the affordable housing contingent delivered on the site. As described, the delivery of accessibility housing is critical to ensuring our ageing population and those with disabilities are able to live for longer in suitable homes (and thus potentially benefiting from domiciliary care) without having to move into more institutional care settings.

In terms of the 80 bed residential care home proposed, we ask that ECC are consulted as part of the

reserved matters application. Commissioning colleagues will want to ensure that the provision meets local need with a corporate presumption in favour of Extra Care style provision rather than Residential care.

It is also considered that more detail on the phasing of Affordable Housing against open market would be beneficial, including ensuring that Affordable Housing & specialist accommodation compliment and reflect the open market home designs.

Libraries

The provision of a Library Service is a statutory duty under the 1964 Public Libraries and Museums Act and it's increasingly become a shared gateway for other services such as for accessing digital information and communications.

Based on 800 dwellings, and in accordance with the Essex County Council Developers' Guide to Infrastructure Contributions (2023) or as updated, a contribution is therefore considered necessary to improve, enhance and extend the facilities and services provided at the local library. This is at a cost of £77.80 per unit, respectively. Improvements could include, but is not limited to, additional facilities, additional furniture, provision of learning equipment / play equipment for younger children, improved access, external works such as parking and bike racks and IT.

In this case, and taking the above into account, it is calculated that a contribution of £62,240 is requested towards local library enhancements.

Economic Growth & Skills

The development should be designed to promote walkable neighbourhoods as much as possible and ensure that key facilities are within a suitable walking distance of both new dwellings proposed as part of this development as well as existing community. Routes should be designed to ensure they go through key destinations such as the Neighbourhood Centre to help shorten walking/cycling trips.

In the submitted Planning Statement, Para 7.18 highlights maximum floorspace figures for elements within the Neighbourhood Centre. The Neighbourhood Centre will serve over 1,000 new homes across the whole of the Great Leighs Strategic Site, as well as support the existing residents, and so therefore we suggest that the Neighbourhood Centre should not be so constrained in size or mix of uses at this stage. Accordingly, the Council may wish to consider keeping any consideration of quantum/mix of uses to reserved matters stage, where each use may be assessed on its own merits to deliver a commercially viable mix with sufficient range of amenities and opportunities for small businesses, without need to travel. We would also encourage consideration of attaching relevant planning conditions to any permission to require the Neighbourhood Centre to be completed and available for occupation prior to the commencement of Phase 2.

The variety of house types is welcome, but suggest further consideration is given to the development's 'home working' opportunities such as home office space (either as part of another room or as a separate room, premium telecommunications links, and similar concessions) that will assist in reducing the need to travel. As referenced above, this could also be boosted through a "touchdown" facility in the Neighbourhood Centre and/or live/work units.

In term of Skills, there is no reference to a request for an Employment and Skills plan as part of the section

106 heads of terms. This application meets the threshold for such a plan as outlined in section 5.4 of the Essex Developer's Guide (2023) or as updated.

In the current economic climate and national skills shortage, ECC supports Chelmsford in requiring the developers to prepare an 'Employment and Skills Plan' (ESP). Upon submission of the Employment and Skills Plan, it is requested that ECC is also sent through any relevant documentation.

Adult Community Learning (ACL)

As with any large development, Adult Community Learning are always keen for there to be community facilities that are suitable adult learning environments. By having suitable community facilities we can reach those in the community and help improve residents' skills. We would therefore welcome a multi-functional community space as

part of the Neighbourhood Centre to allow for future opportunities for ACL at the development

Flood Risk & Drainage

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:

Condition 1

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:

- o Limiting discharge rates to flow matching Greenfield runoff rates for all storm events up to and including the 1 in 100 year rate plus 45% allowance for climate change and to provide long term storage which discharges at 2l/s.
- o 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
- o Demonstrate that features are able to accommodate a 1 in 10 year storm events within 24 hours of a 1 in 30 year event plus climate change.
- o Final modelling and calculations for all areas of the drainage system. MADD Factor should be set at 0 (Drainage Calculations Guide | Essex Design Guide)
- o 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.
- o Detailed engineering drawings of each component of the drainage scheme.
- o A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.



Natural England

Comments

This advice relates to the proposed developments that fall within the 'zone of influence' (ZOI) for the following European designated sites, Blackwater Estuary Special Protection Area (SPA)/Ramsar, and part of the Essex Estuaries Special Area of Conservation (SAC). It is anticipated that new residential development within this ZOI is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Sites due to the risk of increased recreational pressure that could be caused by that development. On this basis the development will require an appropriate assessment.

We understand that you have screened this proposed development and consider that it falls within scope of the Essex Coast RAMS, and that you have undertaken a Habitats Regulations Assessment (HRA) (Stage 2: Appropriate Assessment), wherein our advice is sought on the adequacy of the proposed mitigation.

We note that the Shadow HRA Appropriate Assessment confirms agreement to pay the RAMS tariff to offset the in-combination recreational effects of the development, and are satisfied to the extent that the financial contribution component of the proposed mitigation has been secured.

However, after carefully reviewing the application documents, Natural England's view is that, given the scale of the proposed development, it also requires the provision of SANGS (Suitable Alternative Natural Green Space) to help alleviate recreational disturbance arising from new residents at the coastal designated sites. However, the contribution of the open space provision towards providing a suitable SANG is unclear.

We consider that the proposed development taken alone, without substantial amendment, would:

o have an adverse effect on the integrity of European designated sites within scope of the Essex Coast RAMS

As such, we cannot conclude that the development would not have a significant adverse effect on protected sites, and therefore would object to the proposal in its current form.

You have sought Natural England's advice on this issue, and our detailed advice is set out below.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure the on-site mitigation measures, including proportionate SANGS provision with links to footpaths in the surrounding area. The financial contribution (as index linked) should be secured through an appropriate and legally binding agreement, in order to ensure no adverse effect on integrity.

Natural England advises that the specific measures (including financial contributions) identified in the strategic solution can prevent harmful effects from increased recreational pressure on those European Site within the ZOI.

Natural England is of the view that if these measures are implemented, they will be effective and sufficiently certain to prevent an adverse impact on the integrity of those European Sites within the ZOI for

the duration of the proposed development.

The appropriate assessment concludes that the proposal will not result in adverse effects on the integrity of any of the sites as highlighted above (in view of its conservation objectives) with regards to recreational disturbance, on the basis that the strategic solution will be implemented by way of mitigation.

Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects likely to occur as a result of the proposal, Natural England advises that we cannot agree with the assessment conclusions.

The Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant, it is your responsibility (as the competent authority) to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority. We recommend that the following is included prior to adoption:

SANG (Suitable Alternative Natural Green Space)

The specific details of the amount of SANGS that the various sites would deliver over this strategic growth site is unclear. It is not possible, therefore, to assess whether the proposed development would meet the expectations of our SANGS guidance which would require around 16ha based on provision at 8ha per 1000 population (and based on 800 dwellings)

We note that the application provides 35ha of greenspace, However, clarification is required to show the specific areas that are counting towards SANG in terms of hectareage, to demonstrate how the essential criteria for the SANG guidelines are being met and also how the long-term management is secured in-perpetuity - this should be provided in the form of a SANG management plan with an accompanying map.

Please note that the 1.65ha per 1000 standard that is referenced, refers specifically to the provision of strategic open space in the Local Plan - it does not relate to mitigation for designated sites. Mitigation requirements for SANG are separate and require a higher standard of 8ha per 1000. The SANG needs to be designed to include high quality, semi-natural areas, with sufficient visual screening from new development. The 2.3-2.7km circular route also needs to be through semi-natural habitat of a sufficient size and quality that is attractive to a range of visitors, rather than the current routes that crisscross through the proposed development.

You should refer to the Thames Basin Heath SANG guidelines (attached to the accompanying email), as well as the key criteria listed below.

As a minimum, we advise that such provisions should include:

- o High-quality, informal, semi-natural areas
- o Circular dog walking routes of 2.7 km^[1] within the site and/or with links to surrounding public rights of way (PRoW)
- o Dedicated 'dogs-off-lead' areas
- o Signage/information leaflets to householders to promote these areas for recreation

o Dog waste bins

o A commitment to the long term maintenance and management of these provisions

Natural England should continue to be consulted on all proposals where provision of site specific SANGS (Suitable Alternative Natural Green Space) or other bespoke mitigation for recreational impacts that falls outside of the strategic solution is included as part of the proposal.

We would also strongly recommend that applicants proposing site specific infrastructure including SANGs seek pre application advice from Natural England through its Discretionary Advice Service. If your consultation is regarding bespoke site-specific mitigation, please reconsult Natural England putting 'Bespoke Mitigation' in the email header.

SSSI - No objection subject to securing appropriate mitigation

This application is in close proximity to the River Ter Site of Special Scientific Interest (SSSI).

Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, in conjunction with the below mentioned mitigation, will not damage or destroy the interest features for which the above mentioned site has been notified.

Surface water drainage

We are satisfied that with the Inherent mitigation (sensitive design) and a Construction Environmental Management Plan (CEMP) - (to form part of the planning conditions) that run-off and control pollution can be managed to prevent damage to the River Terr SSSI. We further note that Settlement lagoons and filtration systems will be temporarily installed within each basin to capture sediment and construction-derived pollution.

The long-term Sustainable Urban Drainage (SuD) Strategy will need to form part of your authorities planning conditions to ensure the safe management of run-off through the site's operation.

