



Planning Committee
1st October 2024

Application No	:	24/00293/FUL Full Application
Location	:	Rectory Lane Car Park East Rectory Lane Chelmsford Essex CM1 1RF
Proposal	:	Redevelopment of Car Park to provide 22 Affordable Residential Apartments with Parking, Amenity Space and Landscaping
Applicant	:	Mr D Ford Chelmsford City Council
Agent	:	Mr Sam Hollingworth
Date Valid	:	1st March 2024

Contents

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

Appendices:

Appendix 1	Consultations
Appendix 2	Drawings

1. Executive summary

- 1.1. This application is for redevelopment of the car park and construction of 22 affordable rent residential apartments with parking, amenity space and landscaping. The planning application is made by the City Council. In accordance with the Council's Constitution, the application is presented to the Planning Committee for a decision as public objections have been received (see Appendix 1).
- 1.2. These objections cover a range of topics including the loss and displacement of existing parking, neighbour amenity, noise pollution, disruption during construction, fire risk and sustainability. All representations and consultee comments have been considered as part of the wider planning considerations of this development proposal.
- 1.3. The proposal would provide a sustainable use of previously developed land and meet a critical affordable housing need which weighs significantly in favour of the scheme.
- 1.4. The application assessment concludes the proposal is compliant with the Development Plan.
- 1.5. The application is recommended for approval subject to conditions.

2. Description of site

- 2.1. The site is approximately 0.23 hectares in size. It is predominately hard surface and comprises of a Council-run pay and display 74 space car park known as Rectory Car Park (East). The site has a vehicular access to the northwest via the south bound carriageway of Chelmer Valley Road (A1016). Pedestrian access is obtained from the south.
- 2.2. The site falls within Chelmsford City Centre and is allocated as Growth Site 1m within the Chelmsford Local Plan. The site is directly adjacent to a locally listed (non-designated) asset, Cemetery Gatehouse and Lodge on Rectory Lane. The associated cemetery is designated as Public Open Space in the Chelmsford Local Plan. Keene Memorial Homes Conservation Area lies approximately 35m northwest of the application site beyond Rectory Lane West car park which occupies an elevated position.
- 2.3. Residential properties back onto the site (south), fronting Rectory Lane between the site and the non-designated heritage asset. There are more distant residential properties to the east fronting Henry Road, which have a view towards the site and the cemetery.
- 2.4. There is a lawson cypress tree to the northern part of the site. Just outside the boundary of the site is a mixed hedge comprising of hawthorn and field maple fronting Chelmer Valley Road and a rowan tree within the rear garden of No.73. Also just outside the boundary to the east are ash, turkey oak, holly, hawthorn, sycamore and English oak trees within the cemetery.

3. Details of the proposal

- 3.1. The proposal comprises of a block of 22 affordable rent apartments. These are contained within two conjoined blocks, one up to four storeys and a second upto three storeys. The larger block contains 20 apartments and the smaller block contains a two bedroom apartment to the ground floor and a three bedroom duplex apartment to the first and second floors. The following unit sizes are proposed:

- 7 x 1 bedrooms
- 14 x 2 bedrooms
- 1 x 3 bedrooms

- 3.2. The larger block would provide undercroft parking, a refuse and recycling store, stacked cycle store and water tank, with the 20 apartments spread across the first, second and third floors. Additional parking spaces are provided to the rear of the smaller block and there is space for larger vehicle turning. Overall, the scheme would provide 15 vehicle parking spaces of which 2 are for disabled parking and 40 cycle parking spaces, for the use of residents of the scheme.
- 3.3. An outdoor amenity space is provided to the south of the smaller block for use by the proposed residents of the development. This area consists of three distinct spaces, seating and landscaped areas. A substation contained within a single storey building is proposed to the north of the access.

4. Other relevant applications

- 4.1. Planning permission for the existing car park was granted on 30th November 1989 (CHL/0808/88/CBC)

5. Summary of consultations

Mid And South Essex Integrated Care Board: The development will give rise to a need for additional healthcare provision to mitigate impacts arising from the development and requests a financial contribution of £11, 200.

Public Health & Protection Services: Requests a contaminated land condition as the Phase 1 assessment shows that further intrusive investigation is required. No objections to the noise impacts providing the recommendations of the acoustic report are implemented.

Economic Development & Implementation: No comments

Essex County Council Highways: The proposal is acceptable to the Highways Authority subject to conditions

Parks & Open Spaces: No reply

Leisure & Heritage Services: No reply

Anglian Water Services Ltd: No objections, subject to various advisories including assets present and recommended condition on surface water management

Essex and Suffolk Water: No reply

Property Services: No reply

Essex County Fire & Rescue Service: No objections, various advisories including access at Building Regulations stage.

Essex County Council (SUDS):

4th April - Having reviewed the Flood Risk Assessment and the associated documents do not object subject to conditions.

ECC Community Infrastructure Planning (Education): Requests library contributions

Police – Designing out crime: No apparent concerns with the layout. Offer further advice to the developer with a view to the scheme achieving Secure By Design accreditation.

Housing Standards Team: No reply

Recycling & Waste Collection Services: The collection vehicles are able to enter/exit the development in forward gear. Please ensure there is level ground between bin store and vehicle.

Local residents: Three letters of representation received from 2 local residents; one resident objecting and one neither objecting to or supporting the proposal. Concerns raised:

- Parking - loss of car park, displacement of parking, park and rides finish too early,
- Overdevelopment
- Pollution – noise
- Residential amenity – loss of light, privacy
- Construction – mitigating traffic
- Fire risk - spreading to adjacent trees and consequently nearby properties
- Infrastructure - water pressure to be affected, no infrastructure
- Affordable – what is meant by this term, who will live here
- Sustainability – materials and solar panels to be used?
- Antisocial behaviour – request cemetery is locked to discourage additional use, increased crime

6. Planning considerations

Main Issues

- 6.1. The proposal site is a public car park (previously developed land) situated within the city centre. It is allocated within the adopted Local Plan under Growth Site Policy 1m as a redevelopment for housing. The site is close to nearby facilities which residents may depend upon, such as shops and public transport. There are no policy designations or restrictions which would undermine the principle of development as proposed. The principle of residential development is therefore acceptable. It is noted that reference is made within Growth Site Policy 1m to potential student accommodation, but new student accommodation has since been delivered on sites nearer to the university.
- 6.2. The application seeks 22 affordable housing units, making this a 100% affordable housing scheme. All units would be provided on an affordable rent tenure which can be secured without a legal agreement due to the Council's ownership of the site. In these circumstances affordable housing tenure considerations under Policy DM2 would not apply.
- 6.3. The proposal includes one three bedroom unit, fourteen two bedroom units and seven one bedroom units as affordable rented housing. These will meet priority housing needs as there are a considerable number of households in priority housing need on the Housing Register and in temporary accommodation awaiting an offer of affordable accommodation.

The council's decision to close this car park is part of a strategic review of parking across the city centre on sustainable travel grounds and to facilitate the development of affordable housing schemes. A decision on this approach has been reached independently from and prior to the planning application consideration. Whilst the loss of the car park has some materiality to planning consideration in that demand for parking will be displaced from this site, there are several car parks in the vicinity which offer acceptable alternative parking capacity. This includes Rectory Lane West, Townfield Street and Fairfield Road car parks, but there are other car parks offering mixed or long stay parking. It is acknowledged that parking supports local functions and that there may be some limited adverse impact as a result of reducing parking, but ultimately there would be no sustainable justification, on planning grounds, to resist the loss of these 74 car parking spaces in the context of remaining parking provision within the city.

- 6.4. The main policy considerations for this proposal are meeting the site specific requirements of Growth Site Policy 1m, design and character, access and parking, heritage impact and neighbour relationships. Other considerations, such as technical compliance with development standards and sustainable construction, ecology, trees, flood risk and contamination and other material considerations also apply.

