

# QUESTIONS AND STATEMENTS FROM THE PUBLIC

## TO THE PLANNING COMMITTEE ON 21<sup>st</sup> January 2025

### Item 8 – 23/01105-FUL – Land West of the Fox and Raven, Chelmer Village Way, Chelmer Village, Chelmsford, Essex

#### Question from Mr F

I have some concerns at the precedence the recommendation will have for the future, development in the flood plain.

My understanding is that the openspace donation was initially given as part of the proposals promised to the COUNTY COUNCIL prior to 1973 when they were the Planning authority, for the development of CHELMER VILLAGE from a green field site. I have seen proposals how will the council ensure that the need on our housing list get these houses

#### Question from Mr F

### CHELMSFORD CITY COUNCIL PLANNING COMMITTEE, 21 JANUARY 2025

#### Agenda Item Number 8: Current Planning Application 23/01105-FUL Land West of the Fox and Raven

Members you have my letter on these themes.

The **Affordable Housing Crisis** is a national phenomenon, not a local one. There is no quick fix, the solution should be Local Plan led, not contrived in this way.

Identifying land to meet the need in the ***least environmentally damaging way*** ***is a*** Local Plan responsibility. Sensitive land with unique qualities should be preserved.

A delivery mechanism for the **Country Park** should also come through the Local Plan. This gives the public certainty.

The gift of 29ha of land unconnected to the development breaks the rules for contributions. It is an inducement designed to encourage the Council to act improperly. Your officers have not applied the tests:

**Is the gift necessary?**

**Directly related to the development?**

**Reasonably related in scale and kind to the development?**

None of these are satisfied. The application fails right there.

**The Sequential Test** area has been contrived to be as small as possible. To find no suitable sites to avoid a technical knock out.

A strategic need, requires a Borough wide strategic search area. The search area used is not fit for purpose.

The former construction compound is a red herring. You have reinstatement provisions.

Historic England recommends REFUSAL. The concentration of Listed Buildings, Conservation Area and Green Wedge in a 19<sup>th</sup> Century landscape contribute to this conclusion. Need will come and go but once the setting is gone it is gone forever.

Chelmer Road marks a clear division between **urban** and **rural, modern** and **historic, dry land** and **wet land**. Let us preserve this for future generations (this is the essence of sustainability)

Overall, if you knock out the gift of land, and the implausible sequential test, this application is dead in the water, quite literally.

I urge you to **REFUSE** planning permission for the issues I have raised. If not, the questionable practice elements expose a decision to **Judicial Review**. I recommend caution and a recording of individual votes.

Please consider a Members' Site Visit. And if you have not taken in anything I have said, just look at the three photographs I sent you of the site under water.

## Question from W

**Chelmsford City Council Planning Committee, 21<sup>st</sup> January 2025 – Agenda Item 8 Current Planning Application 23/01105-FUL**

My letter to members sent this Friday expands on the key points below

The need for affordable housing is recognised, but not at the expense of totally unsuitable development. There are two key issues:

1. The development is unsuitable because of flood risk and it will cause substantial harm to the Conservation Area and Heritage site
2. The application misrepresents the case for development. This is so serious that the conduct of Phase 2 Planning and Development Ltd will be referred to the RTPi.

### **What is the flood risk?**

The development is to be built on flood plain. Real-life experience of flooding over 25 years with photographic evidence shows the flood plain completely under water and intruding into the proposed site. Environment Agency maps underestimate the risk of flooding. Climate change will only make matters worse.

### **What is the harm to the Conservation Area and Heritage Site?**

The applicants have tried to mitigate the harm caused, by deliberately misleading that the site has lost its character and is more in keeping with the Chelmer Retail Park, and by its use as a former temporary construction compound.

The application site remains as a fully integrated part of the Chelmer Flood Meadows which a site visit would confirm. Historic England recommend refusal. The case officer's report acknowledges there would be harm caused.