Foul water

Confirmation that Anglian Water have undertaken the service upgrades required to ensure that adopted local plan development has no adverse effects on statutory designated sites will be required in order to conclude that there will be no adverse effect on the notified features of the River Ter SSSI.

We therefore advise your authority that these SSSIs do not represent a constraint in determining this application.

Should the details of this application change, Natural England draws your attention to Section 28(1) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Other advice

Biodiversity Net Gain

We note that the application is currently delivering a 1.66% gain for area habitats, a 7.59% gain for hedgerows and a 10.66% gain for watercourses, and are exploring possible offsite options to deliver the 10% overall.

As this is outline stage, we can agree this acceptable however the applicant will need to provide sufficient information and certainty that the 10% BNG can be delivered overall through a combination of either onsite or offsite measures (for both area-based habitats and hedgerows). Any offsite habitat proposals will need to meet all of the requirements in terms of long-term management and monitoring (minimum 30 years, secured by an appropriate legal mechanism), and medium distinctiveness habitats should be prioritised to ensure compliance with the trading rules.

Please note that Mitigation and compensation for protected species or designated site impacts (e.g. SANG) can only contribute up to "no net loss" and at least 10% of the overall BNG needs to be additional. The applicant should provide more clarity on whether the BNG adheres to these additionality rules as it's currently unclear - particularly the interplay between the SANG and BNG proposals.

Soils and Agricultural Land Quality

Although we consider that this proposal falls outside the scope of the Development Management Procedure Order (as amended) consultation arrangements, Natural England draws your Authority's attention to the following agricultural land quality and soil considerations:

1. Based on the information provided with the planning application, it appears that the proposed development comprises approximately 39.49 ha of agricultural land, including 26.44 ha classified as 'best and most versatile' (Grades 1, 2 and 3a land in the Agricultural Land Classification (ALC) system).

Please note, that as outside our statutory remit, submitted ALC data has not been checked

The British Society of Soil Science have published the Guidance Note Assessing Agricultural Land Classification (ALC) and we strongly recommend this is followed to validate an ALC survey.

2. National Planning policy relevant to agricultural land and soils is set out in paragraph 174 of the National Planning Policy Framework which states that:

protecting and enhancing [...] soils (in a manner commensurate with their statutory status or identified quality in the development plan);

recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.'

3. Soil is a finite resource which plays an essential role within sustainable ecosystems, performing an array of functions supporting a range of ecosystem services, including storage of carbon, the infiltration and transport of water, nutrient cycling, and provision of food.

In order to safeguard soil resources as part of the overall sustainability of the development, it is important that the soil resource is able to retain as many of its important functions as possible. This can be achieved through careful soil management and appropriate, beneficial soil re-use, with consideration on how any

adverse impacts on soils can be avoided or minimised.

4. Natural England would advise that any grant of planning permission should be made subject to conditions to safeguard soil resources, including the provision of soil resource information in line with the Defra guidance Construction Code of Practice for the Sustainable Use of Soils on Construction Sites)1.

5. Consequently, Natural England would advise that any grant of planning permission should be made subject to conditions to safeguard soil resources, including the provision of an appropriately experienced soil specialist to advise on and supervise soil handling, including identifying when soils are dry enough to be handled. Sustainable soil management should aim to minimise risks to the ecosystem services which soils provide, through appropriate site design/masterplan/Green Infrastructure. Defra has published a Construction Code of Practice for the Sustainable Use of Soils on Construction Sites which may be helpful when setting planning conditions for development sites. It provides advice on the use and protection of soil in construction projects, including the movement and management of soil resources, which we strongly recommend is followed.

The British Society of Soil Science has published the Guidance Note Benefitting from Soil Management in Development and Construction which sets out measures for the protection of soils within the planning system and the development of individual sites, which we also recommend is followed.

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

Annex A - Additional advice

Natural England offers the following additional advice:

Landscape

Paragraph 174 of the National Planning Policy Framework (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 & 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.

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 174 and 175). 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 on the Data.Gov.uk website. If you consider the proposal has significant implications for further loss of 'best and most versatile' agricultural land, we would be pleased to discuss the matter further.

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.

Protected Species

Natural England has produced standing advice² to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a Site of Special Scientific Interest or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 175 and 179 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. 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.

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. 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.

Ancient woodland, ancient and veteran trees You should consider any impacts on ancient woodland and ancient and veteran trees in line with paragraph 180 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 by planning authorities 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.

Biodiversity and wider environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. It is anticipated that major development (defined in the NPPF glossary) will be required by law to

deliver a biodiversity gain of at least 10% from January 2024 and that this requirement will be extended to smaller scale development in April 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 general information on biodiversity net gain can be found [here](#).

The Government's 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.

We advise you to follow the mitigation hierarchy as set out in paragraph 180 of the NPPF and 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, 73, 104, 120, 174, 175 and 180). 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.

Green Infrastructure

Natural England's Green Infrastructure Framework provides evidence-based advice and tools on how to design, deliver and manage green 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 Green Infrastructure Standards can be used to inform the quality, quantity and type of green infrastructure to be provided. Major development should have a GI plan including a long-term delivery and management plan. Relevant aspects of local authority green infrastructure 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 100 and 174 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.

Biodiversity duty

Your authority has a duty to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).

Essex Wildlife Trust Ltd

Comments

We wish to submit a holding objection to this application. The world is experiencing a biodiversity emergency. Nature, and the habitats, wildlife and ecosystem functions that embody it – vital to sustaining life on earth – are under ever-increasing stress and destruction from development, land use changes and the climate emergency. In the UK alone, 40% of species are in decline, 15% are under threat of extinction and there has been a 13% fall in the abundance of nature since 1970. It is therefore vital that development plays its part in mitigating its own impact and contributing positively to nature's sustained recovery.

1. Summary of concerns

Adverse impacts on Phyllis Currie nature reserve

Adverse impacts on designated habitats and protected species

Insufficient biodiversity net gain proposals

No consideration of SANGS

No Habitats Regulations Assessment provided

We note that the Landscape Strategy diagram (Environmental Statement Figure 7.6 [CSA Environmental]) has identified and retained the majority of existing high-value habitats within the scheme and these features form and contribute to a potential connected green infrastructure network within the development.

However, we have serious concerns about the future impacts of the huge increase in disturbance and recreational pressures on important habitats and protected species, both onsite and offsite, which will inevitably result from a development of this magnitude.

2. High-value sites at risk

Dumney Lane Woods LoWS

A key component of the proposed onsite GI network is Dumney Lane Woods Local Wildlife Site (LoWS) which is listed as deciduous woodland priority habitat. The tree species present include Ash, Pedunculate Oak, Wild Service-tree, Field Maple and willow. Amongst the shrub layer canopy is Midland Hawthorn and the low growing shrub Spurge-Laurel. Dog's Mercury is present, whilst other species from these woods include Remote Sedge, Three-nerved Sandwort, Primrose and Cowslip. Dumney Lane Woods provides valuable additional habitat to the east of the Phyllis Currie EWT Reserve, which lies adjacent to the west of the development site.

Phyllis Currie EWT Reserve/LoWS

Sloping down to a tributary of the River Ter. the nature reserve is a mosaic of meadow, scrub, semi-natural woodland, and lake and pond habitats. The area west of the lake comprises predominantly broadleaf tree species such as Ash, Pedunculate Oak, Field Maple and willow. The lake exhibits well-developed marginal vegetation, which includes Lesser Pond-sedge and Bulrush. A variety of waterfowl, including tufted duck and water rail, inhabit the lake and kingfishers are frequent visitors. The lake and surrounding streams provide optimal habitat for dragonflies and damselflies, with 15 species being recorded. In amongst this diverse habitat are species including Goldilocks Buttercup, Pignut, Dog's Mercury, Lady's Bedstraw and Cuckooflower. The reserves meadows support 4 species of orchid, and are particularly notable for the presence of Green-winged Orchid. In addition, the mosaic of habitats supports a diverse range of butterflies, with 23 species being recorded here, including brimstone, purple hairstreak, white-letter hairstreak and silverwashed fritillary. The high value of this site is as a complex of different habitat types, being managed for the benefit of wildlife.

3. Impacts of development

Likely impacts on existing habitats arising from the development include:

increased noise, disturbance and littering

increased light pollution

increased predation of wildlife by domestic pets

reduced breeding success and population viability (particularly affecting birds)

trampling of ground flora

nutrient enrichment caused by dog fouling, resulting in eutrophication and loss of species diversity

altered hydrological functioning and/or pollution of watercourses

damage to soil structure, leading to tree death and changes in the composition of woodland vegetation

biodiversity loss caused by all of the above

The impacts of disturbance on the wildlife and habitats of the Phyllis Currie reserve and Dumney Lane Woods LoWS caused by the scheme are likely to be highly significant.

Our experience shows that birds are deterred from breeding in areas with large numbers of people, and the distribution of visitors to wildlife habitats can reduce the area of available breeding habitat. Birds can be prevented from establishing territories or forced to breed in sub-optimal territories; these particular sites/reserves are limited in size and therefore more vulnerable to disturbance impacts, so there is a risk that populations of sensitive species will decline as a result of the new development. An increase in dog-walking is a particular concern, as dogs off-lead can cover much more ground than people and do not necessarily remain on paths. This can lead to disturbance of ground-nesting birds in dense cover that would otherwise be hidden.