Growth Site Policy 1m

- 6.5. The Growth Site Policy 1m provides the following criteria to guide redevelopment of this site:
- i. Around 25 homes
 - ii. Potential for student accommodation due to its proximity to Anglia Ruskin University
 - iii. Main vehicle access to be taken from Chelmer Valley Road
 - iv. Improved level pedestrian/cycle connection to existing road crossing point to the south
 - v. Conserve and where appropriate enhance the setting of the adjacent locally listed Cemetery Gatehouse and Lodge on Rectory Lane
 - vi. Character and scale determined by adjacent residential development
 - vii. Layout shaped by utility easements
 - viii. Enhanced landscaped edge to Rectory Lane and Chelmer Valley Road
- 6.6. The proposal would provide 22 homes which aligns with the policy.
- 6.7. Main vehicle access will be taken from Chelmer Valley Road.
- 6.8. The proposal would retain the existing vegetation to Chelmer Valley Road with some enhancements, albeit. these are limited due to the extent of the site ownership to this edge and highway constraints. Greater landscaping enhancement is provided to the south where it abuts Rectory Lane.
- 6.9. An existing road crossing sits outside the site to the southwest. This provides a traffic controlled pedestrian crossing of the roads to the west and south. The pedestrian access into the site adjoins the existing footpath to the south. The position of the pedestrian connection is therefore acceptable and the provision of resident space to this end of the site provides an improved pedestrian access. Due to the lack of existing local cycle connections a dedicated cycle connection to this site would not be appropriate.

- 6.10. There are Anglian Water assets running through the site which is roughly contained within the internal vehicular access route. The developer would be required to gain formal approval from Anglian Water as part of the post planning construction process. On this basis the proposal has considered the easement.
- 6.11. The impact of this development on the setting of the locally listed Cemetery Gatehouse and Lodge and other heritage assets is considered in the Heritage Impact section of this report. The scale and character of the development is considered in the Design and Character section of the report.

Design and Character

- 6.12. Policy DM23 of the Chelmsford Local Plan states that 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.
- 6.13. The design and scale of the building has been amended during the application process to achieve better placemaking outcomes.
- 6.14. The amended design provides more articulation, greater setback to the top floor to the front and rear, a less regular edge to top floor, and better choice of material which relates to other development within the city. The smaller block continues the design principles of the larger block. The combination of these features reduces the bulk of the building, provides interest to the elevations and provides a better relationship between the two blocks, with better relationship to the neighbouring residential properties.
- 6.15. Rectory Lane as existing has a domestic scale, but there are some scale variances. The proposal sets the higher block to the northern end of the site with scale of the development reducing to the south to provide an appropriate scale relationship with the existing streetscene. The smaller block is seen in conjunction with the dwellings to the south. The smaller block is similar in footprint and general scale to these properties. This development provides a suitable transition between the taller northern block and Rectory Lane.
- 6.16. The buildings are positioned on the western side of the site with undercroft parking at ground level to the larger block and parking behind the smaller block. Access to this parking is achieved via an access route to the eastern side of the building. This layout is dictated by the triangular shaped site and the Anglian Water pipeline. It provides the most optimal use of the site and the buildings provides a satisfactory edge, enclosing the street scene along Chelmer Valley Road. Adequate space is provided around the building to provide a satisfactory setting.
- 6.17. The elevations are visually disaggregated by various design attributes, such as projecting and set back elements and differing materials to individual components of the building and to the top floor, and brick detailing. This provides good articulation and interest to the building, while also reducing the overall mass. Some upper floor elements continue to ground to enable consistency, provide visible structure to the building and obscure views of the undercroft parking, but still allow for the necessary ventilation of parking areas. Overall the elevations are visually coherent and active.

- 6.18. The proposed render and brick is consistent with the material palette used on nearby properties within both Rectory Lane and Henry Road. The vertical seamed metal cladding and bronze cladding to the upper floor is less common to those areas, however, this echoes other developments within the city.
- 6.19. Overall, the design and character are deemed acceptable, and the proposal complies with Policy DM23 of the Chelmsford Local Plan.

Parking and Access

- 6.20. As referenced earlier in this report, the Council's decision to close this car park was taken prior to the submission of this planning application as part of a strategic review of parking across the city centre. This review led to the allocation of the site in the adopted Local Plan for development.. The Transport Statement submitted with this planning application also sets out that sufficient alternative parking provision is available. It is acknowledged that parking supports many local functions in this area and that there may be some limited adverse impact as a result of reduced parking, and increased demand to other car parks, but ultimately there would be no sustainable justification, on parking grounds, to resist the loss of the car parking spaces in this context.
- 6.21. The proposal would obtain vehicular access from the north west via the south bound carriageway of Chelmer Valley Road (A1016). The proposal would be accessed from the same location as the existing car park replicating the existing access arrangement. The Transport Statement explains that the proposal would generate less car trips to the site than the existing car park. This conclusion is agreed and no objection is raised by the Local Highway Authority.
- 6.22. Policy DM27 states that the Council will have regard to the vehicle parking standards set out in the Essex Parking Standards - Design and Good Practice (2009).
- 6.23. According to the Parking Standards the scheme requires 37 vehicle parking spaces and six visitor parking spaces of which three should be disabled parking, and 22 cycle parking spaces. The scheme proposes 15 vehicle parking spaces, which includes two disabled spaces. The proposal provides in excess of the cycle parking requirement.
- 6.24. The Parking Standards confirm that reductions of the vehicle standard may be considered for residential development within main urban areas. Main urban areas are defined as those having frequent and extensive public transport and cycling and walking links, accessing education, healthcare, food shopping and employment. The proposal is located within the northern part of Chelmsford City Centre where a train station, bus station and bus stops are located within walkable and cycling distance. These have frequent services beyond Chelmsford. Other services are also within walkable distance. On this basis, it is considered that a reduction of the parking standards is acceptable and would not harm wider parking management objectives. This stance is supported by the comments from the Highway Authority. Subject to conditions to ensure the satisfactory provision of the above parking and access the proposal complies with Policy DM27.
- 6.25. The proposal would provide in excess of the cycle parking requirement encouraging residents and visitors to use cycles. The location of the site with good access to public transport and other services would also encourage sustainable and active transport. The use of bus transport can be further encouraged with the use of a Travel Plan as suggested by the Highways Authority which can be controlled by condition.

Heritage impacts

- 6.26. Policy DM13 concerns the impact of any development on the significance of a designated heritage asset or its setting, and the level of harm, will be considered against any public benefits arising from the proposed development.
- 6.27. Policy DM14 states that proposals will be permitted where they retain the significance of a non designated heritage asset, including its setting. Where proposals would lead to harm to the significance of a non designated heritage asset or its loss, proposal should demonstrate that:
- i. the level of harm or loss if justified following a balanced judgement of harm and the significance of the asset; and
 - ii. harm is minimised through retention of features of significance and/or good design and/or mitigation measures
- 6.28. The application site lies in the vicinity of a number of heritage assets.
- 6.29. Nos. 49 and 51 Rectory Lane (c.70m southeast of the application site), are non-designated heritage assets. Their setting is confined to their immediate surroundings. Therefore, the application proposal makes no contribution to their setting due to the separating distance.
- 6.30. Keene Memorial Homes Conservation Area lies approximately 35m northwest of the application site. It includes a group of alms-houses dating from 1933, set around a landscaped quadrangle.
- 6.31. The Keene Homes Conservation Area is separated from the site by the A1016 and a tree belt along the verges. The development would be visible to this aspect, including glimpses from the Conservation Area. However, key views within the quadrangle and the character of the space would not be harmed. There would be no adverse impact on the setting of this Conservation Area.
- 6.32. Cemetery Gatehouse and Lodge, No.81, Rectory Lane lies to the east of the application site. It is a single storey and two storey gatehouse designed by local architect Frederick Chancellor, built in 1859. It has a gable carriage arch leading through to the graveyard. The buildings are included on the Council's Register of Buildings of Local Value and are of significance as high quality buildings associated with the cemetery and a local important architect, of architectural, historic and townscape interest. They are non-designated heritage assets.
- 6.33. The development adjoins the boundary with the graveyard. The building would be visible within the graveyard and would have an urbanising character, which would erode some of the sense of isolation as experienced within the existing graveyard. The revised scheme has greater articulation and interest, with a more cohesive approach which has improved the visual aspect facing the graveyard. The existing palisade fencing adjacent the cemetery would be replaced with new timber fencing. Taking account of the improved design and replacement boundary treatments there would be a minor remaining impact on the setting of the non-designated heritage asset and its setting. This impact needs to be weighed in the planning balance in accordance with Policy DM14. This is also covered by paragraph 209 of the National Planning Policy Framework which states that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

- 6.34. The harm to the non-designated heritage asset would be minor. The scheme has minimised the harm as much as possible with the revisions to the design and the improved boundary treatment. This proposal would provide a sustainable use of previously developed land and meet a critical affordable housing need which attracts significant weight in favour of the scheme. To reduce the size of the scheme further to reduce the visual impact upon the graveyard would significantly reduce the number of affordable units and the benefits of the scheme. On balance, the significant weight attracted by the sustainable use of the land and the number of affordable units meeting an established need would outweigh the minor impact upon the non-designated heritage asset.
- 6.35. The proposal complies with Policies DM13 and DM14.