**What are the questionable practises?**

- The Council has allowed the applicants to continue to meet and have conversations with them over 12 months instead of the usual practice of refusing the application if not withdrawn.
- Gifting 29ha of land without satisfying the tests for a S106 agreement in order to introduce a public benefit argument
- A flood risk sequential test manipulated to cover the smallest possible area with unusually the responsibility for checking the test left to the Council
- Misleading information to try to show that the site has lost its character as part of the flood meadows and countryside

Please consider these points carefully and as a result REFUSE planning permission. The attached photographs speak for themselves.

If still not convinced I would urge you to undertake a delegated site visit.

**Example photographs of flooding**

**October 2001 to April 2023**

January 2021 - View of Proposed Site



January 2021 - Aerial Floodplain View



October 2001- Floodplain View to Fox & Raven Pub



**Example photographs of  
Conservation area**

View from Barnes Mill Grade II  
Listed to Prentices Farm Grade  
II Listed - Floodplain on the right





FOX & RAVEN

Trees to the right of Fox and Raven with proposed development site behind



Looking  
through Fox  
and Raven  
trees to the  
proposed  
site



Looking back from the  
proposed site under water in  
January 2021 to the Fox and  
Raven trees on the left



## Question from Mrs W

### Request to Speak: Planning Committee Statement for 21<sup>st</sup> January

#### A topline analysis of water flow and flood patterns in Central Chelmsford

##### Background

Our watermill is one mile from Chelmsford's floodgates and a few hundred yards from the proposed site.

We've lived here for 26 years, actively helping to manage the water flow, maximizing the 'pull' from Chelmsford and the 'push' towards Sandford Mill, down river.

##### Did you know?

The catchment area for the three rivers that meet just before the Central floodgates is large: 206 sq. miles (534 sq. kilometers)

These floodgates were installed in the 60's, before the A12 bypass was built, mainly on floodplain, in '86.

The same floodgates today flush at least **three times** more water through them than they did in 1970. This figure rises every year.

Yet the central permeable floodplain is being reduced in size because of development.

##### Flood Patterns

High water flows to Sandford Mill and the A12, where it bottlenecks.

Then it backs up towards our City, spilling over the meadows towards Manor Farm, Army and Navy etc. This a full flood – a 3 Day Event.

**At the same time**, the floodplain area, including the development site, quickly fills. It spreads across to the river to its south, east towards our sluice gates, west under the Chelmer Bridge and back into the City. Please: No bund here.

Flood pressure here is high due to increased volume as the rivers merge from 3 to 1 +Lack of floodplain management, ongoing works and development.

This Central floodplain can flood after 8 to 24 hours rainfall.

##### Changing Weather Patterns

There's not been a 3 Day event since major development in the catchment area but water flow is increasing due to run off from residential concrete.

But, 2 days and a night's rainfall now can total around an 85% coverage of the complete floodplain. Let's call this a high water event.

There have been c. 9, 3 day events since 2000 plus c.20 high water events with the last three being in '21, '23 and 24.

AND, the site's entrance onto the Chelmer Village Way is the natural entry point for surface water run off after torrential rain. See EA Maps. Needed in August '22 and '23

### **Summary:**

It is reckless to ignore:

Climate Change is affecting weather patterns and seasons.

Development concreting has taken permeable land out of the natural, run off process and the construction materials used speed run off too.

Surface water run-off is effecting 88% more properties nationally now than just a few years ago

*It is a fine balance in Chelmsford that is being taken for granted. Existing residents will suffer, along with new, if floodplain is reduced. Expensive to rectify, impossible to replace.*

**Please refuse this application.**

### **Question from Mr M**

Thank you chair and good evening, Members, I am the Planning Manager at Stonebond, which is a family run housebuilder based in Chelmsford that specialises in the delivering affordable housing.

I am here today to assure you of our commitment to deliver a quality development in your authority and confirm that we fully intend to implement this permission as soon as you grant the necessary consents.