The anticipated very large increase in recreational use of Dumney Lane Woods and the EWT nature reserve at Phyllis Currie could adversely affect the soil characteristics of these sites, through increased trampling, erosion, compaction, and creation of areas of bare ground. There will also be likely significant effects on woodland understorey vegetation, species composition of the soil seed bank (favouring more trampling-tolerant species), and tree transpiration rates. Woodland ground flora are susceptible to even low levels of trampling; for example, trampling is known to have a profound impact on the ability of some woodland flowers to produce seeds.

The effect of path-trampling on species composition and density can extend for as much as 10m away from paths. Mosses are particularly susceptible. People and dogs can deposit non-native or non-woodland seeds, and such species are more likely to establish in frequently visited areas.

The development will result in a highly significant increase in nutrient enrichment of habitats as a result of dog-fouling. Nutrient levels in soil are important factors determining plant species composition and the grassland areas of the Phyllis Currie reserve are particularly vulnerable. The typical effect will be equivalent to applying a high level of fertilizer, resulting in a reduction in species richness and the presence of species typically associated with more improved habitats. A lush green strip is often evident alongside paths used by dog-walkers, as nutrient enrichment can lead to more vigorous growth of plants such as nettles and cleavers.

4_ Phyllis Currie as component of NRN

The Essex Local Nature Partnership (LNP) is committed to the delivery of the Greater Essex Local Nature Recovery Strategy (GELNRS). The emerging framework includes the following broad aspirations and principles for the creation of the Nature Recovery Network (NRN):

The NRN will go beyond previous ideas of 'ecological networks' (which were focused primarily on delivering benefits for wildlife) and will deliver benefits for both nature and people.

It will play an important role in improving landscape resilience to change and will assist in identifying actions for mitigating and adapting to climate change.

The focus on nature and people within its planning and delivery, will emphasise the role of nature in underpinning the local economy and will dovetail with the 'natural capital' approach (such as that used by Local Nature Partnerships and their members across the South East).

Its creation will focus on encouraging nature's recovery across the landscape- not just within existing wildlife-rich habitat or designated sites. Thus, any areas where habitat can be created, expanded or improved for the benefit of nature and people can be brought into this network.

The GELNRS will provide the baseline for data on habitats, which will inform action to deliver biodiversity management and enhancement. The Phyllis Currie Nature Reserve will form an important core area as part of the NRN adjacent to the development.

5. Habitats Regulations Assessment

The proposed development lies within the 'zone of influence' (ZOI) for the Blackwater Estuary Special Protection Area (SPA)/Ramsar, and part of the Essex Estuaries Special Area of Conservation (SAC). New residential development within this ZOI is 'likely to have a significant effect' on the qualifying features of these European Sites due to increased recreational pressure. Accordingly, the development requires an Appropriate Assessment.

The Shadow Habitats Regulations Assessment (HRA) report produced by the applicant provides the information to inform the Appropriate Assessment. It is the responsibility of Chelmsford City Council (as the competent authority) to produce the definitive HRA and to be accountable for its conclusions.

6. Suitable Alternative Natural Green Space (SANGS)

We note that, due to the large scale of the proposed development, there is a requirement for the provision of SANGS (Suitable Alternative Natural Green Space) to provide additional mitigation for recreational disturbance impacts on the coastal Habitats sites. Currently, the proportion of suitable SANGS within the open space provision is unclear. Natural England provides guidance on SANGS, which requires 1ha per 1000 population. This translates to a requirement of 16ha for this development. This should comprise high-quality, semi-natural habitats and should incorporate a 2.3- 2.7km circular route through good quality habitats of sufficient size and relative tranquillity to provide a meaningful experience of and connection with nature. The current proposals envisage a range of routes criss-crossing through the development. While these are undoubtedly useful, they do not fulfil the essential criteria for SANGS provision.

Natural England guidelines for SANGS provision include:

High-quality, informal, semi-natural areas

Circular dog walking routes of 2.7 km within the site and/or with links to surrounding public rights of way (PRoW)

Dedicated 'dogs-off-lead' areas

Signage/information leaflets to householders to promote these areas for recreation

Dog waste bins

A commitment to the long term maintenance and management of these provisions

7. Legislation and policy considerations

Environment Act 2021

Under the Environment Act 2021 there is now a requirement for legally binding species recovery targets and for local authorities to produce Local Nature Recovery Strategies. New development must deliver a minimum 10% Biodiversity Net Gain (this will become mandatory in January 2024) and the NERC Biodiversity Duty has been strengthened.

NERC Act 2006

Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, updated by the Environment Act 2021, places a legal responsibility on public authorities in England to have due regard for habitats and species of the greatest conservation importance, whilst protecting all biodiversity.

"Every public body must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving and enhancing biodiversity"

"Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat"

The NERC Act requires all Local Authorities to be able to show that:

biodiversity and conservation are integrated throughout all policies and activities across the Council

all staff, managers and Councillors understand how biodiversity issues relate to their decisions and actions

all biodiversity, especially species and habitats of principal importance, are protected and enhanced

it provides sustained support to local biodiversity initiatives

it has access to up to date biodiversity information and professional ecological expertise

it reports on progress towards and demonstrates progress against, national and local biodiversity targets

The NERC Act 2006 is updated by Section 103 of the Environment Act 2021 that says Local Authorities must publish biodiversity reports which contain:

a summary of action which the authority has taken over the period of the report

a summary of the Authorities plans for the 5 years following the report

quantitative data and any other information the authority considers is appropriate is include in the report

the first report must cover no longer than 3 years, subsequent reports must cover no longer than 5 years and run consecutively

the report must be published within 12 weeks of the last day of the report

Section 41 of the NERC Act 2006 contains a published list of habitats and species which are of principal importance for the conservation of biodiversity in England and for which local authorities have a special responsibility to conserve.

National Planning Policy Framework (NPPF)

174. Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan):

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans

175. Plans should: distinguish between the hierarchy of international, national and locally designated sites;

allocate land with the least environmental or amenity value, where consistent with other policies in this

Framework; take a strategic approach to maintaining and enhancing networks of habitats and green

infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries.

179. To protect and enhance biodiversity and geodiversity, plans should:

a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological

networks, including the hierarchy of international, national and locally designated sites of

importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas

identified by national and local partnerships for habitat management, enhancement, restoration or

creation; and

b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

180. When determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

c) 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

185. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;

b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and

c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

8. Green Infrastructure

Nature needs to be at the heart of this scheme, to aid nature's recovery and realise the wellbeing and economic benefits to new residents and the local area from pursuing nature-based solutions. The green infrastructure must prioritise the protection and enhancement of the existing habitats, the creation of new habitats, and the implementation of long-term mechanisms to support and sustain the benefits that brings. The protection and enhancements must extend to the adjoining nature reserve at Phyllis Currie to ensure that the ability of this site to support a rich diversity of wildlife is not compromised by the development.

The scheme's GI should exhibit the following attributes:

Networked – Creates and restores effective links to and between local habitats and ecological corridors.

Nature-rich – Contributes positively to reversing the long-term decline in biodiversity and aids nature's recovery with space for wildlife to flourish

Protects – Values existing habitat and features through their protection and enhancement

Integral – Treats wildlife and habitat as a fundamentally integral part of a successful built environment

Transformative – Translates a commitment to wildlife, in the form of specification, design intent and management plans, into sustainable, long-term reality.

We acknowledge that the Framework Plan (ES Figure 4.12) and Concept Framework Plan (ES Figure 4.11) aim to provide connectivity within the boundaries of the scheme and preserve links with existing habitats in the wider area. We note that this includes a green buffer strip along Dumney Lane which extends around the edge of Dumney Lane Woods. The Framework plans do not indicate the width of the buffer strip, but this will need to be of sufficient size to preserve the tranquillity of Dumney Lane and to provide a functional ecological corridor for the benefit of wildlife. The design, planting and long-term management of this buffer strip will be crucial to the overall effectiveness of the scheme's GI network.

The aim of the GI scheme should be to create an optimal and resilient ecological network within and beyond the boundaries of the development that contributes towards the expansion and enhancement of these networks to achieve maximum benefits for wildlife and people.

The scheme should optimise long term and climate resilient net benefits for nature. by retaining and enhancing existing ecological assets and creating locally relevant new habitats within the boundary of the project. GI features should be utilised as an integral part of and means to improve the quality of the built components of the scheme and should optimise the provision of additional wildlife habitat within the built development. In making provision for ecological features within and around the built environment, these features should be designed to target species which have been identified as key priority species within the context of the development and the local area. The need for and provision of 'dark corridors (habitat not illuminated by artificial light) in the development must also be considered, especially if light sensitive species such as bats are present in the locality.

Wildlife measures must be secured at all stages of implementation and across all phases of the development.

The design of the scheme's GI should deliver net enhancement of biodiversity quality by avoiding, mitigating, and compensating for impacts on existing biodiversity, both within and beyond the boundary of the scheme. It should aim to restore, create and enhance biodiversity, within the boundary of the scheme, through measures that contribute to the conservation status of locally relevant priority species/habitats and deliver net positive benefits for wildlife, within and beyond the boundary (and life) of the development. This approach, coupled with rigorous arrangements for implementation and monitoring throughout each life cycle stage, is critical to relieving pressures on land use, delivering space for wildlife and reversing the longterm decline in biodiversity, ecosystem health and resilience. It is essential that there is a commitment to employ appropriate mechanisms to secure the successful implementation of the green infrastructure throughout key stages of the development's life cycle.

Our major concern is the ability of the scheme to deliver a net enhancement of biodiversity quality both on and off site, when the impacts of increased visitor pressures on adjacent EWT reserves and on Dumney Lane Woods are factored in.