Neighbour impacts

- 6.36. Policy DM29 of the Chelmsford Local Plan states that 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.
- 6.37. Concern has been raised from local residents that the proposed development would have a harmful impact on the existing properties on Rectory Lane, to the south of the site, and Henry Road, to the east.
- 6.38. There are some parts of the proposed development sitting in parallel to the rear of existing properties along Rectory Lane and parts of the development which form a more oblique neighbouring relationship. The distance between the proposed building situated directly behind the dwellings on Rectory Lane is 15m to boundary increasing to 30m to the rear wall of the nearest property. This exceeds the minimum remoteness distances set out in Appendix B of the Chelmsford Local Plan. Where there is a more oblique relationship, the building would extend closer to the neighbouring boundary, but there is no expectation of minimum remoteness in this regard and the scale of development has been intentionally stepped down to two storeys to achieve a suitable relationship with the neighbouring properties, Nos. 73-77 Rectory Lane. Whilst this element would be closer to the neighbour it would not result in overlooking or overbearing due to northern orientation, the angle between windows and separation distances.
- 6.39. The distance between the building and the eastern side boundary is 6m, with 28m to the rear garden of the existing dwellings on Henry Road. This distance further increases 42.5m to the rear wall of the nearest properties. This exceeds the recommended minimum distances set out in Appendix B of the Chelmsford Local Plan. Due to this level of remoteness between the proposed development and those properties on Henry Road, unacceptable overbearing, overlooking or overshadowing would not occur.
- 6.40. Local residents have raised concerns that the proposed development will increase noise pollution to existing properties. This is a residential scheme proposed in a city centre environment; as such there would be no material increase in noise generated by the site. Given the ambient noise levels and proximity to the road junction, the proposal is supported by a noise impact assessment. This has been considered by the Council's Public Health and Protection Services Team who raise no objections subject to the recommendations of the acoustic report being implemented. This can be secured by condition.

6.41. The proposal complies with Policy DM29 of the Chelmsford Local Plan.

Development standards

- 6.42. Policy DM26 of the Chelmsford Local Plan states that all new dwellings 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 of the Chelmsford Local Plan.
- 6.43. The development is compliant with the Nationally Described Space Standards for housing.
- 6.44. The proposals would provide balcony or terrace space to meet the requirements of the Council's Development Standards (Appendix B) for 14 of the proposed units. The ground floor unit would be provided with a small terrace. The remaining 7 units would have no private amenity space. The proposal provides a landscaped communal space to the southern portion of the site. This communal space would not be private or provide for all outdoor needs but would provide space for residents to sit and socialise. The site has good access to public open space within walking distance. While 7 flats would have no access to private amenity space, there is sufficient outside or open space provided by the proposals or within the vicinity and it is recognised that for city centre development units would not always benefit from their own private amenity space. On balance, the provision of amenity space to residents within this development is acceptable.
- 6.45. The proposals meet the requirements of the Council's Development Standards (Appendix B) in respect of refuse provision. There is acceptable access for refuse freighters and other larger vehicles.
- 6.46. The application indicates that at least 50% of the units would meet Part M4 (2) standard. This level of accessibility is a significant benefit for these affordable homes and ensuring they meet a range of user needs and requirements. A condition can be applied to ensure at least 50% of the amended scheme meet Part M4 (2) of the Building Regulations in accordance with Policy DM1.

Sustainable buildings

- 6.47. Electric vehicle charging points are proposed to all spaces within the undercroft parking area. There are four spaces beyond this area without charging points. These can be secured via conditions in accordance with Policy DNM25. Water efficiency required by Policy DM25 can also be achieved via condition.
- 6.48. An Energy and Sustainability Statement has been submitted with the application. This confirms that individual air source heat pump, exhaust air heat pumps and photovoltaic panels will be used alongside passive design measures and a 'Fabric First' approach. Low energy lights and high efficiency ventilation will be implemented to reduce the energy dependence of this development and reduce its carbon footprint. The solar panels are proposed to the rooftop. Due to the proximity to the conservation area, photovoltaic panels on roof slopes are more strictly controlled to ensure they are located away from more sensitive views and to ensure their detailing is acceptable, which includes only using solar panels which sit flush or near flush with the roof slope to which they are to be affixed. A planning condition will control the siting and design attributes of the pumps and solar panels.

Ecology

- 6.49. Policy DM16 states that 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.
- 6.50. The baseline habitat for this car park is minimal with modest amounts of ruderals and modified grassland. This would not be retained. The proposal shows that the required on-site Biodiversity Net Gain units would be achieved with 14 individual trees. The existing native hedgerow would be retained. Units would also be created on-site with ornamental hedgerow.
- 6.51. Subject to a final BNG Plan and Habitat Management Plan being submitted, the proposal would achieve over 10% Biodiversity Net Gain.
- 6.52. The Preliminary Ecology Appraisal submitted with the application concludes that no protected species surveys are necessary, that precautionary measures for nesting birds are followed and that a sensitive landscape scheme the site could be improved for local wildlife post development. The conclusion is agreed and the precautionary measures for nesting birds will be secured by planning condition.
- 6.53. The Conservation of Habitats and Species Regulations 2017, as amended (commonly known as the Habitat Regulations) require all new residential developments that have the potential to cause disturbance to European designated sites to provide appropriate mitigation. To deal with this, an Essex County wide strategic approach to considering and mitigating potential harm has been produced - the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). An Appropriate Assessment has been carried out which concludes that a contribution towards off-site mitigation (RAMS contribution) is necessary to mitigate the potential disturbance to European designated sites arising from this development growth. A RAMS payment of £ 3,604.92 has been agreed with the Council's Corporate Property Manager, which is in line with the prevailing rate.

Trees

- 6.54. There are no extant preservation orders covering the trees on or surrounding the site and the site is situated just outside of the conservation area to the northwest. The hedges and trees provide screening and soften the otherwise urban environment providing a level of amenity value. No trees are proposed to be removed to facilitate the development, only works to crown lift or selectively reduce T4, T5, H1 and reductions to the boundary of overhanging group G6. All but H1 are off site and predominantly situated within Rectory Lane Cemetery, as such reductions to the boundary or to an extent that would not give rise to harm would be covered by Common Law and deemed acceptable.
- 6.55. There will be some incursion into the root areas of T4 and T5. However there is already existing hard surfacing that extends into these areas. Subject to a tree protection plan and arboricultural method statement setting out the trees and hedges to be retained, details of tree surgery work to retained trees and construction within root protection areas, the existing trees would be satisfactorily retained.

- 6.56. The landscaping proposal indicates 14 trees to be planted. These in time, would form a prominent feature and improve amenity value to the south of the site.
- 6.57. The Council has declared a Climate and Ecological Emergency to focus attention on reducing carbon and greenhouse gas emissions in the area and to plan for a more sustainable future. The Council's Climate and Ecological Emergency Action Plan includes undertaking a greening programme to significantly increase the amount of woodland and the proportion of tree cover in Chelmsford. Paragraph 5.18 of the Making Places Supplementary Planning Document (January 2021) states that green spaces provided in connection with new housing development should, where practicable, include the planting of three trees per net new dwelling. The proposed plans show that 14 new trees will be planted within the application site. These will be secured as part of the conditioned landscaping scheme. This is 52 trees below the requirement of three trees for each dwelling, in these circumstances £100 is requested per tree which cannot be accommodated on site in accordance with the Tree Planting Advice Note. This equates to £5,200 and has been agreed with the Council's Corporate Property Manager.
- 6.58. Subject to conditions to ensure the retention of trees and a soft landscaping scheme to ensure the provision of the 14 trees, the proposal would comply with Policy DM17.

Flood Risk

- 6.59. The site is in Flood Zone 1 which is defined as being in the lowest risk of tidal or fluvial flooding.
- 6.60. Due to the urban nature of this site, the proposed SUDS solution is based on permeable paving with underground cellular storage. This is the same approach as accepted across other sites within the city centre. The Lead Local Flood Authority (LLFA) and Anglian Water have been consulted on the proposals and raise no objection subject to conditions. Anglian Water require a detailed SUDS scheme to be submitted under control of planning condition, whereas the LLFA have requested that the scheme as set out in the submitted Foul and Surface Water Assessment is implemented including limiting the discharge rate to 2 l/s and providing attenuation storage for all storm events up to and including the 1:100 year storm event inclusive of climate change. As this scheme has already been considered and found acceptable by the LLFA, a condition can be applied to ensure this is implemented and appropriate maintenance is undertaken.