The application before you, is the culmination of 4 years of collaborative work with Countryside and Chelmsford City Council.

I am acutely aware of the little time I have to address this committee in relation to this important application and I will now list the public and community benefits that this application will offer:

- 55 New affordable homes providing 250 bed spaces helping to alleviate the much publicised housing crisis in Chelmsford.
- Of which 44% will be affordable rent & 56% will be Shared Ownership
- We are proposing to deliver a total of 23 3 & 4 bed FAMILY homes meeting the greatest identified affordable need.
- New pedestrianised crossing along Chelmer Village Way creating better connectivity for existing and future residents to the country park
- New bus stop and cycleway creating better connectivity,

- 198 new trees including community orchard and in excess 10% biodiversity net gain,
- Transfer of 72 acres of land to the City Council at no cost securing the land in public ownership in perpetuity
- Which will enable the Council's ambition to create a Country Park and ensuring connection with the Manor Farm application.
- And finally Over £240,000 of s106 contributions towards health care and local infrastructure.

Your Officer has confirmed in the report that we have produced a scheme that is policy compliant and has the full support of all the statutory consultees. I therefore respectfully ask that you accept your officer's recommendation so that we can start delivering much needed new affordable homes.

Thank you for your time

### **Question from Mr P**

- The CORRECT designation for the southern part of this site based on observation is functional flood plain 3b.
- In February I stood in the floodwaters and filmed a video explaining why this is a foolish place to build, the bund won't work, and the SUDs will be underwater.
- The Developer has misled this Council with unrepresentative groundwater readings during the driest summer for decades.
- My analysis of Hydrometric data shows that high cumulative inflows, or floods, have tripled since the 70s, with no increase in rainfall. Suggesting the cause is runoff.
- Published analysis by Hannaford reported that peak flows have increased across the country.
- The magnitude of this trend warrants investigation before the Council considers building by flood plain.
- We're building our City at Chelmer's Ford, ever closer to the river.
- And our floodplain was CUT IN HALF by the A12, doubling the flood risk, and we've SHOWN it holds water back in drone footage and video on the ground, AND that floodwater doesn't even flow through the storm drain.
- You're holding back water towards the City and being complacent about the danger.
- Just 1 cm of rainfall over our catchment is 5.3 million cubic metres, over 2000 olympic swimming pools, and the Met Office are predicting 8 cm will become a regular occurrence.
- The biggest flood this century was 19 million cubic metres over 7 days, but that's nothing compared to the floods in the 50s.

- Today, with more runoff and a floodplain half the size, a flood like that now, will be devastating.
- The Borough Council designated this Conservation Area in 1991 and Green Wedge in 2008.
- This proposal violates more policies than it complies with.
- Councillors, please err on the side of caution and reject this wreckless application.
- Or will you reschedule this decision once the planners have done due diligence by actually investigating the findings I reported?

### **Question from Mr C**

#### **TRANSPORT ASSESSMENT**

Doc. 8788441.

Chelmer Meadows, by Richard Jackson, Engineering Consultants. 05 June 2023 Final. For ECC traffic management Dept.

From this Document. I have found issues.

1. 5.10 of the doc says. "A signalized Crossing of Chelmer Village Way, is not considered to be Justified. But has been included in the plans before you tonight ?
2. The results from the traffic model in 7.5 for the 5 years capacity up to 2028 stats the Junction will operate at just under Full capacity. With 2 lanes running East and West. And no signalised crossing. Also the Flood Risk map shows the road above the entrance and exit is Flood risk 3 with run off onto the flood plain. This must make the present Transport Assessment Null and void. Ref Drawings.61845 – PP – 01

### **Question from Chelmer Village Council**

Having received unprecedented both formal and informal feedback from the residents of Chelmer Village and Chancellor Park, a comprehensive review by the village council's planning committee, objections were submitted to the City.

The parish is essentially urban by nature, comprising housing fringed by industrial and retail businesses, and our residents have very little access to natural open space. The "Water Meadows" site is especially valuable for recreation, criss-crossed by public footpaths and river banks access..