The scheme's GI must contribute towards sustaining these wider ecological sites, networks and nature recovery goals. Proposed links with the existing Phyllis Currie reserve and Dumney Lane Woods can only help with nature's recovery if they are quality habitats, ideally delivering multi-functional benefits for wildlife, and have appropriate long-term management and maintenance arrangements in place.

The management considerations in order to achieve this are considerable, and include control of visitor access, protection of sensitive habitats and wildlife through delimitation of undisturbed core areas, provision of attractive paths, closure of desire lines/impromptu trails, and so on.

Visitor access should be concentrated in less sensitive areas rather than spread thinly over a large area. If paths and trails are aesthetically pleasing, well-marked, well-drained and surfaced with non-intrusive materials, people generally adhere to them. Preventing new desire lines becoming established is important, especially in winter when soils are at their most vulnerable. Screening woodland wildflowers with impenetrable vegetation and/or brash is also recommended.

9. Water management

The Phyllis Currie reserve includes a large lake and several ponds which are fed by two streams that flow across the proposed development site. Protection and enhancement of these watercourses must form an essential component of the GI design.

The scheme should manage flood risk, maintain the natural water cycle and improve water quality within the boundary of the project and at a catchment scale. The green infrastructure should be designed to be drought resistant and, wherever possible, include measures for the retention and reuse of rainwater.

We note that SuDS are proposed at various locations throughout the GI but are unable to discern whether connectivity between water management features has been considered, or whether a diversity of features to improve water quality have been included in the design.

The risk and source of any water pollution (such as run-off from roads) must be controlled as soon as possible. The green infrastructure should be designed to intercept pollution at or near the source and stop pollution moving through the water management system and into the watercourses. Rain gardens, green roofs and filter strips integrated within the SuDS system can remove pollutants and silt, and absorb the first 5mm of rainfall, thus avoiding mobilisation of pollutants further downstream. Vegetated water management

features maximise water treatment effectiveness and resilience.

The hierarchy of storage should apply the following principles:

the "first flush" (first 10–15mm of rain) is caught and made clean as soon and as close to source as possible by employing a range of SuDS components

volumes > 10mm rainfall, now clean, are stored in the landscape and utilised in the regulation of bluegreen

infrastructure features e.g. ponds, wetlands, and vegetated swales, thereby enhancing the

opportunities to derive additional benefits through amenity and biodiversity

water is managed in small volumes throughout the site, optimising the number of green

infrastructure features that can include SuDS components, and thereby contribute to water

management. This will provide reciprocal benefits for wildlife and people

10. GI delivery

Strategic elements of the green infrastructure framework should come forward in phase one of the development, to create a landscape structure that subsequent phases can fit into. There must be a sound

reason if phase one does not include any significant contribution to the GI scheme, which must be

demonstrably secured as early as possible in subsequent phases.

Careful consideration should be given to how the GI is apportioned through phasing, with the development able to demonstrate:

a clear commitment to deliver GI at each phase of the development

how connectivity between GI features across different phases is secured through conditions attached to the development

that strategic elements of the GI framework can be secured, in particular where features are delivered across two or more phases

An effective green infrastructure solution is one that combines features that perform multiple functions benefiting people, nature and their wider environment. For example,

New areas of planting and/or wetlands provide habitats for wildlife and ecosystem services such as water and air cleansing and control and carbon sequestration, helping to mitigate climate change and/or adapt to it.

Green (and blue) infrastructure components within SuDs provide functionality for water retention during heavy rainfall, and an area for play and recreation at other times.

Natural play features provide health and wellbeing benefits to people, whilst enhancing the biodiversity value of a development, and attenuate water more effectively than sealed areas in other types of play area.

Trees provide shade for buildings, pedestrians and cyclists, natural water attenuation and steppingstones for wildlife.

Community allotments, orchards and wildlife gardens provide areas for local food production, benefit pollinators, promote active and healthy lifestyles, and enhance local identity and sense of place which in turn improves community cohesion.

Hedgerows providing foraging and nesting habitat and corridors for wildlife, and also form a key role within the built environment as permeable, living boundaries between properties.

Locating and orienting built and natural elements within the development to protect a vista beyond the boundary of the development.

New green links from the development to existing sustainable travel/active transport routes, contributing to health and wellbeing outcomes to meet public health needs.

11. Biodiversity Net Gain

Mandatory biodiversity net gain as set out in the Environment Act applies and will become law in January 2024. The Act sets out several key components mandatory to biodiversity net gain including a minimum 10% gain required (calculated using the Defra Biodiversity Metric) and approval of a biodiversity net gain plan, with habitats secured for at least 30 years via obligations/conservation covenant.

We note that the application is currently expected to deliver 1.66% BNG for area habitats, 7.59% BNG for hedgerows and 10.66% BNG for watercourses. We understand that the applicant is exploring possible offsite options to deliver 10% BNG overall. Although the increase in delivering watercourse units technically meets

the 10% minimum BNG requirements, the trading rules are not met due to habitat loss. We advise that more options for habitat creation and/or enhancement should be considered.

We advise that the applicant will need to provide sufficient information and certainty that a minimum of 10% BNG can be delivered overall through a combination of onsite and offsite measures for area-based habitats and hedgerows. Any offsite habitat proposals must comply with the requirements for long-term management and monitoring (minimum 30 years, secured by an appropriate legal mechanism), and medium distinctiveness habitats should be prioritised to ensure compliance with the trading rules.

Mitigation and compensation for protected species or designated site impacts can only contribute up to "no net loss". A minimum of 10% of the overall BNG needs to be additional. There is currently a lack of clarity as to whether the proposed BNG adheres to the rules on additionality. We advise that the applicant should be required to provide certainty on this point.

Notwithstanding the requirements of the Environment Act, we take the view that in order to address the nature emergency and make a meaningful contribution to nature's recovery, Strategic Growth Site 7 Gt Leighs should aim to deliver a minimum target of 20% BNG. We would therefore encourage the developer to explore all opportunities to achieve an increased level of net gain as part of the scheme.

Environment Agency

Comments

Water Quality

Environmental Statement - Chapter 5 (water environment and drainage)

In 5.2.2, we are pleased to see the applicant added the comments made from our previous comments about the risk of deterioration in tributaries and mitigation measures required, identification of insufficient capacity at Great Leighs Water Recycling Centre (WRC) and Anglian Water's (AWS) plans to increase capacity by 2025.

The insufficient capacity at Great Leighs WRC is mentioned frequently throughout this chapter, including the operational phase mitigation measures in 5.6.1, where they confirm AWS obligation to provide capacity at Great Leighs WRC. They also state in 5.5.2, further collaboration with AWS is intended to ensure the work required to produce capacity is realised before occupation occurs. This would be our recommendation, that sufficient capacity is ensured before occupation and that the applicant continues communication with AWS, so we are pleased to see these statements.

In 5.4.2 the applicant has identified the River Ter as the closest WFD waterbody and has shown an understanding of the WFD status including highlighting the phosphate status. We are pleased to see this along with the inherent mitigation measures in 5.5.1, where the location of the plan, retaining existing ditches, and creating natural buffer zones should prevent run off and avoid deterioration of any watercourses.

Appendix 4.1, the framework construction environmental management plan (CEMP).

We are pleased to see in 5.1.2, a number of environmental and pollution legislation are referenced, as well as the Water Framework Directive (WFD) legislation.

In table 6.1, the mitigation measures during the construction phase are listed. In WE2 pollution control measures are listed and emphasise refuelling and performing construction activities away from any watercourses, we support this and are happy to see mention of natural buffer zones.

In WE4 an understanding of the insufficient capacity at Great Leighs WRC is shown and the intention to

work with AWS to create a plan to provide wastewater capacity during construction. We are pleased to see this and would encourage this communication with AWS to prevent deterioration and breaches to Dry Weather Flow conditions due to insufficient capacity.

Overall, we are pleased with the content in the Environmental Statement regarding capacity and management of foul water and references to the Water Framework Directive. We are pleased with the statements around ensuring capacity before occupation and encourage continuing communication with AWS.

Water Resources

Having reviewed the EIA Scoping Report (2022.009.001) and Environmental Statement Chapter 5 - Water Environment (2022.009.004), our main comments would be that the proposed technical assessment for the ES does not encompass key water resource considerations, which we would expect to be scoped in. We have outlined these below:

Water Abstraction

The location of this development is in an area of serious water stress (as identified in our report Water stressed areas - 2021 classification (<https://www.gov.uk/government/publications/water-stressed-areas-2021-classification>)). Developments have the potential to increase demand for water and result in increased abstraction from groundwater sources. All growth from new developments must be able to be supplied with water from sustainable abstractions and water companies may need to put new strategic plans in place to accommodate further growth. The long-term viability of supplying new developments should be considered, and the phasing of growth should link to the timings of any planned new strategic schemes. Cumulative impact of growth in the wider area also needs to be considered, should the development require an EIA.

The plans should consider where the water will be sourced from for new developments, as Essex Suffolk Water's (ESW's) Water Resources Management Plan (WRMP) may utilise transfer schemes to pipe water from elsewhere.

Consequently, additional water supply may not necessarily be abstracted within the catchment. We recommend that developments be completed in phases of construction which match the water company's ability to supply sustainably and that these phases consider any requirement for strategic measures mentioned in the WRMP. Proposals must refer to the water company's latest WRMPs, including any updated draft and revised draft WRMPs.