Other matters

- 6.61. All developments place a burden on open spaces, but in particular residential development. Where feasible new developments are required to provide local and strategic open spaces on-site to provide adequate open space for Chelmsford's growing communities. Given the amount of development proposed there would only be a requirement in this case to contribute towards local open space (not strategic) and due to the amount of land available on the site, it is not practical to expect a physical provision on-site. Therefore, a financial contribution towards improvements at an existing local open space will be required. A local open space contribution of £23,386 has been agreed with the Council's Corporate Property Manager, which is in line with the Planning Obligations SPD.
- 6.62. A Phase 1 Contaminated Land Assessment accompanies the application. This identifies a number of plausible contamination linkages at the site with the potential to present moderate to moderate/low risk to human health, controlled waters and buried services. A moderate/low ground gas risk to future residents is also identified to those within the southern block. Further assessment would be carried out which would identify any additional mitigation required to be

installed as part of this development. This conclusion is supported by the Councils Public Health and Protection Services.

- 6.63. Residents have raised concerns regarding fire risk. The vehicle tracking information confirms that the site is accessible to the largest fire engine used by Essex Fire Service. In respect of fire safety and the submission of a fire statement, this is only a matter for the local planning authority when the relevant building is over 18m in height or 7 or more storeys, in such scenarios the input of the Health and Safety Executive is required. This proposal is below that height which means fire assessment is not a material planning consideration. Fire safety in this case falls under other legislation including the Building Regulations.
- 6.64. Residents have raised concerns regarding the occupancy of the proposal. The apartments will be allocated to those with the greatest need on the housing register, but the role of allocating housing to individuals would not be a material planning consideration.
- 6.65. The NHS consider that the proposed development is likely to have an impact on the services of surgeries which operate within the vicinity of the application site. Except for one, the GP practices do not have capacity for additional growth resulting from this development and would expect these impacts to be fully assessed and mitigated. The development would generate new residents and subsequently increase demand upon existing constrained services. A sum of £11,200 is requested to mitigate this impact. The scheme has since been reduced by one unit reducing this sum to £10,900. This has been agreed with the Council's Corporate Property Manager, which is in line with the Planning Obligations SPD.

7. Community Infrastructure Levy (CIL) and S.106

- 7.1. This development is CIL liable. CIL payments are required to help pay for general infrastructure arising from development. This would include the contribution towards library services as requested by Essex County Council.
- 7.2. In addition, there is a requirement for specific payments towards works which would usually be made via a S.106 agreement, but as this is a Council-owned site those contributions (RAMS, Tree Planting, Local Open Space and NHS contributions) have been secured as direct transfers between Council Services, to be undertaken when planning permission is in place.

8. Conclusion

- 8.1. The proposals are a sustainable use of previously developed land in the urban area and consistent with the growth site allocation.
- 8.2. The development will have a positive impact on housing and affordable housing in the area.
- 8.3. Local objections have been received and considered. The matters raised through the consultation have been considered in the context of national and local planning policy. The objections would not amount to grounds for refusal as the development is assessed to be acceptable in relation to those concerns raised.
- 8.4. There would be a minor impact on the setting of the non-designated heritage asset cemetery and associated building. In accordance with Policy DM14 and paragraph 209 of the National Planning Policy Framework a balanced judgement is required. This proposal would provide a

sustainable use of previously developed land and meet a critical affordable housing need which attracts significant weight in favour of the scheme..

8.5. The proposals are compliant with the standards and objectives of the National Planning Policy Framework and Chelmsford Local Plan (May 2020). Across all material planning considerations the development is assessed to be acceptable.

8.6. Officers recommend the application is approved subject to conditions.

RECOMMENDATION

The Application be APPROVED subject to the following conditions:-

Condition 1

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

Reason:

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

Condition 2

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

Reason:

In order to achieve satisfactory development of the site

Condition 3

The twenty two (22) apartments in this development shall not be used for any purpose other than the provision of Affordable Housing within the definition as given within the National Planning Policy Framework.

Reason:

To define the scope of the planning permission as being a 100% Affordable Housing scheme.

Condition 4

Subject to such minor variation agreed in writing by the Local Planning Authority, the development shall be carried out in complete accordance with the recommendations contained within the following documents:

- i. Preliminary Ecological Appraisal - September 2022
- ii. Foul and Surface Water Drainage Strategy/Assessment (Revision A) - February 2024
- iii. Energy and Sustainability Statement - February 2024
- iv. Transport Statement - February 2024
- v. Utilities Assessment - February 2024
- vi. Noise Impact Assessment (Revision A) - October 2022
- vii. Phase 1 Geoenvironmental Assessment - October 2022
- viii. Arboricultural Impact Assessment - 22 February 2024
- ix. Biodiversity Net Gain Statement (Revision C) - 7th August 2024

Reason:

In order to achieve satisfactory development of the site in accordance with Policies DM16, DM17, DM18, DM25, DM26, and DM30 of the adopted Chelmsford Local Plan (May 2020).

Condition 5

Prior to the commencement of development a construction management plan shall be submitted to and approved by the Local Planning Authority. The Plan shall provide for:

- i. the parking of vehicles of site operatives and visitors,
- ii. loading and unloading of plant and materials,
- iii. storage of plant and materials used in constructing the development,
- iv. wheel and underbody washing facilities.
- v. Before and after condition survey of the existing left in/left out vehicular access and associated kerb edges, 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.

Once approved the plan shall be adhered to through the construction period of the development.

Reason

This condition is necessary prior to commencement to ensure that any traffic associated within the construction of the development does not adversely affect highway safety or neighbouring properties in respect of parked vehicles.

Condition 6

Prior to the construction of the development hereby permitted a tree protection plan and arboricultural method statement shall be submitted and approved by the Local Planning Authority. This shall include;

- a) Details of trees and hedges to be retained;
- b) Details of tree surgery work to retained trees;
- c) Tree Protection Plan
- d) Details of construction within the root protection area of retained trees;

Once approved, the details shall be implemented during the construction of the development.

Reason:

This information is required prior to commencement to ensure the retention of trees and hedges which are necessary in the interests of the visual amenity of the area.

Condition 7

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

b) Prior to the occupation or first use of the development, any remediation of the site found necessary shall be carried out, and a validation report to that effect submitted to the local planning authority for written approval and the development shall be carried out in accordance with that scheme.

Reason:

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

Condition 8

Notwithstanding the approved drawings, no development above ground level shall take place until samples (accompanied by a schedule and annotated drawings) of all materials to be used to the external faces/roof of the buildings have been submitted to and approved in writing by the local planning authority.

Unless previously agreed in writing by the local planning authority no materials other than those approved by this condition shall be used in the scheme as approved.

Reason:

In order to achieve satisfactory development of the site in accordance with Policies DM13 and DM24 of the adopted Chelmsford Local Plan (May 2020).

Condition 9

Prior to their installation large scale drawings shall be submitted to and approved by the local planning authority showing details of the following:

- (a) Solar panels (siting, fixing height relative to roofslope, and design attributes)
- (b) Air source heat pumps (siting and dimensions)
- (c) External lighting (location and design specification of all external lighting - free standing or building mounted)

The development shall then be carried out in accordance with the approved details. Any external plant, ducting or guardrailing not expressly shown within the approved drawings listed in this decision shall not be introduced without formal planning permission.

Reason:

To ensure the proposed development is visually satisfactory and does not detract from the character or appearance of the nearby Conservation Area and non-designated heritage assets in accordance with Policy DM13 of the Chelmsford Local Plan.

Condition 10

Notwithstanding the drawings as approved:

- (i) Within 6 months of commencement of development the proposed treatment of all boundaries, including representative drawings of all gates and fences, shall have been submitted to and approved in writing by the local planning authority.
- (ii) No part of the development shall be occupied until boundary treatments as approved under (i) of this condition have been installed in accordance with those agreed details.

Reason:

In the interests of the visual amenities of the area in accordance with Policies DM13 and DM24 of the adopted Chelmsford Local Plan (May 2020).

Condition 11

Prior to first occupation of the development the vehicular turning head facility by the southern most parking spaces as shown on approved drawing number 3616-01 revision B by the southern parking spaces, shall be constructed, surfaced and maintained free from obstruction at all times for the turning of vehicles only.

Reason

To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

Condition 12

Prior to the first occupation of the development the vehicle parking spaces shown on approved drawing number 3616-01 revision B shall be hard surfaced, sealed and marked out in parking bays and made available for use. Once provided the vehicle parking area and associated turning areas shall be retained in this form at all times and used for the parking of vehicles only.