Having studied the various comments made and the report submitted by the planning officer, Chelmer Village Council would like to draw your attention to the following reasons for the committee to refuse this application which is not in the current Local Plan.

Firstly, the area is a flood plain and does regularly flood. Councillors will recall the flooding following the recent named storm 'Henk', where drone footage showed the entire application area under water. This area protects Chelmsford from more damaging and significant flooding elsewhere upstream of and adjacent to the meadows, which is its purpose. Large parts of our Village area are low lying and vulnerable. With climate change, floods are becoming more frequent. We are unconvinced by the data provided in the application regarding the strategic flood risk. The ground water survey was taken in 2022 after a period of near drought, and not indicative of average norms and should be repeated.

Secondly, Chelmsford's own policies for the green wedge do not permit development except for specific purposes. We accept that one of these purposes named is affordable housing, but this is limited by policy to small sites. The 55 homes planned are more than 4 times greater than that allowed policy DM2. Surely this alone is a reason for rejection.

This proposal devalues the quality of the designated conservation area, which is essentially rough pasture. The previous construction compound relating the viaduct construction has been removed. The development diminishes the quality of the area. Residents enjoy the mature trees and ancient hedgerows that will be lost if this application goes ahead. The setting of historic buildings is degraded as identified by Historic England's submission and it is a nonsense to refer to the retail park for design comparison. The retail units are across a 4-lane road and no way affect people's perception of the meadows as rural.

Additionally, Chelmer Village Council can see no logical link between this application and a new country park in the area. Currently, our constituents enjoy all of the benefits of a natural environment. The costs of a more managed park will fall onto the residents of Chelmsford and, in the view of the Village Council, should only be considered as a separate planning application once the City Council decides to buy or otherwise take ownership of the land in question.

A final significant reason to reject the application is traffic congestion. Lived experience shows that A138 traffic congestion from the Army and Navy junction queues back into Chelmer Village Way in the rush-hour and at weekends, shoppers at the retail park cause roadblocks. We suffer with this daily and the proposed new plan in no way mitigates the traffic congestion in this area

In conclusion, the Chelmer Village Council wishes to state its objections to the application in the strongest possible terms. We hope that the committee members agree and will vote against acceptance. Previous applications for this site have been refused.

## **Item 9 – 24-01468-FUL – Pippins Place, Helmons Lane, West Hanningfield, Chelmsford, Essex, CM2 8UW**

### **Question from Mr P**

As in my previous submissions to the planning department, i wish to strongly object to this development

I have read the planning officers guidance notes with the suggestion that the two houses should be approved.

Despite me spending nearly 200 hours researching and preparing my report of over 1000 words with supporting photographs it would appear that the officers have either failed to understand the scale of the development and the nature of the site, and the effect of this type of development on the fabric of the village, or have just chosen to ignore the consequences.

Fortunately the final decision rests in the hands of this committee.

I am sure that you will have studied the application and taken into account all of the detailed objections submitted.

As you will all realise once you allow 2 huge poorly designed boxes of houses to replace a bungalow on a site with 62 feet of road frontage you will be opening the flood gates to replace hundred or thousands of similar bungalows throughout Essex, in this village and the villages where you all live.

I cannot possibly cover the many points i have previously submitted in 2 minutes, however these are some of the key points.

1. The development of nearly 6000 sq feet is far too big for the site bringing with it many undesirable consequences.
2. The designs do not reflect the village design guide, the local houses ,or what should be built in a narrow country lane.
3. The heights stated in the drawings are not what will be built once the slope of the site is allowed for, the buildings will be at least a metre higher.
4. They have stated that there will be an increase in habitat , this is not true the submitted survey was taken after they had already removed around 20 trees and some hedge lines last year.
5. The privacy statement is wrong , the windows in the side of my house are for 3 bedrooms, they were placed here under the guidance oh the Head of Planning in 2002, the new building is 1m from our boundary directly facing and overshadowing our bed rooms..
6. The vehicular access for house number 2 cannot be where shown accessing the private lane to Doyland as there is no Right of way.