Construction Period

We support the consideration of water used during the construction phase of this development separately to its operational phase, as mentioned in section 5.2.7, and would like to highlight the following. Most water related construction activities, including dewatering and dust suppression are licensable activities if they abstract more than 20 m³ a day and as such, early consideration should be given to where the water can be sourced from, and the water company isn't the provider. New consumptive groundwater licences are not available and surface water is restricted to high flows only. New dewatering will need to demonstrate that it is non- consumptive to the local environment to obtain an abstraction licence. Dewatering by other means, for example, construction of drainage ditches, needs to be discussed with the Lead Local Flood Authority (LLFAs).

Occupational Period

We recommend that non-domestic demand and domestic demand be dealt with separately whenever possible.

Non-residential

Any non-residential development should also be as water-efficient as possible using the BREEAM standards; we would recommend targeting the "Outstanding" level.

Although some of the services to developments such as schools, medical centres and offices may qualify as domestic in nature, industrial and manufacturing process use may not be. Some water companies are already refusing to supply new non-domestic demands in targeted areas of East Anglia. We recommend that the availability of supply to any non-domestic development be explicitly checked with ESW.

Residential

Water Efficiency and Re-use

It should be noted that ESW is heavily reliant on the success of demand management measures to maintain customer supplies until new strategic sustainable supplies of water can be developed. Planning applications should seek to achieve greater water efficiency and re-use in their designs (beyond the standards within current adopted local plan policies) wherever possible to help the companies meet their water efficiency targets. It is possible we or the Local Planning Authority (LPA) will seek to secure water efficiency and re-use schemes or require further detail via planning conditions.

We have reviewed the application document and cannot find any mention of water efficiency measures which will be implemented. As a minimum, the higher standard of a maximum of 110 litres per person per day should be applied to this development as set out in The Building Regulations & c. (Amendment) Regulations 2015 (<https://www.legislation.gov.uk/ukxi/2015/767/made>). However, we strongly recommend the applicant explore higher standards of water efficiency by looking at all options, pushing for 100 litres per person per day.

Grey water recycling and rainwater harvesting should be carefully investigated. Water companies cannot supply non-wholesome water to properties, so this would need to be actioned by a third party. With rainwater harvesting the dry weather benefit should be considered, i.e. there is little rainfall in the times of high demand. There is no mention of efficient fittings in the development, which we would encourage the use of, as they appear in ESW's WRMP. We recommend the developer consider how the proposed water efficiency measures align with the demand management objectives of the water company.

Should the development be permitted, we would expect you to ensure that the new buildings meet the highest levels of water efficiency standards.

Water Body Protection

Developments should not negatively affect any Water Framework Directive (WFD) waterbodies. WFD is the primary driver used to measure environmental impact. In addition, no deterioration should occur in any SSSI or RAMSAR sites covered by Habitats Regulations.

New developments should not detrimentally affect local water features (including streams, ponds, lakes, ditches, or drains) this includes both licensed and unlicensed abstractions. Any disruption to surrounding abstraction licences during and after construction must be avoided or mitigated. There are 8 abstraction points and 3 reaches within a 3 km radius of the site. These must not be affected by the development.

Additional considerations

Certain private and small water supplies do not require a licence to abstract water; therefore, we are not

necessarily aware of their existence. The locations of private domestic sources may be held by the local authority on the register required by Regulation 14 Private Water Supplies Regulations 2016. Further details on regulating private water supplies are available on the drinking water inspectorate website (<https://www.dwi.gov.uk/private-water-supplies/>).

Biodiversity

We have reviewed the relevant documents included in the Environmental Statement, as well as additional comments to address concerns from EWT, and I am satisfied that the proposed development incorporates comprehensive measures to protect and enhance biodiversity. Comprehensive ecological surveys have been conducted, covering a variety of species and habitats. These surveys include assessments of hedgerows, badgers, bats, breeding and wintering birds, great crested newts, invertebrates, hazel dormice, otters, water voles and reptiles. The findings from these surveys demonstrate a detailed understanding of the site's ecological value and constraints.

In order to enhance biodiversity, the development plans to adhere to strategic policies that emphasise the conservation and improvement of the natural environment. These policies advocate for a multifunctional network of green infrastructure aimed at protecting, enhancing, and restoring ecosystems. The development will focus on achieving a net gain in biodiversity (just over 20%), ensuring that new green spaces are created to support diverse species. While there is some minor loss of habitat for skylarks, we feel that the 28ha of open space in the form of high quality woodland, grassland, wetland and meadow, with buffer zones, adequately compensates for this.

We are pleased to see that detailed mitigation measures are a key component of the development strategy. The project clearly plans to avoid significant harm to biodiversity through mitigation strategies or compensating for unavoidable impacts. Specific measures include preserving and enhancing existing habitats, creating new habitats where feasible, and managing these areas to support local wildlife. The mitigation plans also address potential pollution and seek to enhance water quality to benefit both biodiversity and public health.

I'm also pleased to see that the development will consider the ecological impact of artificial lighting, aiming to limit light pollution to protect nocturnal wildlife and maintain dark landscapes.

Whilst the detailed plans and strategies outlined in the documentation are commendable, their successful implementation hinges on rigorous and sustained management practices. It is imperative that these measures are not merely aspirational but are actively and consistently enforced throughout the project's lifespan.

Long-term monitoring is a cornerstone of adaptive management in ecological restoration and habitat creation; it provides the necessary data to evaluate the effectiveness of mitigation strategies, and inform necessary adjustments to management practices. Without such monitoring, even the most well-intentioned and meticulously planned projects can fail to achieve their biodiversity goals. The proposed development must therefore establish a robust monitoring framework, involving regular site inspections, ecological surveys, and detailed reporting mechanisms.

This long-term monitoring can take the form of regular site inspections, systematic ecological surveys, and active community and stakeholder engagement. The last one is particularly important - involving the local community and relevant stakeholders in the monitoring process can enhance the project's credibility and support, fostering a stewardship ethic.

Flood Risk

This development is within Flood Zone 1 and there are no main rivers within this development site. We have no comments to make on Flood Risk for this reason.

Land Contamination

We have reviewed the Preliminary Geo-environmental Site Assessment, RSK Geosciences dated September 2023 and the Geo-environmental Site Assessment, RSK Geosciences dated September 2023.

The findings of the investigations have shown that significant contamination is not evident on site. Based on the information provided we recommend the following advice is provided to the LPA and the Applicant:

Additional Advice

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Surface water Drainage

We have reviewed Chapter 5.0 Water Environment and Drainage and note, given the geology on site, infiltration drainage is not proposed. Therefore, GWCL have no further comments.

Essex and Suffolk Water

Comments

No response received

Anglian Water Services Ltd

Comments

ASSETS 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. Section 3 - Used Water Network This response has been based on the following submitted documents: Drainage documents The sewerage system at present has available capacity for these flows, to connect into Main Road. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. 1.

INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. 2. INFORMATIVE - 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. 3. 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. 4. INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements. Section 4 - Surface Water Disposal The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be reconsulted to ensure that an effective surface water drainage strategy is prepared and implemented.

Essex County Fire & Rescue Service

Comments

Access

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

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."

Sport England Eastern Region

Comments

An objection is made to the proposals for community sports facility provision to meet the needs of the proposed development in its current form due to the lack of confirmed provision. This position would be reviewed if it was proposed that appropriate financial contributions would be made towards off-site indoor and outdoor sports facility provision, secured through a planning obligation or CIL, as set out in this response.

It is requested that a planning condition is imposed requiring subsequent reserved matters applications to demonstrate how Active Design principles have been considered in the detailed design of the development as set out in the response.

It is requested that any planning permission makes provision for securing a formal community use agreement on the primary school site.

Sport England - Non Statutory Role and Policy

The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications. <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space>. This application falls within the scope of the above guidance as it relates to a development of more than 300 dwellings and the creation of one or more playing pitches.

Sport England assesses this type of application in line with its planning objectives and with the National Planning Policy Framework (NPPF). Sport England's planning objectives are to PROTECT existing facilities, ENHANCE the quality, accessibility and management of existing facilities, and to PROVIDE new facilities to meet demand. Sport England's Planning for Sport guidance can be found here:

<https://www.sportengland.org/facilities-and-planning/planning-for-sport/planning-for-sport-guidance/>

The Proposal and Assessment against Sport England's Objectives and the NPPF

Community Sports Facility Provision

Introduction

The proposal is a hybrid planning application for a mixed use residential led development of up to 800 dwellings on land at Moulsham Hall Lane in Great Leighs and is allocated as Strategic Growth Site 7a in the adopted Chelmsford Local Plan. The population of the proposed development is estimated to be up to around 2,000 based on the applicant's estimate in the Environmental Statement's Socio-Economic Assessment. This additional population will generate additional demand for sports facilities. If this demand is not adequately met then it may place additional pressure on existing sports facilities, thereby creating or exacerbating deficiencies in facility provision. In accordance with the NPPF, Sport England seeks to ensure that the development meets any new community sports facility needs arising as a result of the development.

The development makes provision for a range of green infrastructure including amenity space, children's play and a park but there would not appear to be any dedicated community sports facilities proposed within the development. In this context, I would wish to make the following comments on the community sports provision aspects of the planning application.

Evidence Base and Policy Context

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

The adopted Chelmsford Local Plan (2011-2031) includes policy S9 which includes a requirement for development to provide community infrastructure which includes sport, leisure and recreational facilities. The site allocation policies (Strategic Growth Site Policies 7a, 7b and 7c) requires as part of the site infrastructure requirements, the development to provide, or make financial contributions to, new or enhanced sport, leisure and recreation facilities.