Reason

To ensure the satisfactory provision of vehicle parking and their retention in the interests of providing parking in accordance with Policy DM27 of the Chelmsford Local Plan.

Condition 13

Prior to first occupation of the development a Parking Management Strategy shall be submitted to and agreed in writing by the Local Planning Authority. This Strategy shall include how the parking spaces will be allocated, details of parking restrictions and enforcement within the site to prevent ad-hoc parking in areas other than marked bays and how visitor bays will be managed/controlled. Once agreed, this Strategy shall be implemented in its entirety and shall not be amended unless with formal written agreement of the local planning authority.

Reason:

To ensure that appropriate parking is provided in the interests of highway safety in accordance with Policy DM27 of the adopted Local Plan.

Condition 14

Prior to occupation of the development the cycle parking spaces as shown on approved drawing 3616-01 revision B shall be provided in their entirety and kept available for the parking of bicycles only.

Reason:

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

Condition 15

Prior to occupation of the proposed development, the Developer shall provide to each household a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.

Reason:

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

Condition 16

Prior to the first occupation of the development hereby permitted, charging infrastructure for electric vehicles shall be installed at a rate of 1 charging point per parking space.

Reason:

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

Condition 17

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

Reason:

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

Condition 18

A minimum of 50% of the dwelling units as approved shall be constructed to comply with Building Regulations Approved Document Part M4(2) Category 2 (2010 - as amended).

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 19

No part of the development shall be occupied until the approved refuse and recycling storage has been made available and shall thereafter be maintained in a good state of function and cleanliness for its intended use as approved.

Reason:

To ensure satisfactory waste and recycling collection points are available to all occupiers in accordance with Policy DM26 of the adopted Chelmsford Local Plan (May 2020).

Condition 20

No part of the development shall be occupied until a SuDS Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies (which shall include the need to maintain a yearly log of maintenance), shall have been submitted to and agreed in writing by the Local Planning Authority. Should any part be maintainable by a Maintenance Company, details of long term funding arrangements should be provided.

Reason:

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk in accordance with Policies S2 and DM18 of the adopted Chelmsford Local Plan (May 2020).

Condition 21

The development permitted by this planning permission shall be carried out in accordance with the approved Foul and Surface Water Assessment and the following mitigation measures detailed within the Assessment:

- i. Limiting the discharge rate to 2l/s.
- ii. Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of climate change.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, 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 22

The development hereby permitted shall not be commenced until the existing pipes within the extent of the site, which will be used to convey surface water, are cleared of any blockage and are restored to a fully working condition. A report confirming the investigation has been carried out, the results of investigation and confirmation that any blockage has been removed shall be submitted to and approved in writing by the local planning authority prior to the commencement of development.

Reason:

This information is required prior to commencement to ensure that the drainage system implemented at the site will adequately function and dispose of surface water from the site. Failure to carry out the required maintenance 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 23

Notwithstanding the approved drawings, within 6 months of commencement of development a final and comprehensive specification of all hard and soft landscaping works and content shall have been submitted to and approved in writing by the local planning authority to include written specification, layouts and large-scale drawings as necessary of the following:

- i. hard materials setting out (including laying patterns),
- ii. details of any steps/ramps,
- iii. seating,
- iv. lighting (to streets/spaces),
- v. bins,
- vi. definitive planting specification containing species and sizes,
- vii. tree pits, root barriers and staking,
- viii. maintenance plan(s) for all of the above

All outside public/communal areas of the development as approved shall be laid out, planted, equipped and implemented in accordance with the agreed specifications prior to the occupation of 90% of the approved dwellings unless the local planning authority formally agrees to a varied timetable and shall be permanently retained thereafter in accordance with a management plan, as approved.

If within a period of 5 years from the date of planting any element of the soft landscaping scheme or retained landscaping (or any replacement planting to which this same provision would also apply), is removed, uprooted, or destroyed, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or landscaping feature of the same size and species as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

Reason:

Whilst submitted drawings provide detail sufficient to determine the application, some further information is required to ensure the specification is expressed in sufficient detail to establish definitive content and allow integration with adjacent areas of public realm, to enable appropriate level of assessment and to ensure those spaces are designed to an appropriate standard in accordance with Policies DM13 and DM24 of the adopted Chelmsford Local Plan (May 2020).

Condition 24

The new trees indicated on drawing no. 005 (G) shall be planted on the site as shown on the approved drawing prior to the first occupation of any part of the development or in the first available planting season following such occupation. In the event that the trees become diseased, damaged, die or are removed within the first five years after planting they shall be replaced with a species and size as shown on the approved plan.

Reason:

In order to add character to the development, to integrate the development into the area and to promote biodiversity in accordance with Policies DM16 and Policy DM23 of the Chelmsford Local Plan and to ensure that three additional trees are planted in response to the Council declaring a Climate and Ecological Emergency and Strategic Policy S2 of the Chelmsford Local Plan which recognises that new development will seek to mitigate and adapt to climate change .

Condition 25

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

- (i) completed metric calculation tool;
- (ii) pre-development and post-development plans (showing the location of on-site habitat, the direction of north and drawn to an identified scale);
- (iii) biodiversity net gain register reference numbers (if purchasing off-site units); and
- (iv) proof of purchase if purchasing statutory biodiversity credits.

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

Reason:

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

Condition 26

No development shall take place on any part of the site until a written Habitat Management and Monitoring Plan (HMMP), in the form of the national Natural England and DEFRA template, for a minimum period of 30 years for the site has been submitted to and approved in writing by the Local Planning Authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following:

- details setting out how the onsite or off-site gains will be managed;
- Details of the persons responsible for the implementation, management and monitoring;
- details of how habitats will be monitored (including specific details for each type of habitat);
- details, including a schedule, of monitoring reports to be submitted to the local planning authority over at least a 30 year period;
- details of how management will be reviewed;
- details of adaptive management to account for habitat restoration if the management plan is not working.

Reason:

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

Condition 27

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the buildings hereby permitted shall not be enlarged or extended (including roof alterations or additions) without the grant of an additional planning permission by the local planning authority.

Reason:

To ensure that adequate controls are retained in the interests of maintaining an appropriate relationship between the development scheme and surrounding area and properties in the interests of townscape, conservation and protecting the living environment of occupiers of neighbouring dwellings in accordance with Policies DM13, DM24 and DM29 of the adopted Chelmsford Local Plan (May 2020).

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 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 developer to pay the costs of all necessary traffic regulation orders and legal processes associated with the highway works as well as paying the costs of all necessary traffic regulation orders and legal processes associated with the highway works. The Applicant is advised to contact the Development Management Team

- by email at development.management@essexhighways.org
- by post to: SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU.

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.

With reference to highway works it will be necessary to obtain separate approvals from the Local Highway Authority (Essex County Council) for any works within the public highway. Prior to any works in the public highway, affecting the public highway or in areas intended to become public highway, you will be required to enter into an appropriate agreement with Essex County Council as the Local Highway Authority to regulate construction works. This may include the submission of detailed engineering drawings for safety audit and approval. As part of those future discussions with the Local Highway Authority you are required to ensure there is no discrepancy between the planning and highway approvals.

- 3 This development will result in the need for a new postal address. Applicants should apply in writing, email or by completing the online application form which can be found at www.chelmsford.gov.uk/streetnaming. Enquires can also be made to the Address Management Officer by emailing Address.Management@chelmsford.gov.uk
- 4 Your attention is drawn to the consultation response of Anglian Water dated 14 March 2024.
 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.
- 5 It is recommended that detailed facade noise break-in calculations and a detailed BS4142:2014+A1 assessment is undertaken in accordance with the recommendations found within the Noise Impact Assessment.
- 6 The proposed development may be liable for a charge under the Community Infrastructure Levy Regulations 2010 (as Amended). If applicable, a Liability Notice will be sent as soon as possible to the applicant and any other person who has an interest in the land. This will contain details of the chargeable amount and how to claim exemption or relief if appropriate. There are further details on this process on the Council's website at www.chelmsford.gov.uk/cil, and further information can be requested by emailing cilenquiries@chelmsford.gov.uk. If the scheme involves demolition, for the purposes of the Regulations the development will be considered to have begun on commencement of the demolition works.