Therefore the access must be direct on to Helmons Lane so the front hedge will have to be removed.

To close i would ask that the application is refused, or at the very least delayed until the councillors have visited the site and are able to fully appreciate the scale of the development.

### Question from Mrs H

Dear Members of the Planning Committee,

I have lived at xxx, the house to the rear of this proposal, for 47 years. Having just had surgery I am unable to attend the meeting.

One of the application drawings shows that the access to House 2 is via the unmade track to my house. I have a document which states that the only right of way over the track was granted to the occupiers of Doylands – my home.

The late owner of Pippins did not own the track. Ergo evidence should be required to prove that a right of way over a privately owned track has been established before any Planning Consent can be granted as it is shown as the only access to the plot.

The plot being in a green belt village has under planning law stringent restrictions upon it and for these reasons too I urge you to refuse the application.

Strategic policy DM6 - new buildings in the greenbelt

Reasoned Justification

'8.41 Inappropriate development is by definition harmful to the greenbelt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the greenbelt. Very special circumstances will not exist unless the potential harm to the green belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations. '

It is a significant enlargement of the dwellings' area, 143m<sup>2</sup> up to 323m<sup>2</sup>, it is therefore inappropriate and there would be two dwellings squeezed onto a plot width of only 62'. Another 180m<sup>2</sup> of green belt plus the area of the garage will be lost forever.

There are no other considerations which clearly outweigh the inappropriateness or harm

Strategic policy DM9 - infilling the Green Belt, Green Wedge and Rural Area

A) 'Green Belt

Planning permission will be granted for infilling in the greenbelt provided that

- i. the site is within a village; and
- ii. the site is a small gap in an otherwise built-up frontage; and

- iii. the infilling is limited so as not to impact unacceptably on the function and the purpose of the greenbelt; and
- iv. the development does not detract from the existing character or appearance of the area.'

## **Item 10 – 24-01373-FUL- Land South West of Brooklands, Sheepcotes Lane, Little Waltham, Chelmsford, Essex**

### **Question from Mrs D**

Good evening Councillors,

Thank you for the opportunity to present to you this evening. My name is xxx and I work for Ceres Property. I am here tonight representing our client, Stratstone Developments, the applicant for this application.

The starting point for assessment under Part B of the Policy DM7 is the condition of the existing site, its contribution to local character, and how it is perceived within the Green Wedge.

In its current state, the site detracts from the surrounding landscape and rural character. It does not contribute to public access of the Green Wedge, and sitting amongst existing residential properties already, it's further development will not risk urban sprawl or settlement coalescence. Given the limited role of the site already, it should not be automatically assumed that any change to the site would negatively impact the role, function and intrinsic character and beauty of the Green Wedge.

From a wider landscape perspective, the landscape character assessment submitted as part of this application confirms that the perceived change would actually improve the sites contribution to the local landscape.

Contrary to the officer's report, any increase in scale or massing would not be perceivable from public viewpoints, as other than Sheepcotes Lane, there are no public viewpoints. The material changes to the site will in fact only be experienced only from within the site. The Officers report also mentions views from the allotments, which are merely glimpses during winter months as opposed to any appreciation of the site as a whole. They would also be completely screened by the proposed ecology and landscape buffer.

When considering different design options through pre-application engagement with Officers, the advice received did specifically acknowledge that the "the semi-underground level would not be readily visible from the road", and that the proposals would be "visually comparable to the existing Nissen hut".

The applicant has worked proactively to address comments received during the consultation period, and there are no statutory objections to the proposals. This has included providing further detail on how the proposals avoid areas of flood risk, how

soakaways can be used to improve existing surface water conditions, and details on foul drainage options for the site.

The scheme will also provide 10 new trees to be planted, and a 10% biodiversity net gain through on and off site enhancements.