Chelmsford City Council's Playing Pitch and Outdoor Sports Strategy (2016) and Indoor/Built Sports Facility Strategy (2016) <https://www.chelmsford.gov.uk/planning-and-building-control/planning-policy-and-local-plan/adopted-local-plan/evidence-base-for-the-local-plan/> collectively provide an evidence base for community outdoor and indoor sports facilities in Chelmsford and both strategies identify a range of existing and future deficiencies in facility provision. These strategies are currently being reviewed by the City Council and the new strategies may be available by the time the application is determined;

Chelmsford City Council's Planning Obligations SPD (2021) requires Strategic Open Space (including outdoor sports facilities) to be provided in accordance with the requirements of the Local Plan and includes a formula for calculating financial contributions towards parks, sport and recreation grounds.

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

Formal Sports Provision

No on-site proposals appear to be made for outdoor sports facility provision with the focus being on open space provision for informal recreation and children's play. In response to the requirements in Policy 7a of the Local Plan, reference is made in paragraph 8.1 of the Planning Statement to the applicant's acknowledgement that planning obligations could be required towards new or enhanced sport, leisure and recreation facilities although no commitment is made at this stage to securing any provision through a planning obligation.

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

Sport England's established Sports Facilities Calculator (SFC) <https://www.sportengland.org/facilities-and-planning/planning-for-sport/planning-tools-and-guidance/> can help to provide an indication of the likely demand that will be generated by a development for certain facility types. The SFC indicates that a population of 2,000 in Chelmsford City Council's area will generate a demand for 0.14 sports halls (£398,955), 0.10 swimming pools (£437,453) and 0.03 rinks of an indoor bowls centres (£13,852). The appended WORD document provides more detail of the calculations. Consideration should be given by the Council to using the figures from the Sports Facility Calculator for informing the level of a financial contribution if a planning obligation is secured.

If the principle of all formal sports facility provision being made off-site is considered acceptable to the City Council, the potential inclusion of financial contributions towards off-site sports provision would be welcomed. However, as there are no confirmed proposals at this stage for meeting the development's formal outdoor or indoor sports facility needs, an objection is made to the planning application in its current form. However, I would be willing to withdraw this objection in due course if it is confirmed that appropriate financial contributions, secured through a planning obligation (in accordance with the Planning Obligations SPD) or CIL, will be made towards the provision of indoor and outdoor sports facilities.

Active Design

Sport England, supported by Active Travel England and the Office for Health Improvement and Disparities, has produced 'Active Design' (2023) <https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/active-design>, a guide to planning new developments that create the right environment to help people get more active. The guidance sets out ten key principles for ensuring new developments incorporate opportunities for people to take part in sport and physical activity. The Active Design principles are aimed at contributing towards the Government's desire for the planning system to promote healthy communities through good urban design which is consistent with section 8 of the NPPF. The guidance is particularly applicable for major new residential developments such as this. It should also be noted that the Essex Design Guide <https://www.essexdesignguide.co.uk/> has embedded the Active Design principles into guide.

I have noted that the application has considered Active Design in the preparation of the planning application and the assessment against the Active Design checklist in the Health Impact Assessment is welcomed. Many of the proposals in the application are supported in this context such as the creation of linear green corridors through the site which connect with key community facilities and the co-location of the primary school and the local centre. During the determination of the planning application, it is recommended that consideration is given to the following matters:

The pedestrian routes should be designed for walking, running and cycling and principal routes should provide space to separate pedestrians and cyclists. Circular waymarked routes around the residential areas to encourage short walking and running loops close to where people live would be welcomed.

As well as strengthening walking and cycling linkages into the village of Great Leighs, the development should explore how access to the surrounding countryside by active travel modes can be improved to encourage leisure based walking and cycling.

Pedestrianised civic space should be provided between the local centre and the primary school to help integrate these facilities.

Consideration will need to be given how to encourage pedestrian access to the large area of open space to the north west of the site given its location on the periphery of the development and its relative remoteness from most of the residential development. Good active travel connections to this space

will be required from the residential development and consideration should be given to visually connecting the space to the residential area as based on the Conceptual Framework there would not appear to be a

vista through the adjoining residential area which will reduce awareness of the open space and possibly natural surveillance.

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

"For each parcel/phase of development for which Outline permission is granted, no development in relation to that parcel/phase shall commence until details have been submitted and approved in writing by the Local Planning Authority to demonstrate how Active Design principles have been met.

Reason: To promote healthy lifestyles through physical activity and to accord with Development Plan policy.

Informative: Consideration should be given to using the Active Design checklist in Sport England's Active Design Guidance to assess reserved matters planning applications"

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

Primary School

The proposed primary school would be expected to provide some sport and recreation facilities for meeting educational needs that could also be used by the community outside of school hours such as the playing field and the school hall. While these facilities are principally for school use and would be designed for primary school aged children and should not be considered as a substitute for dedicated community facilities, they would offer potential to complement off-site provision made for dedicated community sports facility provision. While there is limited detail of what would be provided on the school site, to ensure that the school's facilities are secured for community use in practice, I would request that any planning permission makes provision for securing the community use of the sports facilities provided on the school site. A formal community use agreement would be the appropriate mechanism for securing community use. Without a formal community use agreement being secured there would be no certainty that the facilities would be accessible to the community in practice after they have been built. Condition 16 from our model planning conditions schedule

https://www.sportengland.org/guidance-and-support/facilities-and-planning/planning-sport?section=playing_fields_policy should be used as a basis for securing this through a planning permission.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report/s and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

Historic England

Comments

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

Essex Bridleways Association

Comments

Bridleway 13 Great and Little Leighs (to the east) will be affected by these proposals and should remain open at all points during the construction phase or alternatives should be put in place. We also await detailed specifications for a potential new Bridleway crossing the A131..

Cycling Action Group

Comments

No response received

National Highways

Comments

Offer no objection (see reasons at Annex A);

Annex A National Highways' assessment of the proposed development.

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

We have completed our review of the revised documentation supporting this planning application and we are content that the development will not result in a severe impact on the operation of the Strategic Road Network and therefore we withdraw our holding response, and have no objection to the granting of permission.

Chelmsford Garden Community Parish

Comments
<p>The Council is concerned in relation to the impact of additional traffic upon the surrounding areas. It considers that insufficient consideration has been given to reduce the use of cars. Together with the fact that there has been an unspecified delay to the construction of the full Chelmsford North East bypass this means that a substantial amount of traffic will be travelling along Essex Regiment Way and the Radial Distributor route at the Channels area heading for the General Lane Bridge.</p> <p>It is noted that the Transport report rejects any need for additional bus provision and that the cycle access to Great Leighs and beyond appears inadequate. The footbridge is stated to be unsuitable for cycle use due to the low parapet and the underpass is an uninviting prospect to use.</p> <p>To reduce substantial congestion the Council considers that there should be suitable alternatives to car travel for this new development.</p>

Great & Little Leighs Parish Council

Comments
<p>As the Parish Council for the site, we have some concerns that will need to be addressed.</p> <p>Roads: Concern over path at the proposed traffic lights on the A131. Pathway too narrow and will need to be widened. A suggestion that lights be placed at the Dog and Partridge crossing as this is where the main footfall from the village will come through.</p> <p>Traffic calming measures will have to be added down the Main Road to ensure safety of pedestrians making the above crossing.</p> <p>Concerns over the NE Bypass not being complete before the start of this development - the level of traffic will still be as it is at present and this will cause issues.</p> <p>Green spaces: Who will be maintaining these?</p> <p>Utilities:</p> <p>Water: concern of reduction of water pressure to residents</p> <p>Sewage: The need for upgrade to current sewage works - Goodmans Lane</p> <p>Proposed school and how the current school is affected</p> <p>Village shop: sales will be affected by additional convenience stores and this will be a concern</p> <p>Phyllis Currie Nature Reserve: Concern over the footpath and entry into the Reserve with this new development.</p>

Parks & Open Spaces

Comments
<p>The preference is for fewer play areas but to neighbourhood standard providing play space for all age ranges up to 12 years [or young teenagers] so the space can be used and enjoyed by all ages [even if a separate zone within the play areas are dedicated to younger and older kids]. The locations on the plan look ok but the one play located near the centre sits next to SUD. Depending on the steepness and configuration</p>