Positive and Proactive Statement

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

Plans to be listed on any Decision Notice:

005/G
 3616 LP
 3616-01/B
 3616-04/E
 3616-06/D
 3616-07/D
 3616-11/A
 3616-13
 3616:03/G
 3616:10/C
 3616:12/A
 41365BWLS-01
 Accommodation Schedule 3616:AS/B
 Arboricultural Impact Assessment
 Biodiversity Net Gain Statement/Rev C
 Energy and Sustainability State
 Noise Impact Assessment/Rev A
 Phase I Geoenvironmental Assessment
 Preliminary Ecological Appraisal
 Rectory Lane Foul and Surface Water Drainage Strategy
 Transport Assessment
 Utilities Assessment - 1 of 3
 Utilities Assessment - 2 of 3
 Utilities Assessment - 3 of 3

Appendix 2 – Consultations

Mid And South Essex Integrated Care Board

Comments
<p>Conclusions</p> <p>The ICS has identified that the development will give rise to a need for additional healthcare provision 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.</p> <p>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</p>

consistent with the policy and tests for imposing planning obligations set out in the NPPF.

The ICS therefore requests that the sum of £11,200 be secured through a planning obligation in the form of a S106 agreement is linked to any grant of planning permission in order to increase capacity for the benefit of patients of the Primary Care Network operating in the area. This may be achieved through any combination of extension, reconfiguration or relocation of premises.

Public Health & Protection Services

Comments

Please put on an ENV07 condition, the Phase 1 assessment shows that further intrusive investigation is required.

With regards to noise, providing the recommendations of the acoustic report are implemented, we have no objections.

Economic Development & Implementation

Comments

No comments to add.

Essex County Council Highways

Comments

For main urban areas, defined as those having frequent and extensive public transport and cycling and walking links, accessing education, healthcare, food shopping and employment, as defined in the Parking Standards a reduced vehicle parking provision level standard may be considered for residential development. This site is located within walking distance of the bus and the railway stations, the Rectory Lane West long stay car park is directly west of the site accessed via a signal controlled pedestrian crossing and there are public car parks nearby. The reduced parking standard provision level proposed, is therefore considered appropriate for this development.

The Chelmer Valley Road (A1016) carriageway is protected by a Traffic Regulation Order (TRO) Clearway Order, to prevent vehicle parking on the verges and hardened verge areas. Rectory Lane (B1008) and the surrounding local streets are protected by existing TRO parking restrictions designed to discourage undesirable parking habits.

No changes are proposed to the existing left in/left out vehicular access.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway

Authority subject to the following conditions:

- any works to highway must be carried out in agreement with Essex Highways
- construction management
- provision and retention of turning head and parking
- Parking Management Strategy
- Cycle parking provision and retention
- Travel Information Packs

Informatives:

Contact for highway works

New Street – advance payment code

Parks & Open Spaces

Comments

No response received

Leisure & Heritage Services

Comments

No response received

Anglian Water Services Ltd

Comments

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

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

Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of

apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

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

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. 1. INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

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.

The preferred method of surface water disposal would be to a sustainable drainage system SUDS with connection to the sewer seen as the last option. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable due to lack of full surface water hierarchy evidence being provided. Whilst an 'in principle' rate has been given to the public sewer, this is dependant on full surface water hierarchy evidence being provided, including and not limited to, a full ground investigation report, which the Foul and Surface Water Drainage Strategy document concludes has not yet been carried out . We would therefore recommend that the applicant consults and provides this information. We request a condition be applied to the decision notice if permission is granted. The purpose of the planning system is to achieve sustainable development.

This includes the most sustainable approach to surface water disposal in accordance with the surface water hierarchy. It is appreciated that surface water disposal can be dealt with, in part, via Part H of the Building Regulations, it is felt that it is too late at this stage to manage any potential adverse effect. Drainage systems are an early activity in the construction process and it is in the interest of all that this is dealt with early on in the development process.

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

- SUDS

Essex and Suffolk Water

Comments
No response received

Property Services

Comments
No response received

Police - Designing Out Crime

Comments
No response received

Essex County Fire & Rescue Service

Comments
<p>Access for Fire Service purposes has been considered in accordance with the Essex Act 1987 - Section 13 and appears to be acceptable subject to satisfactory compliance with Building Regulations B5.</p> <p>More detailed observations on access and facilities for the Fire Service will be considered at Building Regulation consultation stage.</p> <p>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.</p> <p>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".</p> <p>Approved Inspectors will consult with the Authority in accordance with Regulation 12 of the Building (Approved Inspectors etc.) Regulations 2010 (as amended).</p> <p>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.</p> <p>"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.</p> <p>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</p>

loss. We also encourage developers to use them to allow design freedoms, where it can be demonstrated that there is an equivalent level of safety and that the functional requirements of the Regulations are met."

ECC Community Infrastructure Planning (Education)

Comments

The proposal falls outside the threshold for education contributions

ECC may seek contributions to support the expansion of the library service to meet customer needs generated by residential developments of 20+ homes. 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.

The suggested population increase brought about by the proposed development is expected to create additional usage of Chelmsford Library. A developer contribution of £1,789.40 is therefore considered necessary to improve, enhance and extend the facilities and services provided and to expand the outreach and mobile library offer that would service this development. This equates to £77.80 per unit, index linked to April 2020.

Housing Standards Team

Comments

No response received

Recycling & Waste Collection Services

Comments

The collection vehicles are able to enter/exit proposed development in forward gear. [as per tracked drawing]

Please ensure that there is level ground between the bin store/s and vehicle i.e. no kerbing or steps etc.

Local Residents

Comments

Representations received – 2 letters of representation received. Full details of all the comments are available on the Council's website. A summary of the concerns raised are included in the report.

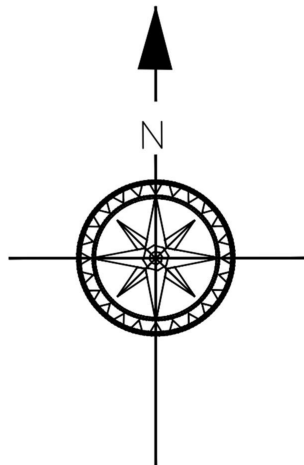
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revision	
issue	
client	Chelmsford City Council
project	Car Park off, Rectory Lane and Chelmer Valley Road, Chelmsford
title	Site Location Plan

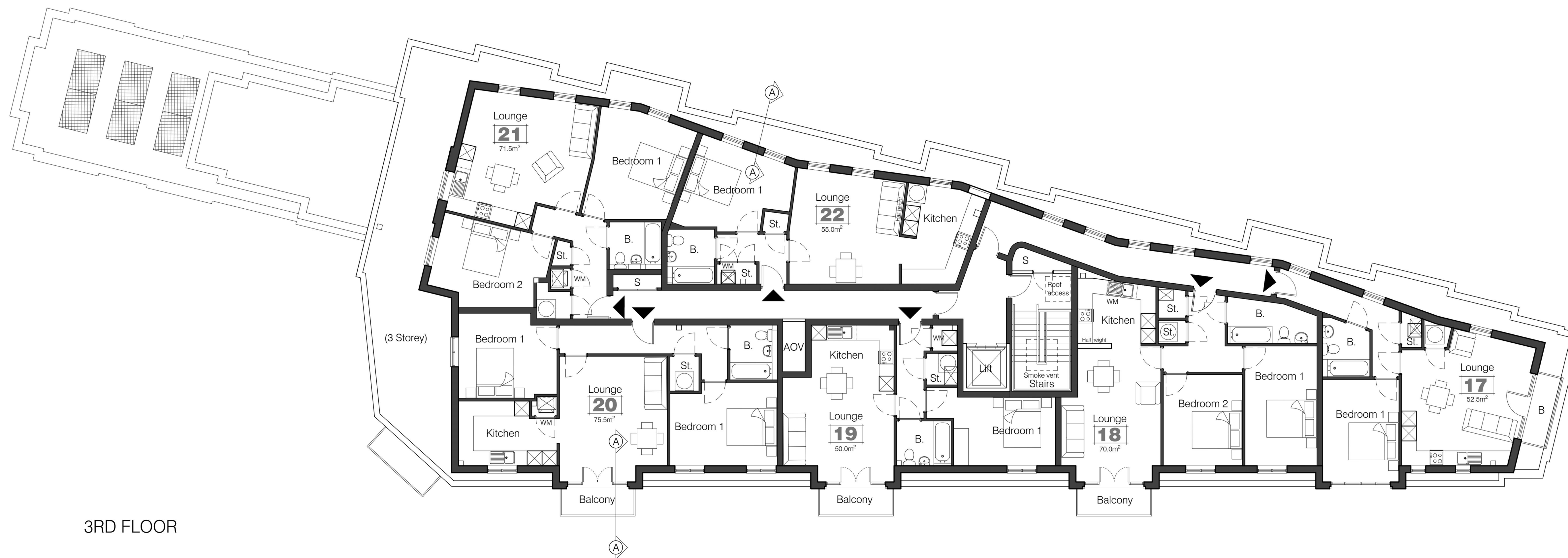
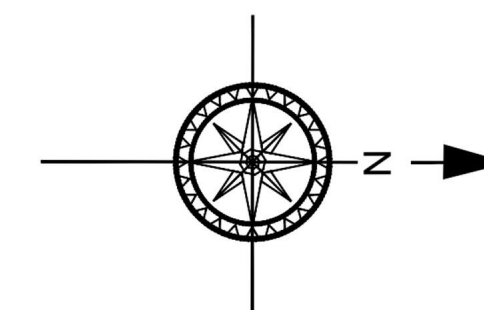
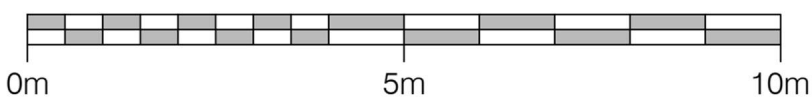
john finch partnership
chartered architects & town planning consultants



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date	21.06.23	scale	1:1250
drawn	HT	checked	RJH
dwg no	3616 LP	revision	.