You will note that your Officers consider the scheme to be of high quality design and agree that the physical relationship with neighbouring properties is acceptable.

We respectfully request your careful consideration of this application this evening in recognition of this opportunity for small-scale, sustainable and low impact new family housing, on previously developed land in a residential area.

### **Question from Mr B**

We wish to make the following comments to the Committee regarding the above application.

We hope the Committee agree with the councils recommendation to refuse this application. Along many other valid reasons, it poses such great risk to the natural ecosystem in the vicinity. This includes a large natural spring in close proximity. There are a many underground watercourses on the plot and such excavations could be disastrous. The watercourse at the bottom of the plot also runs directly into our garden, which then feeds into the village stream, and eventually into the River Chelmer. This watercourse is frequently overwhelmed with fast flowing water. We have video footage of this which we can provide if needed. The applicant has paid no regard for this aspect of the terrain, and even refer to the Spring as a 'pond' which it is not.

The applicant has provided no clear details as to how they intend to dispose of their sewage safely and within legal limits. They are far too close to water to install a septic tank or sewage pump. It's our view that this property can not even be built legally. We are shocked its even got to Committee stage and are baffled as to why it has been. The planning department have come to the same conclusion as us local residents, that this application should rightly be refused.

Thank you for considering our comments.

### **Question from Mr F**

Good evening, members of the planning committee. I'm xxx, Land and Planning Manager at Stratstone Developments.

We're a local developer proposing an opportunity for a family to create their own unique home in a highly sustainable location, abutting the settlement edge of Little Waltham.

The primary concern appears to be the perceived intensification of domestic activity resulting from the creation of a new residential home, and whether that impact is harmful to the character and setting of the Green Wedge. However, it's crucial to consider several key points:

Firstly, the site is already domestic in nature.

- The proposed garden area has been lawfully used for domestic purposes for over a decade.
- The existing building has served as domestic storage for even longer.
- The hardstanding area has been regularly used for parking, vehicle turning, and accommodating visitors during social events.

Secondly, the statutory declaration provided by the site owners confirms the existing domestic character of the site. This indicates that a significant level of residential activity is already present.

Any potential increase in activity should be evaluated in the context of:

1. The existing use and its potential intensity
2. The benefits of redeveloping brownfield land
3. The creation of a new family home
4. And The improvement to the site's appearance within its rural setting

In essence, any increase in domestic activity, must be balanced against the current use and the overall benefits our proposal would bring to the area.

While each application is decided on its own merits, planning decisions within the last two years set precedents for similar impacts and increases in activity. In previous correspondence to Officers and Councillors, we provided 7 directly comparable planning permissions for; the redevelopment of domestic outbuildings to provide separate dwellings in rural locations.

In one case involving redevelopment of an outbuilding with a dwelling in Broomfield, the Planning Officer noted that "the subdivision of the plot would not change the activities taking place on the site, which are already domestic in nature." This closely mirrors our proposal, where the site is already in domestic use.

In another similar case, in Little Waltham, it was concluded that "Overall, the proposal would increase activities on site, but would improve the visual appearance of the site with the removal of the existing garage." Our proposal similarly aims to enhance the visual character of the area by replacing the existing Nissen hut with a high-quality, sensitively designed dwelling.

Lastly, with Chelmsford's housing targets increasing by half, schemes like ours, causing little to no material impact, should be viewed proactively.

In conclusion, to reiterate:

1. The site has already undergone a level of domestication.

2. If there is an increase in activity, this would not be perceivable from public viewpoints, and any increase should be weighed against the benefits of the scheme.
3. Local planning case studies support the approval of this application.
4. And this development represents sustainable growth, making efficient use of previously developed land in a highly accessible location.

However, if members are at all uncertain in making a decision, I would respectfully suggest deferring for a site visit to see the limited impact of the development first-hand.

We urge the committee to consider these points and approve our application. Thank you for your time.