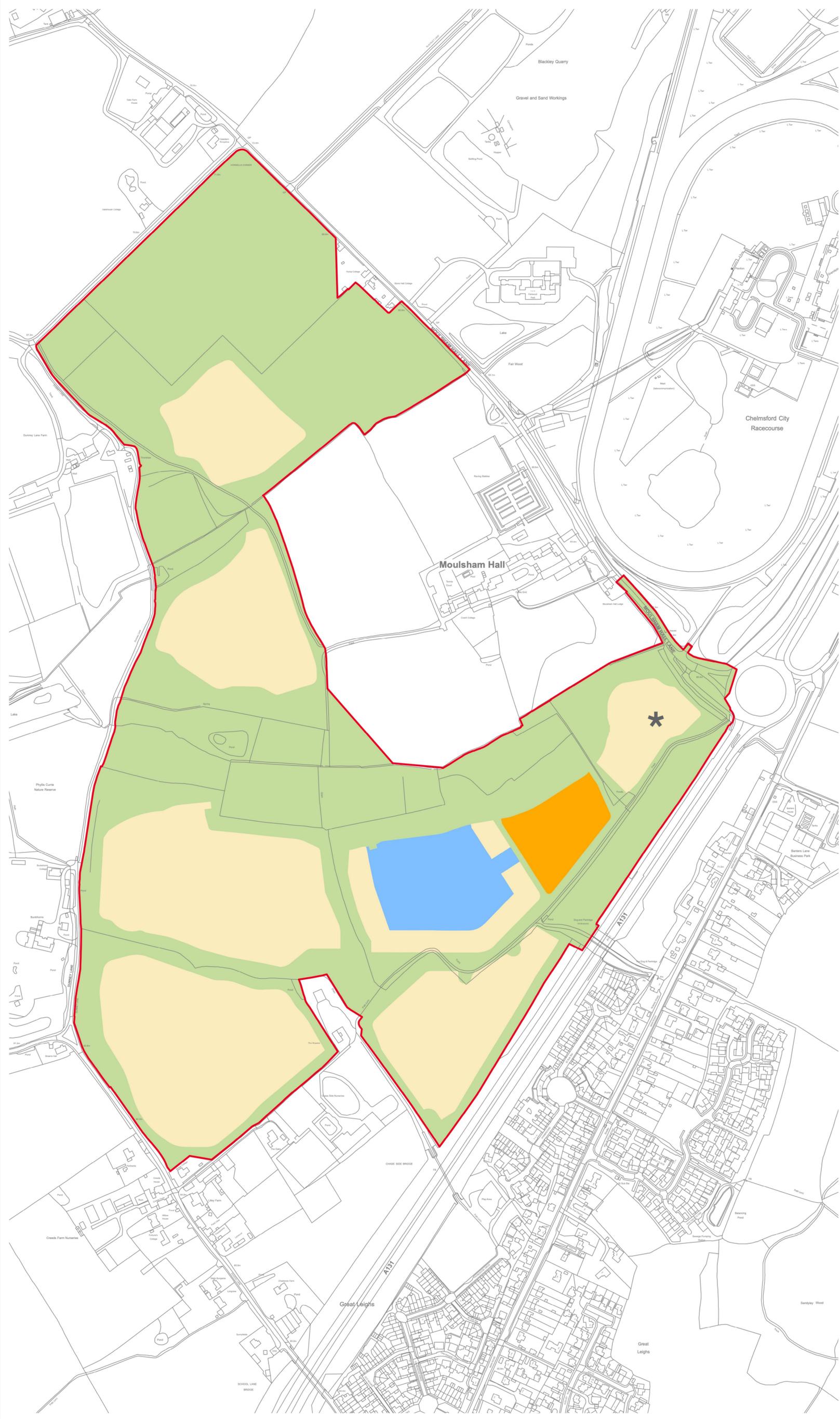
of the SUD, some separation is needed in safety terms.

This drawing is to be read in conjunction with drawings prepared by the architects, structural engineers and service consultants and all other relevant details and information.
 Any queries or discrepancies must be reported immediately to the architect.
 Do not scale: use figured dimensions only.
 All dimensions must be verified by the main contractor before the commencement on site of any item of work or the preparation of shop drawings for their own work or that of sub-contractor or suppliers.

- Application boundary
- Residential (includes incidental open space, drainage and ancillary infrastructure)
- ✱ Indicative location for Care Home
- Mixed Use (includes retail, commercial, health, nursery, community uses and residential)
- Primary School Site
- Green Infrastructure (includes informal open space, youth and children's play, equestrian use, ecological buffers, access routes, SuDS and ancillary infrastructure)

NOTES:

1. All features and areas subject to a tolerance of +/- 5m.
2. Utility infrastructure may need to be located in Green Infrastructure areas



Rev	Date	Drawn by	Description
H	27/11/23	TBS	Planning issue- key text updated

PLANNING

Great Leighs,
Chelmsford

Bellway HARROW ESTATES
Moulsham Hall Estates Ltd

Drawing title
Parameter Plan - Land Use

Date	drawn by	checked	Phase
July 23	KS	TBS/RS	
Scale	1:2500@A1	Rev.	H
Drawing number:	1391-1- 307		Previous Dwg no:

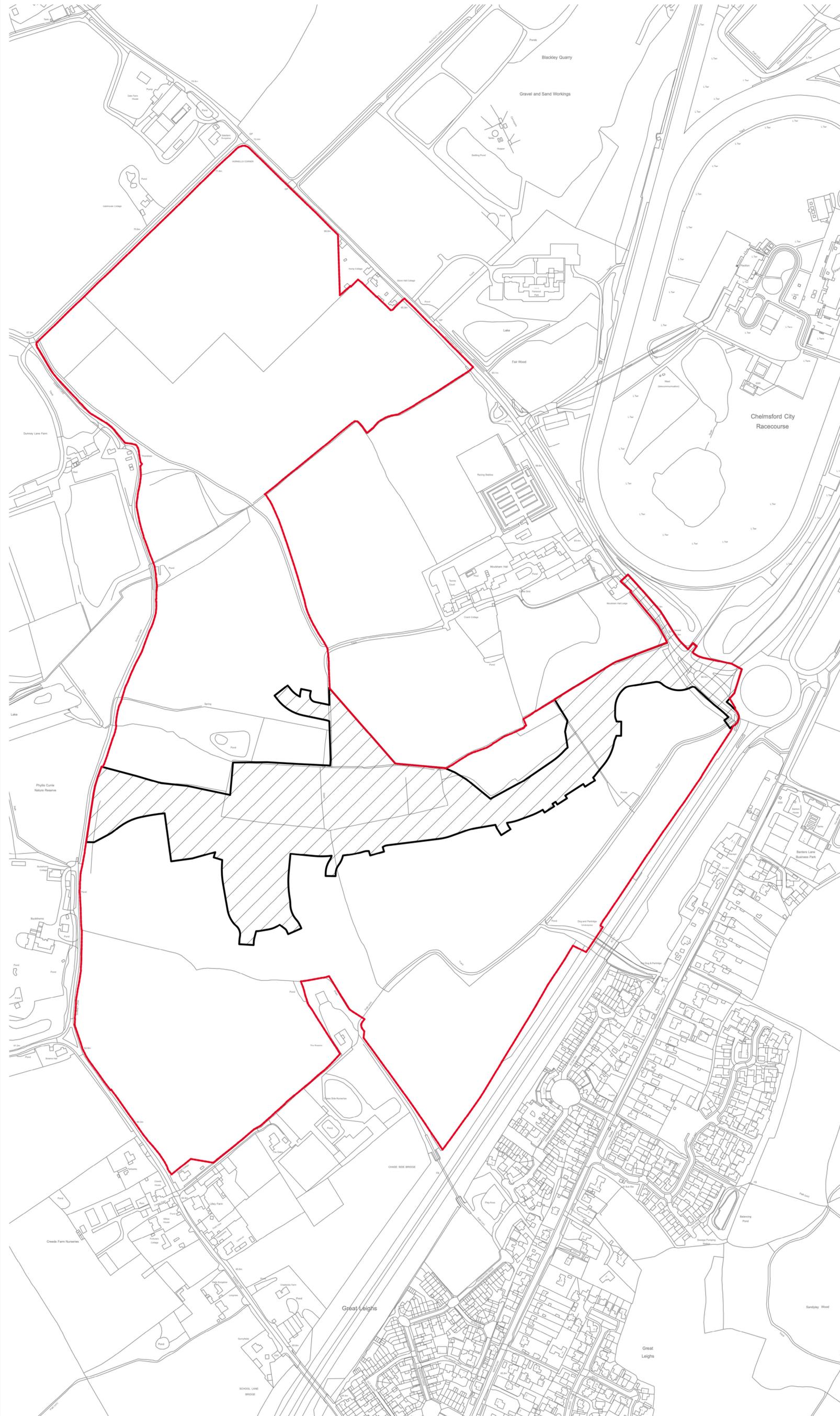
architecture master planning urban design

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- Outline Application Boundary- **59.54 ha**
- Detailed Infrastructure Application Boundary- **9.44 ha**



Rev	Date	Drawn by	Description
-	170823	LR	Preliminary Issue.
A	060923	TBS	Planning issue- minor amendments to OPA boundary and area
B	140923	TBS	Planning issue- minor amendments to infrastructure boundary and area

PLANNING

Great Leighs,
Chelmsford

Bellway HARROW ESTATES
Moulsham Hall Estates Ltd

Drawing title
**Site Location Plan-
Outline Application**

Date	drawn by	checked	Phase
Aug'23	LR	TBS/RS	
Scale	1:2500@A1	Rev. B	
Drawing number:	1391-1- 315		Previous Dwg no:

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PLANNING POLICY BACKGROUND INFORMATION

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

Local Plan review

The Council is currently reviewing the adopted Chelmsford Local Plan 2020. A Pre-Submission (Regulation 19) Local Plan and accompanying Integrated Impact Assessment was presented to Chelmsford Policy Board on 16th January 2025 with a recommendation to publish for public consultation. This recommendation was agreed by Chelmsford Policy Board, the content of the Pre-Submission (Regulation 19) Local Plan continues to have limited weight for the purposes of decision-making on planning applications.