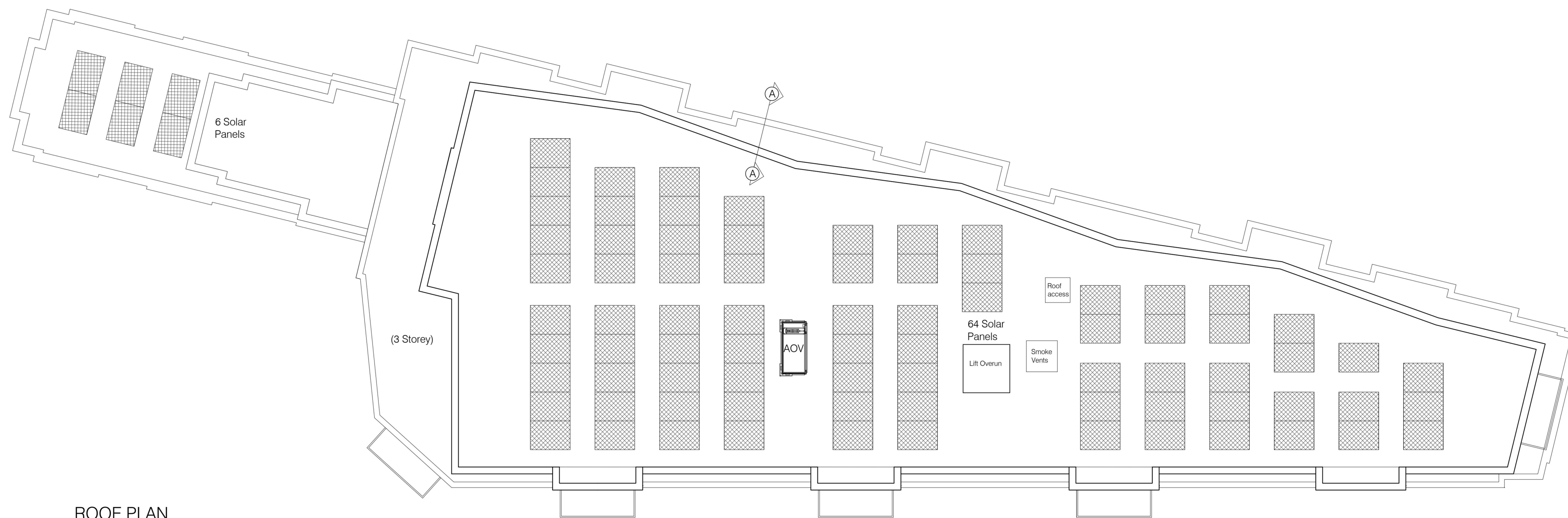
3RD FLOOR

Accommodation Schedule

Plot	Type	Area (sq.m)
01	2B4P Apartment	71.5
02	2B4P Apartment	70.5
03	2B4P Apartment	75.0
04	1B2P Apartment	50.5
05	2B3P Apartment	62.0
06	1B2P Apartment	56.0
07	3B5P Apartment	109.0
08	2B4P Apartment	81.0
09	2B4P Apartment	72.0
10	2B4P Apartment	70.5
11	2B4P Apartment	75.0
12	1B2P Apartment	50.5
13	2B3P Apartment	62.0
14	1B2P Apartment	56.0
15	2B4P Apartment	81.0
16	2B4P Apartment	72.0
17	1B2P Apartment	52.5
18	2B4P Apartment	70.0
19	1B2P Apartment	50.0
20	2B4P Apartment	75.5
21	2B4P Apartment	71.5
22	1B2P Apartment	55.0

Total Area 1489.0 sq. m

One three-bedroom units (4.3%)
 Fourteen two-bedroom units (63.6%)
 Seven one-bedroom units (31.8%)



ROOF PLAN

revision _____

issue _____

client _____

Chelmsford City Council

project Car Park, off Rectory Lane & Chelmer Valley Road, Chelmsford

title _____

Third Floor and Roof Plans

john finch partnership
 chartered architects & town planning consultants

88 Broomfield Road
 Chelmsford CM1 1SS
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 admin@johnfinchpartnership.co.uk

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date 28/11/2022 scale 1:100

drawn - checked R.J.H.

dwg no 3616-04 revision E



FRONT ELEVATION - Facing Chelmer Valley Road



REAR ELEVATION - Facing Cemetery

Materials Key

- | | | |
|--|--|------------------------------------|
| 01 Stretcher bond Wienerberger Denton Crofters Madley Wirecut Red facing Brickwork OSA | 06 Vertical seamed metal cladding in - Anthracite grey | 11 White render |
| 02 Soldier course in Wienerberger Denton Crofters Madley Wirecut Red facing Brickwork OSA | 07 Vertical seamed metal cladding in - Bronze | 12 Metal guarding |
| 03 Stacked brickwork in Wienerberger Denton Crofters Madley Wirecut Red facing Brickwork OSA | 08 Metal panel coloured to match windows | 13 Anthracite metal parapet coping |
| 04 Stretcher bond brickwork in black facing brickwork | 09 Aluminium windows. Colour: Anthracite | 14 Existing established hedge |
| 05 Patterned extended flemish bond brickwork | 10 Aluminium doors. Colour: Anthracite | |

revision
 issue

client

Chelmsford City Council

project

Car Park, off Rectory Lane & Chelmer Valley Road, Chelmsford

title

Front and Rear Elevation

john finch partnership
 chartered architects & town planning consultants

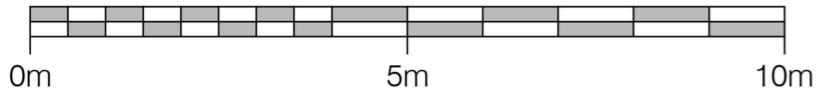
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date 28/11/2022 scale 1:100