Policy	Policy Description
SPS1	Strategic Policy S1 Spatial Principles - The Spatial Principles will guide how the Strategic Priorities and Vision will be achieved. They will underpin spatial planning decisions and ensure that the Local Plan focuses growth in the most sustainable locations.
SPS2	Strategic Policy S2 Addressing Climate Change & Flood Risk - The Council, through its planning policies and proposals that shape future development will seek to mitigate and adapt to climate change. The Council will require that all development is safe, taking into account its expected life span, from all types of flooding.
SPS3	Strategic Policy S3 Conserving & Enhancing the Historic Environment - The Council will conserve and where appropriate enhance the historic environment. When assessing applications for development, the Council will place great weight on the preservation and enhancement of designated heritage assets and their setting. The Council will also seek to conserve and where appropriate enhance the significance of non-designated heritage assets and their settings.
SPS4	Strategic Policy S4 Conserving & Enhancing the Natural Environment - The Council is committed to the conservation and enhancement of the natural environment through the protection of designated sites and species, whilst planning positively for biodiversity networks and minimising pollution. The Council will plan for a multifunctional network of green infrastructure. A precautionary approach will be taken where insufficient information is provided about avoidance, management, mitigation and compensation measures. Where appropriate, contributions from developments will be secured towards mitigation measures identified in the Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS)
SPS6	Strategic Policy S6 Housing & Employment Requirements - In order to meet the full objectively assessed housing need in the period 2013-2036 provision is made for a minimum of 18,515 net new homes at an average annual rate of 805 net new homes per year. A minimum of 55,000sqm of business employment floorspace (Use Classes B1-B8) will also be allocated in the Local Plan for the period up to 2036.

Policy	Policy Description
SPS7	Strategic Policy S7 The Spatial Strategy - New housing and employment growth will be focussed to the most sustainable locations by making the best use of previously developed land in Chelmsford Urban Area; sustainable urban extensions around Chelmsford and South Woodham Ferrers and development around Key Service Settlements outside of the Green Belt in accordance with the Settlement Hierarchy. New development allocations will be focused on the three Growth Areas of Central and Urban Chelmsford, North Chelmsford, and South and East Chelmsford. Where there are large and established mainly institutional uses within the countryside, Special Policy Area will be used to support their necessary functional and operational requirements.
SPS8	Strategic Policy S8 Delivering Economic Growth - The Council will make provision for flexible and market-responsive allocations of employment land which will allow further diversification of Chelmsford's economy. The Council will encourage links between business and the significant education sector in Chelmsford.
SPS9	Strategic Policy S9 Infrastructure Requirements - New development must be supported by the provision of infrastructure, services and facilities that are identified as necessary to serve its needs. New development must be supported by sustainable means of transport, safe from all types of flooding, provide a range of community infrastructure, provide green infrastructure and utilities. Necessary infrastructure must seek to preserve or enhance the historic environment.
SPS10	Strategic Policy S10 Securing Infrastructure & Impact Mitigation - Infrastructure must be provided in a timely, and where appropriate, phased manner to serve the occupants and users of the development. Infrastructure will be secured through planning conditions and/or obligations or through the Community Infrastructure Levy or its successor.
DM1	Policy DM1 - Size & Type of Housing - The Council will protect existing housing from redevelopment to other uses and will require an appropriate mix of dwelling types that contribute to current and future housing needs and create mixed communities. For developments of 10 or more dwellings, 50% of the new dwelling shall be constructed to meet requirement M4 (2) of the Building Regulations. On sites of 30 or more dwellings 5% off the affordable units shall also be provided as wheelchair user dwellings. Sites of 100 dwellings or more will need to comply with Ai), A ii) and Bi) and provide 5 % self-build homes which can include custom housebuilding; and provision of Specialist Residential Accommodation taking account of local housing needs.
DM2A	Policy DM2 (A) - Affordable Housing & Rural Exception Sites - The Council will require the provision of 35% of the total number of residential units to be provided and maintained as affordable housing within all new residential sites which comprise 11 or more residential units.

Policy	Policy Description
DM3	Policy DM3 - Gypsy, Traveller & Travelling Showpeople Sites - The Council will make provision for the accommodation needs of Gypsy, Traveller or Travelling Showpeople, who meet the national Planning Policy for Traveller Sites definition, through allocated sites within the Local Plan. Planning permission will be granted for new sites or subdivision of existing plots or pitches subject to compliance with prescribed criteria. Planning permission will be refused for the change of use of all Gypsy and Traveller sites or Travelling Showpeople yards identified in the Gypsy and Traveller Accommodation Assessment unless acceptable replacement accommodation can be provided, or it can be demonstrated that the site is no longer required to meet any identified needs.
DM8	Policy DM8 - New Build & Structures in the Rural Area - Planning permission will be granted for new buildings in the Rural Area where the development would not adversely impact on the identified intrinsic character and beauty of the countryside and is for one of a number of prescribed developments. Planning permission will be granted for the redevelopment of previously developed land, replacement buildings and residential outbuildings subject to meeting prescribed criteria.
DM13	Policy DM13 - Designated Heritage Assets - The impact of any development proposal on the significance of a designated heritage asset or its setting, and the level of any harm, will be considered against any public benefits arising from the proposed development. The Council will preserve Listed Buildings, Conservation Areas, Registered Parks and Gardens and Scheduled Monuments.
DM14	Policy DM14 - Non-Designated Heritage Assets - Proposals will be permitted where they retain the significance of a non-designated heritage asset, including its setting. Any harm or loss will be judged against the significance of the asset.
DM15	Policy DM15 - Archaeology - Planning permission will be granted for development affecting archaeological sites providing it protects, enhances or preserves sites of archaeological interest and their settings.
DM16	Policy DM16 - Ecology & Biodiversity - The impact of a development on Internationally Designated Sites, Nationally Designated Sites and Locally Designated Sites will be considered in line with the importance of the site. With National and Local Sites, this will be balanced against the benefits of the development. All development proposals should conserve and enhance the network of habitats, species and sites.
DM17	Policy DM17 - Trees, Woodland & Landscape Features - Planning permission will only be granted for development proposals that do not result in unacceptable harm to the health of a preserved tree, trees in a Conservation Area or Registered Park and Garden, preserved woodlands or ancient woodlands. Development proposals must not result in unacceptable harm to natural landscape features that are important to the character and appearance of the area.
DM18	Policy DM18 - Flooding/Suds - Planning permission for all types of development will only be granted where it can be demonstrated that the site is safe from all types of flooding. All major developments will be required to incorporate water management measures to reduce surface water run off and ensure that it does not increase flood risk elsewhere.

Policy	Policy Description
DM20	Policy DM20 - Delivering Community Facilities - Planning permission will be granted for new, or extensions to existing facilities and services which support the local community where there is sufficient access, including for the disabled and sufficient vehicle parking. The development must also be visually compatible with its surroundings.
DM23	Policy DM23 - High Quality & Inclusive Design - Planning permission will be granted for development that respects the character and appearance of the area in which it is located. Development must be compatible with its surroundings having regard to scale, siting, form, architecture, materials, boundary treatments and landscape. The design of all new buildings and extensions must be of high quality, well proportioned, have visually coherent elevations, active elevations and create safe, accessible and inclusive environments.
DM24	Policy DM24 - Design & Place Shaping Principles in Major Developments - The Council will require all new major development to be of high quality built form and urban design. Development should, amongst other matters, respect the historic and natural environment, be well-connected, respond positively to local character and context and create attractive, multi-functional, inclusive, overlooked and well maintained public realm. The Council will require the use of masterplans by developers and will implement design codes where appropriate for strategic scale developments.
DM25	Policy DM25 - Sustainable Buildings - All new dwellings and non-residential buildings shall incorporate sustainable design features to reduce carbon dioxide and nitrogen dioxide emissions and the use of natural resources. New dwellings and non-residential buildings shall provide convenient access to electric vehicle charging point infrastructure.
DM26	Policy DM26 - Design Specification for Dwellings - All new dwellings (including flats) shall have sufficient privacy, amenity space, open space, refuse and recycling storage and shall adhere to the Nationally Described Space Standards. These must be in accordance with Appendix B. All houses in multiple occupation shall also provide sufficient communal garden space, cycle storage, parking and refuse and waste storage.
DM27	Policy DM27 - Parking Standards - The Council will have regard to the vehicle parking standards set out in the Essex Parking Standards - Design and Good Practice (2009) or as subsequently amended when determining planning applications.
DM29	Policy DM29 - Protecting Living & Working Environments - Development proposals must safeguard the amenities of the occupiers of any nearby residential property by ensuring that development is not overbearing and does not result in unacceptable overlooking or overshadowing. Development must also avoid unacceptable levels of polluting emissions, unless appropriate mitigation measures can be put in place and permanently maintained.
DM30	Policy DM30 - Contamination & Pollution - Permission will only be granted for developments on or near to hazardous land where the Council is satisfied there will be no threat to the health or safety of future users and there will be no adverse impact on the quality of local groundwater or surface water. Developments must also not have an unacceptable impact on air quality and the health and wellbeing of people.

Policy	Policy Description
MPSPD	The Making Places Supplementary Planning Document was adopted in January 2021 and sets out detailed guidance for the implementation of the policy requirements set out in the Local Plan. It seeks to promote and secure high-quality sustainable new development. It is aimed at all forms of development, from large strategic developments, public spaces and places, to small extensions to individual homes.
POSPD	The Planning Obligations Supplementary Planning Document was adopted in January 2021 and sets out the City Council's approach towards seeking planning obligations which are needed to make development proposals acceptable in planning terms.

VILLAGE DESIGN STATEMENTS

VDS: Sets out the local community's view on the character and design of the local area. New development should respect its setting and contribute to its environment.

NATIONAL PLANNING POLICY FRAMEWORK

The National Planning Policy Framework (NPPF) was updated in December 2024. It sets out the Government's planning policies for England and how these should be applied.

Paragraph 2 confirms that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions and should be read as a whole.

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

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