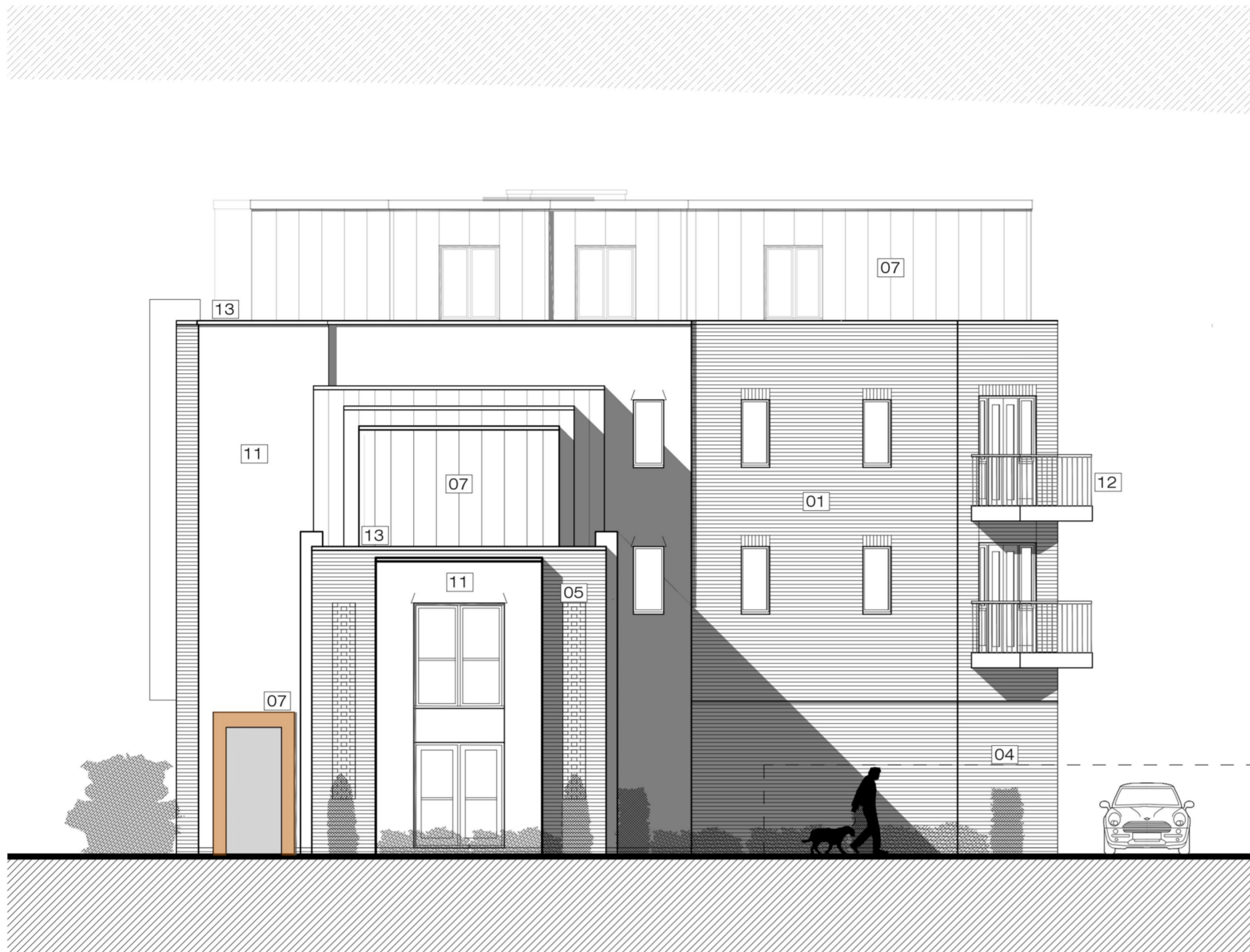
drawn - checked RJJH

dwg no. 3616-06 revision D



Materials Key

- 01 Stretcher bond Wienerberger Denton Crofters Madley Wirecut Red facing Brickwork OSA
- 02 Soldier course in Wienerberger Denton Crofters Madley Wirecut Red facing Brickwork OSA
- 03 Stacked brickwork in Wienerberger Denton Crofters Madley Wirecut Red facing Brickwork OSA
- 04 Stretcher bond brickwork in black facing brickwork
- 05 Patterned extended flemish bond brickwork
- 06 Vertical seamed metal cladding in - Anthracite grey
- 07 Vertical seamed metal cladding in - Bronze
- 08 Metal panel coloured to match windows
- 09 Aluminium windows. Colour: Anthracite
- 10 Aluminium doors. Colour: Anthracite
- 11 White render
- 12 Metal guarding
- 13 Anthracite metal parapet coping
- 14 Existing established hedge



SIDE ELEVATION - Facing Rectory Lane



SIDE ELEVATION - Facing North

revision
issue

client

Chelmsford City Council

project
Car Park, off Rectory Lane &
Chelmer Valley Road,
Chelmsford

title

Side Elevations

john finch partnership
chartered architects & town planning consultants



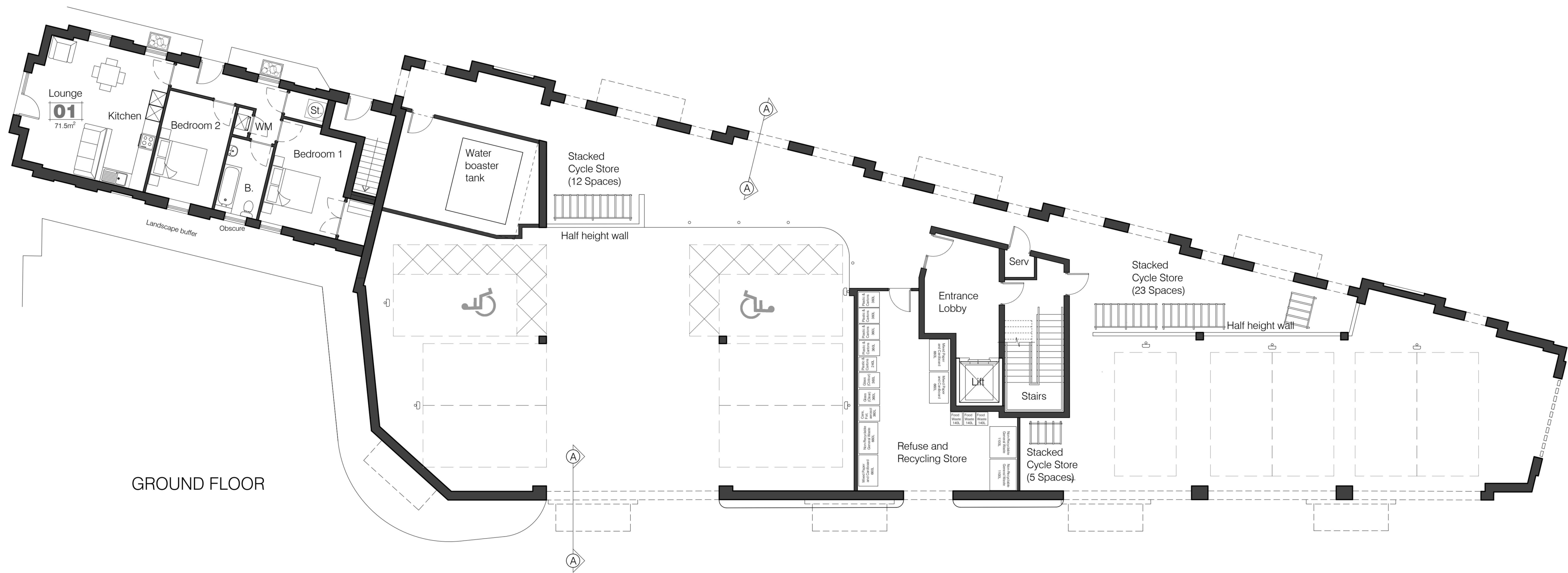
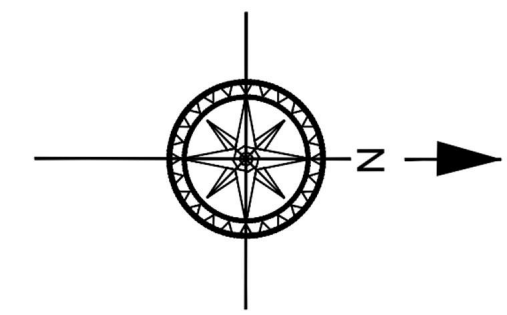
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date 08/12/2022 scale 1:100

drawn - checked RJH

dwg no 3616-07 revision D



GROUND FLOOR

Accommodation Schedule

Plot	Type	Area (sq.m)
01	2B4P Apartment	71.5
02	2B4P Apartment	70.5
03	2B4P Apartment	75.0
04	1B2P Apartment	50.5
05	2B3P Apartment	62.0
06	1B2P Apartment	56.0
07	3B5P Apartment	109.0
08	2B4P Apartment	81.0
09	2B4P Apartment	72.0
10	2B4P Apartment	70.5
11	2B4P Apartment	75.0
12	1B2P Apartment	50.5
13	2B3P Apartment	62.0
14	1B2P Apartment	56.0
15	2B4P Apartment	81.0
16	2B4P Apartment	72.0
17	1B2P Apartment	52.5
18	2B4P Apartment	70.0
19	1B2P Apartment	50.0
20	2B4P Apartment	75.5
21	2B4P Apartment	71.5
22	1B2P Apartment	55.0

Total Area **1489.0 sq. m**

One three-bedroom units (4.3%)
 Fourteen two-bedroom units (63.6%)
 Seven one-bedroom units (31.8%)



1ST AND 2ND FLOOR

revision	
issue	

client

Chelmsford City Council

project
 Car Park, off Rectory Lane & Chelmer Valley Road, Chelmsford

title
 Ground, First & Second Floor Plan

john finch partnership
 chartered architects & town planning consultants

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date	28/11/2022	scale	1:100
drawn		checked	RJH

dwg no	3616:03	revision	G
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